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ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES
SCHOOL OF INFORMATION STUDIES FOR AFRICA

ON-LINE THESAURUS OF TERMS ON ISLAMIC LAW

**A THESIS SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENT
FOR THE DEGREE OF MASTER OF SCIENCE IN INFORMATION SCIENCE**

BY
AMIRA HAMADTU

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Amira Abdelaziz Hamada

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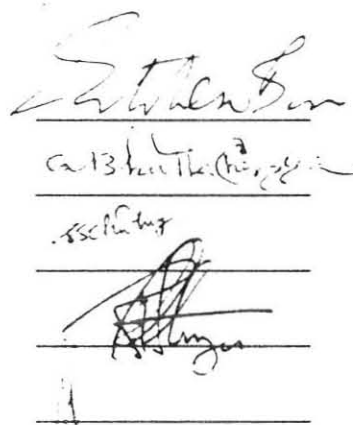
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The image shows five handwritten signatures, each written on a horizontal line. The signatures are: 1. Ato Getachew Birru (Chairman), 2. Prof. G. Bhattacharyya (Advisor), 3. Dr. G. G. Chowdhury (Advisor), 4. Dr. R.P. Sturges (External Examiner), and 5. Dr. Taye Tadesse Tadesse (Internal Examiner). The signatures are written in black ink and are somewhat stylized.

*To my Mother, to whom I owe my education; my father; uncles
Ahmad and Shuayb; and to the souls of my Grandfathers*

ABSTRACT

At this point of time, there is no vocabulary control device in any form that can serve the purpose of depth-indexing of micro-documents. This study centres round the design and development of an online alphabetical thesaurus of terms on "Islamic Law". It can be used for searching and retrieval of bibliographic references, as well as the profiles of organizations and institutions, projects and experts. A device which can serve the purpose of depth-indexing of micro-documents can at the same time serve the purpose of indexing macro-documents. For the purpose of developing the alphabetical thesaurus, a systematic thesaurus has been developed first by using the faceted approach to the extent necessary and sufficient. In addition, the standard procedures for the construction of alphabetical thesaurus as prescribed by different authorities have been followed to the extent warranted. A thesaurus database containing records of terms on "Islamic Law" has been developed. The structure of the online version of the OECD macrothesaurus called "Thes" has been used for this purpose. For the purpose of online maintenance and use of the thesaurus an application programme called "Theshi", an improved version of the "Thes Program", that comes with Micro CDS/ISIS software, has been used. Necessary print and sort worksheets have been designed for generating the alphabetical thesaurus from the database. The "Vocon.Pas Program", developed at SISA, has been used to demonstrate the use of the thesaurus for indexing.

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CHAPTER 1

INTRODUCTION

1.1 INTRODUCTION

The title of the thesis is "Online Thesaurus of Terms on Islamic Law". This chapter is an introduction to the whole work. It contains the following:

- (1) The statement of the problem;
- (2) The justification of the study;
- (3) The general and specific objectives of the study;
- (4) The scope and limitation of the study; and
- (5) The organization of the thesis.

1.2 STATEMENT OF THE PROBLEM

The number of documents on Islamic Law (*Shari`a*) is very large. They are the main sources of information on the various aspects of "Islamic Law". The extension and intension of their contents are considerably great. Extensive and intensive studies on Islamic Law are in progress all over the world. The scholars engaged in those studies are in constant need of access to information about those sources of information. Each of the users of such information prefers to have it as specifically as possible, as exhaustively as possible, and as timely as possible; especially in relation to his/her specific field, area and topic of interest. To meet such requirements of the users of information on Islamic Law, it becomes imperative to adopt the policy of "Depth-indexing" for those sources of information. The

term "Depth-indexing" refers to a policy of indexing in which the documents under consideration get indexed coextensively and within it cointensively, so far as their respective specific subjects are concerned. It is used for the purpose of storage, dissemination, and retrieval of information about sources of information. The basic tool for implementing this policy is an updated vocabulary control device, such as, a "Retrieval Thesaurus", popularly known as "Thesaurus".

Experience of working in the concerned field shows that whatever tools are available are too inadequate for the specific purpose. Besides, it confirms the non-existence of any thesaurus of the type as specified above on Islamic Law. In addition, any effort in developing such a thesaurus in any other place is not publicly known. It is this problem that has led to my taking up the project of constructing an "Online Thesaurus of Terms on Islamic Law". All attempts to find out whether anybody else is engaged in the same or similar project or not, turned out in a negative result. Besides, my authority in the University of Khartoum Main Library insisted that as nothing adequate is available at the moment, I should take up the project to come out with something that can form the basis for further development.

It is hoped that the results of this initiative would be able to meet the immediate requirement in adequate measure; and it would open up a vista for further developments on the basis of its theory forming its foundation. The result of this study does not claim anything more than this to achieve. A vocabulary control device, such as, a retrieval thesaurus, is quite expected to be inadequate at any particular point of time. In such a situation, it would call for being enriched by the process of editing. The responsibility of editing, at this stage, becomes the

responsibility of its user- that is, the indexer himself. If the construction of the thesaurus is based on explicitly stated sound principles and procedures; and the user get him/herself thoroughly familiar with those principles and procedures; it is expected that the thesaurus would prove to be quite user-friendly; and the user would be able to enrich it by augmentation by avoiding the hazards of any sort of arbitrariness.

1.3 JUSTIFICATION

To justify the statement of the problem, it would be necessary to examine each of the vocabulary control devices from the point of view of their respective adequacy for depth-indexing of micro-documents on "Islamic Law". The devices which are readily available now, according to the chronological sequence, are the following:

- (1) Arabic list of subject headings / [by] Ibrahim al-Khazandar. -- 1977.
- (2) Arabic subject headings/ Cataloguing and Classification Division; King Suud University; supervised by M.N. Al-Sweydan. -- Riyadh: King Suud University, 1978.
- (3) Dewey decimal classification and relative index/ devised by Melvil Dewey. -- 20th ed. / edited by John P. Comaromi and others. -- Albany, New York: Forest Press, 1989.
- (4) Library of Congress subject headings/ prepared by the Office for Subject Cataloguing Policy, Collection Services; Library of Congress. -- 13th ed. -- Washington, D.C.: Cataloguing Distribution Services; Library of Congress, 1990.
- (5) Sears list of subject headings / edited by Joseph Miller. -- 15th ed. -- New York : The H.W.Wilson Company, 1994.

A list of micro-documents is given below, as a sample from the lot of documents on "Islamic Law" , to show the inadequacy of each of those vocabulary control devices, listed above, for depth-indexing of these documents. Example(s) is/are taken from this list to examine the potentiality of each of the above mentioned vocabulary control devices for depth-indexing of this/these document(s). The documents are the following :

- (1) Will and bequest (wasaya) in five schools of Islamic law/ by Muhammad Jawad Maghniyyah; translated from Arabic by Mujahid Husayn. *Al-Tawhid*. 6 (3); 1989P: 51- 72.
- (2) The meaning of ijtiḥād / by Muhammad Ibrahim Jannati ; translated from the Persian by Martyr Mahliqa Qara'i. *Al-Tawhid*. 5 (3&4); 1988: 179-200.
- (3) A brief survey of the development of 'ilm usul al-fiqh part 1 / by Abual-Qasim Gorji ; translated by `Ali Quli Qara'i. *Al-Tawhid*. 3(2); 1986: 66-84.
- (4) Land tenure under Islamic law in Nigeria / [by] Musa Yakubu. *Journal of Islamic and Comparative law*. 9; 1980: 1-6.
- (5) The penalty of hand amputation for theft in Islamic law / by S.S. Souryal and D.W. Potts. *J. of Criminal Justice*. 22(3); 1994: 249-65.
- (6) The Muslim family laws ordinance of Pakistan / [by] Mumtaz Ahmed. *International Journal of World Peace*. 10; 1993: 37-46.
- (7) Tying a slipknot : temporary marriages in Iran / [by] T.F.Ghodsī. *Mich. Journal of International Law*. 15; 1994: 645-86.
- (8) The judicial system of Islam / [by] S.J. Dallal. *Search*. 7; 1986: 1-28.
- (9) International conflicts in child custody : United States v. Saudi Arabia. *Loyola of Los Angeles International and Comparative Law Journal*. 9 (2); 1987: 413-43.

- (10) Protection of diplomats under Islamic law / [by] M.C. Bassouni. *American Journal of International Law*. 74; 1980: 609-33.

Following the chronological sequence, adopted in listing the vocabulary control devices above, we will start by examining the "Arabic List of Subject Headings" and the "Arabic Subject Headings", which are more or less similar in contents, and deal with all subjects written in Arabic, and all the works on Islam are scattered throughout the list with the provision of only one heading for "Islamic Law" (Islamic *sharia*). Obviously, the question of using such devices for depth-indexing does not arise at all. This is because of the lack of desired specificity.

In Dewey Decimal Classification (DDC) twentieth edition "class 340.59" (volume 2, p. 398) is devoted to "Islamic law", that relates to secular matters with no subdivisions, and Islamic law relating to religious matters is classified in 297.14 according to the instruction under "class 340.5". Class 297.5 is devoted to "Islamic moral theology", which encompasses conscience, duties, sins, vices, and virtue. But, according to academic consensus, "Islamic Law" encompasses not only laws related to secular matters but, also religious rituals as well. Following these divisions, found in the (DDC) twentieth edition, the user, who is interested in Islamic law generally, will miss those documents which deal with Islamic rituals; and which will be indexed or classified under class 297.5.

If we use class 340.59 to index the document number 4, from the list given above, the only way is to index it with other comprehensive documents on "Islamic Law"; and when the need arises to retrieve such a document, it will be retrieved with those other comprehensive

documents on "Islamic Law", because the descriptor, that will be used for searching, will be "Islamic Law". So for the user, who is interested only in land tenure, recall ratio will be too high by getting other documents on "Islamic law"; and accordingly low precision ratio.

From this we can justify the statement that the DDC twentieth edition, as a vocabulary control device, is inadequate for depth-indexing of micro-documents on Islamic law.

All the available descriptors (subject-headings) for the distinct discipline of "Islamic law" in the "Library of Congress Subject Headings" in its 1990 version, are reproduced below:

- Islamic law (May Subd Geog)
 - UF Civil law (Islamic law)
 - Koran-law
 - Law, Arab
 - Law, Islamic
 - Law in the Koran
 - Sharia (Islamic law)
 - BT Law, Oriental
 - Law, Semitic
 - NT Absence and presumption of death (Islamic law)
 - Acquisition of property (Islamic law)
 - Actions and defenses (Islamic law)
 - Administrative discretion (Islamic law)
 - Administrative law (Islamic law)
 - Adultery (Islamic law)
 - Advisory opinions (Islamic law)
 - Agricultural laws and legislation (Islamic law)
 - Aliens (Islamic law)
 - Antenuptial contracts (Islamic law)
 - Apostasy (Islamic law)
 - Arbitration and award (Islamic law)
 - Artificial insemination, Human (Islamic law)
 - Authors and publishers (Islamic law)
 - Bank deposits (Islamic law)
 - Birth control (Islamic law)
 - Breach of contract (Islamic law)
 - Bribery (Islamic law)
 - Charity laws and legislation (Islamic law)

Islamic law (Cont.)

Civil service (Islamic law)
 Conditions (Islamic law)
 Consent (Islamic law)
 Consumer protection (Islamic law)
 Contracts (Islamic law)
 Contracts for work and labour (Islamic law)
 Criminal intent (Islamic law)
 Debt, Imprisonment for (Islamic law)
 Decedents' estates (Islamic law)
 Declaration of intention (Islamic law)
 Dower (Islamic law)
 Espionage (Islamic law)
 Fertilization in vitro, Human (Islamic law)
 Finance, Public (Islamic law)
 Finance (Islamic law)
 Gifts (Islamic law)
 Guardian and ward (Islamic law)
 Hanafis
 Hanbalites
 Industrial laws and legislation (Islamic law)
 Insurance policies (Islamic law)
 Interest (Islamic law)
 Interfaith marriage (Islamic law)
 Investments (Islamic law)
 Judgments, Criminal (Islamic law)
 Justification (Islamic law)
 Kinship (Islamic law)
 Land and trusts (Islamic law)
 Landlord and tenant (Islamic law)
 Legislation (Islamic law)
 Liability for animals (Islamic law)
 Libel and slander (Islamic law)
 Limited partnership (Islamic law)
 Loans (Islamic law)
 Malikis
 Mining law (Islamic law)
 Monopolies (Islamic law)
 Murabahah
 Narcotic laws (Islamic law)
 Payment (Islamic law)
 Penance (Islamic law)
 Perpetual income contracts (Islamic law)
 Political crimes and offenses (Islamic law)
 Poll tax (Islamic law)
 Privacy, Right of (Islamic law)
 Product safety (Islamic law)
 Products liability (Islamic law)

Islamic law (Cont.)

- Professions (Islamic law)
- Public interest (Islamic law)
- Recidivists (Islamic law)
- Referendum (Islamic law)
- Rent (Islamic law)
- Retroactive laws (Islamic law)
- Reward (Islamic law)
- Rif law
- Right of property (Islamic law)
- Robbery (Islamic law)
- Sales, Conditional (Islamic law)
- Self-defense (Islamic law)
- Self-help (Islamic law)
- Separation (Islamic law)
- Sex crimes (Islamic law)
- Shafiites
- Silent partners (Islamic law)
- Smoking (Islamic law)
- Stoning (Islamic law)
- Sunnites
- Taqlid
- Third parties (Islamic law)
- Torts (Islamic law)
- Transplantation of organs, tissues, etc. (Islamic law)
- Unjust enrichment (Islamic law)
- Wages (Islamic law)
- Weighs and measures (Islamic law)
- Wills (Islamic law)
- Biography
 - BT Biography
- Interpretation and construction
 - UF Analogy (Islamic law)
 - Consensus (Islam)
 - Ijma` (Islam)
 - Ijtihad (Islamic law)
 - Islamic law--Usul al-Fiqh
 - Qiyas (Islamic law)
 - Usul al-fiqh (Islamic law)
- Roman influences
 - UF Roman law--Influence--Islamic law
 - BT Rome--Civilization
- Sources
 - NT Fatwas
 - Hadith
 - Koran
- Usul al-Fiqh
 - USE Islamic law--Interpretation and construction

Evidently, it has to be acknowledged that, of all the available, vocabulary control devices, the "Library of Congress Subject Headings" (1990) is the most comprehensive in its treatment of "Islamic Law". But, the purpose of depth-indexing to satisfy our local needs will not be served by the "Library of Congress Subject Headings" (1990). This fact can be confirmed by examining the extent of its adequacy in relation to the depth-indexing of the contents of the micro-documents listed above. The following is an attempt in that direction:

- (1) The document number (1) can be assigned the descriptor (subject heading) "Wills (Islamic law)" from "Library of Congress Subject Headings" (1990). But let us consider the subject listed below:

"Clashing wills"

Obviously, the specific descriptor "clashing wills" is one of the recognized subdivision of the descriptor "Wills (Islamic law)". But, the requisite specific descriptor has no place in the "Library of Congress Subject Headings" (1990). The case will be the same for a document on "restricted wills", and for all other subdivisions that may fall under the descriptor "Wills".

- (2) The document number entitled "The Muslim family laws ordinance of Pakistan" also cannot be indexed by using the "Library of Congress Subject Headings".
- (3) If we examine the contents of other documents (from No.7 to No.10) we may arrive at the same conclusion.
- (4) The descriptor "Interpretation and construction" occurs as a subdivision of "Islamic Law" in the "Library of Congress Subject Headings" (1990). The listed "used for" terms for this descriptor are : -
- Interpretation and construction

UF Analogy (Islamic law)

Consensus (Islam)

Ijma` (Islam)

Ijtihad (Islamic law)

Islamic law--Usul al-Fiqh

Qiyas (Islamic law)

Usul al-fiqh (Islamic law)

According to the academic consensus "Ijma`", "Ijtihad", and "Qiyas" are all direct subdivisions of "Usul al-fiqh". As a result the descriptor concerned has been treated as synonymous with its narrower terms. A situation of this type in a vocabulary device does not admit of being used for depth-indexing of micro-documents.

Finally, the kind of vocabulary control device that we need to satisfy the information needs at the local level, should necessarily be based on simple but sound principles and procedures of its construction. At the same time, it must reflect academic consensus in relation to the divisions and subdivisions of "Islamic Law" as a distinct discipline. Let us consider the following descriptor in the "Library of Congress Subject Headings" (1990):

"Islamic religious practice"

According to the academic consensus, "Islamic religious practice", which incorporates prayer, fasting, alms-tax etc. is to be treated as a direct subdivision of "Islamic Law", which again, is to be treated as a direct subdivision of "Islam" as a distinct religious discipline; and this is not met by the "Library of Congress Subject Headings" (1990). In the "Library of Congress Subject Headings" "Islamic religious practice" comes as an independent heading; and its relationship with "Islamic Law" is not indicated. The Islamic scholars recognize the

inherent characteristics of "Islamic Law", as a discipline, quite distinct from all other specific legal disciplines; and they insist that it must be recognized and reflected in the design of a vocabulary control device for "Islamic Law".

In "Sears list of subject headings" under the heading "Islamic law" on page 377, we find the following:

Islamic law (May subdiv. geog.) 340.5

UF Law, Islamic

Law, Muslim

BT Law

RT Islam

For the purpose of depth-indexing of each of the above mentioned documents "Sears list of subject headings" is inadequate.

From the above examples, we can say that many divisions that exist within Shari`a are disregarded in each of these vocabulary devices.

The basic principles and procedures forming the foundation of the design of the proposed thesaurus are quite simple; but, at the same time, they are proven to be sound. The foundation is built upon the "Faceted Approach". The details of this approach have been furnished in Chapter 2 on "Methodology". Any qualified indexer is in a position to acquire the knowledge of this methodology during the course of indexing very comfortably. With this knowledge, he/she can act as the editor of the device for any augmentation to keep it always updated. Therefore, it would never run the risk of being outdated.

For example, consider the following hypothetical case:

A document entitled "Islamic law relating to juvenile delinquency" arrives in the library. While indexing it it is found that there is no provision in the "Online Thesaurus of Terms on Islamic Law" for the descriptor "Juvenile delinquency". But, as soon as the indexer finds the need of such a descriptor, he/she can recognize immediately with the help of the "Systematic Thesaurus", that it falls under the division "Islamic penal law", and under that division it falls under "Fortification". By this way, whatever is needed by the indexer can be incorporated and used for depth-indexing.

1.4 OBJECTIVES

1.4.1 General Objectives

The general objectives of this study is to construct an online thesaurus of terms on "Islamic Law" (*Shari`a*) which is more extensive and intensive than all the vocabulary control devices which are now available, for the purpose of depth-indexing of micro-documents on Islamic Law.

1.4.2 Specific Objectives

The specific objectives of this study are the following :

- (1) To study "Islamic Law" for developing a general reference framework of its main divisions;

- (2) To collect a large number of assorted micro-documents dealing with various aspects of "Islamic Law";
- (3) To carry out preliminary depth-indexing of the collected documents by following the general guidelines of thesaurus construction, specially for the purpose of identifying the relevant descriptors,
- (4) To incorporate systematically the identified descriptors within the general reference framework;
- (5) To prepare a "Term Card" for each of the identified descriptors, and their synonyms;
- (6) To construct the alphabetical thesaurus;
- (7) To use the thesaurus for final depth-indexing of the collection of micro-documents and to use those indexed records for the purpose of developing a database;
- (8) To demonstrate the retrieval efficiency of the thesaurus by using real queries from the prospective users.

1.5 SCOPE AND LIMITATION OF THE STUDY

The subject coverage of the thesaurus extends to all the main divisions of "Islamic Law"; and those are as follows:

- (1) Islamic jurisprudence;
- (2) Islamic religious law;
- (3) Islamic civil law;
- (4) Islamic family law;
- (5) Islamic penal law;

- (6) Islamic international law.
- (7) Islamic constitutional law;
- (8) Islamic fiscal law;
- (9) Islamic economic law;
- (10) Islamic administrative law;
- (11) Islamic judicial law; and
- (12) Islamic health law.

Fifty per cent of these divisions have been given in-depth treatment. Because of time limitation, other divisions could not be given an equal degree of depth treatment. Those divisions which received depth treatment are as follows:

- (1) Islamic jurisprudence;
- (2) Islamic religious law;
- (3) Islamic civil law;
- (4) Islamic family law;
- (5) Islamic penal law; and
- (6) Islamic international law.

This study, because of time limitation, suffers from another limitation- that is, the dependency on literary warrant as the main source for collecting descriptors.

CHAPTER 2

METHODOLOGY

2.1 INTRODUCTION

The term "Methodology", in the context of vocabulary control devices (VCD), specifically refers to the system of methods, that has been, more or less, accepted as standardized, for the purpose of applying it in designing a vocabulary control device. A vocabulary control device may take several forms, such as, the following:

- (1) It may be a system of notational classification, like the Dewey Decimal Classification (DDC), or Colon Classification (CC) of S.R. Ranganathan, which are primarily meant for Relative Indexing, and Chain Indexing respectively.
- (2) It may be a system of ready-made subject headings in the verbal plane, like the Library of Congress Subject Headings or Sears List of Subject Headings.
- (3) It may be a "Classaurus" -- that is, an elementary category-based, specific purpose-oriented scheme for faceted classification, primarily in the verbal plane, for the specific purpose of depth-indexing of micro-documents on a discipline, as recognized by specialists, specially at a local level. A classaurus can be logically recognized as a "Source Vocabulary Control Device", as it is readily convertible in any form of popularly recognized vocabulary control devices.
- (4) It may be a conventional "Retrieval Thesaurus", popularly known as a "Thesaurus", in any one of the accepted recognized forms.

The term "Microthesaurus" is used to refer to a thesaurus, which is developed on the basis of an outline already developed by a macrothesaurus. This thesaurus, namely, "An Online Thesaurus of Terms on Islamic law", is not a development on the basis of an outline developed by a macrothesaurus. Therefore, it cannot be designated as a microthesaurus; even though, it is, in essence, a microthesaurus from the point-of-view of its depth or intension.

However, it can be described to be an independent full-fledged alphabetical thesaurus for depth-indexing of micro-documents on "Islamic Law". One very special characteristic of this thesaurus is that, the foundation of this thesaurus lies in a systematic thesaurus developed according to the set of guidelines prescribed for developing a "Classaurus", as defined earlier. A classaurus is readily amenable to conversion into any recognized form of a thesaurus, including a full-fledged alphabetical form. So, this thesaurus is, in fact, the result of converting a classaurus into an alphabetical thesaurus.

Any methodology is meant for being applied to produce an end-product. Normally, its foundation is based on a set of prescriptions as to how to go about in carrying out a specific technical task or a set of technical tasks. When this set of prescriptions is used to produce the end-product, the act is referred to by the term "Practice". In contrast, the set of prescriptions stands as the "Theory" forming the foundation of the practice. This chapter is devoted to furnish the set of prescriptions, constituting the standardized system of methods (methodology) to be used in constructing a full-fledged alphabetical thesaurus. A classaurus incorporates within it all the essential features of a conventional alphabetical thesaurus. So, this set of prescriptions is equally applicable to the construction of a

classaurus to the extent those prescriptions are considered to be necessary and sufficient. The prescriptions, which are additional to this set of prescriptions, specially for the purpose of constructing a classaurus, are furnished briefly at the end of this section.

It may be noted here that the thesaurus in systematic display, furnished as "Appendix 1", as well as the thesaurus in alphabetical display, themselves demonstrate the use (practice) of the methodology as furnished below, to the extent, it has been found necessary and sufficient in constructing this thesaurus.

The set of prescriptions, as furnished here, is a product of information analysis and consolidation. The relevant pieces of information have been collected from the documentary sources as listed below. The collected pieces of information have been analyzed, repackaged, restructured, and consolidated. As a result, any structural unit of this text, has every probability of being compiled out of pieces of information collected from several documentary sources. For this reason, specific references for the structural units have been omitted.

The documentary sources, used for compiling the methodology, are the following:

- (1) Classaurus : its fundamentals, design, and use / [by] G. Bhattacharyya. -- (Studien zure Klassifikation. Bd. 11; 1982; 139-148).
- (2) ISO 2788: guidelines for the establishment and development of monolingual thesauri. -- 2nd ed. -- Geneva : ISO, 1986.
- (3) Thesaurus construction : a practical guide / [by] Jean Aitchison , and Alan Gilchrist. -- 2nd ed. -- London : Aslib, 1987.

- (4) The thesaurus in retrieval / [by] Alan Gilchrist. -- London: Aslib, 1971.
- (5) Thesaurus-making : grow your own word stock / [by] Helen M. Townley and Ralph D. Gee. -- London : Andre Deutsch, 1980.
- (6) Vocabulary control for information retrieval / [by] F.W. Lancaster. -- 2nd ed. -- Arlington, Virginia : Information resource press, 1986.

2.2 THESAURUS CONSTRUCTION

2.2.1 Major Technical Activities

There is a general consensus about the major technical activities involved in constructing a conventional alphabetical thesaurus. These activities have been designated as follows:

- (1) Definition of subject field indicating clearly its scope in terms of its major divisions.
- (2) Decision about thesaurus characteristics and layout.
- (3) Decision about the general approach to be used.
- (4) Selection of terms.
- (5) Preparation of term-cards.
- (6) Systematic structuring of the thesaurus.
- (7) Production of the alphabetical thesaurus.
- (8) Checking with subject-experts.
- (9) Writing the "Introduction" to the thesaurus.

(10) Editing.

(11) Testing.

Each of these technical activities has been explained in the following sections.

2.2.2 Definition of the Subject Field

The first activity in constructing a thesaurus, is to define its subject field. Such a subject field, on the one hand, may be relatively a microsubject like "Islamic Law"; and on the other, it may be a macrosubject like "Law". The definition of such a subject field, as normally available in authentic and authoritative sources of information, is usually an attributive definition. For the purpose of thesaurus construction, such a definition is essential. But, it may not be adequate. For, what is needed most for thesaurus construction, is a definition fully indicative of the "Scope" of the subject field specially in terms of all its major subdivisions. These major subdivisions of the subject field constitute its core areas. But, on many occasions, need may arise to recognize the peripheral areas of the subject field, because of their intimate relationship with the subject field, specially from the point of view of its study and research. For example, the study of "Roman Law" is a peripheral area of "Islamic Law"; because, the former has been a source of influence for the latter in the course of its development. Such a peripheral area does not usually warrant depth treatment. On the other hand, the core areas have to be treated in depth as far as practicable, specially in the case of a thesaurus for depth-indexing.

