



THE QUADRIPTYCH OF RIZQ, ḤABS, MA‘ĀSH, AND ‘UMRĀN: INSIGHTS FROM HĀJAR'S STATEMENT ON WATER RIGHTS

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Abstract: This article explores the meanings underlying Hājar’s statement “you have no right to the water” of Zamzam, based on a philological reading of the original Arabic text mentioned in Ṣaḥīḥ al-Bukhārī. In this respect, it is necessary to understand Hājar’s statement in the general context of the foundation of the Bayt (sacred house), its destruction following Noah's flood, the gushing of Zamzam water, and the rebuilding of the Bayt by Ibrāhīm and Ismā‘īl. From this exploration emerges a quadriptych composed of four key meanings: rizq (divine provision), ḥabs (what is intended for the benefit of everyone), ma‘āsh (the world we live from), and ‘umrān (the world we live in). This perspective offers an opportunity to understand Hājar's perception of the interaction between humans and the living milieu beyond the contemporary conceptual language focused on individual ownership. Following her experience of the gushing forth of Zamzam, the human being appears as the steward of God on earth who does not own the goods that he uses. As such, he is supposed to make them bear fruit for his own benefit and that of the community, in harmony with the milieu. The ability to inhabit takes precedence over the ability to appropriate the resources. Focusing on the concept of individual ownership veils the deeper meaning of life that connects the world we live from with the world we live in. Hajar's message is to make choices in favor of life. Such meanings open new avenues for research to go beyond the conceptual frameworks established by Islamic economics and finance, the contemporary jurisprudence of financial transactions, and that of awqāf, embedded in a contract approach centered on individual ownership.

Keywords: bayt; ḥabs; hājar; ma‘āsh; rizq; zamzam; ‘umrān

Abstrak: Artikel ini mengeksplorasi makna pernyataan Hājar “kamu tidak memiliki hak atas air” Zamzam melalui pembacaan filologis terhadap teks Arab dalam Ṣaḥīḥ al-Bukhārī. Pernyataan tersebut dipahami dalam konteks berdirinya bait (rumah suci), kehancurannya setelah banjir Nuh, munculnya Zamzam, serta pembangunan kembali bait oleh Ibrāhīm dan Ismā‘īl. Kajian ini menghasilkan sebuah quadriptych: rizq (rezeki ilahi), ḥabs (kemaslahatan bersama), ma‘āsh (dunia tempat manusia hidup), dan ‘umrān (dunia yang dihuni manusia). Perspektif ini menempatkan manusia sebagai khalifah Allah yang tidak memiliki hak mutlak atas sumber daya, tetapi menggunakannya bagi dirinya, masyarakat, dan lingkungan. Dengan demikian, kemampuan untuk mendiami lebih diutamakan daripada menguasai sumber daya. Makna ini membuka ruang penelitian yang melampaui kerangka ekonomi dan keuangan Islam, fikih transaksi kontemporer, serta wakaf yang sering berpusat pada pendekatan kontrak dan kepemilikan individu.

Kata kunci: air zamzam; bait; hajar; hak; mata pencaharian; rezeki; peradaban

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INTRODUCTION

Since I became interested in the *Bayt al-Harām* as a *ḥabs*, starting from the words of Ibn Taymiyyah: "it is known that the Ka'aba is the best *waqf* that exists on earth", my main sources of knowledge that I often consult are the *Qur'ān*, then *Ṣaḥīḥ al-Bukhārī*.¹ These are my bedside manuscripts explored in a thousand and one ways through a philological reading to excel in the art of reading well. Even though I was always interested in the *Qur'ān* and the *Sunnah* in the context of the genealogy of what is commonly called 'Islamic economics', my studies on the origin of *awqāf* allowed me to deepen the revealed texts in multiple ways, starting from the question: Where does it come from?

