



LEXICAL AND TERMINOLOGICAL ANALYSIS OF COMMERCIAL AND LEGAL TERMS IN ARABIC

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Abstract: *This article examines the lexical and terminological meanings of commercial terms in the Arabic language and provides their Uzbek equivalents. It also discusses the terms used by Arabs in the pre-Islamic period, the terminology that emerged after the advent of Islam, and the commercial terms currently employed in modern Arabic.*

Keywords: *terminology, term, trade, Arabic language, Holy Qur'an, Hadith, commerce.*

Аннотация: *В данной статье рассматриваются лексические и терминологические значения торговых терминов в арабском языке, а также приводятся их узбекские эквиваленты. Кроме того, анализируются термины, употреблявшиеся арабами в доисламский период, терминология, сформировавшаяся после появления ислама, а также торговые термины, используемые в современном арабском языке.*

Ключевые слова: *терминология, термин, торговля, арабский язык, Священный Коран, хадис, коммерция.*

The history of the development of Arabic terminology can be divided into two stages: the classical and the modern periods. The fact that traditional medieval Islamic sciences—such as Islamic law (Sharī'ah), Arabic linguistics, history, poetry, and several other disciplines—developed in Arabic demonstrates that these fields had already been supplied with a comprehensive and independent system of terminology. At the same time, it can be observed that among the terms related to the natural sciences, which were largely represented in Greek during

that era—such as chemistry, mathematics, geometry, mechanics, astronomy—as well as philosophy, logic, and music, there existed not only terms of Arabic origin but also well-adapted loanwords integrated into the Arabic language.

The adoption of terms from other languages is carried out through various methods. In this process, the same linguistic resources that are used to enrich the general literary vocabulary are employed for the creation of terms and the expansion of terminological systems.



The following methods are commonly applied:

1. Terminologization of lexical units that either existed in the language in the past or are currently used to denote specific concepts.
2. Creation of new terms based on the existing linguistic rules and word-formation patterns of the language.
3. Translation of terms and terminological expressions, followed by processes such as abbreviation and the formation of compound words.
4. Direct borrowing of terms from other languages.

The formation of economic terminology in Arabic has likewise been based on the principles outlined above.

In Arabic, the concept of “term” is expressed by the word *al-iṣṭilāḥ* (الاصطلاح), which literally means “agreement” or “convention.” It refers to the consensus of a particular group of people to use certain words with specialized meanings. As a result, many words came to possess two meanings: a general linguistic (lexical) meaning and a conventional or terminological meaning.

The following section presents the lexical and terminological meanings of commercial terms in Arabic, their Uzbek equivalents, the terms used by Arabs in the pre-Islamic period, the terminology that emerged after the advent of Islam, and the commercial terms employed in contemporary Arabic.

Trade, Sale, Commerce - ال بيع

الام بادلّة / ال شراء / بيعة - ي بيع - باع
the term “al-bay” (ال بيع) is derived from

the trilateral hollow verb (*al-fiʿl al-thulāthī al-mujarrad al-ajwaf*) “bāʿa-yabīʿu”. Lexically, it denotes the exchange of one thing for another. The verb “bāʿa” (باع) is transitive and is followed by a direct object, as in the expression *الشيء بعث* (“I sold the item”).

The term “al-bay” has more than twenty recognized forms and classifications, some of which will be discussed below. Arabs used this term in commercial transactions even before the advent of Islam. Among its synonyms are “al-iṭāʿ” (الإعطاء), “al-shirāʿ” (الشراء), and “al-akhdh” (الأخذ), which may be employed in contexts related to buying and selling. In certain linguistic contexts, these terms may also function as semantic opposites depending on the perspective of the transaction.

The expression “biʿtu” (بيعت) may signify either “I sold the commodity” or “I purchased the commodity,” depending on the context. Classical scholars have offered different opinions regarding the etymology of the term. Some maintain that it is derived from “al-bā” (الباع), meaning “the distance between outstretched arms or fingers,” a traditional unit of measurement. According to this interpretation, the term is associated with the gesture of extending one’s hand during a commercial exchange. Others argue that it originates from “al-bā”, meaning “ownership” or “possession,” since trade results in the acquisition of property.

In its terminological sense, “al-bay” refers to the lawful exchange of property



for money or another commodity, whereby ownership is transferred from the seller to the buyer without involving debt-based uncertainty or usury (ribā). In al-Hidāyah, it is defined as “the exchange of one property for another with the mutual consent of both parties.”