2.2.3 Decision about Thesaurus Characteristics and Layout

A thesaurus is meant to be used for designing an information retrieval system. The compiler of a thesaurus, is to carry out a systematic study to identify the overall system requirements. This clarifies his or her ideas as to what type of thesaurus is to be constructed. Once it is clear, the search for appropriate thesaurus characteristics, to be incorporated in the thesaurus, begins. The term "Thesaurus Characteristics", comprehends a number of attributes of a thesaurus. The following are some of their example:

- (1) The specific purpose to be served by the thesaurus: In regard to this attribute, the compiler must know if the thesaurus is to serve as a macrothesaurus, a switching language, a searching thesaurus for a natural language system, a microthesaurus developed on the basis of the outline of a macrothesaurus, or as an independent thesaurus for depth-indexing.
- (2) The language of the thesaurus: In regard to this attribute, the compiler should know whether controlled language only, natural language alone, or a hybrid system of natural and controlled language is to be used.
- (3) The other important features of the thesaurus: This group of attributes include a number of features, such as, the following:
 - The use of a particular degree of specificity of the descriptors;
 - The use of compound terms, (The use of concept precoordination);
 - The use of the device of coordination of descriptors;
 - The use of other precision devices; and
 - The use of recall devices.

The compiler has to take decision about the degree, and extent, as the case may be, about each of these important attributes of the thesaurus.

- (4) The mode (form) of presentation of the thesaurus: In regard to this attribute, the compiler should know how the thesaurus is to be presented, that is, whether there is to be a graphical and/or systematic display, as well as an alphabetical display.

The following subsections are devoted to discuss further, the essentials relating to the following attributes of the thesaurus:

- (1) The use of precision devices;
- (2) The use of recall devices; and
- (3) The mode (form) of presentation of the thesaurus.

2.2.3.1 Use of Precision Devices

The devices that are recognized as precision devices include the following:

- (1) The use of a coextensive degree of specificity of indexing terms. The term "Specificity" refers to the ability of indexing terms to express a specific subject-- simple, compound, or complex-- conterminously in depth and detail, together with its capability of retrieving the references to the documentary sources of information as pin-pointedly as practicable. "Specificity" ensures the precision capabilities of the information support system. This is essential to secure the purpose of depth-indexing. It calls for thorough skill in indexing and searching for retrieval. Ofcourse, to satisfy the condition of specificity, the number of indexing terms increases. The task of ensuring a coextensive degree of specificity becomes quite

expensive in compilation, and maintenance of the thesaurus. Even, it gets reflected in the operation of the system also.

- (2) The use of compound terms: The level of terms precoordination is another form of coordination. Compound terms ensure that the subject of a document may be minutely identified, preventing the retrieval of non-relevant documents. Complex subject should be expressed by the combination of separate terms; and these may be assigned as independent search keys in a post-coordinate system, or they may function as components of pre-coordinated index entries. A compound term may be either an adjectival phrase or a prepositional phrase. Natural language order should be used to enter compound terms in the thesaurus.
- (3) The use of coordination: By increasing the number of terms in combination in indexing or in searching, the concepts required will be defined more accurately and unwanted information eliminated. Recall is improved by reversing the process and reducing the combination level.
- (4) The use of other precision devices: Among the other precision devices, the following are important:
 - The use of homograph-control, and scope notes: Both of these are important devices, used to restrict and clarify the meaning of otherwise ambiguous terms. It helps the selection of comparatively more precise terms for retrieval.
 - The use of structural relationships: The use of this device leads the indexer or searcher from comparatively broader terms to specific narrower terms. The use of appropriate narrower terms, ensures precision in indexing and retrieval.
 - The use of links and roles: These are devices which overcome false coordination, and incorrect relationships, by labelling groups of associated terms; or by indicating

the roles of the terms. Links are used in post-coordinate indexing to avoid false drops. It is used for both indexing and searching. Links are used to show which terms are related in the document, so that the references with inappropriate combinations of terms are not retrieved. A role indicator is a signal attached to an index term at the indexing stage, to indicate its appropriate sense in a particular context.

- The use of weighting: It is a device used to differentiate between major and minor concepts. Values are allocated to indexing terms or search terms according to their importance in particular documents.
- The use of word distance indicators: This is an online searching device used to improve precision by specifying that words should be adjacent, or within the same sentence, or paragraph.

2.2.3.2 Use of Recall Devices

The devices that are recognized as recall devices include the following:

- (1) The use of control of word forms: This refers to the act of controlling the number, grammatical form, word order, etc. of a term. This device prevents the loss of relevant information due to the scatter of the same concept because of different forms of the term denoting the concept.
- (2) The use of the control of synonyms and quasi-synonyms: This device prevents the scattering of synonyms, and quasi-synonyms across the database, by referring non-preferred synonyms to the preferred term.
- (3) The use of structural relationships including hierarchical and non-hierarchical

2.2.4 Decision about the General Approach to be Used

There are two approaches to be used in thesaurus construction, such as, the one based on the deductive method, and the other one based on the inductive method. If the deductive method is used for constructing the thesaurus, sufficient number of terms should be collected. These terms are to be examined in order to find their structural relationships. The vocabulary control is to be finally introduced. In case of using the inductive method, terms which are encountered in the literature are admitted to the thesaurus, and are used in indexing immediately. In such a case, vocabulary control is applied from the beginning. The terms are allocated to one or more broader categories. Need may arise to revise the indexing at a later stage, when the significance of the terms used is better appreciated.

2.2.5 Selection of Terms

After defining the subject field, the assembling of terms should follow. There are two sources for the collection of terms, which are:

- (1) The literary warrant or bibliographical warrant; and
- (2) The user warrant.

For literary warrant, there are two main sources of terminology:

- (1) Terms in standardized form; and
- (2) Terms in non standardized terminology found in the literature.

The terminological sources in standardized form include:

- (1) Thesauri and lists of terms;
- (2) Classification schedules;

- (3) Encyclopedias;
- (4) Dictionaries;
- (5) Glossaries;
- (6) Terminological databank of a subject field;
- (7) Treatises on the terminology of a subject field;
- (8) Indexes of journals and abstract journals; and indexes of other publications in the field.

Non-standardized sources include:

- (1) Monograph;
- (2) Journal articles;
- (3) Reports;
- (4) Pamphlets;
- (5) Product catalogues;
- (6) Conference papers;
- (7) Patent specifications; and
- (8) Standards.

For collecting terms from user warrant, questions from users of the system should be collected and recorded. These records are to be used as sources of terms to be used in the thesaurus. If no records are available, the interview method, or the questionnaire method can be used to collect from potential users the terminology reflecting their precise subject interests. A mailed questionnaire could be applied to a random sample of potential users; or to a complete population of this group if it was small. The questionnaire/interview should seek:

- (1) A full job description of the respondent that relates to his/her duties, and responsibilities in the organization;
- (2) A statement of his/her professional or research interest in the respondent's own terms; and
- (3) A list of publications he/she has written.

The advice of users will be of help at all stages of thesaurus construction. Non formal advice from experts can be obtained in the following ways:

- (1) By asking experts to assist in the scanning of the literature, and in selecting indexing terms they consider appropriate; or
- (2) By listing terms of importance in their subject fields; or
- (3) By listing typical questions which they might put to the system; or
- (4) By commenting on lists of terms and draft of classification schemes in their own subject fields; or
- (5) By asking them to advise in the selection of terminology, and in designing a classification scheme in subject areas which appear difficult to delineate, and which require careful clarification.

The two inputs (literary warrant and user warrant) should be merged, although the source of the input for each term should be distinguished. However, the collection of terms from the two sources can be obtained in one step. This is by giving the journal articles, conference papers etc. to the users of the system; and asking them to select terms. This approach is the best, because the requirements of literary warrant and user warrant are

satisfied in a single step. After collecting the terms in this way, they are put into machine readable form for processing.

The thesaurus designer can underline significant words and phrases selected. They can then be transcribed by a typist. The typist should create a file in machine-readable form. A simple program can then be used to produce two ranked lists of terms in descending order of frequency of occurrence. One file for multi-worded terms, and the other file for single-worded terms. This process of keeping two files, is because of the fact that the frequency score that might make a multi-worded term significant, will be much lower than the frequency scores of the significant single-worded terms. The more frequently occurring terms would be the strongest candidates for inclusion in the thesaurus. In choosing among terms that are synonymous or nearly synonymous, the ranked lists can be of great help: the term that occurs most frequently will usually be the one selected.

If the full text of the abstracts can be obtained in machine-readable form, it will be easy to generate a ranked list of all words occurring, with frequency counts. A program can be developed for identifying significantly occurring phrases and ranking them by frequency. With further machine processing, another valuable tabulation can be generated. For at least the high-frequency words and phrases, other words or phrases that occur most frequently with them can be determined.

The terms that are selected, will consist of nouns and noun phrases. Generally they can be divided into two categories; and they are:

- (1) Concrete entities, i.e. things and their physical parts, and materials.

- (2) Abstract concepts, that is, actions and events; abstract entities and properties of things; and disciplines and sciences.

Most noun phrases will be adjectival phrases, but some prepositional phrases may also be justified. Active verbs are not used in thesaurus, but gerunds are perfectly acceptable. Adjectives should not appear unless attached to nouns. Terms should always appear in direct rather than inverted form. The scope of the thesaurus determines the extent of pre-coordination to be used.

2.2.6 Preparation of Term-cards

The record of a selected term should be kept on a "Term Card" or in machine readable form. In manual processing, each word or phrase is transferred to a card. The items of information about a selected term should include its: definition/scope note, synonyms, hierarchical and associative relations, source in parenthesis, and its frequency of occurrence. In addition, there should be a field for entering the class number, and a code for broad subject headings, to be used in the initial sorting of terms into subject groups for the process of finding structure. Here is a blank format of a term card:

Descriptor

Notation Code for broad subject heading

SN:

UF:

BT:

NT:

RT:

Sources :

Frequency:

2.2.7 Systematic Structuring of the Thesaurus

The subject covered by the thesaurus should be organized into main categories in order that selected terms would be sorted and filed under appropriate headings to await further analysis. Having determined the core and peripheral areas of the thesaurus, it must be decided whether the primary division of the subject area is to be discipline or subject field or by fundamental facets.

There are two approaches for identifying the main categories; they are:

- (1) The top down approach in which the top terms of a particular hierarchy are identified, then, the various levels of subdivisions are established through intellectual effort. In some cases, committees of subject experts identify major classes in their areas of specialization, and then arrive at a consensus on how these classes should be subdivided.

- (2) The second approach is the bottom up approach. In such a case, the thesaurus constructor first gathers raw materials, and then groups like terms together, thus identifying the major aspects or facets of the field. These facets can then be subdivided, not according to theoretical principles, but in a way that comfortably and logically accommodates all the terms that have been collected.

2.2.7.1 Analysis and Grouping of Terms within Broad Categories

Terms should be allocated to the appropriate broad category and arranged within these initially in alphabetical order.

2.2.7.2 Analysis Using Systematic Display

Terms within each broad category should be analyzed in relation to the other terms in the category to find a structural pattern. Terms within each facet should be analyzed into hierarchies showing subordinate terms indented under their superordinate terms. The hierarchical and associative relationships are distinguished by an NT, RT, written in the margin against the term, marking its relation to the term one step above. The display is written out, showing indenting, and indicating the start of a new characteristic of division or facet, by a facet indicator in parenthesis, preceding the array of terms. Then, details of scope notes, equivalent terms and broader and narrower terms are added from the term card. When this information is available for each subject field, the derivation of the alphabetical thesaurus will be possible.

2.2.7.3 Editing the Systematic Display

If the systematic display is to be printed as part of the thesaurus, the notation should be added to it; typefaces should be selected; and cross-references should be checked.

2.2.8 Alphabetical Thesaurus Production from the Systematic Display

The subject display in the systematic form, can be used to produce an alphabetical thesaurus by rearranging the systematic display in the standard alphabetical thesaurus display. If the systematic display is to be retained as part of the published thesaurus, the accompanying alphabetical display may be in the form of an alphabetical index or an alphabetical thesaurus, modified or conventional. In the alphabetical index, the preferred and non-preferred terms are shown to direct the user to the place for the preferred terms in the systematic display via the notation. What distinguishes the alphabetical thesaurus in the modified form, are the two sequences of broader, narrower and related terms. The first sequence is coded plain BT/NT/RT; and the second *BT/*NT/*RT. The asterisked entries are accompanied by the term's notation. The advantage of keeping the sequence separate, and including the notation for the asterisked terms is that it distinguishes between the terms which will be displayed in the systematic schedule, following the indexing term, and those which will be found elsewhere in the display. In the case of using the alphabetical thesaurus in conventional form, the thesaurus accompanying the systematic display may be organized. The *BT/*NT/*RTs would be interfiled with the plain BT/NT/RTs. If required, the asterisks and accompanying notation may be omitted; although dropping the notation loses the immediate access via the notation to those broader, narrower and related terms separated

in the systematic display from the preferred term under which they are entered in the alphabetical thesaurus.

2.2.9 Checking with the Subject-experts

A compiler of the thesaurus should be in contact with subject specialists during all the stages of thesaurus construction; and should not produce the thesaurus before getting the approval of these experts.

2.2.10 Writing the Introduction to the Thesaurus

A comprehensive introduction has to be written covering most, if not all, of the following points:

- (1) The subject coverage;
- (2) The total number of indexing terms;
- (3) Vocabulary control;
- (4) Structure and interrelationships;
- (5) Thesaurus layout and display;
- (6) The filing rules used with reference to the standard used;
- (7) The meaning of all conventions, abbreviations and punctuation marks used in a non-standardized form;
- (8) Operational use of the thesaurus;
- (9) Updating and maintenance;
- (10) Acknowledgement of written sources used; and

- (11) Personal acknowledgement addressed to subject experts and others who may have assisted with the compilation.

2.2.11 Editing

Editing consists of carrying out the following operations:

- (1) Checking the reciprocal entries;
- (2) Checking the notation in the systematic display;
- (3) Checking the form of terms, spelling etc.;
- (4) Checking the alphabetization;
- (5) Checking the indenting in the systematic section;
- (6) Checking the spacing and layout;
- (7) Deciding on the typeface, size, and style to be used in graphic and systematic displays and also in the alphabetical display; and
- (8) Deciding also on the layout for the alphabetical display whether it should be in two or three columns.

2.2.12 Testing

The thesaurus should be used to index a selection of documents (between 500 to 1000). The thesaurus can be tested against queries that have been put to the system as well as by document indexing. This testing is of importance in revealing gaps in coverage, the addition of new terms, and changing the relationships between terms.

2.3 CLASSAURUS CONSTRUCTION

It has been already stated earlier that this set of prescriptions is equally applicable to the construction of a classaurus to the extent the prescriptions are found to be necessary and sufficient. In addition, the prescriptions of constructing a classaurus, that have been followed for developing the systematic thesaurus are as follows:

- (1) The selection of the "Base" and its "Sub-bases". The term "Base" refers to a comprehensive generalized basic discipline which is selected for constructing a classaurus. For example, for this study, "Islamic Law" has been selected as the base. The term "Sub-base" refers to a mutually exclusive direct sub-division of the base. The recognition of sub-bases is governed first by the "Principle of Established Convention" if there is any. If it is not applicable, the task is performed by establishing an academic consensus with reference to the specific purpose at the local level. For "Islamic Law" there is a well-established convention relating to its mutually exclusive direct subdivisions, which is also supported by a strong academic consensus.
- (2) The construction of schedules of special concepts for each of the recognized sub-bases: Here again, there are bases which do not admit of the construction of schedules of special concepts falling in different elementary categories, namely, "Entity" (=E), "Property" (=P), and "Action" (=A). For example, the base "Mathematics" is largely a discipline of this type. In such a case, following the scheme of traditionally recognized classes, as far as practicable, is the rule in constructing a comprehensive schedule of special concepts for each of the sub-bases. The base "Islamic Law" also is largely a discipline of this type. Besides, it

has well established scheme of traditionally recognized classes. This thesaurus has followed that scheme in constructing a comprehensive schedule of special concepts for each of the recognized sub-bases.

- (3) The construction of common schedules of common concepts for all the sub-bases: In regard to this task, the guidelines for classaurus construction prescribe to follow, as far as practicable, the already existing works, enriching them with the essential features of a thesaurus, wherever warranted. The common schedules of standard concepts, periods, areas, peripheral concepts, and schools of "Islamic Law" have been constructed accordingly.

CHAPTER 3

ISLAMIC LAW

3.1 INTRODUCTION

The information for writing this chapter has been collected from the following sources:

- (1) The Encyclopedia Americana, vol. 15. -- international edition. -- New York : Americana Corporation, 1975.
- (2) A history of Islamic law / [by] N.J. Coulson. -- Edinburgh : Edinburgh University, 1964.-- (Islamic survey; 2).
- (3) An introduction to Islamic law / [by] Joseph Schacht. -- Oxford : Oxford University, 1964 (rep.1971).
- (4) Islamic criminal law and procedure : an introduction / [by] Matthew Lippman, Seam McConville and Mordenchai Yerushlmi ; foreworded by M.C. Bassiouni. -- New York : Prageger, 1988.
- (5) The new encyclopedia Britannica : micropaedia, vol. 6. -- 15th ed. -- Chicago : Encyclopedia Britannica, 1986.
- (6) Shorter encyclopedia of Islam / edited on behalf of the Royal Netherlands Academy by H.A. Gibb and J.H. Kramers. -- Leiden : E.J. Brill, 1961.

Relevant portions from each of these sources were first collected. Then, those portions were repackaged, restructured, and reorganized to reflect the historical development of "Islamic law" in a chronological sequence. For this reason, the specific source for the different parts of the text could not be referred to.

deduction and prescription developed by the *Shafi`i* school; but, requires a strict observance of the tradition (*sunna*), and strict acceptance of the Qur'an.

3.3 HISTORICAL DEVELOPMENT OF ISLAMIC LAW

3.3.1 The Prophet and the Caliphs' Era (622-661 A.D.)

Historically the development of "Islamic Law" goes back to the time of the Prophet Muhammad (peace be upon him), when the first Islamic community or society was established in Medina. The Prophet did not make an elaborate code of law; but, he used to provide ad hoc solutions whenever a problem arose. After the death of the Prophet in A.D. 632, Medina remained the focal point of Muslim activities for a period of 30 years. For maintaining the continuity of the influence of those who remained closely associated with the Prophet, the office of the Caliph - "successor" to the Prophet - was held in succession by four of the Prophet's most intimate companions : Abu-Bakr, Umar, Uthman and Ali.

The Caliphs and their advisers were responsible for implementing the Qur'anic provisions in the same spirit as that of the prescriptions of the Prophet. No special official body was established for interpreting the Qur'anic regulations; but, any person whose piety or social conscience dictated such a course, could do such a task. The Caliphs were regarded as eminently qualified judges; and they had the power of positive legislation which is implied in the Qur'anic verse: "Obey God, His Prophet and those in charge of your affairs". Sometimes, such power was exercised by Caliphs as a supplement to the Qur'an, to lay down specific regulations. Sometimes, circumstances necessitated regulation of matters

altogether outside the purview of the Qur'anic provisions. An example of such regulations during *Caliphs'* era, is the foundation of the rudiments of a fiscal regime in A.D. 641, by Caliph Umar who instituted the pay-roll register (*diwan*) to facilitate the distribution of the stipends for the army.

3.3.2 The Umayyad Era (661-750 A.D.)

In A.D. 661, Muawiya was acknowledged as the Caliph; and the rule of Umayyad dynasty started. The Umayyads were very busy in consolidating the vast territorial gains, and in administering them politically. They had taken Damascus as a centre for administering the affairs of the conquered provinces and their population. The basic policy of the Umayyads was the preservation of the existing administrative structure in the provinces. During the Umayyads era (661-750), many concepts and institutions of foreign origin were absorbed in the legal practice. For example, the legal status of non-Muslim subjects in Islam was modelled largely on the position of the non-citizen groups in the Eastern Roman empire. By the contract of *dhimmia*, the Jewish and Christian communities, or *dhimmis*, paid a poll tax (*djizia*) in return for the guarantee of protection and the preservation of their rights under their own personal law. To the Umayyads is attributed the detailed regulations about *dhimmis*, and the appointment of judges (*qadis*). The Umayyads also elaborated and systematized the tax laws enacted by Umar.

Under the Umayyads, the local customary laws were modified by the elaboration of the Qur'anic rules. As a result, the corpus of administrative regulation, with elements of foreign legal systems, were developed. The growth of the legal practice was haphazard; and the

fusion of these heterogeneous materials depended ultimately upon the discretion of the individual judge.

The spirit of the original laws of Islam, contained in the Qur'an, did not receive full attention by the Umayyads. Pious scholars began to comment on this violation of the standards of conduct which represented the fulfilment of the true Islamic religious ethic. These scholars grouped together and formed, in the last decades of the Umayyad rule, the early schools of law that developed in Kufa, Basara, Syria, Medina, and Mecca. The legal stream of anti-Umayyad criticism converged with the political anti-Umayyad movement, when the Umayyad dynasty was finally overthrown; and the Abbasids came to power in A.D. 750.

3.3.3 Early Abbasids Era (750-10th century A.D.)

During the early days of the Abbasids rule, the legal scholars were publicly recognized as the architects of an Islamic scheme of state and society; and under this political sponsorship, the schools of law developed rapidly.

During the Umayyad era, a distinction arose between the legal doctrine expounded by the scholars; and the legal practice of the courts; as a result of historical circumstances. The Abbasids tried to achieve some measure of integration of the two elements. They appointed representatives of the schools of law to the judiciary as legal advisers.

reliance on the opinion of the majority, the living tradition was projected backward to be ascribed to great figures of the past from the companions of the Prophet; and each school claimed that the authority of these companions was the base of its teachings.

In contrast to this trend, the traditionists' movement arose claiming that only the authority of the Prophet should be the base for each doctrine. The traditionists' movement produced detailed statements which claimed to be reports of ear- or eye-witnesses on the words or acts of the Prophet. To ascertain that the Prophet had in fact so acted, a formal chain of authorities (*isnad*), was affixed to the traditions. Under the influence of the traditionists' movement, the current doctrine in the early schools was gradually modified; and these ancient schools of law, accepted traditions from the Prophet as authoritative as far as they agree with their own living traditions. This led to the awareness of the conflict between the authority of the Prophet and the consensus of opinion among the local scholars. However, no systematic attempt was made to resolve this conflict. Personal discretion (*ijtihad*) and individual opinion (*ra'y*) were prior in origin to the growth of traditions from the Prophet. But because of the success of the main thesis of the traditionists, most of what had originally been the result of individual reasoning by the scholars, was put into the mouth of the Prophet.

The constitution of the early schools had changed; and the personal authority of the authors of the first legal treatises superseded the notions of local consensus; and accordingly, the Medina school became the *Maliki* school; and the school of Kufa, the *Hanafi* school.

Prophet's authority. By this way, his doctrine eradicated the contradictory attitudes in the early schools and the opposition groups.

Ash-Shafi`i's third source of law is consensus (*ijma`*). Ash-Shafi`i denied that the agreement of the scholars of a particular locality had any authority. The only one valid consensus, according to him, was that of the entire Muslim community, lawyers and members alike.

The fourth and final source of law for Ash-Shafi`i is reasoning by analogy (*qiyas*). This implies the use of human reasoning in elaborating the law, a process which is called *ijtihad*, "effort" or "exercise" of one's own judgment, and covers a variety of mental processes, ranging from the interpretation of texts to the assessment of the authenticity of traditions. By analogical reasoning (*qiyas*), principles established by the Qur'an, tradition (*sunna*), and consensus are to be extended and applied to the solution of problems not expressly regulated therein. According to Ash-Shafi`i, consensus (*ijma`*) and analogical reasoning (*qiyas*) are subordinate to Qur'an and the sunna.

Ash-Shafi`i's predecessors employed analogical reasoning, and arbitrary forms of reasoning (*ra'y*) (juristic speculation) which can be called juristic preference (*istihsan*). This led to the emergence of a variety of doctrines. He repudiated these undisciplined forms of reasoning and insisted on the exclusive validity of strictly regulated analogical reasoning in order to achieve uniformity. He reduced differences to a minimum by the following statement "on points on which there exists an explicit decision of God or a sunna of the Prophet or a consensus of the Muslims, no disagreement is allowed; on the other points scholars must

upon the literal and evident (*Zahir*) meaning of the texts of the Qur'an, and the tradition; and his followers became known as the *Zahiri* school.

Two of the already established schools of law, the *Malikis* in Medina and the *Hanafis* in Kufa, were unwilling to undertake the complete revision of their existing doctrine by following Ash-Shafi'i principles strictly. But at the same time, they were forced to acknowledge the essential validity of those principles. They accepted the authority of traditions in a qualified form; and on this basis, found it possible to reconcile their existing law with the dictates of Ash-Shafi'i's theory. Both schools were reluctant to accept the binding nature of a single or isolated tradition (*Khabar al-wahid*) when this contradicted the established doctrine. Both schools recognized subsidiary, but additional, principles of jurisprudence whose authority could override that of an isolated tradition. The *Hanafis* maintained the validity of preference (*istihsan*); and the *Malikis* that of the consensus (*ijma`*) of Medina.

By the end of the ninth century the place of the tradition (*sunna*) or practice of the Prophet in Muslim jurisprudence was stabilized. Extremists' support for the traditions was tempered by recognizing the necessity of using analogical deduction in the elaboration of the law. Moreover, the established schools, after their success in formally justifying their established doctrine, were now quite prepared to acknowledge the authority of the traditions.

3.3.4 Imitation Era (10th-18th century A.D.)

In the third century of *hidjra* (ninth century A.D.), the idea of denying contemporary scholars the same liberty of reasoning, as was enjoyed by their predecessors, gained ground. This idea was well established by the early tenth century; and the doctrine known as "the closing of the door of *ijtihad*" came up together with the duty of imitation (*taqlid*). Jurisprudence activities were confined to the elaboration and detailed analysis of established rules. And from the tenth century onwards, the role of jurists was that of commentators upon the works of the past masters.

The rule of imitation (*taqlid*) faced opposition especially in later generations. Some scholars like Ibn Qayyim al-Jawziyya (d. 751/1350) considered it dangerous to follow blindly the authority of any, excepting that of the Prophet, in matters of religion and religious law. He rejected the rule of imitation (*taqlid*); and interpreted the Qur'an and traditions afresh. His legal theory together with his rejection of the principle of imitation (*taqlid*) were adopted by the *Wahhabis*, the followers of *Hanbali* school.

This era came to an end with the advocacy of the return to purity of *shari`a*, which started in the eighteenth century, by individuals and schools of thought; and the increasing contact between Islamic and western civilization.

3.3.5 Modern Era (19th century onwards)

The contact between Islamic and Western civilizations, which started during the imitation era, had its effect on the development of "Islamic Law". This contact, coupled with the dominance of imitation (*taqlid*), resulted in a conflict between the traditional law, and the needs of the Muslim society. As a result, the solution went in favour of modifying the *shari`a*, and augmenting it with laws of western inspiration. It happened specially in fields where Islam felt a particular urgency to adapt itself to modern conditions, such as, in the field of civil law. Thus, began a new era in the historical development of Islamic law, and that is the modern era.

The influence of European law got reflected in the *Tanzimat* reforms of the period 1839-1876 introduced by the Ottoman empire. This resulted in having laws of European origin in Islamic legal systems of most Middle Eastern countries. An example of these is the criminal law and procedures.