While reading on a Friday in the *Masjid al-Haram*, the *ḥadīth* no. 3364 mentioned in *Ṣaḥīḥ al-Bukhārī* in the *Kitāb aḥādīth al-Anbiya'*, reports of the prophet Muḥammad – blessings and peace of Allah be upon him– sayings about prophets –peace be upon them–, after writing it down in my notebook, my attention was drawn to Hājar's statement: 'You have no right to the water' which deserves to be given increased and special attention through a kind of *wamdah*, that is, a flash that appears suddenly then disappears very quickly. I had read the same statement by Hājar before in Ibn Kathīr's *Stories of the Prophets* without it attracting my attention in this way.² This article explores the meanings underlying Hājar's statement without claiming to be exhaustive, and its implications for economics, finance, contemporary jurisprudence of modern financial transactions, and *awqāf* science.

After mentioning the part of *ḥadīth* which contextualizes Hājar's statement, it is worth noting an important note calling for the word *Bayt* not to be translated as Ka'aba during the period preceding its reconstruction by Qureysh, and another for not translating the phrase no right "no right" as "no right to possess" Then, it sheds light on the *topos*, that is, a unifying bridge that links *Zamzam* and *Bayt*, opening up new avenues of research into the world of the *aḥbās*, and the limits of the theory according to which there is no *waqf* without possession of an asset. If theory and fact are to be reconciled, a theory worthy of the name must specify its field of application, that is, what it does not know.

DISCUSSION

This is why to read well and understand Hājar's statement, it is useful to put it into perspective with everything that constitutes its context to be able to read it by meaning to bring out its underlying dimensions, without rushing or getting tired, because it is a revealed text of great value whose full scope is difficult to measure. To do this, I will

¹ Taqī al-Dīn Ibn Taymiyyah, *Majmū'at al-Fatāwa'* (al-Mansurah: Dar al-Wafa, 2003), 31, 134.

² Ismā'īl Ibn Kathīr. *Qīṣaṣ al-Anbiya'* (Cairo: Dar al-Tiba'a wa al-Nashr al-Islamiya, 1996), 198.

mention the part of the text that allows us to put Hājar's statement into perspective without quoting the entire *ḥadīth*.

1.1 The part of *ḥadīth* no. 3364 which contextualizes the statement of Hājar

‘Abdullah Ibn Ibn ‘Abbās –May Allah be pleased with them both– narrates:

"The first lady to use a girdle was the mother of Ismā‘īl. She used a girdle to hide her tracks from Šārah. Ibrahim brought her and her son Ismā‘īl while she nursed him at her breast to a place near the Bayt under a tree on the spot of Zamzam, at the highest place in the mosque. During those days, there was nobody in Makkah, nor was there any water. So, he made them sit over there and placed near them a leather bag containing some dates and a small water-skin containing some water, and set out homeward. Ismā‘īl's mother followed him saying, "O Ibrāhīm! Where are you going, leaving us in this valley where there is no person whose company we may enjoy, nor is there anything (to enjoy)?" She repeated this many times, but he did not look back at her. Then she asked him, "Has Allah ordered you to do so?" He said, "Yes". She said, "Then He will not neglect us", and returned while Ibrāhīm proceeded onwards, and on reaching the Thaniya where they could not see him, he faced the Bayt, and raising both hands, invoked Allah saying the following supplication: ﴿Our Lord! I have settled some of my descendants in an uncultivated valley near Your sacred House, our Lord, that they may establish prayer. So, make hearts among the people incline toward them and provide for them from the fruits that they might be grateful﴾ (Qur’ān, 14, 37).

Ismā‘īl's mother went on suckling Ismā‘īl and drinking from the water (she had). When the water in the water-skin had all been used up, she became thirsty and her child also became thirsty. She started looking at him tossing in agony. She left him, for she could not endure looking at him, and found that the mountain of al-Šafā was the nearest mountain to her on that land. She stood on it and started looking at the valley keenly so that she might see somebody, but she could not see anybody. Then she descended from al-Šafā and when she reached the valley, she tucked up her robe and ran in the valley like a person in distress and trouble, till she crossed the valley and reached al-Marwa Mountain, where she stood and started looking, expecting to see somebody, but she could not see anybody. She repeated that seven times".