The term “al-bay” (البيع) is mentioned in the Holy Qur’an, particularly in Surat al-Baqarah:

الرِّبَا وَحَرَّمَ الْبَيْعَ الَّذِي لَحَاوٍ

“Allah has permitted trade and prohibited usury (ribā).” (Qur’an 2:275)

In this verse, the term “al-bay” is used in the sense of trade and commercial exchange.

The term also appears frequently in the Prophetic traditions (Hadith). One example is the following narration:

الله رسول أن عنه الله رضي جابر عن رجلاً الله رحم» فقال وسلم عليه لهال صلى رواه) «اقتضى وإذا اشترى وإذا باع إذا سمحاً (البخاري).

Jābir ibn ‘Abd Allāh (may Allah be pleased with him) reported that the Messenger of Allah (peace and blessings be upon him) said:

“May Allah show mercy to a man who is lenient and generous when he sells, when he buys, and when he demands his due.” (Reported by al-Bukhārī)

This hadith highlights the ethical dimension of commercial transactions in Islam and encourages fairness, tolerance, and generosity in business dealings.

وتجارة تجراً – يتجر – تجر التجارة
Commerce, Trade –

The term “al-tijārah” (التجارة) is a verbal noun denoting a profession or occupation. Lexically, it means “to engage in trade” or “to conduct commercial transactions.”

In terminological usage, Muslim scholars have provided several closely related definitions of “tijārah”, including:

- “Tijārah” - is the purchase of goods for the purpose of selling them and obtaining profit.”

- “Tijārah” - is the pursuit of profit through buying and selling.”

- “Tijārah” - is the circulation or investment of wealth with the intention of generating profit.”

These definitions collectively emphasize that commerce involves the exchange and management of goods or capital with the objective of earning a lawful profit.

The term “al-tijārah” (التجارة) is mentioned in both the Holy Qur’an and the Prophetic traditions in the sense of conducting trade and commercial transactions.

بَيْنَكُمْ أَمْوَالِكُمْ تَأْكُلُوا لَا أَمْنُوا الَّذِينَ أَيُّهَا تَقْتُلُوا وَلَا مِنْكُمْ تَرَاضٍ عَنْ تِجَارَةٍ تَكُونُ أَنْ إِلَّا بِالْبَاطِلِ رَحِيمًا) بِكُمْ كَانَ اللَّهُ إِنَّ أَنْفُسَكُمْ

“O you who believe! Do not consume one another’s wealth unjustly, but only through trade conducted by mutual consent. And do not kill yourselves. Indeed, Allah is ever Merciful to you.” (Qur’an 4:29)

In this verse, “al-tijārah” denotes a lawful commercial transaction based on the mutual agreement of the contracting parties.



Qatādah commented:

“People used to buy, sell, and engage in trade. However, whenever one of the obligations owed to Allah became due, neither commerce nor trade distracted them from the remembrance of Allah until they had fulfilled that obligation.”

This statement emphasizes the importance of balancing commercial activities with religious duties in Islamic teachings.

“Al-Mabī‘āt” (الأم ببيعات) – Goods Sold, Merchandise, Sales

The term “al-mabī‘āt” (الأم ببيعات) refers to commodities and merchandise of various types and categories that are offered for sale. Since commercial goods may differ in form and nature, the term is commonly used in the plural form. It includes goods that are sold by weight, by number, by measure, or by length.

In Uzbek, al-mabī‘āt may be translated as “tovarlar” (goods, merchandise) or, in certain contexts.

At this point, it is useful to distinguish between the terms al-taswīq (التسويق) and al-mabī‘āt (الأم ببيعات), which are closely related but conceptually different.

Al-Taswīq (التسويق) – Marketing

Al-taswīq, or marketing, refers to the set of techniques, strategies, and activities aimed at facilitating the delivery of products and services to consumers. In other words, marketing encompasses all actions undertaken by organizations and brands to ensure that their products and

services satisfy the needs and desires of consumers.

Marketing includes market research, product development, pricing strategies, promotion, advertising, branding, and distribution channels. Its primary objective is to create value for customers and stimulate demand for products or services.

In contrast, al-mabī‘āt (sales) focuses on the actual process of selling products and generating revenue through commercial transactions. Thus, marketing seeks to attract and persuade potential customers, whereas sales are concerned with converting those potential customers into actual buyers.