From the latter part of the nineteenth century onwards, the pure *shari`a* in its traditional form, generally in the Middle East, could only be found in the area of family law. And the only part of the Muslim world that was not affected by the European laws was the Arabian Peninsula. Outside the area of the Middle East, the influence of Western laws on Islamic law, in other Islamic countries, was closely connected with the policies of imperial and colonial powers.

The family law was the only area that was always kept immune from the influence of western laws. However, the reception of secular and western laws in other spheres, created a sharp dichotomy between the two systems. This resulted in a growing emphasis upon the religious and Islamic significance of the *shari`a* leading to the strengthening of its influence in those matters which remained under its way. Yet, western standards and institutions had created an impetus for reform in the field of the family law also.

With the determination to preserve the influence of the religious law, means had been sought and found, whereby traditional *shari`a* doctrine could be adopted to the circumstances of modern life.

By the end of the nineteenth century (1898), the great Egyptian jurist Muhammad `Abduh advocated the reinterpretation of the principles embodied in the Qur'an as a basis for legal reform. Another scholar Iqbal in India, who held the same view, argued that the exercise of independent judgment (*ijtihad*) was not only the right of the scholars; but also the duty of the present generation of Islam, if Islam was to adapt itself successfully to the modern world.

A number of changes were effected which combined traditional authorities with wholly novel percepts, before the open and explicit recognition of independent judgement (*ijtihad*) as a juristic basis of reform. These changes represented a mid-way stage of development between the developments based on the principles of imitation (*taqlid*) and that based on the principle of independent judgement (*ijtihad*). The view of *sunnite* school about legal reforms is summarized by Coulson (1964) as follows: "... radical reforms had become possible only

when jurisprudence had eventually emerged from a long period of internal conflict to declare itself in favour of ijtiḥād, at least in cases where this was deemed necessary to achieve the required reform. Strict theorists may, and indeed do, object to the activities of the reformers on the ground that the interpretation of the divine texts should be purely objective, while so called modern "ijtiḥād" amounts to little more than forcing from the divine texts that particular interpretation which agrees with preconceived standard subjectively determined ".

CHAPTER 4

INTRODUCTION TO THE THESAURUS ON ISLAMIC LAW

4.1 SUBJECT COVERAGE

This is a thesaurus of terms going with the discipline "Islamic Law". The major areas of "Islamic Law" as identified are the following:

- (1) Islamic jurisprudence;
- (2) Islamic religious law;
- (3) Islamic civil law;
- (4) Islamic family law;
- (5) Islamic penal law;
- (6) Islamic international law;
- (7) Islamic constitutional law;
- (8) Islamic fiscal law;
- (9) Islamic economic law;
- (10) Islamic administrative law;
- (11) Islamic judicial law; and
- (12) Islamic health law.

ISO 2788 (1986) refers to fringe areas of disciplines which are taken up for thesaurus construction. For "Islamic Law", some of the fringe areas or peripheral areas that have been identified are as follows:

- (1) Roman law;

- (2) European laws;
- (3) Sassanian law;
- (4) Theology;
- (5) Ethics; and
- (6) Society.

These topics have not been treated in depth.

4.2 SIZE OF THE THESAURUS

Approximately, 3620 terms have been included in the thesaurus. Of these 844 terms are descriptors or USE term. The rest of the terms are lead-in terms or Used-for (UF) terms.

In the matter of hierarchical divisions, in some cases, it is extended up to eight levels.

4.3 VOCABULARY CONTROL

As far as possible ISO 2788 (1986) has been followed with regard to the:

- (1) Use of direct entries in preference to indirect entry;
- (2) Choice of nouns and noun phrases only as descriptors and lead-in terms;
- (3) Use of no punctuation marks in the preferred entries in the alphabetical thesaurus;
- (4) Control of spelling by preferring British English only; and
- (5) Use of plurals in preference to singulars, where the noun can be counted.

not a part of the thesaurus. The structure of the thesaurus is shown by the BTs, NTs, and RTs.

4.4.1 Synonyms

The following symbols are used to express a synonym: UF= USED FOR; and USE, where UF is the reciprocal of USE. The instruction to USE another term is indicated where a true synonym exists; or when a term is considered to be too specific for inclusion in the thesaurus as a preferred term, and the user is directed to a generic term. The equivalent Arabic term for each descriptor is given as a synonym in its transliterated form. However, in this case different forms of spelling are used for writing the Arabic terms in Roman alphabet, which indicate that no standard system of diacritical signs is used.

4.4.2 Hierarchical Relationships

The abbreviation BT stands for broader term, while the abbreviation NT stands for narrower term. The BT and NT relationships in this thesaurus are either

(1) Whole/part relationships

e.g. Consecration

BT: Pilgrimage

or;

(2) Instances

e.g. Void contract

BT: Types of contract

In this thesaurus, only one hierarchical chain is used.

4.4.3 Associative Relationships

Associative relationships is indicated by the symbol RT. "Associative relationship" refers to a relationship which is not hierarchical, and which guides the user to a related term where the underlying concept may be of interest.

4.5 THESAURUS LAYOUT AND DISPLAY

The basic layout of this thesaurus is a systematic display, from which a full alphabetical display has been generated. The thesaurus is displayed using one column only.

4.6 FILING RULES

The alphabetization of this thesaurus is word by word.

(2) Instances

e.g. Void contract

BT: Types of contract

In this thesaurus, only one hierarchical chain is used.

4.4.3 Associative Relationships

Associative relationships is indicated by the symbol RT. "Associative relationship" refers to a relationship which is not hierarchical, and which guides the user to a related term where the underlying concept may be of interest.

4.5 THESAURUS LAYOUT AND DISPLAY

The basic layout of this thesaurus is a systematic display, from which a full alphabetical display has been generated. The thesaurus is displayed using one column only.

4.6 FILING RULES

The alphabetization of this thesaurus is word by word.

4.7 NON-STANDARDIZED PUNCTUATION MARKS

Diacritical signs are used in writing the Arabic letters in Roman scripts. However, as mentioned earlier, no unified system is used, and accordingly Arabic terms are written as they are found in authentic sources.

4.8 OPERATIONAL USE OF THE THESAURUS

The alphabetical thesaurus is of use in indexing, and in retrieving references to documents on or about Islamic law. In the process of indexing the user should browse through the alphabetical thesaurus to get the descriptor or descriptors needed for describing the contents of the document in hand. Under each descriptor the indexer will find its structural and associative relationships. However, the user is guided from a non preferred term to the preferred one in the alphabetical thesaurus. When comes to retrieving a reference to a document, the same descriptor(s) used for representing the contents of a document is/are used for formulating a query to retrieve the reference to the document.

4.9 UPDATING AND MAINTENANCE

The maintenance and development of this thesaurus is the responsibility of the indexer whenever the need arises. Details on online maintenance and use of the online thesaurus will be furnished in Chapter - 6. Whatever changes are to be implemented, they should be done in the systematic part. If there is an error in the spelling form of a term other terms will not be affected, provided that the term does not appear as having relations (UF, BT, NT, RT).

If the term has relations, he/she can carry out the correction to where the term exists. Sometimes, there may be an exchange of status between a preferred term and a lead-in term. In such a situation, and to assure consistency, changes should be carried out where needed to provide for the implementation of the change of status. If a term is found unused, it can be deleted or subordinated to another term which is more specific or sufficiently close in meaning. Again, the deleted term should be deleted in all places in which it occurs. Another form of amendment that can be carried out by the indexer, is concerned with changing the existing structure. If an incorrect relationship has been identified correction should be carried out, and implemented in other places where changes are also needed accordingly.

4.10 ACKNOWLEDGEMENT OF WRITTEN SOURCES USED

The written sources used for constructing this thesaurus are given in the bibliography.

CHAPTER 5

ALPHABETICAL THESAURUS

5.1 INTRODUCTION

This thesaurus is actually a database in CDS/ISIS software called "Amir". In designing this thesaurus, the structure is not created anew. The available structure of "Thes" database of OECD macrothesaurus has been used. The worksheets, the field definition table, the field select table, and the display format are given in the appendices.

The number of records created in the "Amir" database amounts to 3620 records. One can make use of this thesaurus by using the standard CDS/ISIS retrieval facilities.

In order to produce the printed output, the sample of which is presented in section 5.2 below, print and sort worksheets had to be designed. The print and sort worksheets appear in Figures 1 and 2. The output file from the sort and printing services "Ilopt" was loaded to word perfect, and the first 10 pages together with other 8 pages starting with Islamic administrative law, have been printed which appear in the subsequent section.

Figure 1: Print Worksheet

```

Data Base Name AMIR MFN limits.1/3620..... Save file name.....
First Title ALPHABETICAL THESAURUS OF TERMS ON ISLAMIC LAW
Second Title .....
Third Title.....

Print format @bamir

Line width 70 Number of columns 1 Column idth 70
Lines/page 60 First page number EOC tolerance 3
Data indention 0 Sort ? Y Sort worksheet name.....
Print file name.ilopt...

```

Figure 2: Sort Worksheet

```

Number of Headings 1 Stopword file name.....
Heading format: mhl, " #v1(0,0)/.....

Length of first sort key 35.. Heading processing indicator 0
FST for first sort key 1 0 v1.....

Length of second sort key .... Heading processing indicator 0
FST for second sort key .....

Length of third sort key .... Heading processing indicator 0
FST for third sort key .....

Length of fourth sort key .... Heading processing indicator 0
FST for fourth sort key .....

```

5.2 ALPHABETICAL THESAURUS OF TERMS ON ISLAMIC LAW

Note: A multiworded term having a slash (/) occurring in it is a permutation of an original multiworded term. The original form of such a term is readily ascertainable if it is read from the word immediately following the slash and adding the word(s) preceding it as the end of the original multiworded term. For example, "ablution/Minor ritual" is to be read as "Minor ritual ablution". Permuted terms are all "Lead-in" terms; and they are not used as "Descriptors". They always refer to their corresponding "Descriptor"

Abbasids/Time of early

USE Time of early Abbasids

Ablution/General

USE Major ritual ablution

Ablution/Minor ritual

USE Minor ritual ablution

Ablution/Partial

USE Minor ritual ablution

Ablution/Simple

USE Minor ritual ablution

Abortion

- 6.19426

UF Idjhad

Ijhad

BT Medical processes

Abortion/Compensation for causing

USE Compensation for causing abortion

Abrogation

USE Cancellation

Absentmindedness/Prostration for

USE Prostration for negligence

Abstinence from marital intercourse

- 6.14291

SN A dissolution of the conjugal community by the oath of the husband to abstain from marital intercourse for four months

UF Ila
 intercourse/Abstinence from marital
 marital intercourse/Abstinence from
 BT Divorce

Acceptance
 - 6.1312
 UF Kabul
 Qabul
 BT Islamic law of contract

Accord
 USE International treaties

Accounts
 USE Records

Accusation of fornication/Falsaly
 USE Falsely accusation of fornication

Acknowledgement
 - 6.19344
 SN Confession made by a person of age in full possession of
 his faculties and without any pressure by the judge
 UF Admission
 Avowal
 Conceding
 Concession
 Confession
 Ikrar
 Iqrar
 Itiraf
 Judicial acknowledgement
 Recognition
 BT Legal evidence
 NT Acknowledgement of ailing person
 Validity of acknowledgement

Acknowledgement of ailing person
 - 6.193441
 UF ailing person/Acknowledgement of
 Ikrar al marid
 Iqrar al marid
 BT Acknowledgement

Acknowledgement of executor
 - 6.139923
 UF executor/Acknowledgement of

Ikrar al wasi
Iqrar al wasi
BT Executor of will

Acknowledgement/Judicial
USE Acknowledgement

Acknowledgement/Validity of
USE Validity of acknowledgement

Acquittal

- 6.139993

SN Abstention from sexual relations with a slave girl in order
to verify that she is not pregnant on the occasion of her
transfer to a new master or a change in her circumstances

UF Istibra

BT Slavery

Action (Judgement)/Reprehensible
USE Reprehensible action (Judgement)

Action at law
USE Claim

Action/Desirable
USE Meritorious action

Action/Forbidden
USE Forbidden action

Action/Incorrect
USE Incorrect action

Action/Indifferent
USE Indifferent action

Action/Invalid
USE Incorrect action

Action/Legally effective
USE Valid action

Action/Meritorious
USE Meritorious action

Action/Null
USE Void action

Action/Obligatory

USE Duty

Action/Perfect

USE Valid action

Action/Recommended

USE Meritorious action

Action/Reprehensible

USE Reprehensible action

Action/Sound

USE Valid action

Action/Unsound

USE Incorrect action

Action/Valid

USE Valid action

Action/Void

USE Void action

Active repentance

- 6.15121

UF Contrition

Penitence

repentance/Active

Tawba

Tawbah

BT Highway robbery

Activities/Regulation of economic

USE Regulation of economic activities

Acts of animals/Liability for

USE Liability for acts of animals

Actual inheritance/Exclusion from

USE Exclusion from actual inheritance

Ada

USE Customary law

Adab al kadi

USE Duties of judge

Adab al qadi
USE Duties of judge

Adad al mubayi'in
USE Number of electors

Adala
USE Integrity

Adalah
USE Integrity

Address/Friday
USE Friday sermons

Adha
USE Assault

Adhan
USE Announcement for prayer

Adhiya
USE Sacrifice

Adhiyah
USE Sacrifice

Adila
USE Directories

Adilah
USE Directories

Adl
USE Integrity

Administration of endowment

- 6.139941

SN The authority granted to someone for managing, developing
, and utilizing the endowment, and for applying its yield
for its specified purpose

UF Al wilaya ala al wakf
Al wilaya ala al waqf
Al wilayah ala al wakf
Al wilayah ala al waqf
Endowment/Administration of
Endowment/Management of

Management of endowment
BT Endowment

Administration/Provincial
USE Provincial administration

Administrative documents
- 6.19231
UF Al wathaik al idariyya
Al wathaik al idariyyah
Al wathaiq al idariyya
Al wathaiq al idariyyah
documents/Administrative
BT Records

Administrative law/Islamic
USE Islamic administrative law

Admission
USE Acknowledgement

Adultery
- 6.1513
SN Sexual intercourse between persons who are not in a state
of legal matrimony or concubinage
UF Fornication
Zina
BT Restrictive ordinance
NT Lashing
Stoning

Afghanistan
- 3.3292
UF Hindu Kush
BT Asia

Africa
- 3.33
BT Continents
NT Central Africa
East Africa
Egypt
Eritrea
Ethiopia
North Africa
Northwest African Coast
Southern Africa

Sudan
West Africa

Africa/Central
USE Central Africa

Africa/East
USE East Africa

Africa/North
USE North Africa

Africa/West
USE West africa

African Coast/Northwest
USE Northwest African Coast

Afternoon prayer/Early
USE Early afternoon prayer

Afternoon prayer/Late
USE Late afternoon prayer

Afw
USE Free pardon

Agency
- 6.1395
SN Conferring power of disposal on another
UF Deputyship
Procuration
Wakala
Wakalah
BT Islamic civil law

Agents
- 6.178
UF Regents
Umal
BT Islamic constitutional law

Agreed dower
- 6.14132
SN The dower agreed by the couple, and specified by them in
the contract
UF Al mahr al musamma

dower/Agreed
BT Dower

Agreement/Divorce by mutual
USE Divorce by mutual agreement

Agreement/General
USE Consensus

Agreements
USE International treaties

Agricultural industries
- 6.19116
UF Al sinaat al ziraiyya
Al sinaat al ziraiyyah
industries/Agricultural
BT Regulation of economic activities

Agriculture
- 6.19115
UF Al ziraa
Al ziraah
BT Regulation of economic activities

Ahadith
USE Traditions

Ahd al taklid
USE Imitation era

Ahd al taqlid
USE Imitation era

Ahdaf al dawla
USE Objectives of state

Ahdaf al dawlah
USE Objectives of state

Ahkam
USE Logical judgment

Ahkam al akd
USE Effects of contract

Ahkam al aqd
USE Effects of contract

- Ahkam al usra
USE Islamic family law
- Ahkam al usrah
USE Islamic family law
- Ahl al dhimma
USE People of covenant
- Ahl al dhimmah
USE People of covenant
- Ahl al kitab
USE People of the book
- Ahliyya
USE Legal capacity
- Ahliyyat al ada
USE Capacity of execution
- Ahliyyat al hadin
USE Qualifications of custodian
- Ahliyyat al wudjub
USE Capacity of obligation
- Ahliyyat al wujub
USE Capacity of obligation
- Ailing person/Acknowledgement of
USE Acknowledgement of ailing person
- Aiyam Mina
USE Mina days
- Aiyam Muna
USE Mina days
- Akar
USE Immovable property
- Akd
USE Islamic law of contract
- Akd al zawadj
USE Marriage contract

- Akd batil
USE Void contract
- Akd fasid
USE Irregular contract
- Akd ghair sahiih
USE Invalid contract
- Akd sahiih
USE Valid contract
- Akika
USE Naming ceremony
- Akikah
USE Naming ceremony
- Akila
USE Cooperative payment of blood money
- Akilah
USE Cooperative payment of blood money
- Akl
USE Blood money
- Aksam al fil
USE Juridically relevant actions
- Al adhar al mubiha lil fitr
USE Exception from fasting
- Al ahkam al khamsa
USE Five qualifications
- Al ahkam al khamsah
USE Five qualifications
- Al ahwal al shakhsiyya
USE Islamic family law
- Al ahwal al shakhsiyyah
USE Islamic family law
- Al akd al mawkuf
USE Suspension contract

Al aniyya
USE Receptacles

Al aniyyah
USE Receptacles

Al aqd al mawquf
USE Suspension contract

Al asbab al mudjiba lil irth
USE Causes of inheritance

Al asbab al mudjibah lil irth
USE Causes of inheritance

Al asbab al mujiba lil irth
USE Causes of inheritance

Al asbab al mujibah lil irth
USE Causes of inheritance

Al awl
USE Derivation by excess

Al Awzai doctrine
USE Ceased sunnite doctrines

Al Babiyya
USE Babism

Al Babiyyah
USE Babism

Al Bahaiyya
USE Bahai faith

Al Bahaiyyah
USE Bahai faith

Al bahth
USE Research

Al bai al makruh
USE Reprehensible sale

Al bay al makruh
USE Reprehensible sale

Al butlan
USE Invalidity

Al cadir al tibi
USE Medical personnel

Al difa an al nafs
USE Execution

Al djald
USE Lashing

Al djihad wal siyar
USE Islamic international law

Al Durziyya
USE Druzes

Islamic administrative law
- 6.192

UF administrative law/Islamic
Al kanon al idari al Islami
Al qanon al idari al Islami
BT Islamic law
NT Delegation of authority
Officers
Police
Provincial administration
Records
Security
Supervision of markets

Islamic civil law
- 6.13

SN Covers contract between two parties relating to a thing,
one sided contract bases on confidence, and inheritance
UF Al tashri al madani
Business dealings
civil law/Islamic
Islamic transactions
Muamalat
transactions/Islamic
BT Islamic law
NT Agency
Banking
Brokerage
Coercion
Consignment

Cooperative payment of blood money
 Cultivation of waste land
 Debt transfer
 Detention
 Endowment
 Foundling
 Gift
 Gratuitous loan
 Guardianship
 Hiring
 Islamic inheritance law
 Islamic law of contract
 Missing person
 Oath
 Options
 Partnership
 Pledge
 Preemption
 Sale
 Sharecropping
 Slavery
 Speculation
 Surety
 Tribal oath
 Unjustified enrichment
 Usurpation
 Usury
 Vow
 Waif
 Will

Islamic constitutional law

- 6.17

UF Al kanon al dasturi al Islami
 Al qanon al dasturi al Islami
 Al tashri al dasturi
 constitutional law/Islamic
 BT Islamic law
 NT Agents
 Citizenship
 Constitution
 Emirate office
 Government by consultation
 Guardianship (Executive power)
 Ministerial office
 Theory of State
 Vicegerency

Islamic countries
 USE Islamic world

Islamic doctrine of property
 USE Ownership theory

Islamic economic law
 - 6.191
 UF Al kanon al iktisadi al Islami
 Al qanon al iqtisadi al Islami
 Al tashri al iktisadi
 Al tashri al iqtisadi
 economic law/Islamic
 economic system/Islamic
 Islamic economic system
 BT Islamic law
 NT Regulation of economic activities

Islamic economic system
 USE Islamic economic law

Islamic family law
 - 6.14
 UF Ahkam al usra
 Ahkam al usrah
 Al ahwal al shakhsiyya
 Al ahwal al shakhsiyyah
 family law/Islamic
 Islamic personal law
 Islamic personal statue
 Islamic personal status law
 Munakhat
 personal law/Islamic
 personal statue/Islamic
 personal status law/Islamic
 BT Islamic law
 NT Custody
 Divorce
 Maintenance
 Marriage
 Naming ceremony

Islamic fiscal law
 - 6.18
 UF Al tashri al mali
 Al kanon al mali al Islami
 Al qanon al mali al Islami
 fiscal law/Islamic

fiscal system/Islamic
 Islamic fiscal system
 BT Islamic law
 NT Public treasure

Islamic fiscal system
 USE Islamic fiscal law

Islamic health law
 - 6.194
 UF Al kanon al sihi al Islami
 Al qanon al sihi al Islami
 health law/Islamic
 BT Islamic law
 NT Control of diseases
 Environmental control
 Family planning
 Medical personnel
 Medical processes
 Mental health services
 Safety (Health law)
 Veterinary public health

Islamic inheritance law
 - 6.13993
 SN The science of ordained quotes
 UF Ilm al faraid
 inheritance/Islamic law of
 inheritance law/Islamic
 Islamic law of inheritance
 Islamic law of succession
 Mawarith
 Mirath
 succession/Islamic law of
 BT Islamic civil law
 NT Causes of inheritance
 Derivation by excess
 Distribution of heritage
 Exclusion (Inheritance)
 Fixed shares
 Giving away (Inheritance)
 Heritage
 Impediments to inheritance
 Mutual inheritance
 People of fixed shares
 Predeceased heir
 share of residuaries
 RT Will

Islamic jurisprudence

- 6.11

SN The science of regulating all aspects of public and private life and business by laws recognized by religion

UF Fikh

Fiqh

jurisprudence/Islamic

jurisprudence/Mohamedan

jurisprudence/Moslem

jurisprudence/Muhammadan

jurisprudence/Muslim

Mohamedan jurisprudence

Moslem jurisprudence

Muhammadan jurisprudence

Muslim jurisprudence

BT Islamic law

NT Logical judgment

Roots of Islamic jurisprudence

Islamic jurisprudence/Roots of

USE Roots of Islamic jurisprudence

Islamic law

- 6.1

SN Totality of God's commandments that encompasses religious duties and secular aspects of law regulating human acts

UF Canon law of Islam

Koran law

Koranic law

Law in the Koran

law/Islamic

law/Koran

law/Koranic

law/Mohamedan

law/Moslems

law/Muhammadan

law/Muslims

Law of Islam

Mohamedan law

Moslems law

Muhammadan law

Muslims law

Qoran law

Quran law

Sharia

Sharia law

Shariah

Shariah law

- BT Islam
- NT Islamic administrative law
 - Islamic civil law
 - Islamic constitutional law
 - Islamic economic law
 - Islamic family law
 - Islamic fiscal law
 - Islamic health law
 - Islamic international law
 - Islamic judicial law
 - Islamic jurisprudence
 - Islamic penal law
 - Islamic religious law
- Islamic law of contract
 - 6.131
 - SN Legal act which involves a bilateral declaration, the offer (idjab) and the acceptance (kabal)
 - UF Akd
 - Aqd
 - contract/Islamic law of contract
 - Moslem law of contract
 - Muslim law of contract
 - Moslem law of contract
 - Muslim law contract
 - BT Islamic civil law
 - NT Acceptance
 - Cancellation
 - Effects of contract
 - Offer
 - Ratification
 - Rights from contract
 - Risk
 - Stipulations
 - Types of contract
- Islamic law of inheritance
 - USE Islamic inheritance law
- Islamic law of nations
 - USE Islamic international law
- Islamic law of succession
 - USE Islamic inheritance law
- Islamic law/Foundations of
 - USE Roots of Islamic jurisprudence

Islamic law/Principles of
USE Roots of Islamic jurisprudence

Islamic law/Roots of
USE Roots of Islamic jurisprudence

Islamic law/Schools of
USE Schools of Islamic law

Islamic law/Sources of
USE Roots of Islamic jurisprudence

Islamic legal opinions
USE Opinions

Islamic legal penalties
USE Islamic penal law

Islamic penal code
USE Islamic penal law

Islamic penal law
- 6.15

SN Covers punishments
UF Al tashri al djazai
Al tashri al jazai
Djinayat
Islamic legal penalties
Islamic penal code
Islamic penal system
Jinayat
legal penalties/Islamic
penal code/Islamic
penal law/Islamic
penal system/Islamic
Punishments
Tort law
Ukubat
Uqubat

BT Islamic law

NT Crimes against state
Fortification
Liability for acts of animals
Liability for crimes of slaves
Restrictive ordinance
Retaliation

Islamic penal system
 USE Islamic penal law

Islamic personal law
 USE Islamic family law

Islamic personal statue
 USE Islamic family law

Islamic personal status law
 USE Islamic family law

Islamic religious law

- 6.12

SN The ordinances of divine worship. Obligations regarding
 worship

UF Ibadat

Islamic religious practices

Islamic rituals

Moslem law/Rituals of

Muslim law/Rituals of

religious law/Islamic

religious practices/Islamic

rituals/Islamic

Rituals of Moslem law

Rituals of Muslim law

BT Islamic law

NT Alms tax

Circumcision (Male)

Fasting

Little pilgrimage

Pilgrimage

Prayer

Proxy (Worship)

Purity

Rules of modesty

Sacrifice

Slaughtering

Islamic religious law/Bases of
 USE Roots of Islamic jurisprudence

Islamic religious practices
 USE Islamic religious law

Islamic rituals
USE Islamic religious law

Islamic transactions
USE Islamic civil law

CHAPTER 6

ONLINE MAINTENANCE AND USE OF THE THESAURUS

6.1 INTRODUCTION

Using the CDS/ISIS software, a thesaurus can be built in two ways. One way is to enter each term, along with all its relations, in a record in a thesaurus database as described in Chapter 5. Alternatively, the "Thes" program, that comes with the CDS/ISIS software, or its modified version, if any, may be used to build the thesaurus. In any case, a thesaurus database is produced. This chapter describes the online maintenance and use of the "Amir" thesaurus with the help of available programs developed in CDS/ISIS Pascal.

A modified version (modification was made earlier at SISA for some other purpose) of the "Thes" program, that comes with the CDS/ISIS software has been used for this purpose.

The program allows to perform the following functions:

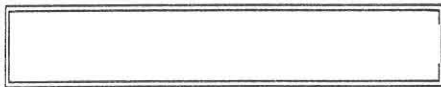
- (1) Addition of a new term to the thesaurus along with all its relations;
- (2) Deletion of a relation or a term from the thesaurus; and
- (3) Selection of term(s) from the thesaurus for formulating a query.