Ibn ‘Abbās said: The Prophet said: "This is the source of the tradition of the walking of people between them [that is, al-Šafā and al-Marwa]. When she reached al-Marwa [for the last time] she heard a voice and she asked herself to be quiet and listened attentively. She heard the voice again and said: 'O, [whoever you may be]! You have made me hear your voice; have you got something to help me?' And behold! She saw an angel at the Zamzam, digging the earth with his heel [or his wing], until water flowed from that place. She started to make something like a basin around it, using her hands in this way, and started filling her water-skin with water with her hands, and the water was flowing out after she had scooped some of it". The Prophet added: "May Allah bestow mercy on Ismā‘īl's mother! Had she let the

Zamzam [flow without trying to control it], Zamzam would have been a stream flowing on the surface of the earth".

The Prophet further added: "Then she drank and suckled her child. The angel said to her, 'Don't be afraid of being neglected, for this is the House of Allah which will be built by this boy and his father, and Allah never neglects His people'. The Bayt at that time was on a high place resembling a hillock, and when torrents came, they flowed to its right and left. She lived in that way till some people from the tribe of Jurhum or a family from Jurhum passed by her and her child, as they [that is, the Jurhum people] were coming through the way of Kada'. They landed in the lower part of Makkah where they saw a bird that had the habit of flying around water and not leaving it. They said: 'This bird must be flying around water, though we know that there is no water in this valley'. They sent one or two messengers who discovered the source of water, and returned to inform them of the water. So, they all came [towards the water]".

The Prophet added: "Ismā'īl's mother was sitting near the water. They asked her: 'Do you allow us to stay with you?' She replied: 'Yes, but you will have no right to possess the water'. They agreed to that. The Prophet further said: "Ismā'īl's mother was pleased with the whole situation as she used to love to enjoy the company of the people. So, they settled there, and later on they sent for their families who came and settled with them so that some families became permanent residents there. The child grew up and learnt Arabic from them and [his virtues] caused them to love and admire him as he grew up, and when he reached the age of puberty, they made him marry a woman from amongst them".³

1.2 Important note calling not to translate the word Bayt by that of Ka'aba

The translator of the *ḥadīth* uses the word Ka'aba while the original Arabic text uses the word *Bayt*. Anyone who reads by the word will find this translation suitable and convenient. On the other hand, whoever reads the original text through a philological approach by the meaning will discover a lack of coherence between the historical, anthropological, and ethnological context and the use of the word Ka'aba. This is confirmed by a careful reading of *al-Sīrah al-Nabawiyah*.⁴ It is the story of the life of the Prophet Muḥammad –blessings and peace of Allah be upon him– by 'Abd al-Malik Ibn Hishām (d. 833), written in the 9th century. It is authoritative because it is the oldest that has reached us to date.

In this valuable work, the historian Ibn Hishām relates that five years before the advent of Islam, when Prophet Muḥammad (blessings and peace of Allah be upon

³ Muḥammad al-Bukhārī. *Ṣaḥīḥ al-Bukhārī* (Translated from Arabic to English by Muhammad Muhsin Khan, Riyadh: Darussalam, 1997), 4, 351-353.

⁴ 'Abd al-Malik Ibn Hishām. *Al-Sīrah al-Nabawiyah* (Beirut: Dar al-Kitab al-Arabi, 1990). 1, 118.

him) was 35 years old, a part of the *Bayt* was destroyed. It should be remembered that the Sacred House was built by Adam (peace be upon him) when God asked him to build it in the exact place on Earth, which is located under the celestial version, called *al-Bayt al-Ma'mūr*. This construction remained intact until the time of Nūḥ, when it was destroyed during the Flood. The place where it was located was thus lost, and it was Ibrāhīm who had the honor, after the exact location was shown to him, of building the Sacred House again with the assistance of his son Ismā'īl, who brought him stones from the surrounding mountains.

