

Habs as Common Living Heritage: Beyond the Cash Waqf as Deep Financial Innovation

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Abstract: This conceptual exploration examines the deep meaning of *habs* as a common living heritage extending beyond mainstream financial interpretations that consider private waqf an innovation of Islam and cash waqf being the best innovation in private waqf. Through the conceptual-hermeneutic approach, *Rizq* (divine provision) precedes human notions of ownership and city organisation, with the first *habs* being *Bayt* (House of Allah) built by Ādam. This research highlights the spiritual relevance of the sacred milieu of Makkah and critiques modern economic concepts that prioritise material growth and individual ownership over the holistic understanding of life and divine provision inherent to the deep meaning of *habs*. Finally, this research advocates for a re-evaluation of how we perceive wealth, ownership and societal well-being considering *habs* as a dynamic, connected living system.

Keywords: cash waqf; economic life; financial innovation; *habs*; *rizq*.

1. Introduction

Contemporary literature states that the private waqf is an innovation of Islam¹; additionally, waqf *al-nuqūd* (cash waqf) is the best innovation in the private waqf² because it allows anyone to contribute to charitable activities without owning big assets.³ Meanwhile, the cash waqf is considered the seed that spawned Islamic banking,⁴ such as conceptualisation is in line with Mandaville’s view that the cash waqf represents

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¹ Monzer Kahf, *Al-Waqf Al-Islāmī [The Islamic Waqf]* (Beirut & Damascus: Dar al-Fikr al-Mu’asir & Dar al-Fikr, 2006), 9; Ahmad Jafar, Hafsa Ibrahim, and Rizwan Malik, “Waqf: From Classical Charitable System to Modern Financial Tool,” *International Journal of Ethics and Systems*, May 7, 2025, <https://doi.org/10.1108/IJOES-10-2024-0354>.

² Monzer Kahf and Amiirah Nabee Mohomed, “Cash Waqf: An Innovative Instrument of Personal Finance in Islamic Banking,” *Journal of Islamic Economics, Banking and Finance* 13, no. 3 (2017): 13–29. Hamdi Çilingir, “Repositioning Waqfs in the New Economic Order,” in *Institutional Islamic Economics and Finance* (London: Routledge, 2022), 41–49, <https://doi.org/10.4324/9781003227649-4>.

³ Muhammad Syafi’i Antonio, “Cash Waqf Dan Anggaran Pendidikan Umat [Cash Waqf and Community Education Budget]” (Republika, Indonesia, 2002), <https://www.ijbs.unimas.my/volume-11-20/volume-18-s1-2017/334-muslim-attitude-towards-participation-in-cash-waqf-antecedents-and-consequences>.

⁴ Mehmet Bulut, Bora Altay, and Cem Korkut, *The Evolution of Islamic Financial Industry from the Ottoman Cash Waqf to Modern Islamic Banks* (London: Palgrave Macmillan, 2024), <https://link.springer.com/book/10.1007/978-3-031-51318-3>.



a legal revolution without precedent in the Muslim world history.⁵ The underlying idea is that there is no life without an economy, no economy without finance, no finance without banking and no banking without money. Hence, the discourse on financial sustainability as a vital factor for *awqāf* prosperous future is growing. Therefore, '*waqf is one of the greatest financial acts of worship*'.⁶

The underlying vision of this conceptualisation is that the engine of life is efficiency through adaptation of the market, without considering resilience or the impacts induced on what is outside the market. Indeed, it encourages to reduce the number of actors and exclude relationships that take place outside the market. This epistemological position reflects the crisis faced by players in the financialisation of *awqāf*, who have lost touch with reality. We are in a new world of nihilism, denying the reality, but also of the desire for its dissolution by distinguishing among religious, philanthropic and private *waqf*—to highlight the last one.⁷

Realising that *waqf* hides more than it reveals, this research explore the origin of *ḥabs* initiating from the fact that the Prophet (PBUH) did not use the word *waqf* but *ḥabs*, knowing that (*he does not speak from his own desire*) Qur'an (53: 3). Thus, despite reasoning in the category of difference '*Islamic/Pre-Islamic*' to say that Islam's innovation in *waqf* is private *waqf*, my epistemological position is to explore the relationships between what is often in opposition. Epistemologically, this research approaching the subject in terms of '*what unites*' compared with the literature on cash *waqf* as a deep innovation, which is part of '*what opposes*'. This has the merit of showing that the relationship between *ḥabs* and *waqf* cannot be reduced to an exercise aimed at distinguishing between linguistic and conventional relevance.

⁵ Jon Elliott Mandaville, "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire," *International Journal of Middle East Studies* 10, no. 3 (1979): 289–308, <http://www.jstor.org/stable/162140>; Muhammad Muwaffaq Alarnaut, "Naḥwa Dawr Fā'il Li-Al-Awqāf Fi Ḥayāt Al-Mujtma'iyāh Al-Muslimah Al-Mu'āshirah" [Toward an Active Role of Awqāf in the Life of Contemporary Muslim Societies], *Journal of King Abdulaziz University: Islamic Economics* 31, no. 3 (2018): 43, <https://doi.org/10.4197/Islec.31-3.2>.

⁶ Saeed, *Mawsū'at Fatāwa Al-Waqf [The Encyclopedia of Fatawa' on Waqf]* (Riyadh: Publications of Saeed for Awqaf Development, 2025), <https://journals.iium.edu.my/intdiscourse/index.php/id/article/view/1263>. Eiman Ahmad Mohammad Khaleel Al Hashmi, "Waqf as a Financing Tool and Its Role in Achieving SDGs and Foreseeing the Future," in *Wealth Management and Investment in Islamic Settings* (Singapore: Springer Nature Singapore, 2022), 333–55, https://doi.org/10.1007/978-981-19-3686-9_19. Mazen El Khatib, "Waqf in Shariah: Basic Rules and Applications," in *Islamic Wealth Management* (Edward Elgar Publishing, 2017), <https://doi.org/10.4337/9781786439390.00027>.