As for al-mabī‘āt (الأم ببيعات), the term may be understood as referring to goods or services that satisfy the needs and demands of consumers. In practice, marketing (al-taswīq) and sales (al-mabī‘āt) complement one another and constitute interconnected components of commercial activity.

Al-Shirā’ / Al-Ishtirā’ (الاشراء / الا شتراء) – Purchase, Buying

The term al-shirā’ (الاشراء) is a verbal noun derived from the third augmented form of the root sh-r-y. It denotes the act of acquiring goods in exchange for payment. In both classical and contemporary Arabic, the terms al-bay’ (sale) and al-shirā’ (purchase) are sometimes used synonymously in the general sense of exchange, regardless of whether the exchange involves property or other commodities. More specifically,



al-shirā' refers to the act of obtaining goods or services by paying a price.

Al-Ījāb (الإيـجاب) – Offer

The term al-ījāb (الإيـجاب) is the verbal noun of Form IV (awjaba – yūjibu) and lexically conveys the meanings of affirmation, confirmation, consent, or obligation. In Islamic legal terminology, al-ījāb refers to the initial declaration made by one of the contracting parties expressing the intention to conclude a sale or contract. It constitutes the offer that initiates the contractual process.

Al-Qabūl (الاقبول) – Acceptance

The term al-qabūl (الاقبول) is the verbal noun of Form I and lexically signifies acceptance, approval, agreement, or consent. In Islamic legal terminology, al-qabūl refers to the statement made by the other contracting party in response to the offer (ījāb), indicating acceptance of the proposed terms. Thus, it completes the formation of the contract.

The terms al-ījāb and al-qabūl occur frequently in various chapters of classical Islamic jurisprudence. In economic and commercial contexts, they are commonly translated into Uzbek as “taklif va aksept” (“offer and acceptance”).

The term acceptance (aksept) originates from Latin and is widely used in legal and commercial terminology. It refers to consent to pay a bill, settle an account, honor commercial documents, or guarantee payment for goods and services. More broadly, it denotes agreement to conclude a contract under the terms proposed by the offeror.

Accordingly, the combination of offer (ījāb) and acceptance (qabūl) forms the essential basis for the establishment of a valid contract in both Islamic jurisprudence and modern contract law.

Al-Arsh (الأرش) – Compensation, Price Adjustment, Indemnity

The term al-arsh (الأرش) lexically means “compensation,” “indemnity,” or “monetary adjustment.” In commercial transactions, it refers to the difference in value between a sound product and a defective one. For example, if a buyer purchases an item and subsequently discovers a defect, the buyer may either return the product and recover the full payment or retain it and receive al-arsh, that is, partial compensation corresponding to the defect.

During the medieval period, the term was also used to denote compensation or blood money paid for bodily injury. This meaning is illustrated in the following hadith:

Narrated by Anas ibn Mālik (may Allah be pleased with him): Al-Rubayyi', the daughter of al-Naḍr, broke the incisor tooth of a slave girl. The injured party demanded compensation and was asked to pardon the offender, but they refused. The case was then brought before the Prophet (peace be upon him), who ordered retaliation (qiṣās). Anas ibn al-Naḍr said: “O Messenger of Allah, will the tooth of al-Rubayyi' be broken? By Him Who sent you with the truth, her tooth will not be broken.” The Prophet replied: “O Anas, the decree of Allah is retaliation.” Thereafter, the injured party



accepted compensation and forgave the offender. The Prophet (peace be upon him) then said: “Among the servants of Allah are those who, if they swear by Allah, He fulfills their oath.”

Al-Nafīs (الذفیس) – Valuable, Precious

The term al-nafīs (الذفیس) lexically means “valuable,” “precious,” or “high-priced.” It is commonly used to describe precious metals, valuable raw materials, securities, luxury goods, and jewelry.

Al-Khasīs (الخدیس) – Cheap, Low-Value Goods

The term al-khasīs (الخدیس) literally means “inferior,” “low-grade,” or “cheap.” In commercial terminology, it refers to goods of relatively low value or low market price, such as common agricultural products and basic foodstuffs.

Al-Ṣubrah (الصدبرة) – Bulk Goods, Wholesale Quantity

The term al-ṣubrah (الصدبرة) lexically means “a heap,” “a pile,” or “a bulk quantity.” Terminologically, it refers to the purchase or sale of foodstuffs or similar commodities in bulk without measuring or weighing them individually.