The original dimensions of the *Bayt* formed a rectangular sanctuary. When the Quraysh decided to rebuild the *Bayt* after its partial destruction, they agreed to finance the work only with lawful money, excluding money from loans with interest, games of chance, and caravan looting. However, this was insufficient to complete the building in its original form. This is a real paradox when you know that Mecca was a great trading city at the time! This also reflects the great respect and admiration the Quraysh had for the Sacred House. Under these conditions, they opted for a reduced version of the *Bayt* in the shape of a cube. This is why the *Bayt* was named Ka'aba, a word originating from the Arabic *ka'b*, which means cube or square, as illustrated in figure 1.

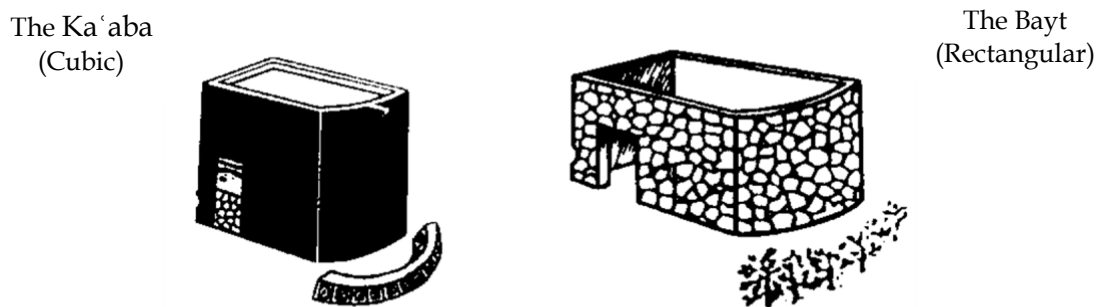


Figure 1. The name of *Bayt* (from Adam to the year 605) and that of Ka'aba (after)

Source: Author's own

The use of the word Ka'aba at a time when it was not yet born, such as in the time of Ādam or Ibrāhīm, is anachronistic in the sense of using the word Ka'aba in a period other than the period to which it actually applies. In other words, *Bayt* should have been used instead of Ka'aba. The practice or refusal of anachronism reveals two conceptions of history: one admits the part of the present in the writing of history, while the other favors a history based on well-established sources, keeping the present at a distance from writing. It is not the responsibility of scientific writing to lower its level to that of readers. However, it is up to the readers to raise their level to that of rigorous writing. This is why I replaced Ka'aba with *Bayt* in the translation of the *ḥadīth* in reference to the original Arabic text mentioned in *Ṣaḥīḥ al-Bukhārī*.

1.3 Important note calling not to translate the word 'no right' by that of 'no right to possess'

Moreover, the translator of the *ḥadīth* uses the phrase 'no right to possess', while the original text uses the phrase "لَا حَقَّ لَكُمْ" (no rights). Therefore, 'you have not the right' is a more precise translation than 'you will have no right to possess', as summarized in Table 1. The addition of the word 'to possess' imposes a unique picture of reality and closes the door to exploring the underlying meanings, that is, to different ways of seeing the worlds around us (humans, plants, animals, inanimate objects). Hājar's statement is one of the *Jawāmi' al-Kalim*, that is, the shortest expression carrying the widest meanings. If al-Niffarī (d. 965) had stated that "the broader the vision, the narrower the expression" the opposite is true in the sense that the more that expression expands, the narrower vision becomes.⁵

Table 1. Translation of Hajar's word

My translation	Translation in <i>Ṣaḥīḥ al-Bukhārī</i>	Original text
You will have no right	You will have no right to possess	لَا حَقَّ لَكُمْ

Source: Author's own

Table 1 shows the laborious translation emanating from the philological reading by meaning, which avoids the anachronism that closes the door to interpretation by imposing a prevailing definition exported from contemporary conceptual language, such as that of private property. Focusing on the conceptual – by using the concept of ownership – misses the underlying meanings.