⁷ Monzer Kahf, "The Role of Waqf in Improving the Ummah Welfare," in *Paper Presented to the International Seminar on Waqf as a Private Legal Body, Organized by the Islamic University of North Sumatra, Medan, Indonesia 6-7 January* (Medan, Indonesia, 2003), 3–4. Muhammad Ayub, Khurram Khan, and Muhammad Ismail, *Waqf in Islamic Economics and Finance* (London: Routledge, 2024), <https://doi.org/10.4324/9781003477549>. Syadiyah Abdul Shukor et al., "Waqif Satisfaction: Antecedents and Consequences," *Advanced Science Letters* 23, no. 5 (May 1, 2017): 4852–55, <https://doi.org/10.1166/asl.2017.8926>.

2. Methods

This study applies a conceptual approach to explore the deep meaning of *ḥabs*, beyond its conventional meaning as a practice of *waqf* or an economic concept. This study is text-centred in its analysis of the central Islamic texts, the *Qur'an* and *aḥādīth*, in tandem considering the application of historical and philosophical analyses to the role of *ḥabs* as part of spiritual, social and cosmological systems. The epistemological basis of the inquiry is genealogical, following the pedigree of *ḥabs* from the founding of the *Bayt* (sacred house) by Ādam, its rebuilding by Ibrāhīm and Ismā'īl, to modern-day interpretations.

This study is relevant in the Quadriptych of *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh* and *al-Umrān*, contextualising *ḥabs* in a related paradigm of divine provision, human life and societal development. Rather than imagining *ḥabs* as a contractual, economic or institutional phenomenon, this study understands it as a dynamic phenomenon placed within a holy context. This holistic and meaningful approach allows *ḥabs* to be reassessed not as a de-contextualised legal phenomenon but a vital, inter-relational aspect of a life sanctioned by the divine.

3. Results and Discussion

3.1.1 The study of *ḥabs* is not a simple academic exercise to distinguish between linguistic and conventional relevance

Habs has rarely been explored as a living heritage, requiring a holistic approach that considers the entirety rather than fragmentation. The main reason for this deficiency is that the word *ḥabs* is perceived as a synonym to *waqf*, according to the majority of *fuqahā* (Muslim jurists).⁸ Moreover, the inhabitants of the *Maghreb* and *Mashreq* use the words *ḥabs* and *waqf*, respectively. This dichotomous reading, based on binary divisions, should be reviewed in its very conception. Reading volume seven of the *al-Mi'yār al-Mughrib* (The clear measure and the extraordinary collection of the judicial opinions of the scholars of *Ifriqiyā*, al-Andalus and the Maghrib) by al-Wansharissī (1431-1508) would be enough.

The word *ḥabs* has various meanings, of which *waqf* is only one. Therefore, I reflect on why the Prophet Peace be upon Him (PBUH) sometimes used neither *ḥabs* nor *waqf* (Tables 1 and 2) and other times used *ḥabs* but not *waqf* (Table 3).

⁸ Norbert Oberauer, "Early Doctrines on Waqf Revisited: The Evolution of Islamic Endowment Law in the 2nd Century AH," *Islamic Law and Society* 20, no. 1–2 (2013): 1–47, <https://doi.org/10.1163/15685195-0001A0001>.

Table 1. *Aḥādīth* on *ḥabs* in general

Original Arabic	English Translation	Sources
إِذَا مَاتَ ابْنُ آدَمَ انْقَطَعَ عَنْهُ عَمَلُهُ إِلَّا مِنْ ثَلَاثٍ: صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ	When a man dies, all his good deeds come to an end, except ongoing charity, beneficial knowledge and a righteous son who prays for him.	Muslim (1631)
إِنَّ مِمَّا يَلْحَقُ الْمُؤْمِنَ مِنْ عَمَلِهِ وَحَسَنَاتِهِ بَعْدَ مَوْتِهِ: عِلْمًا عَلَّمَهُ وَنَشَرَهُ وَوَلَدًا صَالِحًا تَرَكَهُ وَمُصْحَفًا وَرَّثَهُ أَوْ مَسْجِدًا بَنَاهُ أَوْ بَيْتًا لَابِنِ السَّبِيلِ بَنَاهُ أَوْ نَهْرًا أَجْرَاهُ أَوْ صَدَقَةً أَخْرَجَهَا مِنْ مَالِهِ فِي صِحَّتِهِ وَحَيَاتِهِ يَلْحَقُهُ مِنْ بَعْدِ مَوْتِهِ	The rewards of good deeds that reach a believer after his death are knowledge that he taught and spread, a righteous son whom he leaves behind, a copy of the Qur'ān that he leaves as a legacy; a mosque that he built, a house that he built for wayfarers, a canal that he dug and/or charity that he gave during his lifetime when he was in good health. These deeds will reach him after his death.	Saḥīḥ Ibn Māja (200)
فَاخْبِسْ أَضْلَهَا وَسَبِّلِ الثَّمَرَةَ	Therefore, keep its assets and make its fruits available.	Saḥīḥ al-Nassāi (3606)

Source: Authors' compilation

Table 2. Implicit *aḥādīth* on *ḥabs*

Original Arabic	English Translation	Sources
فَاجْعَلُهُ فِي الْأَقْرَبِينَ	So make the garden among your close ones.	Al-Bukhārī (2758), Muslim (998)
فَإِنِّي أَشْهَدُكَ أَنَّ حَاطِي الْمِخْرَافَ صَدَقْتُ عَنْهَا	I make you a witness that I gave my garden called al-Makhraf in charity on her behalf.	Al-Bukhārī (2756)
يَا بَنِي النَّجَّارِ ثَامِنُونِي بِحَابِطِكُمْ هَذَا قَالُوا لَا وَاللَّهِ لَا تَطْلُبُ ثَمَنَهُ إِلَّا إِلَى اللَّهِ	Therefore, keep its assets and make its fruits available.	Al-Bukhārī (2771)

Source: Authors' compilation.