6.1 ONLINE DEVELOPMENT AND MAINTENANCE OF THE THESAURUS

6.1.1 Entering a New Term or Adding Relation(s)

The program makes it possible to add new terms and add relations in the correct alphabetical sequence; and to make all reciprocal entries automatically. If a new term is to be added, the user should first run the program by choosing option "A" from the main menu of CDS/ISIS. Then the following message will be displayed on the screen:

Figure 3: Term selection



Select term

When the user provides a term at this prompt, a display screen will appear which may contain:

- (1) An alphabetical listing of the chosen term followed by other terms in the alphabetical sequence. This will happen when the chosen term is present in the system dictionary, but does not have a thesaurus block associated with it. If, however, the term does not occur in the dictionary, the user will get a display of terms having key value higher than the chosen term; or
- (2) A display of the thesaurus block corresponding to the chosen term. This happens when there is a thesaurus block associated with the chosen term in the database.

In the first case, the user has to select a term from the screen by moving the cursor on it, and then, pressing "S" (in upper or lower case). The result will be the same as mentioned above (either 1 or 2).

In the second case (i.e. case 2) the user has to choose an option from the cue which has a number of options, as shown below:

Figure 4: Options Cue

```
*****
<SpB> [Next] B[ack] P[age] S[elect] T[erm] Q[ue]ry] M[ark term(s)]
?[Display query] A[dd relation] D[elete] C[reate term] W[rite in fld] X[exit]
*****
```

From this cue the user should choose option "C" (by typing the key in lower or upper case) to create a new term. After choosing that option, the following prompt will be displayed on the screen.

Figure 5: Creation of Term

```
*****

```

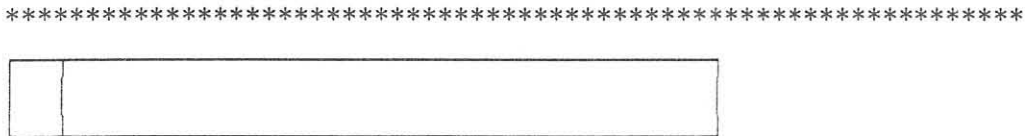
Enter new term.

```
*****
```

The cursor will be in the first character position inside the box. After keying the term, the user should press the enter key. The newly added term will appear on the screen under the box in which it has been keyed, the cursor will be opposite to the term on the left side. The same cue displayed in Figure 4 will be displayed at the bottom of the screen. If the user

wants to create more terms he/she will continue carrying out the same process. If the intention of the user is to add a relation, then option "A" (in upper or lower case) is to be chosen from the cue in Figure 4. After pressing "A" (in upper or lower case) the following prompt will be displayed under the newly created term, and at the bottom of the screen. The cursor will be placed in the small box on the left, where a code (for an appropriate relation) is to be typed.

Figure 6: Addition of Relation(s)



Enter relation code: SN USE UF BT NT RT

This command (Enter relation code etc.) will disappear immediately after entering any relation code, and the cursor will move to the other part of the box where the user has to type the term that he/she intends to be linked with the newly created term through the given relation. After keying, the user has to press the enter key. If the term to be linked with the newly created term is already in the database, immediately after pressing the enter key the added relation will be placed under the term. The cue in Figure 4 will be displayed at the bottom of the screen, and the cursor will be waiting for the user's choice. If the term to be linked to the newly added term is not in the database, the following message will be displayed on the screen.

Figure 7: Relating a Non Existing Term

```
*****
Related term does not exist

Press ENTER to continue

*****
```

If the enter key is pressed, the cursor will move back to the end of the term keyed. The user then should delete the term, and press the enter key. Then the cursor will move to its earlier position under the newly added term. From there the user should choose option "C" (in upper or lower case) to create the term that he/she intends to link with the formerly created one. The process will be repeated whenever that message appears. Reciprocal relations are created automatically.

The user may intend to add relation(s) to a term which already has a thesaurus block. In such a case, the user should directly choose option "A" (in upper or lower case) from the cue in Figure 4, and follow the same procedures described above.

6.1.2 Deleting a Term and/or Relation

If a term from the thesaurus is found to be redundant, it can be deleted. Deletion of a term will be possible by choosing option "D" (in upper or lower case) from the cue in Figure 4, provided that the user has gone through the process of selecting the term to be deleted, and the term is displayed on the screen and the cursor is placed opposite to it on the left side. However, if the term to be deleted has relations, the following message will appear at the bottom of the screen:

Figure 8: Deleting a Term With Relation(s)

Cannot delete term with relations. Delete all relations first.

Press ENTER to continue

After pressing the enter key, the cursor will move to the position of the term that is to be deleted. User can move the cursor down using the space bar to delete the relation, and then, press "d". Immediately the relation will be deleted, and the cursor will move to its earlier position. The same process will be repeated if other relations are still there. After deleting all relations the term can be deleted by pressing "D" (in upper or lower case). After deleting the term, the message shown in Figure 3 will be displayed on the screen.

Accordingly, the user should select another term. Following that selection, he/she will be presented with either an alphabetical listing of the chosen term or terms of higher key value, or a thesaurus block of the chosen term, as mentioned earlier in section 6.1.1. When a term is deleted, all its reciprocal links are removed automatically.

If the intention of the user is to delete relation from a thesaurus block, he/she should place the cursor opposite to that relation, and then, press "D" (in uppers or lower case). Immediately, after pressing "D" the relation will be deleted.

6.2 ONLINE USE OF THE THESAURUS

6.2.1 Online Use of the Thesaurus in Indexing

The online thesaurus "Amir" can be used, for the selection of terms for the purpose of indexing at the input stage, by making use of a program called "Vocon" developed at SISA. The "Vocon" program allows to use the "Amir" thesaurus in two ways. One is at the data entry stage, and the other is by running the "Vocon" program by using option "A" from ISIS main menu. If the user is in the data entry worksheet, and wants to consult the "Amir" thesaurus for online selection of terms, he/she has to press the <F9> key when the cursor is at the cue (by pressing <PgDn> one can reach the cue from any point in the worksheet). Following this, the user will get a prompt as shown in Figure 9.

Figure 9: Use of Vocabulary Control

```
*****
Use Vocabulary Control Y/N
*****
```

If the answer is "No", the user will be taken back to the data entry services menu. If the answer is "Yes", then the following prompt will be displayed.

Figure 10: Indexing Options

```
*****
A[dd] or R[eplace] term(s)
*****
```

When the user chooses any option (A or R, in upper or lower case), the system will ask to key in the tag number for term(s) or <CR> to continue. After keying in the tag number, the user will be asked to key in the tag number for code or press <CR> to continue (This option allows user to choose a code, a class number, for example, from a chosen list). In the present circumstances, user has to press <CR>, he/she will then be asked to key in the MFN. After keying the MFN, the system will ask the user which vocabulary control tool he/she wants to use. At this stage the system presents a list of all the vocabulary control tools available to the system. Then, the user should key in "Amir". Following this, the user will be asked to select a term. If the selected term has a block in the thesaurus, that block will be presented on the screen. Otherwise, an alphabetical list of the selected term or of terms of higher key value will be presented from which the user should select another term by pressing "S" (in upper or lower case) to get a term block. From a term block the user can mark the needed term(s) by placing the cursor on the chosen term and pressing "M" (in upper or lower case). After marking the term(s), the user has to press "W" (in upper or lower case). Suppose the marked term is "Islamic inheritance law", then, after pressing "W" the user will get a prompt as follows:

Figure 11: Chosen Keywords

```
*****
Keywords chosen : <Islamic inheritance law >

Code chosen : NONE

Do you want to continue--Y or N

*****
```

If the response to above message is Y, the selected terms are added to the preselected fields, and the user will be taken back to ISIS data entry menu. The process may be repeated to index more documents.

Another way of making use of the "Amir" thesaurus is to run the "Vocon" program by choosing advanced programming services option from ISIS main menu. After running the program, the following menu will be presented.

Figure 12: Vocon Main Menu

```

*****
          Vocon
          For
          ONLINE VOCABULARY CONTROL

          C      Change Data Base
          W      Change Worksheet
          O      Reassign Output File
          Q      Quick
          H      Help
          X      Exit

          ?
*****

```

The user can press "Q" to get the second menu presented below.

Figure 13: Vocon Second Menu

```

*****
                                  Vocon
                                  For
                                  ONLINE VOCABULARY CONTROL
                                  -----
Enter MFN to be modified
  A      Add to output file
  D      Define search expression
  M      Modify record (MFN)
  S      Search and/or edit
  ↵      Next term
  X      eXit
*****

```

Here the user has to choose the option "M" which will ask for an MFN. After keying the MFN, the user will be taken to that record whose MFN has been provided. There, the user should press <F9> to activate the "Vocon" program. Then, the same message presented in Figure 9 above will be displayed. If the response is "Yes", the message in Figure 10 will be presented again. Then, the procedures to be followed in using the thesaurus during the data entry process, are the same as mentioned earlier in this section except for the prompt that asks for the MFN, because the user has already provided the MFN to the system. However, if the response of the user to the message in Figure 9 is "No" he/she will be taken back to "Vocon" second menu.

6.2.2 Online Use of the Thesaurus in Retrieval

The program Thes (the modified version) enables users to formulate their queries and, search an integrated database called "ILAW" created by using CDS/ISIS software. To search the database using the online thesaurus, the user after running the program will be

asked to select a term as in Figure 3. The same process regarding the term selection as mentioned in Section 6.1.1 will be repeated. From a thesaurus block the user can use the space bar to move the cursor down; and can point the term he/she wants by pressing "Q" (in upper or lower case) to use that term in the formulation of queries. Upward movement is allowed by using "B" (in upper or lower case) for back, and movement to the next page is allowed by pressing "P" (in upper or lower case). After finishing the selection of terms, the user can press "?" to display the formulated query. For example, if the user has chosen "Islamic jurisprudence and principles" for query, and then, pressed "?", the formulated query will be displayed as follows:

Figure 14 : Display of Query

Islamic jurisprudence + Principles

Then, a message will appear to direct the user to use any key to continue in formulating queries. If the user presses "X" (in upper or lower case) for exit, he/she will be asked to key-in the database name to be searched. The search result will be displayed as shown by the example below, which displays the search result of the query displayed in Figure 15:

Figure 15: Search Result

Set 1 : ISLAMIC JURISPRUDENCE + PRINCIPLES

P= 1 ISLAMIC JURISPRUDENCE

P= 2 PRINCIPLES

T= 1 - #2: ISLAMIC JURISPRUDENCE

T= 1 - #: #2

In case of a positive search result, if the user wants to see the records, he/she should quit the program, and go to the ISIS information retrieval services menu, and press "D" there. Then, the records containing the answer to the query will be presented on the screen. For example, the record for the search result in Figure 15, will be displayed as follows:

Figure 16: Display of Record

Kamali, Muhammad Hashim

Principles of Islamic jurisprudence. -- Rev ed. -- Cambridge : Islamic Texts Society, 1991.

Islamic jurisprudence; Logical judgement; Principles.

CHAPTER 7

CONCLUSION AND RECOMMENDATIONS

7.1 CONCLUSION

From a survey of literature on Islamic law, it has been possible to come out with a consolidated picture of the historical development of Islamic law. An "Online thesaurus of terms on Islamic law" has been constructed from terms selected from assorted micro-documents.

A review of the vocabulary control devices, which are available, revealed their inadequacy for depth-indexing of micro-documents on "Islamic Law". It is found that, in these devices, some topics which fall under the umbrella of Islamic law according to academic consensus, are treated in other areas or sometimes separately. Moreover, these devices do not cover all the divisions that exist within the field of Islamic law. So we can generalize by saying that these devices are not suitable for the depth-indexing of micro-documents on Islamic law.

To start with, a faceted systematic scheme has been developed to accommodate all the terms that were collected. This faceted scheme, allows addition of new terms whenever necessary, due to literary warrant or user warrant. The block term-entries for the alphabetical thesaurus were developed on the basis of the entries in the systematic scheme. In order to develop the online alphabetical thesaurus, each of these block term-entries was input as Micro CDS/ISIS record. The alphabetical thesaurus was produced by making use of the appropriate print-

format, and print and sort worksheets designed for this purpose. The online maintenance of the thesaurus has been demonstrated. The use of the online thesaurus for both online indexing and searching has also been demonstrated by using a prototype bibliographic database on "Islamic Law". The whole study has shown enough evidence to confirm that the online thesaurus can be used in the real life situation with adequate user-friendliness.

7.2 RECOMMENDATIONS

The completion of the study in its present form itself suggests a course of actions to be carried out for its further improvement. Important among them are the following:

- (1) Contacting specialists in the field of "Islamic Law", and seeking their advice before making any further improvement of the thesaurus.
- (2) Incorporation of more terms from user warrant to make a sort of balance between terms suggested by users, and those collected from literary warrant.
- (3) Taking note of the development taking place in all other vocabulary control devices on the subject.
- (4) Reviewing all the available software packages on thesaurus construction to find a more user-friendly software that can be used for the construction of an online thesaurus. For this purpose, the pertinent available literature may be consulted. (For example, J. Ganzmann. Criteria for the evaluation of thesaurus software. International Classification. 17(3/4): 1990).
- (5) Making the online thesaurus a bi-lingual one-- that is, English-Arabic-- in order to facilitate the indexing of documents on "Islamic Law", which are written in Arabic. In this regard, the implication of both hardware and software are to be considered.

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APPENDIX 1 SYSTEMATIC THESAURUS

Note: A multiworded term having a slash (/) occurring in it is a permutation of an original multiworded term. The original form of such a term is readily ascertainable if it is read from the word immediately following the slash and adding the word(s) preceding it as the end of the original multiworded term. For example, "ablution/Minor ritual" is to be read as "Minor ritual ablution". Permuted terms are all "Lead-in" terms; and they are not used as "Descriptors". They always refer to their corresponding "Descriptor".

1 SCHEDULE FOR STANDARD CONCEPTS

- 1.11 Opinions
 SN :Formal legal opinions given by mufti or canon lawyer of standing in answer to question submitted to him by judges or private individuals (Shorter encyclopedia of Islam 1961)
- UF :*Fatawi*
Fatwa
 Islamic legal opinions
 legal opinions/Islamic opinions/Islamic legal Verdicts
- 1.12 Philosophy
 UF :*Nazariyya*
Nazariyyah
Phalsapha
Phalsaphah
 Theory
- 1.13 Methodology
 UF :Methods
 Procedures
 Rules
 Techniques
- 1.14 Classification
 SN :Divisions of a discipline or subject showing their interrelations.
- UF :Categorization
 Division
 Ranking
Tasnif
- 1.15 Value
 UF :Importance

- Kima*
Kimah
Qima
Qimah
 Significance
 Worth
- 1.16 Terminology
 SN :System of terms of a subject.
 UF :*Mustalahat*
- 1.17 Etymology
 SN :Origin of words and terms.
 UF :`*Ilm al ishtikak*
 `'*Ilm al ishtiqaq*
- 1.18 Principles
 SN :Statement of scientific facts.
 UF :*Mabadi'*
- 1.19 Bibliographies
 UF :*Bibliographiya*
- 1.20 Catalogues
 UF :*Faharis*
- 1.21 Indexes
 UF :*Kashafat*
- 1.22 Treatises
 UF :*Dirasa*
Dirasah
 Introduction
Risala
Risalah
- 1.23 Synopses
 SN :For genuine synopses and outlines, not for works called synopses or outlines that are regular treatises or introduction to a subject.
 UF :*Mudjaz*
Mujaz
Mukhtasar
Mulakhas
 Outlines

- 1.24 Guidelines
UF :*Tawḍjihat*
Tawjihat
- 1.25 Digests
UF :*Mubasat*
- 1.26 Reviews
UF :*I`adat nazar*
Maḍdjala nakdiyya
Majjala naqdiyya
Nakd
Naqd
- 1.27 Exercises
UF :*Tamarin*
- 1.28 Research reports
UF :*Takarir al bahth*
Taqarir al bahth
- 1.29 Audiovisual treatment
UF :*Mu`alaḍja sam`basariyya*
Mu`alaḍjah sam`basariyyah
Mu`alaja sam`basariyya
Mu`alajah sam`basariyyah
treatment/Audiovisual
- 1.30 Tabulated materials
UF :*Djadawil*
Jadawil
materials/Tabulated
Tables
- 1.31 Lists
UF :*Kawa'im*
Qawa'im
- 1.32 Directories
UF :*Adila*
Adilah
- 1.33 Dictionaries
UF :*Kawamis*
Qawamis

- 1.34 Concordances
 UF :*Ma`adjim*
 Ma`ajim
- 1.35 Encyclopedias
 UF :*Mawsu`at*
- 1.36 Serial publications
 UF :*Madjalat*
 Majalat
 Periodical publications
 Periodicals
 publications/Periodical
 publications/Serial
- 1.37 Organizations
 UF :*Munazamat*
- 1.38 Schools
 UF :*Al madaris*
- 1.39 Courses
 UF :*Mukararat*
 Muqararat
- 1.40 Institutes
 UF :*Al ma`ahid*
- 1.41 Workshops
 UF :*Al nadawat*
 Mu'tmarat
- 1.42 Radio classes
 UF :*classes/Radio*
 classes/Television
 Durus al midhya
 Durus al tilfaz
 Television classes
- 1.43 Correspondence courses
 UF :*Al ta`lim bil murasala*
 Al ta`lim bil murasalah
- 1.44 Research
 UF :*Al bahth*
- 1.45 Students
 UF :*Al darisun*

- Al talaba*
Al talabah
Learners
- 1.46 Honourary titles
UF :*Alkab fakhriyya*
Alkab fakhriyyah
Alqab fakhriyya
Alqab fakhriyyah
titles/Honourary
- 1.47 Awards
UF :*Djawa'iz*
Jawa'iz
Prizes
- 1.48 Financial support
UF :*Da`m mali*
Minah
support/Financial
- 1.49 Scholarships
UF :*Al minah al dirasiyya*
Al minah al dirasiyyah
- 1.50 Fellowships
UF :*Zamala*
Zamalah
- 1.51 History
UF :*Tarikh*
- 1.52 Biographies
UF :biography/Collected
biography/Individual
Collected biography
Individual biography
Individual treatment
Persons
Siyar dhatiyya
Siyar dhatiyyah
treatment/Individual
- 1.53 Data processing
UF :*Mu`aladjat al bayanat*
Mu`alajat al bayanat
processing/Data

1.54 Lawyers
 UF :*Muftis*

2 SCHEDULE OF PERIOD

- 2.1 1 Time of the Prophet
 UF :*Hidjra*/1 - 9 after the
 Prophet/Time of the
- 2.2 1 Time of Caliphs
 UF :Caliphs' era
 Caliphs/Time of
 Hidjra/10 - 40 after the
- 2.3 1 Time of Umayyad
 UF :*Hidjra*/41 - 132 after the
 Umayyad's era
 Umayyad/Times of
- 2.4 1 Time of early Abbasids
 UF :Abbasids/Time of early
 Early Abbasids' era
- 2.5 1 Imitation era
 UF : *`Ahd al-taklid*
 `Ahd al taqlid
 Hidjra/400 - 1200 after the
- 2.6 1 Renascence era
 UF :*Hidjra*/1300 onwards after the
 Modernist era

3 SCHEDULE OF AREAS

- 3.1 1 Islamic world
 - UF :countries/Islamic
Islamic countries
Muslim world
world/Islamic
world/Muslim

- 3.11 2 Arab world
 - UF :Arab countries
counties/Arab
world/Arab

- 3.2 1 Christian world
 - UF :world/Christian

- 3.3 1 Continents

- 3.31 2 Europe

- 3.311 3 British Isles
 - UF :England
Isles/British
Wales

- 3.312 3 Central Europe
 - UF :Europe/Central

- 3.3121 4 Germany

- 3.3122 4 Czechoslovakia

- 3.3123 4 Poland

- 3.3124 4 Hungary

- 3.313 3 France
 - UF :Monaco

- 3.314 3 Italian Peninsula
 - UF :Italy
Peninsula/Italian

- 3.315 3 Iberian Peninsula
 - UF :Peninsula/Iberian

- 3.3151 4 Spain
UF :Andalusia
- 3.3152 4 Portugal
- 3.316 3 Scandinavia
- 3.3161 4 Norway
- 3.3162 4 Sweden
- 3.3163 4 Denmark
- 3.3164 4 Finland
- 3.317 3 East Europe
UF :Europe/East
- 3.3171 4 Commonwealth of Independent States
UF :CIS
 Independent States/Commonwealth of
 USSR
- 3.31711 5 Russia
- 3.31712 5 Ukraine
- 3.31713 5 Belorussia
- 3.31714 5 Armenia
- 3.31715 5 Azerbaijan
- 3.31716 5 Moldavia
- 3.31717 5 Central Asia
- 3.31718 5 Kazakhstan
- 3.317191 5 Kirghizia
- 3.317192 5 Tajikistan
- 3.317193 5 Turkmenistan
- 3.317194 5 Uzbekistan

- 3.318 3 Netherlands
UF :Holland
- 3.3191 3 Belgium
- 3.3192 3 Switzerland
- 3.3193 3 Greece
- 3.3194 3 Balkan
- 3.3195 3 Bosnia
UF :Herzegovina
- 3.3196 3 Macedonia
- 3.3197 3 Montenegro
- 3.3198 3 Serbia
- 3.31991 3 Kosovo
- 3.31992 3 Vojvodina
- 3.32 2 Asia
- 3.321 3 China
- 3.322 3 Hong Kong
- 3.323 3 Taiwan
- 3.324 3 Korea
- 3.3241 4 North Korea
UF :Korea/North
- 3.3242 4 South Korea
UF :Korea/South
- 3.325 3 Japan
- 3.326 3 Arabian Peninsula
UF :Peninsula/Arabian
- 3.3261 4 Yemen
- 3.3262 4 Oman

- 3.3263 4 United Arab Emirates
UF :Arab Emirates/United
 Emirates/Arab United
- 3.3264 4 Persian Gulf States
UF :Gulf States/Persian
- 3.32641 5 Qatar
- 3.32642 5 Bahrain
- 3.32643 5 Kuwait
- 3.3265 4 Saudi Arabia
UF :Arabia/Saudi
- 3.32651 5 Hidjaz
- 3.326511 6 Madina
- 3.326512 6 Mecca
- 3.327 3 South Asia
UF :Asia/South
- 3.3271 4 India
- 3.3272 4 Pakistan
- 3.3273 4 Bangladesh
- 3.3274 4 Sirilanka
- 3.328 3 Iran
UF :Persia
- 3.3291 3 Middle East
UF :East/Middle
- 3.32911 4 Turkey
UF :Cyprus
- 3.32912 4 Iraq
- 3.329121 5 Baghdad
- 3.329122 5 Basra

- 3.329123 5 Kufa
- 3.32913 4 Syria
- 3.329131 5 Damascus
- 3.32914 4 Lebanon
- 3.32915 4 Jordan
- 3.32916 4 Palestine
- 3.32917 4 Israel
- 3.3292 3 Afghanistan
UF :Hindu Kush
- 3.3293 3 South East Asia
UF :Asia/South East
 East Asia/South
- 3.32931 4 Burma
- 3.32932 4 Thailand
- 3.32933 4 Malaysia
UF :Malaya
- 3.32934 4 Vietnam
- 3.329341 5 North Vietnam
UF :Vietnam/North
- 3.329342 5 South Vietnam
UF :Vietnam/South
- 3.32935 4 Indonesia
- 3.32936 4 Philippines
- 3.33 2 Africa
- 3.331 3 North Africa
UF :Africa/North
- 3.3311 4 Tunisia
- 3.3312 4 Libya

- 3.332 3 Egypt
- 3.333 3 Sudan
- 3.334 3 Ethiopia
- 3.335 3 Eritrea
- 3.336 3 Northwest African Coast
UF :African Coast/Northwest
- 3.3361 4 Morocco
- 3.3362 4 Western Sahara
UF :Sahara/Western
- 3.3363 4 Algeria
- 3.337 3 West Africa
UF :Africa/West
- 3.3371 4 Mauritania
- 3.3372 4 Mali
- 3.3373 4 Burkina Faso
- 3.3374 4 Niger
- 3.3375 4 Senegal
- 3.3376 4 Sierra Leone
- 3.3377 4 Gambia
- 3.3378 4 Guinea
- 3.33791 4 Guinea-Bissau
- 3.33792 4 Liberia
- 3.33793 4 Ivory Coast
UF :Cape Verde
- 3.33794 4 Togo
- 3.33795 4 Benin

- 3.33796 4 Nigeria
- 3.338 3 Central Africa
UF :Africa/Central
- 3.3381 4 Cameroon
- 3.3382 4 Gabon
- 3.3383 4 Congo
- 3.3384 4 Angola
- 3.3385 4 Central African Republic
- 3.3386 4 Chad
- 3.3387 4 Zaire
- 3.3388 4 Rwanda
- 3.33891 4 Burundi
- 3.3391 3 East Africa
UF :Africa/East
- 3.33911 4 Uganda
- 3.33912 4 Kenya
- 3.33913 4 Djibouti
- 3.33914 4 Somalia
- 3.33915 4 Tanzania
- 3.33916 4 Mozambique
- 3.3392 3 Southern Africa
UF :Africa/Southern
- 3.33921 4 Republic of South Africa
UF :South Africa/Republic of
- 3.33922 4 Namibia
- 3.33923 4 Comoros

- 3.33924 4 Madagascar
- 3.33925 4 Mauritius
- 3.33926 4 Zimbabwe
- 3.33927 4 Zambia
- 3.33928 4 Malawi
- 3.339291 4 Lesotho
- 3.339292 4 Swaziland
- 3.34 2 North America
UF :America/North
- 3.341 3 Canada
- 3.342 3 Middle America
- 3.3421 4 Mexico
- 3.3422 4 Central America
- 3.343 3 United States
UF :U.S.A
- 3.35 2 South America
UF :America/South
- 3.351 3 Brazil
- 3.352 3 Argentina
- 3.353 3 Chile
- 3.354 3 Bolivia
- 3.355 3 Peru
- 3.356 3 Colombia
- 3.357 3 Ecuador
- 3.358 3 Venezuela
- 3.3591 3 Paraguay

- 3.3592 3 Uruguay
- 3.3593 3 Guiana
- 3.36 2 New Zealand
- 3.37 2 Australia
- 3.38 2 New Guinea
- 3.391 2 Polynesia
- 3.392 2 Pacific Ocean Islands

4 TERMS IN PERIPHERAL AREAS

- 4.1 1 Roman law
 UF :law/Roman
- 4.11 2 Byzantine law
 UF :law/Byzantine
- 4.2 1 Sassanian law
 UF :law/Sassanian
- 4.3 1 European laws
 UF :laws/European
- 4.31 2 English common law
 UF :common law/English
 law/English common
- 4.32 2 French laws
 UF :laws/French
- 4.33 2 German laws
 UF :laws/German
- 4.34 2 Swiss laws
 UF :laws/Swiss
- 4.4 1 Anglo-Muhammadan law
 UF :law/Anglo-Muhammadan
- 4.5 1 Ethics
- 4.6 1 Society
- 4.7 1 Theology