In this regard, as illustrated in figure 2, it is appropriate to distinguish between three levels.

- The meaning in the *nafs* (self) of Hājar's statement, arising from her interaction with the worlds that surround her (angel Jibrīl, humans, birds, ground, mountains, and trees).
- The interpretation of the translator of *Ṣaḥīḥ al-Bukhārī*.
- The interpretation of the reader is as follows.

These three levels can either converge or diverge, depending on their common meanings, in the same way that geometric sequences can converge or diverge depending on their common ratio.

⁵ Muḥammad Al-Niffarī. *Kitāb al-mawāqif*, In *Trois œuvres inédites de mystiques musulmans: Saqīq al-Balhi, Ibn Ata, Niffari* (Beirut: Dar el-Machreq, 1973), 64.

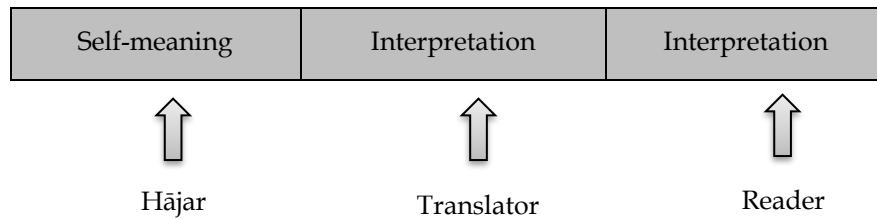


Figure 2. Between the author's meaning, the translator's interpretation and that of the reader

Source: Author's own

After hearing the voice of the angel Jibrīl –peace be upon him–, who then appeared at the place where the well of *Zamzam* is located and struck the ground with his heel, which caused water to gush forth, Hajar has no doubt that God is *al-Razāq* in the sense that He provides every living being with its *ma'āsh*, that is, the world in we live from, and that man is only a *mustakhlaf* (steward) who disposes of the goods of the earth as a custodian. In the Qur'anic corpus, the word *khilāfah* (stewardship) refers to the fact that God has entrusted man with the administration of the earth according to the provisions of the *Sharī'ah*, so that men succeed each other in this mission. There is no question of man replacing God as God on earth or God creating man.

The real Master to whom the effective ownership of the goods belongs is the Creator. Man only has the right to enjoy these goods of which he is not the absolute master. He must not use goods exclusively to the detriment of his fellow men. As soon as the water gushed forth, Hājar drank from it and breastfed Ismā'īl. Angel Jibrīl –peace be upon him– announced to her good news, which only strengthened her certainty in God: "*Do not fear any danger, because here will be raised the House of God, and this House will be built by this child and his father. And God does not let his people perish.*"

1.4 The topos that connects *Zamzam* and *Bayt* opens up new research perspectives on the world of *aḥbās*

The good news that Jibrīl (peace be upon him) gave to Hājar reveals the close connection between the underlying meanings of *Zamzam* and the *Bayt* (figure 3), which has hardly been studied seriously until now due to the purely conceptual reading. Putting this connection into perspective shows that Hājar's words to the men of the tribe of Jurhum "لا حَقَّ لَكُمْ" cannot be equated with the fact that it is a right of ownership in the sense that she grants herself control over the water, and that no one can enjoy it except with her permission. On the contrary, the underlying meaning of her words is that the water of *Zamzam* emerged by the will of God, through Jibrīl (peace be upon him), to save her from death and her son Ismā'īl (peace be upon him). Therefore, it is a common good that benefits all those who come to live in this sacred space. It makes one aware of the close connection between the '*world we live from*' and the '*world we live in*', which offers a new research perspective on the economics,

finance, and contemporary jurisprudence of financial transactions, in the sense that theories must be linked to the conditions of existence without which theories do not exist.⁶