Table 3. Explicit *aḥādīth* on *ḥabs*

Original Arabic	English Translation	Sources
إِنْ شِئْتَ حَبَسْتَ أَضْلَهَا وَتَصَدَّقْتَ بِهَا	If you want, you can keep the asset and give its fruit in charity.	Al-Bukhārī (2772), Muslim (1632), Saḥīḥ Ibn Māja (1955)
اخْبِسْ أَضْلَهَا وَسَبِّلِ ثَمَرَتَهَا	Keep the asset and make its fruit available.	Saḥīḥ Ibn Māja (1956), Saḥīḥ Ibn Hibbān (4899), Saḥīḥ al-Jāmi' (181)
فَاخْبِسْ أَضْلَهَا وَسَبِّلِ الثَّمَرَةَ	Therefore, keep its assets and make its fruits available.	Saḥīḥ al-Nassāi (3606),

Source: Author's compilation

If we refer to the *Bayt*, the first *ḥabs* in the history of humanity⁹, built by Ādam¹⁰ and rebuild by Ibrāhīm and his son Ismā‘īl¹¹, over 5,000 years ago, we can understand the meaning of the statement ‘*Zuerst kam der Tempel, dann die Stadt*’ from the German archaeologist Klaus Schmidt¹², which means that first came the temple, then the city, following the discovery of Göbekli Tepe, a 12,000-year-old archaeological site in southern–eastern Turkey, which was inscribed on the UNESCO World Heritage List on 1 July 2018.

The meaning of *ḥabs* is difficult to define in English or another contemporary language because it refers to which cannot be controlled, exploited, dominated or monopolised by a person, family, tribe, community, population, society, and/or public *authority*, considering that it is a *Rizq* of Allah (divine provision), intended for the benefit of all creatures. It is not about shifting from individual ownership to that of the common or public good, not about just giving charity and sharing resources, or about simply knowing that God is the most exalted of the owner, as opposed to individual ownership¹³, but what in the collective memory as the provision of Allah. We often forget that there was the *Rizq* of Allah (divine provision) in the beginning, before individual, common, and public ownership.¹⁴

3.1.2 In the beginning, the divine provision existed before the common, individual and public ownership

Originally, things were given to living beings as *Rizq* (provision), in accordance with the Word of Allah: ‘*There is no moving creature on Earth whose provision is not guaranteed by Allah*’ Qur’ān (11: 6). Allah’s provision precedes common, individual and public ownership. For humans, Allah provides the *Rizq* to fulfil the rights of Allah and the creatures. Therefore, Allah says in the Hadith *qudsi*: ‘*We have sent down al-Māl* [which is beneficial, that is, the *Rizq*] *to establish the ṣalāt and acquit the zakāt*’¹⁵. In his book ‘*Uddat*

⁹ Abderrazak Belabes, “The Forgotten History of the Waqf: The Ka’aba,” *Islamic History and Literature* 2, no. 3 (September 30, 2024): 137–49, <https://doi.org/10.62476/ihl23137>.

¹⁰ Ibn Hajar Al-‘Asqalānī and Aḥmad, *Fath Al-Bārī Sharh Saḥīḥ Al-Bukhārī* [Victory of the Creator Commentary on a Collection of Authentic Aḥādīth Compiled by Al-Bukhārī] (Beirut: Dar Jutub al-Ilmiya, 2021). vol. 7, 47.

¹¹ Ibn Kathīr and Ismā‘īl, *Al-Bidāyah Wa Al-Nihāyah* [The Beginning and the End] (Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1988). vol. 1, 188.

¹² Karl Schmidt, “Zuerst Kam Der Tempel, Dann Die Stadt, Vorläufiger Bericht Zu Den Grabungen Am Göbekli Tepe Und Am Gürcütepe 1995–1999,” *Istanbul Mitteilungen* 50 (2000): 5–41, <https://pascal-francis.inist.fr/vibad/index.php?action=getRecordDetail&idt=14210956>.

¹³ Ibn Ḥazm and Muḥammad, *Al-Muḥalla’ Bi-Al-Athār* [The Adorned Treatise] (Cairo: Maktabat Dar al-Turath, 2005). vol. 6, 228.

¹⁴ Muḥammad Bakhīt Al-Mutī‘ī, *Nizām Al-Waqf Wa Al-Istidlāl ‘alayh* [The Waqf System and Evidence for It] (Kuwait: Majalat al-Wa’y al-Islami, 2013). 37

¹⁵ *Ḥadīth* narrated by Aḥmad (*ḥadīth* no. 219), by al-Tabarānī in *al-Kabīr* (*ḥadīth* no. 3300) and *al-Awsat* (*ḥadīth* no. 2467), Al-Bayhaqī in *Shu’ab al-Imān* (*ḥadīth* no. 10277), and others. The *ḥadīth* was authenticated by al-Albani in *Saḥīth al-Jāmi’* (*ḥadīth* no. 1781) and *al-Silsilah al-Saḥīḥah* (*ḥadīth* no. 1639).

al-Ṣābirīn wa Zakhīrat al-Shākirīn, Ibn al-Qayim explains that the word 'to perform the *zalat*' refers to the right of Allah and that of 'to acquit the *zakāt*' refers to the right of the creatures.¹⁶

When God decided to create Ādam PBUH, he informed the angels, who at first reacted with astonishment. The *khilāfah* (stewardship) on Earth is a high position, requiring special aptitude, as the Word of Allah testifies:

[Remember] when your Lord said to the angels, 'I am going to place a successive [human] authority on Earth'. They asked [Allah], 'Will You place in it someone who will spread corruption there and shed blood while we glorify Your praises and proclaim Your holiness?' Allah responded: 'I know what you do not know' Qur'ān (2: 30).