This term is also mentioned in the Prophetic traditions. Jābir ibn ‘Abd Allāh (may Allah be pleased with them both) reported:

“The Messenger of Allah (peace be upon him) prohibited the sale of a heap of dates whose measured quantity was unknown in exchange for a specified measured quantity of dates.” (Reported by Muslim)

Al-Ghabn (الغبن) – Unfair Pricing, Commercial Deception

The term al-ghabn (الغبن) lexically denotes deception, fraud, unfair assessment, or manipulation in trade. In commercial practice, it refers to a significant disparity between the actual value of a commodity and the price at which it is bought or sold.

The concept may apply to both sellers and buyers:

- A seller commits ghabn by selling a commodity worth ten units for a substantially lower price, such as eight units.

- A buyer may likewise be subject to ghabn when purchasing a commodity worth eight units for ten units due to lack of information or deception.

Thus, al-ghabn refers to an inequitable commercial transaction resulting from misinformation or unfair pricing.

Al-‘Ayb (العيب) – Defect, Fault

The term al-‘ayb (العيب), plural ‘uyūb (عيوب), literally means “defect,” “fault,” or “imperfection.” In commercial law, it refers to a hidden or apparent defect in a commodity that diminishes its value or usefulness and which may not be noticed by the buyer at the time of delivery.

The existence of such a defect may entitle the buyer to rescind the sale or claim compensation.

Al-Jass (الجس) – Physical Inspection

The term al-jass (الجس) lexically means “touching,” “feeling,” or



“examining by hand.” In commercial contexts, it refers to the physical inspection of goods by touch in order to determine their quality, condition, or characteristics before purchase.

Al-Waḍī‘ah (ال و ض يعة) – Sale at a Loss

The term al-waḍī‘ah (ال و ض يعة) literally means “discount,” “price reduction,” or “loss.” In commercial terminology, it refers to the sale of a commodity at a price lower than its original purchase cost. In other words, the seller incurs a financial loss by selling the goods below their actual cost price.

Al-Tawliyah (ال تول ية) – Resale at Cost Price

The term al-tawliyah (ال تول ية) is a verbal noun derived from Form II of a defective verb. Lexically, it means “to appoint someone as a representative, manager, or trustee.” In commercial terminology, it refers to a transaction in which a seller transfers goods to a buyer at exactly the same price at which they were originally purchased, without adding any profit margin. In this situation, it is as if the buyer had appointed the seller as an agent to purchase the goods on his or her behalf.

Conclusion

In conclusion, this chapter has presented a lexical-semantic analysis of twenty simple commercial terms consisting of a single lexical unit. The roots, morphological patterns, and verbal forms of these terms were examined in detail. Multiple lexical meanings were identified and analyzed for each term.

The lexical meanings of the terms were established with reference to the Arabic-Uzbek dictionary An-Na‘īm, compiled by a team of authors, V. K. Baranov’s Arabic-Russian Dictionary, and the electronic Arabic explanatory dictionaries available on the Almaany platform. In several cases, examples from the Holy Qur’an were provided to clarify and illustrate the lexical meanings of particular terms.

To explain the terminological meanings of the selected terms, examples from the Prophetic traditions (Hadith) were employed, particularly in order to demonstrate the usage and development of commercial vocabulary among Arabs both before and after the advent of Islam. The Hadith literature constitutes a reliable source for understanding the social life of Arabs and provides valuable information concerning their customs, economic activities, and way of life.

The Arabic texts and translations of the hadiths cited in this thesis were taken from the eight-volume edition of *Oltin Silsila: Ṣaḥīḥ al-Bukhārī*, published by Hilol Nashr Publishing House.

The terminological analysis of the selected one-word commercial terms was based on a number of authoritative works in Islamic scholarship, including Burhān al-Dīn al-Marghīnānī’s *al-Hidāyah*, Maḥmūd ‘Abd al-Raḥmān Mun‘im’s *Mu‘jam al-Muṣṭalahāt wa al-Alfāz al-Fiqhiyyah*, ‘Alī ibn Muḥammad al-Jurjānī’s *al-Ta‘rīfāt*, Dr. Sulaymān al-Rāḥilī’s *Fiqh al-Mu‘āmalāt al-Māliyyah*, Mufti Muḥammad Taqī Usmani’s *An*



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