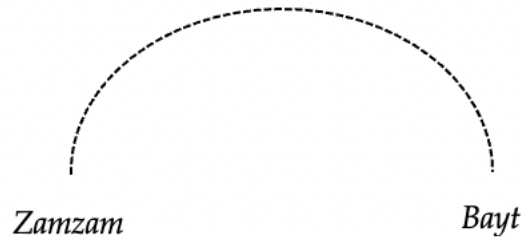


Figure 3. A topos that connects *Zamzam* and *Bayt*

Source: Author's own

This *topos*, which reveals a close link between *Zamzam* and the *Bayt* through the philological reading by meaning, opens new perspectives for research.⁷ This reveals the *deep meaning of the ḥabs* underlying the words of Hājar: "you have no right to the water". In other words, *Zamzam* is a *ḥabs* that cannot be expropriated, ceded, sold, mortgaged, given, bequeathed, or inherited. It sprang from the earth at the command of God through the angel Gabriel. This reminds us that the goods of this world are the property of God and that there are goods that remain non-marketable, that money cannot buy, and that market logic cannot serve as the foundation of social relationships, of living together to fulfill the rights of God and the rights of creatures, as higher *maqāṣid* of al-Sharī'ah, which remind us of the relative aspects of the theories of economics, finance, and contemporary jurisprudence of financial transactions. Hence, the importance of a holistic approach that considers life as a whole, rather than considering it in a fragmented way through the theories adopted by each specialty in its own way.

In this regard, Allah says in a *qudsī ḥadīth*: "We have brought down *al-māl* (that is what is beneficial to humans) to perform *ṣalāt* and acquit *zakāt*"⁸, that is the rights of God and those of humans, as explained by Ibn Qayyim in his book *ʿUdat al-Sābirīn wa*

⁶ Abderrazak Belabes. Al-Farāhīdī's notion of ma'āsh associating 'what we live from' and 'what we live in'. In *Economic Life Beyond Economists*, 37-56 (London, New York: Routledge, 2025).

⁷ Abderrazak Belabes. 'The Grothendieck's toposes as the future mathematics of AI', *Philosophy International Journal* 7, no. 3 (2024), 1-8.

⁸ Narrated by Aḥmad in *al-Musnad*, al-Ṭabarānī in *al-Mu'jam al-Kabīr*, al-Bayhaqī in *Shu'ab al-Imān*; al-Haythamī mentioned it in *Majma' al-Zawā'id*, and said: Narrated by Aḥmad, al-Ṭabarānī, and the men of Aḥmad are the men of *Ṣaḥīḥ*; see: Muḥammad Nāṣir al-Dīn al-Albānī. *Silsilat al-Aḥādith al-Ṣaḥīḥah* (Riyadh: Dar al-Ma'arif, 1995), 4, 182-183.

Dhakhīrat al-Shākirīn (Patient equipment and reconnaissance ammunition).⁹ This forms the basis of *‘Umrān*. Allah says, *(He brought you forth from the earth and settled you therein)*.¹⁰ The *Rizq* of God induced *Zamzam* as *ḥabs*, which engenders *ma‘āsh* leading itself to *‘umrān*, as illustrated in figure 4.¹¹

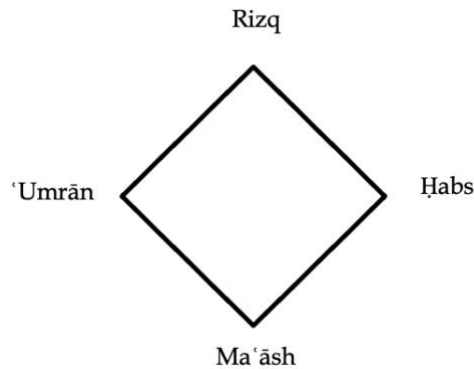


Figure 4. The quadriptych *rizq*, *ḥabs*, *ma‘āsh*, and *‘umrān*

Source: Author's own

These four key words shed new light on Hājar's saying from an anthropological perspective, that is, from the point of view of a fundamental comparison, the human being, society, and culture in all their spatial and temporal extension. Society is not born from a contract between individuals.¹² The foundation of human existence in society is not to be found in society but in Allah's order to Adam to descend from Paradise to Earth to live there in peace, fulfilling the rights of God and the rights of creatures.¹³