The reason for the angels' concern could be the troubles caused by the jinn on Earth, but their obedience to the divine order was absolute. Allah had chosen Ādam PBUH and his descendants as caliphs on Earth, among whom would be (*the prophets, people of truth, martyrs and righteous—what honourable company*) Qur'ān (4: 69).

Allah created Ādam PBUH from the Earth and breathed his spirit in him. Then, He taught them names of all things and presented them to the angels, asking them to name them if they knew. The angels acknowledged the superiority of Ādam and the wisdom of Allah as attested in the Word of Allah:

He taught Adam the names of all things and then He presented them to the angels and said: 'Tell Me the names of these, if what you say is true?' They replied: 'Glory be to You! We have no knowledge except for what you taught us. You are truly the All-Knowing, All-Wise'. Allah said: 'O Adam! Inform them of their names'. When Adam did, Allah said, 'Did I not tell you that I know the secrets of the heavens and the Earth, and I know what you reveal and what you conceal?' Qur'ān (2: 31-33).

The narration of God teaches that Ādam PBUH and his wife, Ḥawa (Eve), lived in a garden in Paradise, where Allah permitted them to eat all the fruits, except one, lest they would be considered wrongdoers. Divine wisdom dictates that Allah created Ḥawa from Ādam's body part, as stated in *aḥādīth* of the Prophet ṛ: '*The woman was created from a rib*'¹⁷, '*they [that is, women] were created from a rib*'.¹⁸

¹⁶ Muḥammad Ibn Qayyim Al-Jawziyyah, *Uddat Al-Ṣābirīn Wa Zakhīrat Al-Shākirīn [The Provisions of the Patient and the Ammunition of the Grateful]*. (Makkah: Dar Alam al-Fawa'id, 2009). 314

¹⁷ *Ḥadīth* narrated by Ahmad (*ḥadīth* no. 20093) with his wording, by Ibn Hibban (*ḥadīth* no. 4518), and Al-Hakim (*ḥadīth* no. 7333) with a similar wording. The *ḥadīth* was authenticated by al-Albani in *Saḥīḥ al-Jamī'* (*ḥadīth* no. 1944).

¹⁸ *Ḥadīth* Narrated by al-Bukhari (*ḥadīth* no 5185, and no. 5186) and Muslim (*ḥadīth* no 47, and no. 1468).

The Qur'ān and Sunnah do not provide details on this subject; however, it is mentioned that Allah created Ḥawa as Ādam's wife so that they could live together on Earth and have descendants to perpetuate the worship of Him alone, without partner and that their Provision is at His expense, as His Word testifies:

And I have not created the jinn and the men, except that they should serve Me. I do not desire from them any sustenance and I do not desire that they should feed Me. Surely Allah is the Provider, the Lord of Power, the Strong. Qur'ān (51: 56-58)

The human, family and the collective need God to live and He does not need them. They need to trust the Provider, not the provision.

Creating Ḥawa was an act of divine mercy for Ādam so that he would not be alone on Earth. This testifies that originally, humans lived in families and did not sanctify as the essence and measure of all things. This divine story, found in monotheistic religions, has the merit of shedding light on the limits of the mainstream contemporary representation of private ownership, assuming the existence of an individual supposedly detached from the family, collective and social relationships. This is evidenced by Margaret Thatcher in an interview dated 23 September 1987: '*There is no such thing*'¹⁹ [as society]. In other words, a society comprises individuals who compose it. The same is true for the wealth of a nation, which is only the simple sum of the individual ownerships that compose it.

In any case, Ādam PBUH limited himself to de facto use of the provisions of the Earth made available by Allah, without pretending to hold any right of ownership or any use implying rights. This is how he received the order from Allah to build the sacred house, which is the first place of worship and *ḥabs* on Earth, as the Word of Allah testifies: *ḤVerily, the first House [of worship] appointed for mankind was that at Bakkah [Makkah], full of blessing and a guidance for al-'Alāmīn [the mankind and jinns]'* Qur'ān (3: 96). To better understand the importance of the meaning of *ḥabs*, it is appropriate to recall the emigration of Hājar and Ismā'īl from Palestine to Makkah.

3.2 Emigration of Hājar and Ismā'īl from Palestine to Makkah

Considering Allah, Ibrāhīm took Hājar and their son Ismā'īl to the place of the sacred house under a tree. There were no inhabitant and water. Ibrāhīm left them with a bag full of dates and a waterskin. Hājar began to breastfeed her baby. She drank until the waterskin was empty. Next, she became thirsty and had no more milk. Further, Ismā'īl started crying so loudly that she climbed al-Safā, the rocky hill nearest to her, to see if anyone could help her with some water. After knowing that there was no

¹⁹ Margaret Thatcher, "Interview for Woman's Own ('no Such Thing [as Society]')," September 23, 1987, <https://www.margaretthatcher.org/document/106689>.

one, she crossed the valley and climbed above the rocky hill of al-Marwa to see again if anyone could rescue her with water.

She repeated coming and going seven times until she heard a voice in which she begged to help her by providing her water. At that moment, angel Jibrīl appeared at the place where the well of Zamzam was located. The ground hit him with his heel, and the water gushed out immediately. Hājar drank a cup of coffee and then had breastfed her son Ismā'il. Notably, the angel told her that she had nothing to fear because that place will be the House of God, which will be rebuilt by this child and his father. Allah, the most gracious and most merciful, is benevolent towards His servants, showing how closely Zamzam is linked to the sacred house. The meaning of this connection is yet to be determined.

Hājar remained thus until one day when a tribe of Jurhum camped in the lower part of Makkah, where there was a source of water. When the well had dried up, the tribe sent scouts to look for another source of water. When they passed near the place where Hājar and her son lived, they saw a bird hovering, knowing that it could only behave like this around a spring of water. Now, they wondered if, in all the time that they had visited this valley, there had never been water. After seeing the presence of water, the scouts announced good news to their tribe. The whole tribe then went to the place to ask Hājar if she would allow them to camp near her and her son. Yes, she replied, but you will have no right to the water. It is understood, they replied.