5 SCHEDULE FOR THE SCHOOLS OF ISLAMIC LAW

- 5.1 1 Schools of Islamic law
 UF :Islamic law/Schools of
 Madhahib
- 5.11 2 *Sunnite* schools
 UF :*Al-madaris al-sunniyya*
 Al-madaris al-sunniyyah
 Orthodox schools
 schools/Orthodox
 schools/Sunnite
- 5.111 3 *Hanafi* school
 SN :A school named after the *imam* Abu Hanifa. (Shorter encyclopedia
 of Islam). A school of religious law named after Abu Hanifa Al-
 Nu`man b. Thabit. It grew out of the main body of the Ancient
 school of Basra. (Encyclopedia of Islam 1971, 3)
- UF :*Al-madhab al-Hanafi*
 Hanafi madhab
 Hanafites
 Hanafiyya
 Hanafiyyah
 school/*Hanafi*
- 5.112 3 *Maliki* school
 SN :A school of law named after the imam Malik ibn Anas. (Shorter
 encyclopedia of Islam)
- UF :*Madhab Malik*
 Malik madhab
 Malikiyya
 Malikiyyah
 school/Maliki
- 5.113 3 *Shafi'i* school
 UF :*Madhab al-Shafi'i*
 school/*Shafi`i*
 Shafi`i madhab
 Shafi`iyya
 Shafi`iyyah
- 5.114 3 *Hanbali* school
 SN :A school of law grew up from the teaching of Ahmad Ibn Hanbal.
 (Encyclopedia of Islam 1971, 3)
- UF :*Al-madhab al-Hanbali*
 Hanabila

Hanabilah
Hanbali madhhab
Hanbalis
 school/*Hanbali*

- 5.115 3 *Zahiri* school
 SN :A school founded by Dawud b. Khalaf al-Zahiri.
 A school of law that relies on the exclusively on the literal
 meaning (*zahir*) of Kur'an and the traditions from the Prophet
 and to reject as contrary to religious the free exercise of
 opinion, and the use of analogical and systematic reasoning.
 (Coulson 1964)
 Relied exclusively on the literal meaning of Kur'an and *hadith* and
 rejected *ra'y* , *istihsan*, and *qiyas*. (Encyclopedia of Islam 1965,
 2)
- UF :school/*Zahiri*
Zahiriyya
Zahiriyyah
- 5.116 3 Ibn Taymiyya doctrine
 UF :*Ibn Taymiyya madhhab*
Madhhab ibn Taymiyya
- 5.117 3 Ceased *sunnite* doctrines
 UF :*Al Awza`i* doctrine
Al-Hasan Al-Basri doctrine
Al-Liyth Ibn Sa`ad doctrine
Al-Sha`bi doctrine
Al Tabari doctrine
Ishak Ibn Rahwia doctrine
Madhahib sunniyya munkarida
Madhahib sunniyya munqarida
Madhahib sunniyyah munkaridah
Madhahib sunniyyah munqaridah
Madhhab Al Awza`i
Madhhab Al-Hasan Al-Basri
Madhhab Al-liyth Ibn Sa`ad
Madhhab Al-Sha`bi
Madhhab Al Tabari
Madhhab Ishak Ibn Rahwia
Madhhab Al-Thawri
Sufyan Al-Thawri doctrine
sunnite doctrines/Ceased
- 5.12 2 *Shi`ite* schools
 SN : All Islamic schools which recognize `Ali as the legitimate *caliph*
 after the death of the Prophet (Shorter encyclopedia of Islam 1961)

- UF :Rafidites
schools/*Shi`ite*
Shi`a
Shi`ites
- 5.121 3 *Imamates*
UF :*Al-Imamiyya*
Al-Imamiyyah
- 5.1211 4 *Seveners*
SN :*Shi`a* groups who restrict the number of visible *imams* to seven.
(Shorter encyclopedia of Islam 1961)
- UF :*Sabiy`a*
Sabiy`ah
- 5.1212 4 *Twelver*
SN :*Shi`is* who allow the series of twelve *imams* beginning with `Ali and ending with Muhammad al Mahdi. (Encyclopedia of Islam 1965, 2)
- UF :*Ithn `Ashariya*
Ithn `Ashariyah
Kat`iya
Qat`iya
- 5.122 3 *Zaidi school*
SN :The practical group of the *Shi`a* that recognize Zaid Ibn `Ali.
(Shorter encyclopedia of Islam 1961)
- UF :*Al-Zaidiyya*
Al-Zaidiyyah
school/*Zaidi*
- 5.123 3 *Isma`iliyya*
SN :A branch of *Shi`is* comes after the death of Isma`il Ibn Jafar al-Sadik. (Shorter encyclopedia of Islam 1961)
- UF :*Batiniyya*
Batiniyyah
Isma`iliyyah
- 5.13 2 *Kharidjite schools*
SN :The members of the earliest religious sects of Islam who formulate questions relative to the theory of caliphate and justification of faith by works. (Shorter encyclopedia of Islam 1961). The abandonment of `Ali after his acceptance of the arbitration.

- UF :*Kharijites*
Kharijites
Khawarij
Khawarij
schools/*Kharijites*
- 5.131 3 *Ibadi* school
SN :A school appeared in 65/684-5 when `Abd Allah b. Ibad broke away from the *Khariji* extremists over the attitude to be adopted towards other Muslim sects. (Encyclopedia of Islam 1971, 3)
- UF :*Al-Ibadiyya*
Al-Ibadiyyah
Ibadiya
Ibadiyah
school/*Ibadi*
Shurat
- 5.132 3 Druzes
SN :Syrian people professing an initiatory faith derived from the *Isma`iliyya*. It is generally a doctrine of cosmic emanation from the one and of the return to the one through human gnosis. (Encyclopedia of Islam 1965, 2)
- UF :*Al-Durziyya*
Al-Durziyyah
Daraziyya
Daraziyyah
Duruz
Muwahidun
- 5.14 2 Extremist doctrines
UF :Atheistic doctrines
Ghulat
Immoderate doctrines
- 5.141 3 Babism
SN :Founded by `Ali Muhammad Shiruz. The doctrine of abrogation of sundry laws and pronouncements of the Kur'anic shari`a regarding prayer, fasting, marriage, divorce, and inheritance, but nevertheless upholding the truth of the prophetic mission of Muhammad. (Encyclopedia of Islam 1965, 2)
- UF :*Al-Babiyya*
Al-Babiyyah

5.142

3 Baha'i faith

SN :Founded by Mirza Hussain Baha' Allah, who modified the religion of Babism. It consists in doing harm to no body, loving one another, in bearing injustice without rebellion, only regarding the good being humble and devoting oneself to healing the sick, which are echo of Christianity. The ultimate aim is universal peace which is to be brought about by the adoption of this religion. (Encyclopedia of Islam 1965, 2)

UF :*Al-Baha'iyya*
Al-Baha'iyyah

6 SCHEDULE OF TERMS ON ISLAMIC LAW

SCHEDULE OF THE BASE AND SUB-BASES

Note: A multiworded term having a slash (/) occurring in it is a permutation of an original multiworded term. The original form of such a term is readily ascertainable if it is read from the word immediately following the slash and adding the word(s) preceding it as the end of the original multiworded term. For example, "ablution/Minor ritual" is to be read as "Minor ritual ablution". Permuted terms are all "Lead-in" terms; and they are not used as "Descriptors". They always refer to their corresponding "Descriptor"

6.1

Islamic law

SN :Totality of God's commandments that encompasses religious duties and secular aspects of law regulating human acts. (Hasan Moinuddin 1987) Covers all human actions. (Fyzee 1964)

UF :Canon law of Islam
 Kor'an-law
 Kor'anic law
 Law in the Kor'an
 law/Islamic
 law/Kor'an
 law/Kor'anic
 law/Mohamedan
 law/Moslems
 law/Muhammadan
 law/Muslims
 Law of Islam
 Mohamedan law
 Moslems law
 Muhammadan law
 Muslims law
 Qor'an law
 Qur'an law
 Shari`a
Shari`ah
Shari`a law
Shari`ah law

- 6.11 1 Islamic jurisprudence
- SN :Covers the science of regulating
 all aspects of public and
 private life and business by
 laws recognized by Islamic
 religion.
 The knowledge of one's rights and
 obligations derived from the
 Kur'an or tradition of the
 Prophet, or the consensus of
 opinion among the learned (*idjma`*)
 or analogical deduction (*kiyas*).
 (Fyzee 1964)
- Covers legal acts. (Fyzee 1964)
- UF :*Fikh*
 Fiqh
 jurisprudence/Islamic
 jurisprudence/Mohamedan
 jurisprudence/Moslem
 jurisprudence/Muhammadan
 jurisprudence/Muslim
 Mohamedan jurisprudence
 Moslem jurisprudence
 Muhammadan jurisprudence
 Muslim Jurisprudence
- 6.12 1 Islamic religious law
- SN :The ordinances of divine worship.
 Obligations regarding worship.
 (Shorter encyclopedia of Islam
 1961)
- UF : *`Ibadat*
 Islamic religious practices
 Islamic rituals
 Moslem law/Rituals of
 Muslim law/Rituals of
 religious law/Islamic
 religious practices/Islamic
 rituals/Islamic
 Rituals of Moslem law
 Rituals of Muslim law
- 6.13 1 Islamic civil Law
- SN :Covers contract between two parties
 relating to a thing, one sided

contract based on confidence, and inheritance. Rules of social relationships. (Shorter encyclopedia of Islam 1961)

UF :*Al tashri` al madani*
Business dealings
civil law/Islamic
Islamic transactions
Mu`amalat
transactions/Islamic

6.14 1 Islamic family Law

UF :*Ahkam al 'usra*
Ahkam al 'usrah
Al-ahwal al-shakhsiyya
Al-ahwal al-shakhsiyyah
family law/Islamic
Islamic personal law
Islamic personal statue
Islamic personal status law
Munakhat
personal law/Islamic
personal statue/Islamic
personal status law/Islamic

6.15 1 Islamic penal law

SN :Covers punishments. (Shorter encyclopedia of Islam 1961)

UF :*Al tashri` al djaza'i*
Al tashri` al jaza'i
Djinayat
Islamic legal penalties
Islamic penal code
Islamic penal system
Jinayat
legal penalties/Islamic
penal code/Islamic
penal law/Islamic
penal system/Islamic
Punishments
Tort law
`Ukubat
`Uqubat

6.16 1 Islamic international law

SN :Covers laws that Islamic state

observes towards other states.
(Hasan Moinuddin 1987)

- UF :*Al ḍjihad wal Siyar*
Al jihad wal siyar
Al tashri` al dwali
international law/Islamic
international law/Moslem
international law/Muslim
Islamic law of nations
law of nations/Islamic
Moslem international law
Muslim international law
Siyar
- 6.17 1 Islamic constitutional law
UF :*Al-kanon al-dasturi al-Islami*
Al-qanon al-dasturi al-Islami
Al tashri` al dasturi
constitutional law/Islamic
- 6.18 1 Islamic fiscal law
UF :*Al-kanon al-mali al-Islami*
Al-qanon al-mali al-Islami
Al tashri` al mali
fiscal law/Islamic
fiscal system/Islamic
Islamic fiscal system
- 6.191 1 Islamic economic law
UF :*Al-kanon al-iktisadi al-Islami*
Al-qanon al-iqtisadi al-Islami
Al tashri` al iktisadi
Al tashri` al iqtisadi
economic law/Islamic
economic system/Islamic
Islamic economic system
- 6.192 1 Islamic administrative law
UF :administrative law/Islamic
Al kanon al idari al Islami
Al qanon al idari al Islami
- 6.193 1 Islamic judicial law
SN :The office and functioning of a
judge. (Shorter encyclopedia of
Islam 1961)

UF :Judgeship
 Judging
 judicial law/Islamic
Kada'
Qada'

6.194 1 Islamic health law
 UF :*Al-kanon al-sihi al-Islami*
Al-qanon al-sihi al-Islami
 health law/Islamic

Schedule for Islamic Jurisprudence

6.111 2 Roots of Islamic jurisprudence
 SN :The methodology of Muslim
 jurisprudence as the science of
 proofs which lead to the
 establishment of legal standard
 in general.
 The doctrine of the roots, the
 sources of law and the methodology
 of their application.
 (Shorter encyclopedia of Islam,
 1961)
 Covers the sources of law and
 their interpretation. (Fyzee 1964)

UF :Bases of Islamic religious law
 Foundations of Islamic law
`Ilm al-'usul
`Ilm 'usul al-fikh
`Ilm 'usul al-fiqh
 Islamic jurisprudence/Roots of
 Islamic law/Foundations of
 Islamic law/Principles of
 Islamic law/Roots of
 Islamic law/Sources of
 Islamic religious law/Bases of
 Legal proofs
 Legal theory
 Principles of Islamic law
 proofs/Legal
 Roots of Islamic law
 Sources of Islamic law
 Theories of 'usul

- theory/Legal
'Usul
'Usul al-fikh
'Usul al-fiqh
'usul/Theories of
- 6.1111 3 Kur'an
SN : The sacred book of Muhammadans
 contains the collected revelations
 of Muhammad in definitive written
 form. (Shorter encyclopedia of
 Islam 1961)
- UF : Coran
 Koran
 Qur'an
- 6.1112 3 Traditions
SN : Record of action or saying of the
 Prophet (Shorter encyclopedia of
 Islam 1961)
 The practice of the Prophet.
 (Fyzee 1964)
 An account of what the Prophet said
 or did or of his tacit approval of
 something said or done in his
 presence.
 (Encyclopedia of Islam 1971, 3)
- UF : *Ahadith*
 Hadiths
 Sunna
 Sunnah
 Sunnatu al nabi
- 6.1113 3 Consensus
SN : The agreement of people who have
 the knowledge, to form a judgment
 of their own after the death of
 the Prophet, in any age, on any
 matter of the faith. (Shorter
 encyclopedia of Islam 1961).
 Unanimous doctrine and opinion of
 the recognized religious authority
 at any given time. (Encyclopedia
 of Islam 1971, 3)
 Consensus of opinion among the
 learned of the community. (Fyzee

1964)
 Consensus of Moslem legal scholars
 on a legal question. (Al-Mawrid
 1988)

UF :agreement/General
 Approval
 General agreement
Idjma`
Ijma`

6.11131

4 Silent consensus

UF :approval/Silent
 consensus/Silent
Idjma` sukuti
idjma`/Tacit
Ijma` sukuti
 Silent approval
 Tacit *idjma`*
 Tacit *ijma`*

6.11132

4 Explicit consensus

SN :Consensus signalled by an act or
 stated in words. (Encyclopedia of
 Islam 1971,3)

UF :approval/Explicit
 consensus/Explicit
 Explicit approval
Idjma` zahir
Ijma` zahir

6.1114

3 Analogy

SN :Deduction of legal prescription
 from Kur'an and Traditions by
 reasoning by analogy. (Coulson
 1964)

Individual reasoning which is
 directed towards achieving
 systematic consistency and guided
 by the parallel of an existing
 institution or decision. (Fyzee
 1964)

UF :Analogical deduction
 Analogical reasoning
 analogy/Deduction by

analogy/Juristic deduction by
 analogy/Juristic inference by
 analogy/Juristic reasoning by
 analogy/Methodical
 deducing legislation/Method of
 deduction/Analogical
 Deduction by analogy
 deduction by analogy/Juristic
 inference by analogy/Juristic
 Juristic deduction by analogy
 Juristic inference by analogy
 Juristic reasoning by analogy
Kiyas
 Methodical analogy
 Method of deducing legislation
Qiyas
 reasoning/Analogical
 reasoning by analogy/Juristic
 reasoning by analogy/Systematic
 Strict kiyas
 Systematic reasoning by analogy

6.1115

3 Discretion

SN :The exercise of human reason to
 ascertain a rule of Islamic law.
 (Coulson 1964)

The use of individual reasoning
 for the use of the method of
 reasoning by analogy.
 (Encyclopedia of Islam 1971,3)

UF :Disciplined exertion
 Disciplined Judgement
 Disciplined striving
 exertion/Disciplined
Idjtihad
Ijtihad
 Independent judgement
 Independent opinion
 Interpretative judgement
 judgement/Disciplined
 judgement/Independent
 judgement/Interpretative
 opinion/Independent
 Rational striving
 striving/Disciplined
 striving/Rational

- 6.11151 4 Personal opinion
 SN : The decision of legal points by
 one's own judgment in the absence
 or ignorance of a traditional
 ruling bearing on the case in
 question. (Encyclopedia of Islam
 1971, 3)
- UF : opinion/Personal
 opinion/Subjective
 Ra'y
 Subjective opinion
- 6.11152 4 Evidence
 UF : *Hudjdja*
 Hudjdjah
 Hujja
 Hujjah
- 6.1116 3 Juristic preference
 SN : The principle of jurisprudence
 that in cases not regulated by any
 incontrovertible authority of the
 Kor'an, traditions or consensus.
 (Coulson 1964)
 A method of finding the law which
 for any reason is contradictory to
 the kiyas. (Shorter encyclopedia
 of Islam 1961)
 The choice of the lawyer guided by
 his idea of appropriateness.
 (Fyzee 1964)
- UF : Holding for better
 Istihsan
 preference/Juristic
- 6.1117 3 Public interest
 SN : Elaboration of legal rules by
 considering the public interest.
 (Coulson 1964)
 All those expediences which have
 been left to our own choice and
 nothing has been prescribed either
 way. (Maududi 1975)
- UF : *Al-Masalih al-mursalla*
 Al-Masalih al-mursallah

- interest/Public
Istislah
Maslaha
Mura'at al-aslah
- 6.11118 3 Legal opinion of companions
 UF :companions/Legal opinion of
 Fatwa al-Sahaba
 Fatwa al-Sahabah
 Madhhab al-sahabi
- 6.11191 3 Continuance
 SN :The presumption in the laws of
 evidence that a state of affairs
 known to exist in the past
 continues to exist until the
 contrary is proved.
 The seeking for a link to
 something which is known and
 certain. (Shorter encyclopedia of
 Islam 1961)
- UF :*Istishab*
- 6.11192 3 Imitation
 UF :*Taklid*
 Taqlid
- 6.11193 3 Customary law
 SN :The rule that custom and
 established practice may be
 legitimate sources of law. (Faruki
 1962)
- UF : `Ada
 Al-`urf wal`ada
 Custom
 law/Customary
 `Urf
- 6.111931 4 Legal devices
 SN :The use of legal means for extra
 legal ends, ends that could not,
 whether they themselves were legal
 or illegal, be achieved directly
 with the means provided by the
 shari`a. (Encyclopedia of Islam
 1971, 3)

- UF :Artifice
 devices/Legal
 Fraud
Hiyal
 Stratagems
- 6.1119311 5 Lawful devices
 SN :Allowed devices by which lawful
 end is to be achieved by lawful
 means. (Encyclopedia of Islam
 1971, 3)
- UF :devices/Lawful
Hiyal sahiha
- 6.1119312 5 Invalid devices
 UF :devices/Forbidden
 devices/Invalid
 devices/Reprehensible
 Forbidden devices
Hiyal fasida
Hiyal fasidah
 Reprehensible devices
- 6.112 2 Logical judgement
 SN :The particular injunctions (*ahkam*)
 or the substantive which follows
 from the science of *usul* (sources
 of law and their interpretation).
 It covers law as it is applicable
 in courts of justice. (Fyzee 1964).
 The doctrine of the branches,
 applied *fiqh*, the systematic
 elaboration of positive law under
 its separate heads. (Shorter
 encyclopedia of Islam 1961)
 Positive rules derived from the
 roots or sources of legal
 knowledge. (Shorter encyclopedia
 of Islam 1961)
 The sum of the rules pertaining to
 any given subject. The application
 of legal rules to concrete cases.
 (Encyclopedia of Islam 1960, 1)
- UF :*Ahkam*
 Applied *fiqh*
 Applied *fiqh*

- 6.1121112 6 Collective duty
 SN :Duty incumbent on the community.
 (Schacht 1964)
- UF :duty/Collective
 Fard kifaya
 Fard kifayah
- 6.112112 5 Meritorious action
 SN :Voluntary meritorious action, the
 performance of such is called
 tatawwa`i.e. action the neglect of
 which is not punished, but the
 performance of which is rewarded.
 (Shorter encyclopedia of Islam
 1961)
- UF :action/Desirable
 action/Meritorious
 action/Recommended
 Desirable action
 Mandub
 Mustahabb
 Nafila
 Nafilah
 Nafil
 Recommended action
- 6.112113 5 Forbidden action
 SN :Action punishable by Allah.
 (Shorter encyclopedia of Islam
 1961)
- UF :action/Forbidden
 Haram
 Maksur
 Maqsur
- 6.112114 5 Reprehensible action (Judgement)
 SN :The action which although not
 punishable is disapproved of from
 the religious point of
 view. (Shorter encyclopedia of
 Islam 1961)
- UF :action/Reprehensible
 Makruh

- 6.112115 5 Indifferent action
 SN : The action the performance or neglect of which the law leaves quite open and for which neither reward nor punishment is to be expected. (Shorter encyclopedia of Islam 1961)
- UF : action/Indifferent
 Mubah
 Murakhkhas
- 6.11212 4 Positive judgement
 UF : *Al-hukm al-wadi`i*
 judgement/Positive
- 6.112121 5 Cause
 SN : The ascertainment of the reason underlying a legal rule in the process of reasoning by analogy. A legal principle established by an original case is extended to cover new cases on the ground that they possess a common `illa (Coulson 1964)
- UF : *Al-sabab*
 cause/Effective
 Effective cause
 `Illa
 Reason
- 6.112122 5 Stipulation
 UF : *Al shart*
- 6.112123 5 Validity
 UF : Correctness
 Siha
 Soundness
- 6.112124 5 Invalidity
 UF : *Al butlan*
 Al-fasad
 voidness
- 6.1122 3 Juridically relevant actions
 SN : Qualification of actions with regard to their legal

significance. (Shorter
encyclopedia of Islam 1961)

UF :action/Types of
Aksam al-fi`l
Al-fi`l
Al-mahkum fihi
Aqsam al-fi`l
legal validity/Scale of
relevant actions/Juridically
Scale of legal validity
Shurut al-fi`l
Types of action

6.11221

4 Void action

SN :Neither the essence of an action
nor its qualities corresponds to
the law. (Shorter encyclopedia of
Islam 1961)

UF :action/Null
action/Void
Al fi`l al batil
Null action

6.11222

4 Incorrect action

SN :The essence of an action
corresponds to the law but not
its qualities. (Shorter
encyclopedia of Islam 1961)
Action which has no legal force.
Not binding. (Al-Mawrid 1988)

UF :action/Incorrect
action/Invalid
action/Unsound
Al fi`l al fasid
Invalid action
Unsound action

6.11223

4 Reprehensible action

SN :The essence and the qualities of
an action correspond to the
standards of the law, but the
action is connected with something
forbidden. (Shorter encyclopedia
of Islam 1961)

- UF :action/Reprehensible
Al fi`l al makruh
- 6.11224 4 Valid action
SN :The essence (*asl*) and the qualities (*wasf*) of an action correspond to the standards of the law. (Shorter encyclopedia of Islam 1961)
- UF :action/Legally effective
action/Perfect
action/Sound
action/Valid
Al fi`l al sahih
effective action/Legally
Legally effective action
Perfect action
Sound action
- 6.1123 3 Obligated person
UF :Al-mahkum `alihi
Al-mukalaf
person/Obligated
- 6.11231 4 Conditions for obligation
UF :obligation/Conditions for
Shurut al-taklif
- 6.112311 5 Legal capacity
UF :Ahliyya
capacity/Legal
Competence
- 6.1123111 6 Capacity of execution
SN :Is the capacity to contract, to dispose and validity to fulfil one's obligations. (Schacht 1964)
- UF :Ahliyyat al-ada'
execution/Capacity of
- 6.1123112 6 Capacity of obligation
SN :Is the capacity to acquire rights and duties. (Schacht 1964)
- UF :Ahliyyat al-wu^djub
Ahliyyat al-wujub
obligation/Capacity of

- possession. (Schacht 1964)
- UF :*Milkiyya mushtaka*
Milkiyya mushtaqa
Milkiyyah mushtakah
Milkiyyah mushtaqaqah
ownership/Derivative
- 6.1126113 6 Public property
UF :*Milk al-`amma*
Milk al-`ammah
property/Public
- 6.1126114 6 Joint ownership
UF :*Musha`*
ownership/Joint
- 6.1126115 6 Private ownership
UF :*Milk khass*
ownership/Private
- 6.112612 5 Object of property
UF :legal transactions/Object of
Mal
Object of legal transactions
property/Object of
transactions/Object of legal
- 6.1126121 6 Fungible objects
SN :Things that can be measured,
weighted or counted. (Schacht
1964)
- UF :*Mal mithli*
- 6.11261211 7 Counted objects
SN :Homogenous objects that belong to
the same category. (Schacht 1964)
- UF :*Mal ma`dud*
Mal mutakarib
Mal mutaqarib
objects/Counted
- 6.11261212 7 Measured objects
UF :*Mal kayli*
Mal makil
objects/Measured

- 6.11261213 7 Weighted objects
 UF :*Mal mawzun*
 Mal wazni
 objects/Weighted
- 6.1126122 6 Non fungible objects
 UF :*Mal kimi*
 Mal qimi
- 6.1126123 6 Movable property
 UF :*Mal mankul*
 Mal manqul
 Mal nakli
 Mal naqli
 property/Movable
- 6.1126124 6 Immovable property
 UF : *`Akar*
 `Aqar
 estate/Real
 property/Immovable
 property/Real
 Real estate
 Real property
- 6.11261241 7 Land tenure
 UF : *distribution/Land*
 Imtilak al-ard
 Land distribution
 tenure/Land
- 6.112612411 8 Occupied land
 SN :*Land which has been occupied and*
 is under use. (Yakubu 1980)
 Land held in ownership by an
 individual or group. These are
 lands which have been brought into
 cultivation and the title in them
 is vested in the cultivators.
 (Yakubu 1980)
- UF :*Ard mamluka*
 Ard mamlukah
 land/occupied
 land/Mamluka
 Mamluka land
 Mamlukah land

- 6.112612412 8 State owned land
 SN :Land which has been acquired by the
 government or state for its own
 use. (Yakubu 1980)
- UF :*Amiriyya* land
 Amiriyyah land
 Ard amiriyya
 Ard amiriyyah
 land/*Amiriyya*
 land/State owned
- 6.112612413 8 Common land
 SN :This is land which has been left
 for the common use of the
 inhabitants. This land cannot be
 occupied by cultivation by any
 individual or group nor can it be
 allocated by the emir. (Yakubu
 1980)
- UF :*Ard matruka*
 Ard matrukah
 land/Common
 land/*Matruka*
 land/Public
 Matruka land
 Matrukah land
 Public land
- 6.112612414 8 Land acquired through conquest
 SN :This is land which has been
 acquired through conquest or
 treaty or cession.
 It is property of the whole Muslim
 community. (Yakubu 1980)
- UF :*Ard mawkufa*
 Ard mawkufah
 Ard mawqufa
 Ard mawqufah
 cession/Land acquired through
 conquest/Land acquired through
 Land acquired through cession
 Land acquired through treaty
 land/*Wakf*
 treaty/Land acquired through
 Wakf land
 Waqf land