The first word of the quadriptych, *rizq*, is God's provision for all living beings, that is, all things that are beneficial to life. Allah says, *(There is no moving creature on earth whose provision is not guaranteed by Allah)*.¹⁴ God's provisions are immeasurable, unlike human production.¹⁵ This means that in economics, finance, and the jurisprudence of financial transactions, *rizq* takes precedence over *infāq* (and spending

⁹ Muḥammad Ibn Qayyim al-Jawziyya. *Udat al-Sābirīn wa Dhakhīrat al-Shākirīn* (Makkah: Dar ‘Alam al-Fawa’id, 2009), 314.

¹⁰ Qur'an (11: 61).

¹¹ In a recent publication, I developed this quadriptych, inspired by Hājar's statement; see: Abderrazak Belabes. 'Islamic Finance, Artificial Intelligence, and the Debt Embedded in the Ex Nihilo Monetary Creation System', *International Journal of Multidisciplinary Research and Analysis* 8, no. 2 (2025), 489.

¹² Maurice Godelier. *Au fondement des sociétés humaines: Ce que nous apprend l'anthropologie* (Paris: Albin Michel, 2007).

¹³ Qur'an (2: 38).

¹⁴ Qur'an (11: 6).

¹⁵ ‘Ali Ibn Sidah. *Al-Muḥkam* (Beirut: Dar al-Kutub al-‘Ilmiya, 2000), 5, 4.

out of what We have provided for them).¹⁶ In other words, distribution takes precedence over production from an economic perspective.¹⁷ The distribution of wealth is not the enemy of growth but its driving force through the *rizq* that God provides for his creatures. Hence, the need to free money from the debt created by the loan with *ribā* via the creation of money ex nihilo.¹⁸

The distribution of wealth appears to be the enemy of growth in an economic system where no life activity is possible without bank credit with interest through the creation of money ex nihilo by a simple set of accounting entries. However, as the Qur'anic verse states, (*See they not that Allah enlarges the provision and restricts it, to whomsoever He pleases? Verily, in that are signs for those who believe. So give what is due to the kindred, the needy, and the wayfarer. That is best for those who seek the Countenance of Allah, and it is they who will prosper. That which you lay out for increase through the property of (other) people, will have no increase with Allah: but that which you lay out for charity, seeking the Countenance of Allah, (will increase): it is these who will get a recompense multiplied*).¹⁹

In this sense, the *infāq* of divine provision in accordance with the *ahkām*, *qawā'id*, and *maqāṣid* of *al-Sharī'ah* is a source of sustainable growth. On the other hand, any economic and financial activity based on *ribā* is unsustainable in the long term, whether we like it or not, as the Qur'anic verse states, (*Allah will deprive ribā of all blessing, but will give increase for deeds of charity*).²⁰ This reveals the dangers of financing, investing, and lending, embedded in the system of creating money ex nihilo, which fuels *ribā* for the benefit of commercial banks, which make substantial profits.

The second word of the quadriptych, *ḥabs*, refers to something that cannot be taken over at the expense of the common interest. This implies that it is a *rizq* of God intended for collective use, as is the case with *Bayt* and *Zamzam*. This is where the fundamental difference lies between the word *ḥabs* and that of *waqf*, which presupposes that a person has first taken possession of an asset, which he then declares inalienable in the sense that it cannot be transferred, whether free of charge or for a fee, nor encumbered with real rights.

¹⁶ Qur'an (2: 3).