One day Ibrāhīm came to Makkah, where he found Ismā'il cutting arrows in the shade of a tree. He was told by Allah that he had been ordered to rebuild the sacred house. They began to build it on the foundations of Ādam after it was destroyed by the flood of Nuh. According to 'Abdullah Ibn Abbās, the house was built without human or financial support,²⁰ showing the close connection between the Zamzam and the sacred house in the sense that in both cases it is intended beneficial for all and should not be delivered to capture, grabbing and monopole.

The interest in this story, taken from a *ḥadīth* of al-Bukhārī which constitutes one of the important texts for founding the *ḥabs* as a multidimensional living heritage, is to shed light on a Quadriptych comprising four major meanings (Figure 1). Allah is al-Razzāq (The Great Provider). *Ḥabs* refers to that which comes from Allah and cannot be exploited for the sake of an individual, tribe or nation. *Ma 'āsh* refers to the world we live from. *'Umrān* refers to the world we live in.²¹

²⁰ Muḥammad Al-Azraqī, "Akḥbār Makkah Wa Ma Jā'a Fiha Min Athār" (Makkah: Maktabat al-Asadi, 2012), Vol. 1, 111.

²¹ Abderrazak Belabes, *Al-Farāhīdī's Notion of Ma 'āsh Associating 'What We Live from' and 'What We Live in.'* In *Economic Life beyond Economics, Economic Life beyond Economics* (London: Routledge, 2024), <https://doi.org/10.4324/9781003287063>.

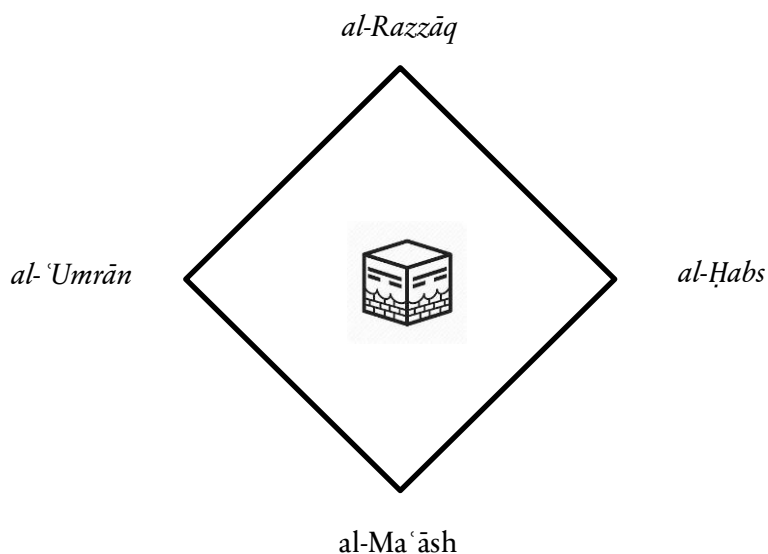


Figure 1. Quadriptych of *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh*, *al-'Umrān*

Source: Authors' designs

The question is what does not change in this Quadriptych of *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh* *al-'Umrān*.²² Most people are concerned about what changes are occurring under the pretext that the world will change; therefore, it is imperative to adapt. This classic reading is not interesting concerning long-term analysis. Fashion spoils the most authentic about the perception of life. Basically, what matters most in life is what does not change when everything seems to change.

3.3 What does not change when everything changes?

To illustrate what does not change when everything else does, a photograph of Makkah taken from the International Space Station (Image 1) will provide clarity. The advantage of reading this map by meaning is that it reveals fundamental differences that are not perceptible in other forms of communication. There is no need to compare this current aerial photo with an old one. It is not a matter of quantifying, but of exploring what cannot be captured by advanced quantitative methods. Methods change but their interpretations do not. It is then a question of connecting things that cannot be connected quantitatively through mathematical conceptualism, assimilating numbers to things. However, statistics exist neither in an absolute way nor before things and are not their essence.

²² Abderrazak Belabes, "The Quadriptych of Rizq, Ḥabs, Ma'āsh, and 'Umrān," *Invest Journal of Sharia & Economic Law* 5, no. 1 (May 11, 2025): 90–108, <https://doi.org/10.21154/invest.v5i1.10404>.



Image 1. Photo of Makkah taken from the International Space Station

Source: The American astronaut Scott Kelly posted this photo taken from the International Space Station on Twitter on 23 September 2015 with the caption: 'Good Morning to the Holy City of Mecca', photo taken on June 19, 2015, <https://www.flickr.com/photos/nasa2explore/>

Interpreting the map allows us to distinguish what remains the same—*al-Razzāq*, *al-Ḥabs*, *al-Ḥaram*—from what has changed—*al-Ma'āsh* and *al-'Umrān* (Table 4). Even after technological transformation and globalisation, there exists a space, a sacred milieu, that connects us deeply to the world of *ḥabs*.

Table 4. Amid what remains the same and what has changed

What remains the same	What has changed
<i>al-Razzāq</i>	<i>al-Ma'āsh</i>
<i>al-Ḥabs</i>	<i>al-'Umrān</i>
<i>al-Ḥaram</i>	

Source: Authors' designs

Notably, the value of a thing depends on the milieu where it is considered. Herein, it is the *Ḥaram* of Makkah, that is, the milieu (*umwelt*. *fūdo* 風土) which is sacred (Figure 2).