- 6.112612415 8 Unowned land
 SN :This land has not been brought
 under cultivation and it is under
 nobody's control. (Yakubu 1980)
- UF :*Ard mawat*
 Dead land
 land/Dead
 land/*Mawat*
 land/Unowned
 Mawat land
- 6.112613 5 Cessation of ownership
 UF :ownership/Cessation of
 Tawakuf al-milkiyya
 Tawakuf al-milkiyyah
 Tawaquf al-milkiyya
 Tawaquf al-milkiyyah
- 6.112614 5 Protection of ownership
 UF :*Himayat al-milkiyya*
 Himayat al-milkiyyah
 ownership/Protection of
- 6.112615 5 Restriction of ownership
 UF :ownership/Restriction of
 Tahdid al-milkiyya
 Tahdid al-milkiyyah
- 6.11262 4 Contract theory
 UF :*Nazariyat al-`akd*
 Nazariyat al-`aqd
 theory/Contract
- 6.11263 4 Voidness theory
 UF :Invalidity theory
 Nazariyat al-fasad wal-butlan
 Nazariyat al tawakuf
 Nazariyat al-tawaquf
 Suspension theory
 theory/Invalidity
 theory/Suspension
 theory/Voidness

Schedule for Islamic religious law

- 6.121 2 Purity
- SN :Ceremonial, levitical and
 purification (Shorter encyclopedia
 of Islam 1961)
- UF :Purification
 Tahara
 Taharah
- 6.1211 3 Minor ritual Ablution
- SN :Ritual ablution which gets rid of
 the condition of the minor ritual
 impurity. (Shorter encyclopedia
 of Islam 1961)
- UF :ablution/Minor ritual
 ablution/Partial
 ablution/Simple
 Partial ablution
 ritual ablution/Minor
 Simple ablution
 Wudu'
- 6.12111 4 Wiping over socks
- UF :*Mash*
 socks/Wiping over
- 6.1212 3 Major Ritual Ablution
- SN :Washing the whole body, with
 intention to remove every impurity
 (Shorter encyclopedia of Islam
 1961)
 Uninterrupted washing in ritually
 pure water, of the whole of the
 human body, including performed
 after performing the intention
 (*niyya*). (Encyclopedia of Islam
 1965,2)
- UF :ablution/General
 ablution/Major ritual
 General ablution
 Ghusl
 Purification bath
 ritual ablution/Major

- 6.1223 3 Congregational prayer
 UF :prayer/Congregational
 Salat al-djama`a
 Salat al-djama`ah
 Salat al-jama`a
 Salat al-jama`ah
- 6.12231 4 Congregational prayer conditions
 UF :conditions/Congregational prayer
 prayer conditions/Congregational
 Shurut salat al-djama`a
 Shurut salat al-djama`ah
 Shurut salat al-jama`a
 Shurut salat al-jama`ah
- 6.12232 4 Following the leader (Prayer)
 UF :*Mutaba`at al-imam*
- 6.12233 4 Preference for leadership (Prayer)
 UF :*Ikhtiyar al-imam* (Prayer)
 leadership (Prayer)/Prefernece for
- 6.1224 3 Friday prayer
 UF :*Djum`a* prayer
 Djum`ah prayer
 Jum`a prayer
 Jum`ah prayer
 prayer/*Djuma*
 prayer/*Friday*
 Salat al Djum`a
 Salat al Djum`ah
 Salat al Jum`a
 Salat al Jum`ah
- 6.12241 4 Requirements for Friday prayer
 UF :Friday prayer/Requirements for
 prayer/Requirements for Friday
 Shurut salat al-Djum`a
 Shurut salat al-Djum`ah
 Shurut salat al-Jum`ah
 Shurut salat al-Jum`ah
- 6.12242 4 Friday sermons
 UF :address/*Friday*
 Friday address

- Friday oration
Friday speech
Khutbat al-Djum`a
Khutbat al-Djum`ah
Khutbat al-Jum`a
Khutbat al-Jum`ah
oration/Friday
sermons/Friday
speech/Friday
- 6.1225 3 Festival prayer
 UF :Feast prayer
 `Id prayer
 prayer/Feast
 prayer/Festival
 prayer/`Id
 Salat al-`Idain
- 6.1226 3 Night prayer of Ramadan
 UF :*Al-Tarawih*
 prayer of Ramadan/Night
 Ramadan/Night prayer of
 Tarawih salat
- 6.1227 3 Eclipse prayer
 SN :Prayers for the solar and lunar-
 eclipse (Muhammad Jawad Maghniyyah
 1992)
- UF :eclipse prayer/Lunar
 eclipse prayer/Solar
 Lunar eclipse prayer
 prayer/Eclipse
 Salat al-khusuf
 Salat al-kusuf
 Solar eclipse prayer
- 6.1228 3 Funeral prayer
 UF :prayer/Funeral
 Salat al-djanaza
 Salat al-djanazah
 Salat al-janaza
 Salat al janazah
- 6.12281 4 Funeral procession
 UF :procession/Funeral
 Shrouds

encyclopedia of Islam 1961)

- UF :making up the mind/Prayer for
Salat al-istikhara
Salat al-istikharah
- 6.12294 3 Night prayer
SN :Stay awake at night in devotion.
(Al-Mawrid 1988)
- UF :prayer/Night
Salat al tahajjud
Salat al tahajjud
Tahajjud salat
Tahajjud salat
- 6.12295 3 Vow prayer
UF :Al-salat al-mandhura
Al-salat al-mandhurah
prayer/Vow
- 6.12296 3 Supererogatory prayer
UF :prayer/Supererogatory
Salat al-nafila
Salat al-nafilah
Salat al nafl
- 6.122961 4 Daily supererogatory prayer
UF :prayer/Daily supererogatory
Rawatib
supererogatory prayer/Daily
- 6.12297 3 Invalidating causes of prayer
UF :Mubtilat al-salat
prayer/Invalidating causes of
- 6.12298 3 Covering during prayer
SN :Covering those parts of the body
during prayer which should
ordinarily be kept covered before
strangers. (Maghniyyah 1992)
- UF :Dresses (Prayer)
prayer/Covering during
Thiyab al-salat
- 6.122991 3 Error during prayer
UF :Al-*shak fil-salat*

- Doubt during prayer
prayer/Doubt during
prayer/Error during
- 6.1229911 4 Prostration for negligence
 SN :Prostration performed for atoning
 a flaw by mistake (Maghniyyah 1992)
- UF :absentmindedness/Prostration for
 careless omission/Prostration for
 distraction/Prostration for
 inattention/Prostration for
 negligence/Prostration for
 Prostration for absentmindedness
 Prostration for careless omission
 Prostration for distraction
 Prostration for inattention
 Sudjud al-sahw
 Sujud al-sahw
- 6.122992 3 Place of prayer
 UF :*Makan al-salat*
 prayer/Place of
- 6.122993 3 Performance of omitted prayer
 SN :Performance of the obligatory
 prayer omitted either
 intentionally, or an account of
 forgetfulness, ignorance or sleep
 (Maghniyyah 1992)
- UF :omitted prayer/Performance of
 Salat al-kada'
 Salat al-qada'
- 6.122994 3 Times of prayer
 UF :*Mawakit al-salat*
 Mawaqit al-salat
 prayer/Times of
- 6.123 2 Fasting
 SN :Abstinenence from things which break
 the fast with special intention
 for the whole day. (Shorter
 encyclopedia of Islam 1961)
- UF :*Sawm*
 :*Siyam*

- 6.1247 3 Alms-tax of merchandise
 UF :merchandise/Alms-tax of
 trade/Zakat of
 Zakat of trade
 Zakat `urud al-tidjara
 Zakat `urud al-tidjarah
 Zakat `urud al tijara
 Zakat `urud al tijarah
- 6.1248 3 Liability to alms-tax
 UF :alms-tax/Liability to
 Shurut al-zakat
- 6.12491 3 Alms-tax of breaking fasting
 SN :Almsgiving of the breaking of the
 fast. (Shorter encyclopedia of
 Islam 1961)
 UF :breaking fasting/Alms-tax of
 fasting/Alms-tax of breaking
 Zakat al-fitr
- 6.125 2 Pilgrimage
 SN :Journey to Mecca during the 1st
 half of the lunar month Dhu'l-
 Hidjdja by adult Muslim at least
 once in the course of his life.
 (Shorter encyclopedia of Islam
 1961)
 Pilgrimage to Mecca, `Arafat and
 Mina. (Encyclopedia of Islam 1971,
 3)
 UF :Great pilgrimage
 Hadjdj
 Hijj
 Major pilgrimage
 pilgrimage/Great
 pilgrimage/Major
- 6.1251 3 Conditions for pilgrimage
 UF :pilgrimage/Conditions for
 Shurut al-hadjdj
 Shurut al-hijj
- 6.1252 3 Types of pilgrimage
 UF :Anwa` al-hadjdj
 Anwa` al-hijj

pilgrimage/Types of

- 6.12521 4 Pilgrimage of conjecture
 SN : Is to get into the consecration
 for the pilgrimage and little
 pilgrimage together. (Maghniyyah
 1985)
- UF : conjecture/Pilgrimage of
 Hadjdi al-Kiran
 Hadjdi al-qiran
 Hijj al-kiran
 Hijj al-qiran
- 6.12522 4 Simple pilgrimage
 SN : Simple pilgrimage without little
 pilgrimage. (Maghniyyah 1985)
- UF : *Hadjdi al-ifrad*
 Hijj al-ifrad
 pilgrimage/Simple
- 6.12523 4 Pilgrimage of enjoyment
 SN : The performance of the acts of the
 little pilgrimage during the
 months of the pilgrimage.
 (Maghniyyah 1985)
- UF : enjoyment/Pilgrimage of
 Hadjdi al-tamattu`
 Hijj al-tamattu`
- 6.1253 3 Stations
 SN : The places where the entry into
 sacred state (*ihlal*) begins.
 (Shorter encyclopedia of Islam
 1961)
 Traditionally stipulated places
 for the assumption of the
 Consecration. Encyclopedia of Islam
 1971, 3)
- UF : *Mahall*
 Mawakit
 Mawaqit
 Mikat
 Miqat
 Muhall

- 6.1254 3 Consecration
 SN : The sacred state in which one
 perform the *`umra* and the *hadjdi*
 (Shorter encyclopedia of Islam
 1961)
 The state of temporary
 consecration of someone who is
 performing *hadjdi* (pilgrimage).
 (Encyclopedia of Islam 1971, 3)
 The state of ritual consecration
 of a Mecca pilgrim. (Al-Mawrid
 1988)
- UF : *Al-ihram*
 Ihram
- 6.1255 3 Encircling
 SN : The running round or
 circumambulation of Ka`ba, and
 traversing seven times between
 Safa and Marwa. (Shorter
 encyclopedia of Islam 1961)
- UF : *Al-Tawaf wal-Sa`y*
 Circling
 Circuiting
 Circumambulation
 Sa`y
 Tawaf
 Traversing
- 6.12551 4 Provisos of encircling
 UF : encircling/Provisos of
 Shurut al-tawaf
- 6.12552 4 Encircling by outsiders
 SN : Tawaf performed by the outsiders
 on entry into Mecca. (Maghniyyah
 1986)
- UF : outsiders/Encircling by
 Tawaf al-kudum
 Tawaf al-qudum
 Tawaf al-tahiyya
 Tawaf al tahiyyah

- 6.12553 4 Encircling of descantification
 SN :Encircling performed by pilgrims
 after getting through the acts
 of Mina. (Shorter encyclopedia
 of Islam 1961)
- UF :descantification/Encircling of
 Encircling after return from Mina
 Ifada
 Ifadah
 Mina/Encircling after return from
 return from Mina/Encircling after
 Tawaf al-Hadjdj
 Tawaf al-Hijj
 Tawaf al-ifada
 Tawaf al-Ifadah
 Tawaf al-ziyara
 Tawaf al-ziyarah
- 6.12554 4 Last encircling
 SN :The last encircling before
 departure from Mecca. (Shorter
 encyclopedia of Islam 1961)
- UF :encircling/Last
 Tawaf al-wada`
- 6.12555 4 Encircling (Women)
 SN :Encircling performed by the Shi`ah
 to remove the sanction of
 permissibility of relations with
 women. (Maghniyyah 1986)
- UF :*Tawaf al-nisa'*
- 6.1256 3 `Arafa assembly
 SN :Festival assembly on 9 *Dhu 'l-*
 Hidjdja in front of the *Djabal al-*
 Rahma at sun up to sunset.
 (Encyclopedia of Islam 1971, 3)
- UF : `Arafa/Halt at
 `Arafah/Halt at
 `Arafat/Halt at
 Halt at `Arafa
 Halt at `Arafah
 Halt at `Arafat
 Wukuf `Arafa

- Wukuf `Arafah
 Wukuf `Arafat
 Wuquf `Arafa
 Wuquf `Arafah
 Wuquf `Arafat
- 6.1257 3 Halt at Muzdalifa
 SN :Staying of pilgrims returning from
 `Arafat during night between 9th
 and 10th *Dhu'l Hidjdja* after
 performing the two evening salat
 (Shorter encyclopedia of Islam
 1961)
 UF :*Al-tawakuf bi-Muzdalifa*
 Al-tawakuf bi-Muzdalifah
 Al-tawaquf bi-Muzdalifa
 Al-tawaquf bi-Muzdalifah
 Halt at Muzdalifah
 Muzdalifa/Halt at
 Muzdalifah/Halt at
 Wukuf at al-Mash`ar al-Haram
 Wuquf at al-Mash`ar al-Haram
- 6.1258 3 Mina days
 UF :*Aiyam Mina*
 Aiyam Muna
 Muna days
- 6.12591 3 Sacrificed offering
 SN :Obligations intended for the ka`ba.
 It is the normal offering of the
 pilgrim from animals of flocks or
 fides, on the completion of the
 pilgrimage. (Encyclopedia of Islam
 1971, 3)
 A victim destined for immolation
 in order to make atonement for
 certain transgressions committed
 during *hadjdj*. (Encyclopedia of
 Islam 1965, 2)
 UF :*Al-Hady*
 Immolation
 offering/Sacrificed
- 6.12592 3 Casting of stones
 SN :Throwing of stones in the valley of

Mina by pilgrims returning from the festival at `Arafat. (Shorter encyclopedia of Islam 1961)

UF :Ramy al *djamrat*
 Ramy al *djimar*
 Ramy al *jamrat*
 Ramy al *jimar*
 Ritual throwing of stones
 stones/Casting of
 stones/Ritual throwing of
 throwing of stones/Ritual

6.126

2 Little Pilgrimage

SN :Consists of walking seven times round the ka`ba (*tawaf*), praying two *rak`as* facing the Makam Ibrahim and the ka`ba and traversing seven times between Safa and Marwa. (Encyclopedia of Islam 1971,3)
 Paying visit to the Sacred House of God in a specific form. (Maghniyyah 1985)

UF :Lesser *hadjdj*
 Lesser *hijj*
 Minor *hadjdj*
 Minor *hijj*
 Minor pilgrimage
 pilgrimage/Little
 pilgrimage/Minor
 `Umra
 `Umrah

6.1261

3 Conditions for little pilgrimage

UF :Conditions for minor pilgrimage
 little pilgrimage/Conditions for
 minor pilgrimage/Conditions for
 pilgrimage/Conditions for little
 pilgrimage/Conditions for minor
Shurut al-`Umra
Shurut al-`Umrah

6.1262

3 Types of little pilgrimage

UF :Anwa` al-`Umra
 Anwa` al-`Umrah

- little pilgrimage/Types of
minor pilgrimage/Types of
Types of minor pilgrimage
- 6.12621 4 Little pilgrimage of enjoyment
SN :Performed in conjunction with
 pilgrimage. (Maghniyyah 1986)
- UF :enjoyment/Little pilgrimage of
 pilgrimage of enjoyment/Little
 `Umrat al-tamattu`
- 6.12622 4 Simple little pilgrimage
SN :Performed independently of
 pilgrimage. (Maghniyyah 1986)
- UF :*Al-`Umra al-Mufrada*
 Al-`Umra al-Mustakilla
 Al-`Umra al-Mustaqilla
 Al-`Umrah al-Mufradah
 Al-`Umrah al-Mustakillah
 Al-`Umrah al-Mustaqillah
 little pilgrimage/Simple
 pilgrimage/Simple little
- 6.127 2 Proxy (worship)
SN :Deputy in matters of worship.
 (Schacht 1964)
- UF :Deputation
 Istinbah
 Niyaba
 Niyabah
- 6.1271 3 Change of purpose by proxy
UF :*Al-`udul*
 proxy/Change of purpose by
- 6.128 2 Slaughtering
SN :Ritual of slaughtering.
 (Encyclopedia of Islam 1965, 2)
- UF :Butchering
 Dhabh
 Dhaka
 Dhakah
 Massacring

Tadhkiya
Tadhkiyah

- 6.1291 2 Sacrifice
 SN :A victim destined for immolation
 on the occasion of the feast of
 the 10th day of *Dhu'l-hidjdja*.
 (Encyclopedia of Islam 1965, 2)
- UF :*Adhiya*
 Adhiyah
 Dahiya
 Dahiyah
 Oblation offering
 Udhiya
 Udhiyah
- 6.1292 2 Rules of Modesty
 SN :Covering of the specified part of
 the body that must be covered, and
 the other parts of one's body
 which it is prohibited to look
 at. (Maghniyyah 1992)
- UF :Covering of human body
 human body/Covering of
 modesty/Rules of
 Satr al-`awra
 Satr al-`awrah
- 6.12921 3 Veiling
 UF :*Al-hidjab*
 Al-hijab
- 6.1293 2 Circumcision (Male)
 UF :*Al-Khitan*

Schedule for Islamic civil law

- 6.131 2 Islamic law of contract
- SN :Legal act which involves a
 bilateral declaration, the offer
 (*idjab*) and acceptance (*kabul*).
 (Encyclopedia of Islam 1960, 1)
 Bilateral transaction which
 requires an offer and acceptance
 and both held in the same session
 (Schacht 1964)
- UF :`*Akd*
 `*Aqd*
 contract/Islamic law of
 contract/Moslem law of
 contract/Muslim law of
 Moslem law of contract
 Muslim law of contract
- 6.1311 3 Offer
- SN :The declaration that the offer is
 irrevocable. (Shorter
 encyclopedia of Islam 1961)
- UF :*Idjab*
 Ijab
- 6.1312 3 Acceptance
- UF :*Kabul*
 Qabul
- 6.1313 3 Ratification
- UF :*Idjaza*
 Idjazah
 Ijaza
 Ijazah
- 6.1314 3 Cancellation
- SN :Covers dissolution of any
 contractual bond, and cases of
 revocation and cancellation.
 (Encyclopedia of Islam 1960, 1)
- UF :Abrogation
 Faskh
 Revocation

Ruḍju`

Ruju`

- 6.1315 3 Rights from contract
 UF :contract/Obligations of
 contract/Rights from
 Hukuk al-`akd
 Huquq al-`aqd
 Obligations of contract
- 6.1316 3 Effects of contract
 UF :*Ahkam al-`akd*
 Ahkam al-`aqd
 contract/Effects of
 Hukm al-`akd
 Hukm al-`aqd
- 6.1317 3 Risk
 UF :*Gharar*
- 6.1318 3 Types of contract
 UF :*Anwa` al-`Akd*
 Anwa` al-`Aqd
 contract/Types of
- 6.13181 4 Irregular contract
 UF :*`Akd fasid*
 `Aqd fasid
 contract/Irregular
- 6.13182 4 Invalid contract
 UF :*`Akd ghair sahih*
 `Aqd ghair sahih
 contract/Invalid
- 6.13183 4 Valid contract
 UF :*`Akd sahih*
 `Aqd sahih
 contract/Valid
- 6.13184 4 Void contract
 SN :Contract which does not satisfy
 the required conditions.
 (Encyclopedia of Islam 1960, 1)
- UF :*`Akd batil*
 `Aqd batil
 contract/Void

- 6.13185 4 Suspension contract
 SN : Certain contract that is neither
 valid nor invalid.
 (Encyclopedia of Islam 1960, 1)
- UF : *Al-`akd al-mawkuf*
 Al-`aqd al-mawquf
 contract/Suspension
- 6.13191 3 Stipulations
 UF : Conditions
 Shurut
- 6.131911 4 Types of stipulations
 UF : *Anwa` al-shurut*
 conditions/Types of
 stipulations/Types of
 Types of conditions
- 6.1319111 5 Invalid stipulations
 UF : conditions/Invalid
 Invalid conditions
 Shurut ghair sahiha
 Shurut ghair sahihah
 stipulations/Invalid
- 6.13191111 6 Irregular stipulations
 SN : Stipulations that confer an
 additional advantage, which would
 not have otherwise been obtained
 under the prescribed effects of
 the contract, on one of the
 contracting parties or the subject
 matter or a third party.
 (A.I. Muhammad 1980)
- UF : conditions/Irregular
 Irregular conditions
 Shurut fasida
 Shurut fasidah
 stipulations/Irregular
- 6.13191112 6 Void stipulations
 SN : That not fall under any of the
 categories of a valid
 stipulation and at the same time
 do not confer any additional
 advantage on any person. (A.I.

- Muhammad 1980)
- UF :conditions/Void
Shurut batila
Shurut batilah
stipulations/Void
Void conditions
- 6.1319112 5 Valid stipulations
- SN :Stipulations which are consistent
with the prescribed effects of
the contract or consolidate one
of these effects or has been
established by customs or
expressly sanction by law.
(A.I.Muhammad 1980)
- UF :conditions/Valid
Shurut sahiha
Shurut sahihah
stipulations/Valid
Valid conditions
- 6.131912 4 Third parties
- UF :Atraf thalitha
Atraf thalithah
parties/Third
- 6.132 2 Sale
- SN :Exchange of goods or properties
and include sale proper, barter
and exchange. (Encyclopedia of
Islam 1960, 1)
It covers selling and buying.
(Encyclopedia of Islam 1960, 1)
- UF :Bai`
Bay`
Commercial law
law/Commercial
Selling
Trade
Vendition
- 6.1321 3 Types of sale
- UF :Anwa` al-bai`
Anwa` al-bay`
sale/Types of

- 6.13314 4 Choice from alternatives
 SN : The right to choose from several
 objects. (Schacht 1964)
- UF : alternatives/Choice from
 Khiyar al-ta`yin
- 6.13315 4 Option to reject
 UF : *Khiyar al-radd*
 reject/Option to
- 6.134 2 Usury
 SN : Covers any unjustified increase of
 capital for which no
 compensation is given. (Shorter
 encyclopedia of Islam 1961)
- UF : Interest
 Riba
 Ribah
- 6.1341 3 Money changing
 UF : *Sarf*
- 6.135 2 Pledge
 SN : A kind of earnest money which was
 given as a guarantee and
 material proof of a contract
 particularly when there was no
 scribe available to put it into
 waiting. (Schacht 1950)
- UF : Guaranty
 Mortgage
 Pawn
 Rahn
- 6.136 2 Oath
 SN : Deciding strong word. (Shorter
 encyclopedia of Islam 1961)
 Every statement or undertaking
 which is emphasized by the words
 "by Allah" or by similar formula.
 (Schacht 1964)
- UF : Conditions (Oath)
 Kasam

Conferring powers of disposal on another. (Schacht 1964)

UF :Deputyship
Procuration
Wakala
Wakalah

6.1396

2 Debt transfer

SN :The transfer of a debt from one person to another. (Shorter encyclopedia of Islam 1961)

UF :*Hawala*
Hawalah
transfer/Debt

6.1397

2 Surety

SN :The creation of an additional liability with regard to the claim not to the debt. (Schacht 1964)
Is a liability specially created by contract. (Encyclopedia of Islam 1965, 2)
A pledge given by any one (*kafil*) to a creditor (the *makful lahu*) to secure that the debtor (the *makful bihi*) will be present at a definite place. (Shorter encyclopedia of Islam 1961)

UF :Bond
Civil liability
Collateral
Daman
Kafala
Kafalah
Liability
liability/Civil

6.13971

3 Surety for person

UF :*Kafala bil-nafs*
Kafalah bil-nafs
person/Surety for

6.13972

3 Surety for claim

UF :claim/Surety for

Kafala bil-mal
Kafalah bil-mal

- 6.1398 2 Consignment
- SN :Hold an item with the intention of
 returning it to the owner.
 (Schacht 1964)
 The commission given by the owner
 to another to hold his property
 in safe custody. (Schacht 1964)
- UF : *Amana*
 Amanah
 Charge
 Deposit
 Fiduciary relationship
 relationship/Fiduciary
 Trust
 Trusteeship
 Wadi`a
 Wadi`ah
- 6.13991 2 Gift
- SN :The gratuitous transfer of corpus
 of property. (Coulson 1964)
 Voluntary transfer of property.
 (Encyclopedia of Islam 1971, 3)
- UF :Donation
 Grant
 Hiba
 Hibah
 Present
- 6.139911 3 Charitable gift
- UF :gift/Charitable
 Sadakat
- 6.139912 3 Revocation of gift
- SN :Transfer the ownership of a thing
 during the life time of the donor,
 and with no consideration payable
 by the donee. (Encyclopedia of
 Islam 1971, 3)
- UF :gift/Revocation of
 Ilgha' al-hiba
 Ilgha' al-hibah

- 6.139923 3 Executor of will
 SN :The guardian of a minor's property.
 (Abd al-Aziz M. Zaid 1986)
- UF :Wasi
 will/Executor of
- 6.1399231 4 Requirements for executor
 UF :executor/Requirements for
 Mu'ahillat al-wasi
- 6.1399232 4 Liability of executor
 UF :executor/Liability of
 Mas'uliyat al-wasi
- 6.1399233 4 Acknowledgement of executor
 UF :executor/Acknowledgement of
 Ikrar al-wasi
 Iqrar al-wasi
- 6.1399234 4 Executor for marriage
 UF :marriage/Executor for
 Wilayat al-zawadj
 Wilayat al-zawaj
- 6.139924 3 Types of will
 UF :Anwa` al-wasiyya
 Anwa` al-wasiyyah
 will/Types of
- 6.1399241 4 Invalid will
 UF :Wasiya *ghair sahiha*
 Wasiyah *ghair sahihah*
 will/Invalid
- 6.1399242 4 Valid will
 UF :Wasiyya *sahiha*
 Wasiyyah *sahihah*
 will/Valid
- 6.1399243 4 Void will
 UF :Wasiyya *batila*
 Wasiyyah *batilah*
 will/Void
- 6.1399244 4 Obligatory will
 SN :A will incumbent to satisfy the
 rights of God.