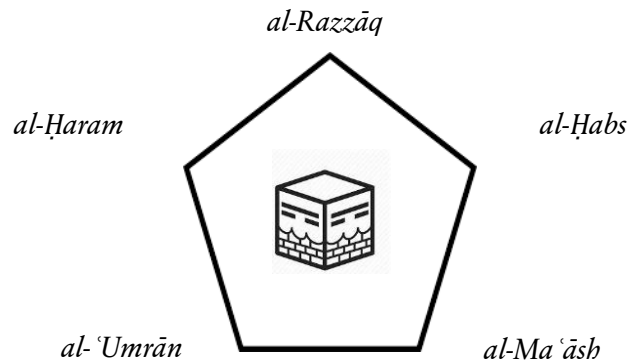


Figure 2. Pentagon *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh*, *al-'Umrān*, *al-Ḥaram*

Source: Authors' designs

The boundaries of the Ḥaram of Makkah define a sacred area where believers approach Allah, purify themselves spiritually and remember his teachings. These boundaries symbolise the sanctity of the place and remind the importance of respect, devotion and piety for those who enter it. The Ḥaram as a sacred milieu has deep spiritual significance for Muslims. Here are some of the spiritual meanings associated with this sacred milieu:

1. Exclusivity of the sacred Milieu: Ḥaram is an area exclusively dedicated to the worship of Allah. Believers enter it with the intention of devotion and spiritual purification.
2. Proximity to the sacred house: Being within the boundaries of the Ḥaram means that the believer is physically closer to the House of Allah, or Ka'aba. This symbolises spiritual closeness to the Creator.
3. Purity and sanctification: Ḥaram is a place of purity and sanctification. Sins and inappropriate behaviour are strictly prohibited in this area. Believers should display respect and pious manners within these sacred boundaries.
4. Respect for historical heritage: Makkah has a rich religious history, especially regarding Prophets Ādam, Ibrāhīm, Ismā'īl and Muḥammad (PBUH) and Hājar. The boundaries of the Ḥaram represent a reminder of the respect for this sacred history and these prophets.
5. Unity of the community of believers: Ḥaram brings together global believers who have submitted to Allah to worship Him without associating with Him any partner, regardless of their race, ethnicity, skin colour, appearance, nationality, language, education, social status and/or bank account. This strengthens the feeling of unity within the community of believers.

These spiritual meanings draw attention to the fact that *ḥabs* is not a concept, but a unique representation or definition and is opposed to something—which in this case is private property. However, the conceptualisation is locked into a difficult-to-escape binary logic. *ḥabs* is part of a system, that is, a set of elements serving as a reference to broaden and deepen the reading by meaning. Hence, the importance of the *Gestalt theory* (theory of forms) to illustrate the systemic character of *ḥabs*.

3.4 *ḥabs* as a living being part of a whole and not a concept

The idea of the theory of form is that we must consider the perception of a thing as a whole rather than partial perceptions. Fundamentally, the whole is much more than the sum of its parts; this challenges the traditional understanding of perception stemming from Cartesian rationalism, which states that the whole is not more than the sum of its parts. This is the logic with which modern science begins through a mechanism.

The idea of the theory of form is illustrated by the immediate extraction of a figure. Image 2 shows horses as parts of a whole. Then, detecting the landscape before the arrival of the horses that camouflage it in some way is concerning. The concepts of individual ownership, assets, money, *waqf*, endowment, trust and foundation conceal *ḥabs* as a whole. Therefore, they hide more than they reveal. The meaning *ḥabs* could, in turn, play this role of dissimulation if not taken as part of a whole, as indicated by the pentagon *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh*, *al-'Umrān*, *al-Ḥaram*.



Image 2. Sum of horses does not form the landscape

Source: © Bev Doolittle, according to.²³

The theory of form can show that human perception of the world is complex and nuanced. Rather than collectively treating visual data as individual elements, our brain organises these elements into coherent and meaningful structures. *Ḥabs* is neither the opposite of the individual property nor a synonym for *waqf* or another name for a common property. A living being feeds on some things and nourishes others. It then appears, one of the secrets inherent in the fact of building and rebuilding the sacred house with stones, respectively, by Ādam and Ibrāhīm and his son Ismā'īl.²⁴

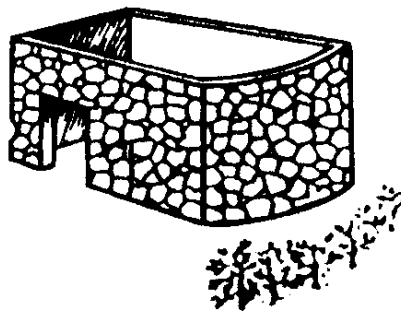


Figure 3. Rebuilding the Bayt Ibrāhīm and Ismā'īl

Source: Author's own

²³ Jean-Paul Delahaye, "En Mathématiques, Le Tout Est-Il Vraiment plus Que La Somme de Ses Parties?," *Pour La Science* 477, no. 28 June (2017), <https://www.pourlascience.fr/sr/logique-calcul/en-mathematiques-le-tout-est-il-vraiment-plus-que-la-somme-de-ses-parties-9716.php>.

²⁴ Belabes, "The Forgotten History of the Waqf: The Ka'aba."

Stones are living beings. The hadith of the Prophet PBUH even alludes to some possessing the ability to speak: *'I know a stone in Mecca that greeted Me before I was sent. I know it now'*.²⁵ There is nothing strange in this; God has mentioned what supports this through His saying about the stones: *(And indeed, among them are those who prostrate themselves in fear of Allah)* Qur'ān (3: 74) and His saying: *(And there is not a thing but glorifies Him with praise, but you do not understand their glorification)* Qur'ān (17: 44).

This reveals the limits of the conceptualisation of *ḥabs* as a gift contract, cumulative capital for society, a tool of Islamic social finance and a lever for the development of social and solidarity economy structures. Such conceptualisations are based on the idea that *ḥabs* are based on individual ownership. *Ḥabs* are about the collective benefit that could be achieved through different forms of organisation of God's provisions. What matters is aligning actions with values. Small steps taken with caution can lead to positive changes. Notably, besides *al-ḥajar al-aswad* (black stone) *'came down from Paradise whiter than milk, but the sins of the children of Adam turned it black'*²⁶, that the stones of the sacred house were just ordinary rocks transformed by a shared purpose and a deep reverence for the divine.