(Abd al-Aziz M. Zaid 1986)

- UF :*Wasiyya wad*u*jiba*
Wasiyya wajiba
*Wasiyyah wad*u*jibah*
Wasiyyah wajibah
 will/Obligatory
- 6.1399245 4 Recommended will
 SN :Whatever is given out voluntarily
 or graciously by way of will after
 death. (Abd al-Aziz M. Zaid 1986)
- UF :*Wasiyya mustahaba*
Wasiyyah mustahabah
 will/Recommended
- 6.1399246 4 Restricted will
 UF :*Al-wasiyya al-mu`allaka*
Al-wasiyya al-mu`allaqa
Al-wasiyyah al-mu`allakah
Al-wasiyyah al-mu`allaqah
 will/Restricted
- 6.139925 3 Clashing wills
 UF :*Tadarub al-wasaya*
Wasaya mutadariba
Wasaya mutadaribah
 wills/Clashing
- 6.13993 2 Islamic inheritance law
 SN :The science of ordained quotes.
 (Shorter encyclopedia of Islam
 1961)
- UF :`*Ilm al fara'id*
 inheritance/Islamic law of
 inheritance law/Islamic
 Islamic law of inheritance
 Islamic law of succession
*Mawarith*h**
*Mirath*h**
 succession/Islamic law of
- 6.139931 3 Heritage
 SN :That which the deceased owned
 before his death. (Maghniyyah
 1989)

- UF :*Tarika*
Tarikah
- 6.1399311 4 Deduction from heritage
UF :*Al-k_hasm min al-tarika*
Al-k_hasm min al-tarikah
heritage/Deduction from
- 6.139932 3 Causes of inheritance
UF :*Al-asbab al mudjiba lil-irth*
Al-asbab al mudjibah lil-irth
Al-asbab al mujiba lil-irth
Al-asbab al mujibah lil-irth
inheritance/Causes of
- 6.139933 3 Derivation by excess
SN :The method of increasing the
common dominator of the fractional
shares in an inheritance, if their
sum amount to more than one unit.
Applied where the share exceed the
heritage. (Maghniyyah 1989)

UF :`Awl
Al-`awl
excess/Derivation by
- 6.139934 3 Exclusion (Inheritance)
SN :The exclusion of some relatives
from inheritance. (Maghniyyah
1989)

UF :*Al-hudjb*
Al-hujb
- 6.1399341 4 Exclusion from actual inheritance
UF :actual inheritance/Exclusion from
Hudjb al-hirman
Hujb al-hirman
inheritance/Exclusion from actual
- 6.1399342 4 Prevention from part of inheritance
UF :*Hudjb al-nuksan*
Hujb al-nuqsan
inheritance/Prevention from part of
- 6.139935 3 Impediments to inheritance
UF :inheritance/Impediments to

- Share of maternal grandfather
Share of paternal grandfather
- 6.1399368 4 Share of grandmothers
UF :grandmothers/Share of
 Nasib al-djidat
 Nasib al-jidat
- 6.13993691 4 Share of uncles
UF :maternal uncles/Share of
 Nasib al a`mam
 Nasib al-akhwal
 paternal uncles/Share of
 Share of maternal uncles
 Share of paternal uncles
 uncles/Share of
- 6.13993692 4 Share of aunts
UF :aunts/Share of
 maternal aunts/Share of
 Nasib al `amat
 Nasib al-khalat
 paternal aunts/Share of
 Share of maternal aunts
 Share of paternal aunts
- 6.13993693 4 Share of spouses
UF :husband/Share of
 Nasib al zawdj
 Nasib al zawdja
 Nasib al-zawdjayn
 Nasib al zawj
 Nasib al zawja
 Nasib al-zawjayn
 Share of husband
 Share of wife
 spouses/Share of
 wife/Share of
- 6.13993694 4 Share of manumitter
UF :manumitter/Share of
 Nasib al mawla
- 6.13993695 4 Share of foetus
UF :foetus/Share of
 Nasib al-djanin
 Nasib al-janin

- 6.13993696 4 Share of disowned child
 UF :disowned child/Share of
 Nasib walad al-mula`ana
 Nasib walad al-mula`anah
- 6.139937 3 Fixed shares
 SN :Fixed shares in an estate
 expressly mentioned in the verses
 dealing with the laws of
 inheritance in the Kur'an.
 (Shorter encyclopedia of Islam
 1961)
 UF :*Fara'id*
 shares/Fixed
- 6.139938 3 People of fixed shares
 UF :`Asaba
 `Asabah
 Ashab al-fara'id
 Dhawu 'l-fara'id
 fixed shares/People of
 shares/People of fixed
- 6.1399391 3 Mutual inheritance
 UF :*Al-irth al-mutabadal*
 inheritance/Mutual
- 6.1399392 3 Predeceased heir
 UF :*Al-fatisa*
 Al-fatisah
 heir/Predeceased
- 6.1399393 3 Giving away (Inheritance)
 SN :An heir to an estate gives away or
 sells his/her share to another
 heir or non heir. (Fluehr-Lobban
 1987)
 UF :*Takharudj*
 Takharuj
- 6.1399394 3 Share of residuaries
 SN :The sharing of inheritance by the
 residuaries along with closely-
 related sharers. (Maghniyyah 1989)
 UF :residuaries/Share of
 Ta`sib

- 6.13994 2 Endowment
- SN :A settlement of property under
 which ownership of the property
 is immobilized and the usufruct
 thereof is devoted to a purpose
 which is deemed charitable by
 the law. (Coulson 1964)
 A form of a gift in which the
 corpus is detained and the
 usufruct is set free. (Maghniyyah
 1990)
- UF :*Awkaf*
 Awqaf
 endowment/Religious
 foundation/Pious
 Habs
 Law of *wakf*
 Law of *waqf*
 Lortmain
 Pious foundation
 Religious endowment
 Wakf
 wakf/Law of
 Waqf
 Wukuf
 Wuquf
- 6.139941 3 Administration of endowment
- SN :The authority granted to someone
 for managing, developing and
 utilizing the endowment and for
 applying its yield for its
 specified purpose (Maghniyyah 1990)
- UF :*Al-wilaya `ala al-wakf*
 Al-wilaya `ala al-waqf
 Al-wilayah `ala al-wakf
 Al-wilayah `ala al-waqf
 endowment/Administration of
 endowment/Management of
 Management of endowment
- 6.139942 3 Conditions for endowment
- UF :endowment/Conditions for
 endowment/Essentials of
 Essentials of endowment

- Shurut al-wakf*
Shurut al-waqf
- 6.139943 3 Purpose of endowment
 UF : endowment/Purpose of
 Gharad al-wakf
 Gharad al-waqf
- 6.139944 3 Inclusion (Endowment)
 UF : *Al-idkhal wal-ikhraj*
 Al-idkhal wal-ikhraj
 Exclusion (Endowment)
- 6.139945 3 Types of endowment
 UF : *Anwa` al-wakf*
 Anwa` al-waqf
 endowment/Types of
- 6.1399451 4 Family endowment
 SN : Endowment for the benefit of one's
 descendants. (Maghniyyah 1990)
- UF : endowment/Family
 endowment/Private
 Private endowment
 Wakf ahli
 Wakf dhurri
 Waqf ahli
 Waqf dhurri
- 6.1399452 4 Public endowment
 SN : Endowment of a definitely
 religious or public nature.
 (Shorter encyclopedia of Islam
 1961)
 Endowment made for no specific
 beneficiary in mind. (Maghniyyah
 1990)
- UF : endowment/Public
 Wakf khairi
 Waqf khairi
- 6.1399453 4 Perpetual endowment
 UF : endowment/Perpetual
 Wakf da'im
 Waqf da'im

- 6.1399454 4 Temporary endowment
 UF : endowment/Temporary
 Wakf mu'akat
 Waqf mu'aqat
- 6.1399455 4 Valid endowment
 UF : endowment/Valid
 Wakf sahih
 Waqf sahih
- 6.1399456 4 Void endowment
 UF : endowment/Void
 Wakf batil
 Waqf batil
- 6.1399457 4 Contingent endowment
 UF : Conditional endowment
 endowment/Conditional
 endowment/Contingent
 Wakf mashrut
 Waqf mashrut
- 6.13995 2 Tribal oath
 SN : Consists in 50 men of the tribe
 swearing to their being right this
 may be the oath of an accuser or
 an oath of purgation.
 (Encyclopedia of Islam 1971,3)
- UF : *Kasama*
 Kasamah
 oath/Tribal
 Qasama
 Qasamah
- 6.13996 2 Cooperative payment of blood-money
 SN : Man's male relatives who have to
 pay the bloodwit (*`akl* for him)
 when unintentionally he has
 caused the death of a Muslim.
 (Shorter encyclopedia of Islam
 1961)
 The group who shoulder the burden
 of collective responsibility for
 compensation in cases of
 homicide. (Coulson 1964)
- UF : *`Akila*

`Akilah

`Aqila

`Aqilah

blood-money/Cooperative payment of
payment of blood-money/Cooperative

6.13997

2 Preemption

SN :The right to substitute oneself
for the buyer in a completed sale
of real property. (Schacht 1964)

UF :*Hak al-shuf`a*
Hak al-shuf`ah
Haq al-shuf`a
Haq al-shuf`ah
Pre-emption
Shuf`a
Shuf`ah

6.13998

2 Usurpation

SN :Annulment of legitimate
possession by establishing an
illegitimate possession.
(Encyclopedia of Islam 1965, 2)

UF :Disseisin
Exaction
Extortion
Forcible
Ghasb
Seizure

6.139991

2 Guardianship

UF :Curatorship
Walaya
Walayah
Wardship
Wilaya
Wilayah

6.1399911

3 Authorization

SN :The general authorization to carry
out commercial transactions in
a normal way, granted by guardian
to a minor who has reached years
of discretion, or by a master to
a slave. (Encyclopedia of Islam
1971, 3)

- UF : *Idhn*
Permission
- 6.1399912 3 Types of guardianship
UF : *Anwa` al walaya*
Anwa` al walayah
Anwa` al wilaya
Anwa` al wilayah
guardianship/Types of
- 6.13999121 4 Guardianship of estate
SN : Management of the ward's estate on his needs and the trading with his estate. (Abd Al-Aziz M. Zaid 1986)

UF : estate/Guardianship of
Walayat al-mal
Wilayat al-mal
- 6.13999122 4 Guardianship of person
SN : Guardianship of person mainly concerned with the general welfare of the ward. (Abd Al-Aziz M. Zaid 1986)

UF : person/Guardianship of
Walayat al-nafs
Wilayat al-nafs
- 6.139992 2 Detention
SN : Limitation of someone's legal competence.
Placing someone under guardianship.
The restriction of the capacity to dispose, it covers the act of imposing this restriction and the resulting status. (Encyclopedia of Islam 1971, 3)
Prohibiting the dispositions of a person with respect to all or some of his property. (Maghniyyah 1991)

UF : disability/Legal
Hidjr
Hijr
Interdiction
Legal disability

Al-nafaqa `ala al-mahjur
Al-nafaqah `ala al-mahjur
 ward/Spending upon

- 6.139993 2 Slavery
 SN :The legal rights and the proper
 treatment of a slave in Islam as
 well as the legal restrictions
 placed on the slave by the
 shari`a. (Schacht 1964)
- UF :*Rikk*
 Riqq
 `Ubudiya
 `Ubudiyah
- 6.1399931 3 Origin of slavery
 UF :*Masdar al-rikk*
 Masdar al-riqq
 slavery/Origin of
- 6.13999311 4 Birth (Slavery)
 UF :*Rikk bil milad*
 Riqq bil milad
- 6.13999312 4 Captivity
 UF :*Assr*
- 6.1399932 3 Rights of slaves
 UF :Duties towards slaves
 Hukuk al-rakik
 Huquq al-raqiq
 slaves/Duties towards
 slaves/Rights of
- 6.13999321 4 Maintenance of slaves
 UF :*Al-nafaka `ala al-rakik*
 Al-nafakah `ala al-rakik
 Al-nafaqa `ala al-raqiq
 Al-nafaqah `ala al-raqiq
 slaves/Maintenance of
- 6.13999322 4 Marriage of slaves
 UF :slaves/Marriage of
 Zawadj al-rakik
 Zawaj al-raqiq
- 6.1399933 3 Manumission of slaves

- UF :*I`tak*
I`taq
`Itik
`Itiq
Liberation of slaves
Liberation (Slaves)
slaves/Liberation of
slaves/Manumission of
- 6.13999331 4 Contractual liberation
SN :Acquiring freedom against future
payment. (Schacht 1964)
- UF :*Kitaba*
Kitabah
liberation/Contractual
Mukataba
Mukatabah
- 6.13999332 4 Freedom by pursuit
SN :Acquiring freedom by work. (Schacht
1964)
- UF :endeavour/Freedom by
Freedom by endeavour
pursuit/Freedom by
Sa`y (Slavery)
Si`aya
Si`ayah
- 6.13999333 4 Manumission with death of owner
SN :Manumission with effect at the
death of the owner. (Schacht 1964)
- UF :death of owner/Manumission with
Tadbir
- 6.1399934 3 Acquittal
SN :Abstention from sexual relations
with a slave girl in order to
verify that she is not pregnant
on the occasion of her transfer
to a new mater or a change in
her circumstances.
(Encyclopedia of Islam 1971, 3)
Waiting or examination as to
whether the uterus of the slave
is free. (Shorter encyclopedia of

- Islam 1961)
- UF : *Istbra'*
- 6.139994 2 Coercion
UF : *Compulsion*
Constraint
Duress
Ikrah
- 6.139995 2 Foundling
UF : *Lakit*
Laqit
- 6.139996 2 Waif
SN : *An article found or picked up.*
(Shorter encyclopedia of Islam
1961)
- UF : *Lukata*
Lukatah
Luqata
Luqatah
- 6.139997 2 Missing person
SN : *Uncertainty concerning the person*
existence.
The person who at a given moment
is not present at the place where
he should be. (Encyclopedia of
Islam 1965, 2)
- UF : *Mafkud*
Mafqud
person/Missing
- 6.1399971 3 Property of missing person
UF : *Mal al-mafkud*
Mal al-mafqud
missing person/Property of
person/Property of missing
- 6.139998 2 Gratuitous loan
SN : *Loan of non fungible objects.*
(Encyclopedia of Islam 1960, 1)
Gratuitous transfer of usufruct.
Putting another temporarily
and gratuitously in possession

of the use of a thing, the substance of which is not consumed by its use (Schacht 1964)

UF : `Ariyya
`Ariyyah
loan/Gratuitous

6.1399991

2 Banking

UF : Banking services
Khadamat masrafiyya
Khadamat masrafiyyah
services/Banking
Sina`a masrafiyya
Sina`ah masrafiyyah
Sirafa
Sirafah

6.1399992

2 Debt

SN : A claim primarily of money or other fungible objects.
(Encyclopedia of Islam 1965, 2)

UF : *Dayn*
Kard
Qard

6.1399993

2 Brokerage

SN : The process of showing the purchaser where to find the goods he requires, and the seller how to exact his price. (Encyclopedia of Islam 1965, 2)

UF : *Dilala*
Dilalah
Samsara
Samsarah

6.1399994

2 Unjustified enrichment

SN : Receiving a monetary advantage without giving counter-value.
(Schacht 1964)

UF : enrichment/Unjustified
Fadl al mal bila `iwad

Schedule for Islamic family law

- 6.141 1 Marriage
 SN :Deals with marriage as a legal
 institution. (Shorter
 encyclopedia of Islam 1961)
- UF :*Nikah*
 Zawadj
 Zawaj
- 6.1411 2 Solicitation
 UF :Espousal
 Khita
 Khita
- 6.1412 2 Marriage contract
 UF : `Akd al-zawadj
 `Aqd al-zawaj
 contract/Marriage
- 6.14121 3 Conditions for marriage contract
 UF :contract/Conditions for marriage
 contract/Requirements for marriage
 marriage contract/Conditions for
 marriage contract/Requirements for
 Requirements for marriage contract
 Shurut `akd al-zawadj
 Shurut `aqd al-zawaj
- 6.14122 3 Stipulations in marriage contract
 UF :*Al-ishtirat*
 contract/Stipulations in marriage
 marriage contract/Stipulations in
- 6.1413 2 Dower
 SN :The gift which the bridegroom has
 to give the bride when the
 contract of marriage is made and
 which becomes the property of the
 wife. (Shorter encyclopedia of
 Islam 1961)
- UF :Bridal gift
 gift/Bridal
 Mahr
 Sadak
 Sadaq

- 6.14151 3 Non marriageable persons
 UF :*Maharim*
 persons/Non marriageable
- 6.14152 3 Relationship by marriage
 SN :Simultaneous marriage with two
 women who are related to each
 other within the forbidden
 degrees by consanguinity,
 affinity, or fosterage (Schacht
 1964)
- UF :Combination (Marriage)
 Djam` (Marriage)
 Jam` (Marriage)
 marriage/Relationship by
- 6.14153 3 Foster relation
 SN :To produce a relationship by
 nursing, the smallest amount of
 suckling during the first two and
 half years of one's life is
 sufficient. (Schacht 1964)
 Suckling which produces the
 impediment to marriage of
 foster-kinship.
 Relationship by nursing. (Coulson
 1964)
- UF :Breast-feeding
 Fosterage
 Rada`a
 Rada`h
 relation/Foster
 Rida`a
 Rida`h
 Suckling
- 6.1416 2 Types of marriage
 UF :*Anwa` al-zawadj*
 Anwa` al-zawaj
 marriage/Types of
- 6.14161 3 Irregular marriage
 UF :marriage/Irregular
 Nikah fasid
- 6.14162 3 Valid marriage

- UF :marriage/Valid
Nikah sahii
- 6.14163 3 Void marriage
UF :marriage/Void
Nikah batil
- 6.1417 2 Temporary marriage
SN :A marriage contracted for a fixed period on rewarding the woman. (Shorter encyclopedia of Islam 1961)

UF :marriage/Temporary
Mut`a
Mut`ah
Zawadj al mut`a
Zawadj al mut`ah
Zawaj al mut`a
Zawaj al mut`ah
- 6.1418 2 Guardianship of marriage
SN :The guidance in electing the competent husband among suitors and to arrange for the marriage ceremony of ward. (Abd Al-Aziz M. Zaid 1986)

UF :marriage/Guardianship of
Walayat al-nikah
Wilayat al-nikah
- 6.14181 3 Marriage guardian
SN :The legal guardian of a woman in marriage usually her father or his close agnatic kin, but any adult Muslim male of sound mind or a *shari`a* judge may act as marriage guardian. (Fluehr-Lobban 1987)

UF :guardian/Marriage
Wali al nikah
- 6.141811 4 Compulsory marriage guardian
SN :guardian/Compulsory marriage guardian/Compulsory
Wali mudjbar
Wali mujbar

- husband. (Shorter encyclopedia of Islam 1961)
- UF :Annulment
Rescission
Separation
Talak
Talaq
- 6.1421 2 Conditions for divorce
UF :divorce/Conditions for divorce/Requirements for Requirements for divorce
Shurut al-talak
Shurut al-talaq
- 6.1422 2 Cession of marriage
UF :marriage/Cession of
Tawakuf al-zawadj
Tawaquf al-zawaj
- 6.1423 2 Pronouncement of divorce
UF :divorce/Pronouncement of
Sigha (Divorce)
Sighah (Divorce)
- 6.1424 2 Divorce by guardian
UF :guardian/Divorce by
Talak al-wali
Talaq al-wali
- 6.1425 2 Doubt in number of divorces
UF :*Al-shakk fi `adad al talkat*
Al-shakk fi `adad al talqat
divorces/Doubt in number of number of divorces/Doubt in
- 6.1426 2 Types of divorce
UF :*Anwa` al-talak*
Anwa` al-talaq
divorce/Types of
- 6.14261 3 Traditional divorce
SN :Divorce occurs during the period of purity in which she has not copulated with. (Maghniyyah 1988)
- UF :divorce/Traditional

occurs. (Schacht 1964)

UF :repudiation/Conditional
Ta`lik al-talak
Ta`liq al-talaq

- 6.14267 3 Divorce by mutual agreement
 SN :A form of divorce by mutual agreement
 where husband and wife free
 themselves by reciprocal renunciation
 of all rights. (Encyclopedia of
 Islam 1971, 3)
- UF :agreement/Divorce by mutual
 Mubar'a
 Mubar'ah
 mutual agreement/Divorce by
- 6.14268 3 Delegated divorce
 SN :Conferring on the wife the power to
 repudiate herself. This power must
 be exercised in the same meeting
 of husband and wife (Schacht 1964)
- UF :divorce/Delegated
 Talak al-tafwid
 Talaq al-tafwid
- 6.142691 3 Triple divorce
 UF :divorce/Triple
 Talak al-thalatha
 Talaq al-thalatha
- 6.1427 2 Waiting period
 SN :The period of abstention from sexual
 relations imposed on a widow or a
 divorced woman, or a woman whose
 marriage has been annulled, before
 she may remarry. (Encyclopedia of
 Islam 1971, 3)
 The prescribed period of waiting,
 during which widows and divorced
 women cannot contract a new
 marriage after the dissolution of
 the previous one. (Shorter
 encyclopedia of Islam 1961)

- UF : *`Idda*
`Iddah
- 6.14271 3 Calculation of waiting period
SN :The methods of calculating the waiting period (*`idda*) of divorced women. (Encyclopedia of Islam 1971, 3)
- UF :*Hisab al-`idda*
Hisab al-`iddah
waiting period/Calculation of
- 6.14272 3 Rights of women
UF :*Hukuk al-nisa' fi al-idda*
Hukuk al-nisa' fi al-iddah
Huquq al-nisa' fi al-idda
Huquq al-nisa' fi al-iddah
women/Rights of
- 6.1428 2 Remarriage possibility
SN :Removing the impediment to remarriage between the former husband and wife after a triple repudiation by husband with understanding that the marriage would be immediately dissolved after real or pretended consummation. (Schacht 1964)
- UF :*Tahlil*
- 6.14291 2 Abstinence from marital intercourse
SN :A dissolution of the conjugal community by the oath of the husband to abstain from marital intercourse for four months. If the husband keeps the oath it has the effect of a definite repudiation, but it can, as any other oath, be withdrawn against performance of the kaffara or of a self imposed penalty. (Schacht 1964)
- The dissolution of the conjugal community by the oath of the husband to abstain from marital intercourse for four month. (Schacht 1964)
- UF :*Ila'*
intercourse/Abstinence form marital marital intercourse/Abstinence from

- 6.14292 2 Injurious assimilation
 SN : The use of the formula (as
 untouchable) as the back of my mother.
 It does not dissolve the marriage but
 is regarded as an impious declaration
 which requires a particularly heavy
 kaffara. (Schacht 1964)
- UF : assimilation/Injurious
 Zihar
- 6.14293 2 Imprecation
 SN : The husband affirms under oath that
 the wife has committed unchastity or
 that the child born of her is not his,
 and she if the occasion arises,
 affirms under oath the contrary.
 (Schacht 1964)
 An oath by which a husband may allege,
 without legal proof, adultery by his
 wife without becoming liable to the
 punishment by which *Kadhif* is
 threatened. (Shorter encyclopedia of
 Islam 1961)
- UF : imprecation/Mutual oath of
 li`an
 Mutual oath of imprecation
 oath of imprecation/Mutual
- 6.143 1 Maintenance
 SN : Covers expenditure on food, clothing
 and lodging. (Fluehr-Lobban 1987)
- UF : Expenditure
 Nafaka
 Nafakah
 Nafaqa
 Nafaqah
 Spending
- 6.1431 2 Maintenance of wife
 SN : Comprises food, clothing and lodging.
 (Schacht 1964)
- UF : *Nafakat al-zawdja*
 Nafakat al-zawdjah
 Nafaqat al-zawja

- Nafaqat al-zawjah*
wife/Maintenance of
- 6.14311 3 Medical expenses
 UF :*Al-nafakat `iladjiyya*
 Al-nafakat `iladjiyyah
 Al-nafaqat `ilajiyah
 Al-nafaqat `ilajiyah
 expenses/Medical
- 6.14312 3 Maintenance of working wife
 UF :*Nafakat al-zawdja al-`amilah*
 Nafakat al-zawdjah al-`amilah
 Nafaqat al-zawja al-`amilah
 Nafaqat al-zawjah al-`amilah
 wife/Maintenance of working
 working wife/Maintenance of
- 6.14312 3 Surety for maintenance of wife
 UF :*Daman al-nafaka*
 Daman al-nafakah
 Daman al-nafaqa
 Daman al-nafaqah
 maintenance of wife/Surety for
 wife/Surety for maintenance of
- 6.14313 3 Suspension of maintenance of wife
 UF :*maintenance of wife/Suspension of*
 Tawakf nafakat al-zawdja
 Tawaqf nafakat al-zawdjah
 Tawakf nafakat al-zawja
 Tawaqf nafaqat al-zawjah
 wife/Suspension of maintenance of
- 6.1432 2 Maintenance of children
 UF :*Children/Maintenance of*
 Nafakat al-abbna'
 Nafaqat al-abbna'
- 6.1433 2 Maintenance of parents
 UF :*Nafakat al-walidayn*
 Nafaqat al-walidayn
 parents/Maintenance of
- 6.1434 2 Maintenance of relatives
 UF :*Nafakat al-akarib*
 Nafaqat al-aqarib
 relatives/Maintenance of

- 6.1446 2 Volution of custody right
 UF :custody right/Volution of
 Khark hakk al-hadana
 Khark hakk al-hadanah
 Khark hakk al-hidana
 Khark hakk al-hadana
 Kharaq haqq al-hadanah
 Kharaq haqq al-hadana
 Kharaq haqq al-hidana
 Kharaq haqq al-hidanah
- 6.145 1 Naming ceremony
 SN :A sacrifice on the seventh day after the
 birth of a child. (Shorter encyclopedia
 of Islam 1961)
- UF : `Akika
 `Akikah
 `Aqiqah
 `Aqiqah
 ceremony/Naming

Schedule for Islamic penal law

- 6.151 2 Restrictive ordinance
 SN : Punishment of certain acts which have
 been forbidden or sanctioned by
 punishments in the Kur'an and
 thereby becomes crimes against
 religion. (Encyclopedia of Islam
 1971, 3)
- UF : Allah/Claims of
 Allah/Statutes of
 Claims of Allah
 Hakk Allah
 Haqq Allah
 Hudud
 ordinance/Restrictive
 Statutes of Allah
- 6.1511 3 Theft
 SN : If a bound takes by stealth something
 of the value of at least 10 dirhams,
 in which he has neither the right of
 ownership nor resemblance (shubhat
 milk), out of custody. (Schacht 1964)

- UF :*Sarika*
Sarikah
Sariqa
Sariqah
- 6.15111 4 Hand amputation (Theft)
 UF :amputation (Theft)/Hand
 Chopping off hand (Theft)
 Cutting off hand (Theft)
 hand (Theft)/Chopping off
 hand (Theft)/Cutting off
Kat` al-yad
Qat` al-yad
- 6.1512 3 Highway robbery
 UF :Banditry
 Brigandage
Kat` al-tarik
Nahb
Qat` al-tariq
 Robbery
- 6.15121 4 Active repentance
 UF :Contrition
 Penitence
 repentance/Active
Tawba
Tawbah
- 6.15122 4 Penalty for highway robbery
 UF :highway robbery/Penalty for
 Penalty for robbery
 robbery/Penalty for
 `Ukubat kat` al tarik
 `Uqubat qat` al tariq
- 6.151221 5 Foot amputation
 SN :Penalty for highway robbery without
 homicide and for theft. (Encyclopedia
 of Islam 1965, 2)
- UF :*Al-kat` min khilaf*
Al-qat` min khilaf
 amputation/Foot
 amputation/Hand
 Chopping off foot
 Chopping off hand
 Cutting off foot

- Cutting off hand
 foot/Chopping off
 foot/Cutting off
 Hand amputation
 hand/Chopping off
 hand/Cutting off
- 6.151222 5 Death by crucifixion
 SN :Penalty for highway robbery with
 homicide. (Encyclopedia of Islam
 1965, 2)
- UF :*Al-salb*
 crucifixion/Death by
- 6.1513 3 Adultery
 SN :Sexual intercourse between persons who
 are not in a state of legal matrimony
 or concubinage. (Shorter encyclopedia
 of Islam 1961)
 The offence of illicit sexual
 relations. (Coulson 1964)
- UF :Fornication
 Zina
- 6.15131 4 Lashing
 SN :Penalty for adultery committed by
 unmarried person. (Shorter
 encyclopedia of Islam 1961)
- UF :*Al-djald*
 Al-jald
 Flogging
 Lacing
 Scourge
 Slashing
 Thrashing
 `Ukubat al zina
 `Uqubat al zina
 Whipping
- 6.15132 4 Stoning
 SN :Ritual stoning as a punishment for
 fornication. (Shorter encyclopedia of
 Islam 1961)
- UF :*Radjm*
 Rajm

`Ukubat al zani al muhsan
`Uqubat al zani al muhsan

- 6.1514 3 Intoxication
 SN :Drinking wine.
 (Encyclopedia of Islam 1971, 3)
- UF :drinks/Intoxicating
 Intoxicating drinks
 Intoxicants
 Khamr
 Narcotics
 Shurb al-khamr
- 6.1515 3 Game of chance
 UF :Backgammon
 chance/Game of
 Gamble
 Gambling
 Game of hazard
 hazard/Game of
 Maisr
 Maysir
- 6.1516 3 Falsely accusation of fornication
 SN :Falsely accusing a married women of
 adultery.
 False accusation of unlawful
 intercourse. (Encyclopedia of Islam
 1971, 3)
- UF :accusation of fornication/Falsely
 fornication/Falsely accusation of
 Kadhf
 Qadhf
- 6.152 2 Retaliation
 SN :Covers retaliation for killing or for
 wounds which are not fatal. (Shorter
 encyclopedia of Islam 1961)
 The legal sanction in cases of
 homicide and wounding (Coulson 1964)
- UF :equality/Law of
 justice/Law of private
 Kasas
 Kisas
 Law of equality

- Law of private justice
private justice/Law of
Qasas
Qisas
- 6.1521 3 Conditions for retaliation
UF :retaliation/Conditions for
shurut al-kasas
Shurut al-kisas
Shurut al-qasas
Shurut al-qisas
- 6.1522 3 Homicide
SN :Putting to death. (Shorter
encyclopedia of Islam 1961)

UF :Blood vengeance
Homicide
Katl
Killing
Kisas fi 'l-nafs
Qatl
Qisas fi 'l-nafs
vengeance/Blood
- 6.15221 4 Types of homicide
UF :*Anwa` al katl*
Anwa` al qatl
homicide/Types of
- 6.152211 5 Intentional homicide
SN :Where the wrong-doer intends to cause
the death of another and causes it in
fact. (Ahmad I. Ali 1980)
It implies the use of a deadly
implement. (Schacht 1964)

UF : *`Amd*
Deliberate intent
homicide/Intentional
intent/Deliberate
Kasd
Murder
Qasd
- 6.152212 5 Semi intentional homicide
SN :Where there is no intent to cause
death though there is intent to cause

bodily harm but death takes place.