What is saddening about these conceptualisations is that beautiful minds equate *ḥabs* with a gift emanating from individual ownership whose usufruct is intended for social utility without defining what they mean by individual ownership. This epistemological position reinforces the proprietary ideology, market system and financialisation of life, which paradoxically justify inequality,²⁷ whereas *ḥabs* must ensure needs that do not lead to inequality.

Therefore, *ḥabs* protect society from the debt trap embedded in ex nihilo monetary creation, which is based on commercial bank loans with interest.²⁸ This shows the criticality of approaching *ribā*, through reading by meaning, as a dynamic system beyond the purely technical dual juristic approach, which is limited to a distorted mirror conceptualisation, that is, the profit and loss sharing principle as opposed to the interest rate.²⁹ Such an approach induces a self-destructive entropic system and reveals the superficial nature of what is called Islamic financial engineering.³⁰

²⁵ *Ḥadīth* Narrated by Muslim (*ḥadīth* no. 2277).

²⁶ *Ḥadīth* Narrated by al-Tirmīdhī (*ḥadīth* no. 877) and the wording is his, and by Aḥmad (*ḥadīth* no. 2795). The *ḥadīth* was authenticated by al-Albani in *Saḥīḥ al-Tirmīdhī* (*ḥadīth* no. 877).

²⁷ Thomas Piketty, *Capital and Ideology* (Cambridge, Massachusetts: Harvard University Press, 2020).

²⁸ Abderrazak Belabes, "Conceptualizing Money Creation as a *Ḥabs* in Debt Market," *Journal of Islamic Economics Lariba* 10, no. 2 (December 29, 2024): 839–54, <https://doi.org/10.20885/jielariba.vol10.iss2.art11>.

²⁹ Abderrazak Belabes, "Islamic Finance, Artificial Intelligence, and the Debt Embedded in the Ex Nihilo Monetary Creation System," *International Journal of Multidisciplinary Research and Analysis* 08, no. 02 (February 11, 2025): 485–91, <https://doi.org/10.47191/ijmra/v8-i02-08>.

³⁰ Abderrazak Belabes, "Features and Characteristics of the Writings on Islamic Financial Engineering in English and French," *Journal of Humanities and Social Studies*, no. 55 (in Arabic) (2020): 281–320.

Nonetheless, the matter does not end there; such an epistemological posture often leads to rejecting the fact that the sacred house is a *ḥabs* under the pretext that no contract stipulates that the sacred house was built as a *ḥabs*. However, as anthropologist Maurice Godelier noted in the end of his book *Aux origines des sociétés humaines* (At the foundations of human societies), society was not born from a contract between individuals. There are always things in human relations that escape the contract, are non-negotiable and are beyond reciprocity. Thus, beliefs, sentiments, emotions, feelings, sensibilities and sensations hold a place in social relations.³¹

3.5 Exploring the meanings of *ḥabs* beyond the conceptualisations concerning contracts, exchange and gifts

In criticising Claude Lévi-Strauss's theory of exchange as the sole foundation of society,³² Maurice Godelier insists on the fact that beyond the sphere of exchange, there are other domains, another sphere made up of everything that humans imagine must be removed from exchange, reciprocity and rivalry and conserved, preserved or even enriched.³³ In fact, in light of the genealogy of *ḥabs* starting with the construction of the sacred house by Ādam, originally, there was no need to exchange because humans were satisfied with the provision of God granted to him and did not greedily desire that granted to others.

This genealogy of *ḥabs* reveals the importance of the mimetic theory developed by Rene Girard, according to which all desire is the imitation of the desire of another. To imitate the desires of another person is to want to be like them or take their place. The interest of the mimetic theory is to reveal the existence of a triangle of desire. The subject does not desire autonomously; they do not go in a straight line to the desirable object because between them and the object, there is another; such that what they desires is what others' desire.³⁴

Through her statement '*you have no right to the water*'³⁵, Hājar neutralises potential mimetic desire that could animate some members of the *Jurhum* tribe by attesting through meaning that Zamzam is *ḥabs*. It is as if she were telling them: If you want to take my place, water is a provision of God for the benefit of all'. The water of Zamzam sprang forth in the desert through the angel Jibrīl by the order of Allah. In that case, it is

³¹ Maurice Godelier, *Aux Fondements Des Sociétés Humaines [At the Foundations of Human Societies]* (Paris: Albin Michel, 2007).

³² Claude Lévi-Strauss, "La Politique Étrangère d'une Société Primitive," *Politique Étrangère* 14, no. 2 (1949): 139–152, <https://sciencespo.hal.science/hal-01022579v1>.

³³ Maurice Godelier, *L'énigme Du Don [The Enigma of the Gift]* (Paris: Flammarion, 1996), 53.

³⁴ René Girard, *Mensonge Romantique et Vérité Romanesque [Romantic Lie and Novelistic Truth]* (Paris: Grasset, 1961).

³⁵ *Ḥadīth* Narrated by al-Bukhārī (*ḥadīth* no. 3364).

under Allah's protection; whoever tries to seize it will run to his loss, as was the case with Abraha (Ge'ez: አብርሃ), the Abyssinian who wanted to destroy the House of God.³⁶



Figure 4. *Hajar's neutralisation of Jurhum's potential mimetic desire*

Source: Author's own

Meanwhile, there is interdependence and relative autonomy between the sphere of the alienable (which can be transferred from one owner to another) and that of the inalienable (which cannot be transferred, neither free of charge nor for a fee or encumbered with real rights), also in addition to an insurmountable limit in between, which can be the object of a gift (and counter-gift as compensation); on the contrary, it must be preserved to be transmitted for everyone's benefit, as is the case with *ḥabs*. Thus, *ḥabs* appear as an object not explicitly designated by Hajar. This unnamed object refers to the source of provision, that is, Allah, the Ultimate Provider.