(Ahmad I. Ali 1980)

An intentional act without using a deadly implement (Schacht 1964)

UF :*Al-katl shibh al-`amd*
Al-qatl shibh al-`amd
 deliberate intent/Quasi
 homicide/Semi intentional
 intentional homicide/Semi
 intent/Quasi-deliberate
 Quasi-deliberate intent

6.152213

5 Unintentional homicide

SN :Where there is a mistake as to the act
 leading to death or a mistake as to
 the identity of the deceased. (Ahmad
 I. Ali 1980)
 Opposed to direct bodily causation.
 (Schacht 1964)

UF :*Al-katl al-khata'*
Al-qatl al-khata'
 homicide/Indirect
 homicide/Unintentional
 Indirect homicide

6.1523

3 Assault

UF :*Adha*
Kisas fi-ma dun al-nafs
Qisas fi-ma dun al-nafs
 Wounds

6.1524

3 Blood-money

SN :Compensation paid by one who
 committed homicide or has wounded
 another. (Shorter encyclopedia of
 Islam 1961)

UF :`*Akl*
 `*Aql*
 Blood wit
 Compensation
Dia
Diya
Diyas
Diyat
Diyya

- 6.1525 3 Free pardon
 UF : `Afw
 Gratuitous pardon
 Pardon
 pardon/Free
 pardon/Gratuitous
- 6.153 2 Fortification
 SN : Punishment intended to prevent the
 culprit from relapsing to purify him.
 (Shorter encyclopedia of Islam 1961)
- UF : Discretionary punishment
 punishment/Discretionary
 Ta`azir
 Ta`zir
- 6.1531 3 Bribery
 UF : Rashwa
 Rashwah
- 6.1532 3 Pick-pockets
 UF : Ikhtilas
- 6.1533 3 Embezzlement
 SN : Fraudulent taking of the property of
 another who is already in lawful
 possession. (Lippman and others 1988)
- UF : Khiyana
 Khiyanah
- 6.1534 3 Crimes against reputation
 UF : Djara'im did al-sum`a
 Djara'im did al-sum`ah
 Jara'im did al-sum`a
 Jara'im did al-sum`ah
 reputation/Crimes against
- 6.15341 4 Defamation
 SN : A civil action for a false statement
 that harms an individual reputation
 by subjecting him/her to hatred
 contempt or ridicule by demeaning
 his/her morality. (Lippman and others
 1988)

- UF :*Ishanat al-sum`a*
Ishanat al-sum`ah
- 6.154 2 Crimes against state
UF :*Djara'im did al-dawla*
Jara'im did al-dawla
state/Crimes against
- 6.1541 3 Rebellion
SN :Levying war against the state or
adhering to enemies by giving them
aid or comfort. (Lippman and others
1988)
- UF :*Baghi*
- 6.155 2 Liability for crimes of slaves
UF :*Al-masualiyya `an djara'im al-rakik*
Al-masualiyya `an jara'im al-raqiq
crimes of slaves/Liability for
slaves/Liability for crimes of
- 6.156 2 Liability for acts of animals
UF :acts of animals/Liability for
Al-masualiyya `an af`al al-haiwan
Al-masualiyyah `an af`al al-haiwan
animals/Liability for acts of

Schedule for Islamic international law

- 6.161 1 Booty
SN :The weapons, horses and all other
movable possessions taken in battle
from unbelievers.
Property taken by force from the
enemy. (Shorter encyclopedia of Islam
1961)
- UF :*Ghanima*
Ghanimah
Loot
Pillage
Plunder
Prize
Spoils

1961)

- UF :amnesty/House of
Dar al-`ahd
Dar al-sulh
House of amnesty
truce/House of
- 6.1633 2 Land of Islam
SN :A bode of Islam which is already
under Muslim rule which inhibited by
Muslims and non Muslims who have
submitted to muslim control and who
under certain restrictions and
without the possibility of full
citizenship are guaranteed their
lives and property by Muslim state.
(Shorter encyclopedia of Islam 1961)
- UF :*Dar al-Islam*
House of Islam
Islam/House of
Islam/Territory of
Territory of Islam
- 6.1634 2 Land of war
SN :A bode of war, which is not under
Muslim rule. (Shorter encyclopedia of
Islam 1961)
- UF :*Dar al-harb*
House of war
Territory of war
war/House of
war/Land of
war/Territory of
- 6.1635 2 Law of peace
UF :*Kanon al-salam*
peace/law of
Qanon al-salam
- 6.16351 3 International treaties
SN :The abstention of the parties
concerned from hostilities against
each other.
Temporary peace extended to a certain
town or country by an official act.

(Encyclopedia of Islam 1971, 3)

- UF : Accord
 Agreements
 Alliances
 Compacts
 Conventions
Hudna
Hudnah
Mu`ahadat
Musalaha
Musalama
Musalamah
Mutaraka
Mutarakah
Muwada`a
Muwada`ah
 Pact
 treaties/International
- 6.166 2 Law of war
 UF : *Kanon al-harb*
Qanon al-harb
 war/Law of
- 6.1661 3 Declaration of war
 UF : *I`lan al-harb*
 war/Declaration of
- 6.1662 3 Espionage
 UF : *Tadjasus*
Tajasus
- 6.1663 3 Military expeditions
 SN : War conducted with the aim of
 gaining plunder.
 (Encyclopedia of Islam 1965, 2)
- UF : Attack
 Conquest
 expeditions/Military
Ghazw
 Incursion
 Invasion
- 6.1664 3 Treatment of enemy
 SN : Covers the treatment of enemy persons
 and property. (Encyclopedia of Islam

1965, 2)

- UF :enemy/Treatment of
Mu`amalat al-a`da'
- 6.167 1 People of the book
SN :Jews and Christians. (Shorter
encyclopedia of Islam 1961)
- UF :*Ahl al-kitab*
book/People of the
People of scripture
scripture/People of
- 6.1671 2 People of covenant
SN :The Jews and Christians between who and
the Muslims there is certain
legal relation. (Encyclopedia of
Islam 1960, 1)
- UF :*Ahl al-dhimma*
Ahl al-dhimmah
covenant/People of
obligations/People of
People of obligations
- 6.16711 3 Jews
UF :*Yahud*
- 6.16712 3 Christians under Muslim rule
SN :Christians living under Muslim rule.
(Shorter encyclopedia of Islam 1961)
- UF :Muslim rule/Christians under
Nasara
Nasarah
- 6.1672 2 Protection contract
SN :The sort of indefinitely renewed
contract through which the Muslim
community accords hospitality and
protection to members of other
revealed religious on condition of
their acknowledging the domination of
Islam. (Encyclopedia of Islam 1965,
2)
- UF :contract/Protection

Dhimma
Dhimmah
 Engagement
 Obligation
 Protection
 Responsibility

6.168 1 Tenth tax

SN :The tenth levied for public assistance as a tax on all land which is irrigated by running water, brooks and stream or by rain. (Shorter encyclopedia of Islam 1961)

UF :Al-`ushr
 tax/Tenth
 Tithe
 `Ushr

6.1691 1 Land tax

SN :Tax paid on landed property. (Shorter encyclopedia of Islam 1961)

UF :Al kharadj
 Al kharaj
Kharadj
Kharaj
 tax/Land

6.1692 1 Poll-tax

SN :Indulgence taxes levied on the ahl al-dhimma. (Shorter encyclopedia of Islam 1961)

UF :Capitation
Djizya
Djizyah
 Head tax
 Jizya
 Jizyah
 tax/Head
 tax/Poll
 tax/Tribute
 Tribute tax

Schedule for Islamic constitutional law

- 6.171 1 Theory of state
 UF :*Nazariyat al-dawla*
 Nazariyat al-dawlah
 state/Theory of
- 6.1711 2 Distribution of power
 UF :power/Distribution of
 Tawzi` al-sulta
 Tawzi` al-sultah
- 6.1712 2 Objectives of state
 UF :*Ahdaf al-dawla*
 Ahdaf al-dawlah
 state/Objectives of
- 6.1713 2 State policy
 UF :policy/State
 Siyasat al-dawla
 Siyasat al-dawlah
- 6.172 1 Vicegerency
 SN :The political organization of the
 Islamic state. (Maududi 1975)
 Supreme leadership of the Muslim
 community after the death of the
 Prophet. (Encyclopedia of Islam 1971,
 3)
- UF :Caliphates
 Khilafa
 Khilafah
- 6.1721 2 Vicegerent
 SN :Successor or vicegerent, the supreme
 head of the Muslim community. (Shorter
 encyclopedia of Islam 1961)
- UF :Caliph
 Imam
 Khalifa
 Khalifah
- 6.17211 3 Selection of leader
 UF :*Ikhtiyar al-Imam*
 leader/Selection of

- 6.1721111 4 Election
 SN :The act by which a certain number of persons acting individually or collectively recognize the authority of another person. (Encyclopedia of Islam 1960, 1)
 UF :*Bay`a*
Bay`ah
Ikhtiyar
Mubaya`a
Mubaya`ah
- 6.1721111 5 Number of electors
 UF :`Dad al-mubayi`in
 electors/Number of
- 6.1721112 5 Types of election
 UF :Anwa` al bay`a
 Anwa` al bay`ah
 election/Types of
- 6.17211121 6 Private election
 UF :*bay`a/Private*
Bay`at al-khassa
Bay`at al-khassah
 election/Private
 Private bay`a
 Private bay`ah
- 6.17211122 6 Public election
 UF :*bay`a/Public*
Bay`at al-`amma
Bay`at al-`ammah
 election/Public
 Public bay`a
 Public bay`ah
- 6.17212 3 Functions of caliph
 UF :caliph/Duties of
 caliph/Functions of
 Duties of caliph
Wadjibat al-imam
Wajibat al-imam
- 6.17213 3 Invalidating causes of leadership
 UF :leadership/Invalidating causes of

Schedule for Islamic constitutional law

- 6.171 1 Theory of state
 UF :*Nazariyat al-dawla*
 Nazariyat al-dawlah
 state/Theory of
- 6.1711 2 Distribution of power
 UF :power/Distribution of
 Tawzi` al-sulta
 Tawzi` al-sultah
- 6.1712 2 Objectives of state
 UF :*Ahdaf al-dawla*
 Ahdaf al-dawlah
 state/Objectives of
- 6.1713 2 State policy
 UF :policy/State
 Siyasat al-dawla
 Siyasat al-dawlah
- 6.172 1 Vicegerency
 SN :The political organization of the
 Islamic state. (Maududi 1975)
 Supreme leadership of the Muslim
 community after the death of the
 Prophet. (Encyclopedia of Islam 1971,
 3)
- UF :Caliphates
 Khilafa
 Khilafah
- 6.1721 2 Vicegerent
 SN :Successor or vicegerent, the supreme
 head of the Muslim community. (Shorter
 encyclopedia of Islam 1961)
- UF :Caliph
 Imam
 Khalifa
 Khalifah
- 6.17211 3 Selection of leader
 UF :*Ikhtiyar al-Imam*
 leader/Selection of

- 6.172111 4 Election
 SN :The act by which a certain number of persons acting individually or collectively recognize the authority of another person. (Encyclopedia of Islam 1960, 1)
 UF :*Bay`a*
Bay`ah
Ikhtiyar
Mubaya`a
Mubaya`ah
- 6.1721111 5 Number of electors
 UF :`Dad al-mubayi`in
 electors/Number of
- 6.1721112 5 Types of election
 UF :Anwa` al bay`a
 Anwa` al bay`ah
 election/Types of
- 6.17211121 6 Private election
 UF :*bay`a/Private*
Bay`at al-khassa
Bay`at al-khassah
 election/Private
 Private *bay`a*
 Private *bay`ah*
- 6.17211122 6 Public election
 UF :*bay`a/Public*
Bay`at al-`amma
Bay`at al-`ammah
 election/Public
 Public *bay`a*
 Public *bay`ah*
- 6.17212 3 Functions of caliph
 UF :caliph/Duties of
 caliph/Functions of
 Duties of caliph
Wadjiбат al-imam
Wajibat al-imam
- 6.17213 3 Invalidating causes of leadership
 UF :leadership/Invalidating causes of

Mufsidat al-imama
Mufsidat al-imamah

- 6.173 1 Emirate office
 UF :Amirate office
 Imara
 Imarah
 office/Amirate
 office/Emirate
- 6.174 1 Ministerial office
 UF :Al-wazarat
 office/Ministerial
 office/Wazirate
 Wazirate office
- 6.175 1 Constitution
 UF :Dastur
- 6.176 1 Government by consultation
 UF :consultation/Government by
 Shura
- 6.177 1 Guardianship (Executive power)
 SN :The sovereign power delegated by a
 sovereign. The office of the governor.
 The appointment and certificate of
 appointment of an official and an
 administrative district. (Shorter
 encyclopedia of Islam 1961)
 UF :Walaya (Executive power)
 Walayah (Executive power)
 Wilaya (Executive power)
 Wilayah (Executive power)
- 6.178 1 Agents
 UF :Regents
 `Umal
- 6.1791 1 Citizenship
 UF :Al-muwatana
 Al-muwatanah
 Nationality

- 6.191142 3 Regional development
 UF :development/Regional
 Tanmiya iklimiyya
 Tanmiya iqlimiyya
 Tanmiyah iklimiyyah
 Tanmiyah iqlimiyyah
- 6.191143 3 Foreign assistance
 UF :Al-musa`adat al-*kharij*diyya
 Al-musa`adat al-*kharij*diyyah
 Al-musa`adat al-*kharij*diyya
 Al-musa`adat al-*kharij*diyyah
 assistance/Foreign
- 6.19115 2 Agriculture
 UF :Al-zira`a
 Al-zira`ah
- 6.19116 2 Agricultural industries
 UF :Al-sina`at al-zira`iyya
 Al-sina`at al-zira`iyyah
 industries/Agricultural
- 6.19117 2 Mineral industries
 UF :Al-ta`din
 industries/Mineral
- 6.19118 2 Secondary industries
 UF :Al-sina`at al-*thanawiyya*
 Al-sina`at al-*thanawiyyah*
 industries/Secondary
 secondary services
 services/Secondary

Schedule for Islamic administrative law

- 6.1921 1 Delegation of authority
 UF :authority/Delegation of
 Tafwid idari
- 6.1922 1 Provincial administration
 UF :administration/Provincial
 Idarat al-wilayat
- 6.1923 1 Records
 UF :Accounts

Al-hisabat
 Al-sidjilat
 Al-sijilat

- 6.19231 2 Administrative documents
 UF :Al-watha'ik al-idariyya
 Al-watha'ik al-idariyyah
 Al-watha'iq al-idariyya
 Al-watha'iq al-idariyyah
 documents/Administrative
- 6.1924 1 Officers
 UF :Al-idariun
 Al-muwazfun
 Functionaries
- 6.1925 1 Security
 SN :Temporary peace given to an individual
 enemy alien (*harbi*), although his
 country is still in a state of war
 with. (Encyclopedia of Islam 1971, 3)
- UF :Aman
 Amnesty
 Immunity
 safe-conduct/Temporary
 Safeguard
 Safety
 Temporary safe-conduct
- 6.1926 1 Police
 UF :Shurta
 Shurtah
- 6.1927 1 Supervision of markets
 SN :Supervision of moral behaviour of
 markets. (Encyclopedia of Islam 1971,
 3)
- UF :Hisba
 Hisbah
 markets/Supervision of
- 6.19271 2 Control of professions
 UF :Murakabat al-hirafyyin
 Muraqabat al-hirafyyin
 professions/Control of

- 6.19272 2 Weights control
 UF :control/Measures
 control/Weights
 Measures control
 Murakabat al-makayyis
 Murakabat al-mawazin
 Muraqabat al-maqayyis
 Muraqabat al-mawazin
- 6.19273 2 Prices control
 UF :control/Prices
 Murakabat al-as`ar
 Muraqabat al-as`ar
- 6.19274 2 Testing quality of products
 UF :Murakabat al-djawda
 Murakabat al-djawdah
 Muraqabat al-jawda
 Muraqabat al-jawdah
 products/Testing quality of
 quality of products/Testing
- 6.19275 2 Control of public amenities
 UF :Murakabat al-marafik al-`amma
 Murakabat al-marafik al-`ammah
 Muraqabat al-marafiq al-`amma
 Muraqabat al-marafiq al-`ammah
 public amenities/Control of
- 6.192751 3 Water supply
 UF :Imdad al-miyah
 Imdad al-taka
 Imdad al-takah
 Imdad al-taqa
 Imdad al-taqah
 Power supply
 supply/Power
 supply/Water
- 6.192752 3 Transport
 UF :Al-nakl
 Al-naql
- 6.192753 3 Communication
 UF :Al-itisal
- 6.1927531 4 Press law
 UF :Kanon al-nashr wal-matbu`at

Dalil
evidence/Legal
Ithbat
Proof

- 6.19341 3 Testimony
 SN :Declaration on a legal claim in favour
 of a second person against a third,
 based on accurate knowledge of the
 state of affairs, and is made before
 the judge in prescribed form (Shorter
 encyclopedia of Islam 1961)
- UF :Shahada
 Shahadah
- 6.193411 4 Conflict of equivalent testimonies
 UF :equivalent testimonies/Conflict of
 Tahatur
 testimonies/Conflict of equivalent
- 6.19342 3 Eye witnesses
 UF :Shuhud
 witnesses/Eye
- 6.193421 4 Integrity
 SN :Equitableness and also a person whose
 testimony is valid. (Shorter
 encyclopedia of Islam 1961)
 The state of a person who in general
 obeys the moral and religious law.
 (Encyclopedia of Islam 1960, 1)
 The quality of religious probity and
 moral integrity which a witness must
 possess for his testimony to be
 admissible. (Coulson 1964)
- UF : `Adala
 `Adalah
 `Adl
 Honesty
 Probity
 Straightforwardness
 Straightness
 Uprightness
- 6.19343 3 Written document
 UF :document/Written

Sakk
 Wathika
 Wathikah
 Wathiqa
 Wathiqah

- 6.19344 3 Acknowledgement
 SN :Confession made by a person of age in full possession of his faculties and without any pressure by the judge. (Shorter encyclopedia of Islam 1961)
- UF :acknowledgement/Judicial Admission
 Avowal
 Conceding
 Concession
 Confession
 Ikrar
 Iqrar
 I`tiraf
 Judicial acknowledgement
 Recognition
- 6.193441 4 Acknowledgement of ailing person
 UF :ailing person/Acknowledgement of
 Ikrar al-marid
 Iqrar al-marid
- 6.193442 4 Validity of acknowledgement
 SN :Conditions of validity concerning the declarant, the beneficiary, and the object of the recognition. (Encyclopedia of Islam 1971, 3)
- UF :acknowledgement/Validity of
 Sihat al-ikrar
 Sihat al-iqrar
- 6.1935 2 Courts
 UF :Mahakim
- 6.1936 2 Complaints
 SN :The prerogative jurisdiction exercised by the political authority or his delegate. (Coulson 1964)
- UF :Mazalim

- 6.1937 2 Denial
 SN : The opposite of acknowledgement. When a person summoned by law to acknowledge a debt denies that he owes it (Encyclopedia of Islam 1971, 3)
- UF : Disavowal
 Disproof
 Inkar
 Negation
 Repudiation
- 6.1938 2 Self-help
 UF : *Al-difa` `an al-nafs*
 Al-i`timad `ala al nafs
 Self defence
- 6.19391 2 Rights
 SN : Legal rights or claims and corresponding obligations. (Encyclopedia of Islam 3, 1971)
- UF : *Hukuk*
 Huquq
- 6.19392 2 Judges
 SN : Representatives of authority invested with the power of jurisdiction. (Encyclopedia of Islam 1978, 4)
- UF : *Kadis*
 Kuda
 Kudah
 Qadis
 Quda
 Qudah
- 6.193921 3 Competence of judge
 UF : judge/Competence of
 Kafa'at al-kadi
 Kafa'at al-qadi
- 6.193922 3 Duties of judge
 UF : *Adab al-kadi*
 Adab al-qadi
 Functions of judge

judge/Duties of
judge/Functions of

- 6.19393 2 Resemblance
 SN :Resemblance of the act which has been
 committed to another, lawful one, the
 presumption of bona fides in the
 accused. (Encyclopedia of Islam 1979,
 4)
 UF : Doubt
 Dubiosity
 Obscurity
 Shubha
 Suspicion
 Uncertainty
 Vagueness

Schedule for Islamic health law

- 6.1941 1 Medical personnel
 UF : *Al-cadir al-tibi*
 personnel/Medical
 6.1942 1 Medical processes
 UF : *Al-mumarasat al-tibiyya*
 Al-mumarasat al-tibiyyah
 processes/Medical
 6.19421 2 Organ donation
 UF : *Al-tabaru` bil-a`da'*
 donation/Organ
 6.19422 2 Organ transplant
 UF : transplant/Organ
 Zira`at al-a`da'
 6.19423 2 Transplantation of tissues
 UF : tissues/Transplantation of
 Zira`at al-ansidja
 Zira`at al-ansidjah
 Zira`at al-ansija
 Zira`at al-ansijah
 6.19424 2 Blood transfusion
 UF : *Nakl al-dam*
 Naql al-dam
 transfusion/Blood

- 6.19471 2 Birth control
 UF :Contraceptive practices
 control/Birth
 Man` al haml
 practices/Contraceptive
 Tahdid al-mawalid
- 6.194711 3 Coitus interruption
 UF :`Azl
 interruption/Coitus
- 6.1948 1 Veterinary public health
 UF :*Al-siha al-`amma al-baytariyya*
 Al-siha al-`amma al-baytariyyah
 health/Veterinary public
 public health/Veterinary

ta Base: Thes

miters/Pattern

Appendix 4
Field Select Table

```

1 0 mhu,v1
8 0 mhu,v8
11 0 mhu,v11
18 0 mhu,v18
21 0 mhu,v21
28 0 mhu,v28
99 0 mhu,v99

```

Appendix 5
Display Format

```

v8(0,0),v1(0,0)," /d1,v11(0,0)," / "v21(0,0)," "/d8," USE
"d3,(v3(6,7))," - "v99*0.8/" SN "d2(6,6)/| UF
|d4,(v4(6,7)/),(Ref(1(v5),,(if (a(v5) and p(v1)) then | TT1
|,v1 fi/Ref(1(v5),(if (a(v5) and p(v1)) then | TT2 |,v1 fi
/Ref(1(v5),(if (a(v5) and p(v1)) then | TT3 |,v1
fi/Ref(1(v5),(if (a(v5) and p(v1)) then| TT4 |,v1
fi/Ref(1(v5),(if (a(v5) and p(v1)) then | TT5 |,v1 fi
/Ref(1(v5),(if (a(v5) and p(v1)) then | TT6 |,v1
fi)))))))))))))| BT |d5,(v5(6,7)/),| NT |d6,(v6(6,7)/),| RT
|d7,(v7(6,7)/)%###

```

DECLARATION

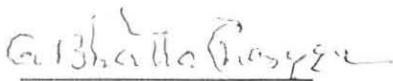
This thesis is my original work and has not been presented for a degree in any other university.



Amira Abdelaziz Hamadtu

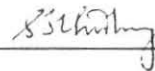
May 24, 1995

The thesis has been submitted for examination with our approval as university advisors.



Professor G. Bhattacharyya

May 24, 1995



Dr. G. G. Chowdhury

May 24, 1995