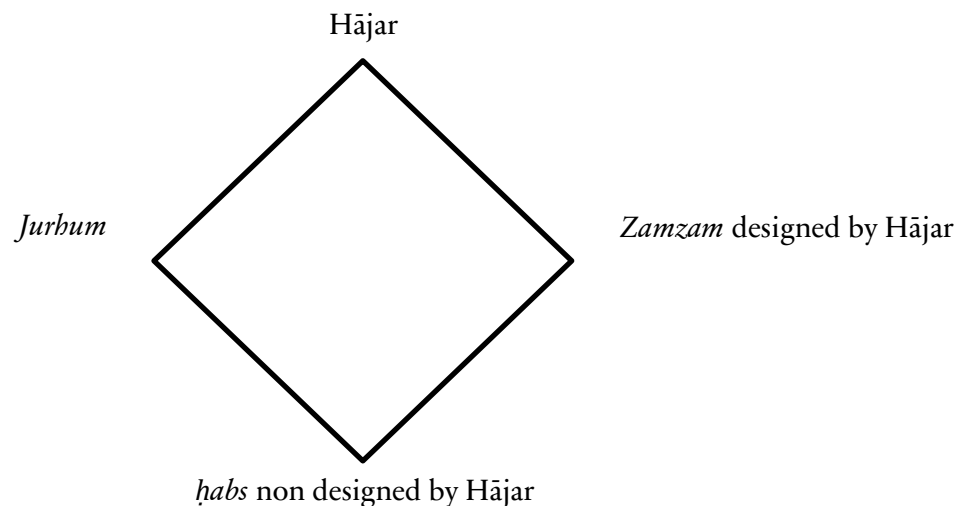


Figure 5. *Habs represent a neutral object that was not explicitly designated by Hajar*

Source: Author's own

³⁶ As related in the Qur'ān in Surah *al-Fil* (The Elephant, no. 51).

Therefore, to transmit also means *al-Tasadduq*³⁷ (literally, to give; in fact, to give voluntary alms for the sake of God without expectation of compensation), according to modalities different from those regulating the sphere of what can be exchanged. This reveals the limits of Marcel Mauss's theory of 'gift/counter-gift',³⁸ which is a social contract based on reciprocity. However, the 'gift/counter-gift' scheme was designed on an economic logic to counteract the principle of exchange based on the maximisation of profit. However, as Ursula Le Guin writes in her novel *The Left Hand of Darkness*: 'To oppose something is to maintain it'.³⁹

Considerably, those who speak of private *waqf* as a purely Islamic innovation think they are distinguishing the society of the Prophet PBUH from those who preceded it, and people who claim to be part of it today accordingly.⁴⁰ They do not realise that through the binary conception of 'Muslim/non-Muslim', their mind is structured by mimetic rivalry. Ultimately, the apparent opposition to western economics leads to the assimilation of the *waqf* into foundation, endowment, trust or a financial instrument, in one way or another. On the surface, the financialised *waqf* products rely on a different set of values, but in fact, what drives these instruments is not difference but paradoxically a desire for resemblance because global economic laws would encompass all Islamic and non-Islamic social systems.⁴¹

4. Conclusion

Concepts hide more than they show. Therefore, exploring authentic worlds, such as that of *ḥabs*, which are not intoxicated by conceptualisation is necessary. Hence, the importance of distinguishing *ḥabs* from *waqf* in the sense that *waqf* is a conceptualised *ḥabs*, that is, reduced to a frozen representation assimilating it to a gift contract, an instrument of social and solidarity economy, a tool of Islamic social finance or a cumulative capital for society. In addition to building something with stones; it acknowledges where we come from. It is about trusting the Provider in addition to focusing on the provision. *Habs* is not a concept, but refers to living things created by Allah. It is a way of being deeply connected—as *mustakhlafūn* (stewards)—with Allah's provisions. The world of *ḥabs* can serve as inspiration for building a better world

³⁷ *Ḥadīth* Narrated by al-Bukhari (*ḥadīth* no. 2737) and Muslim (*ḥadīth* no. 1632).

³⁸ Marcel Mauss, *The Gift The Form and Reason for Exchange in Archaic Societies* (London: Routledge, 2024), <https://doi.org/10.4324/9781003572350>.

³⁹ Le Guin and Ursula K, *The Left Hand of Darkness* (New York: Granada, 1969), 32.

⁴⁰ Abderrazak Belabes, "The Methodological Paradox in the Mainstream Economic Discourse," *Journal of King Abdulaziz University: Islamic Economics* 32, no. 3 (2019): 87–104, <https://doi.org/10.4197/Islec.32-3.4>.

⁴¹ Muhammad Anas Zarqa, "Islamization of Economics: The Concept and Methodology," *Journal of King Abdulaziz University-Islamic Economics* 16, no. 1 (2003): 3–42, <https://doi.org/10.4197/islec.16-1.1>.

through various ways of life. It is not about leading a revolution against the rich but nourishing their hearts so that they can look at life and their missions differently. It is not just focusing on redistributing wealth through taxes on labour and capital, but by changing our conception from wealth, capital, money, stock and bonds to divine provision. It is not just donating property or physical assets, but using everything that Allah grants us as provision, albeit small, for the benefit of all creatures.

In addition, the Quadriptych *al-Razzāq*, *al-Ḥabs*, *al-Ma'āsh*, *al-'Umrān* offers a new perspective for organising human societies creatively, starting from the *Rizq* of Allah and not from the techno-scientific system of lending with *ribā* through the creation of money *ex nihilo* or from its supposed opposite based on non-*ribā* which in fact only feeds it. Concerning future research, examining whether the whole Earth was originally a *ḥabs* is recommended in the sense that living beings enjoyed what Allah provided for them without actually owning what they benefitted from. Therefore, ownership cannot be conceived of as the sovereign power of an individual over things. In its roots, ownership flows from divine provision. It is taken in a milieu in the sense that things are rooted in the world in which creatures live.

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