¹⁷ Laurent Éloi. *Nos mythologies économiques* (Uzès: Les Liens qui Libèrent, 2016), 32.

¹⁸ Belabes, Abderrazak. "Conceptualizing money creation as a *ḥabs* in debt market." *Journal of Islamic Economics Lariba* 10, no. 2 (2024), 839–854.

¹⁹ Qur'an (30: 37-39).

²⁰ Qur'an (2: 276).

The third word of the quadriptych, *ma'āsh*,²¹ refers to the 'world we live from', that is, how we use the goods that God has intended for us²², starting with water: Allah says, (*And We created from water every living thing*).²³ In his book *Fath al-Bārī* (explanation of *Ṣaḥīḥ al-Bukhārī*), Ibn Ḥajar al-ʿAsqalānī wrote: "*She fed on Zamzam water which was sufficient for her as food and drink*".²⁴ According to ʿAbdullah Ibn ʿAbbās –may Allah be pleased with him and his father–, the Prophet –may Allah's prayer and peace be upon him– said: "*The water of Zamzam is for whatever it is drunk for*".²⁵

The last word of the quadriptych, *ʿumrān*, refers to the 'world we live in', that is, how we organize ourselves, and we build our mode of existence in the way of benefit for everyone.²⁶ The emphasis on the concept of individual property obscures these inestimable meanings, the scope of which is rarely grasped by connecting the 'world we live from' to the 'world we live in.' The focus on production is increasingly leading to the destruction of the earth's livability.²⁷ The *ḥabs*, which fundamentally refers to divine provision, reminds us that humans must live on earth in accordance with the injunctions, maxims, and purposes of the *Sharīʿah*.

In terms of empirical validation of the quadriptych *rizq, ḥabs, ma'āsh, ʿumrān*, based on verified and verifiable historical data, it appears that the city of Sarajevo was built around a mosque in 1462, that is, a *ḥabs* founded by Īshakoğlu İsa Bey (1439-1470), known as Isa-beg Ishaković, the governor of the province of Bosnia, as Muhammad Muwaffaq al-Arnaut mentions in his book *The Waqf in the Muslim World between Past and Present*.²⁸ This example illustrates that the city of Makkah was not the only city built around a house of God.

This expanded horizon opens the way to a bottom-up management of life's affairs, referring to the search for the most relevant level closest to people's lives. This means not performing at a higher level what can be done with the same efficiency at

²¹ Al-Khalīl al-Farāhīdī. *Kitāb al-ʿAyn* (Beirut: Dar al-Kutub al-ʿIlmiya, 2003), 3, 261; Muḥammad al-Jahshiyārī. *Kitāb al-Wuzarāʾ wa al-Kuttāb* (Cairo: Matbaʿat al-Halabi, 1938), 74; Muḥammad al-Ghazālī. *Ihyaʾ ʿUlūm al-Dīn* (Beirut: Dar al-Maʿrifah, 1982), 2, 60; ʿAbd al-Rahman Ibn Khaldūn. *Al-Muqaddimah* (Beirut: al-Maktbaʿa al-ʿAsriya, 2001), 355; Ahmad al-Dullaji. *Al-Falākah wa al-Maflukūn* (Beirut: Dar al-Kutub al-ʿIlmiya, 1993), 57.

²² ʿAli Ibn Sidah. *Al-Mukhaṣṣaṣ* (Beirut: Dar Ihyaʾ al-Tarikh al-Arabi, 1996), 1, 181.

²³ Qur'an (30: 33).

²⁴ Ibn Ḥajar al-ʿAsqalānī. *Fath al-Bārī* (Riyadh: Dar Taybah, 2005), 7, 664.

²⁵ Reported by Daraqtunī in his *Sunan* (no. 2739), the *ḥadīth* is authentic. See: Muḥammad Nāṣir al-Dīn al-Albānī: *Ṣaḥīḥ Targhib wa Tarhib* (Riyadh: Maktabat al-Maʿarif, 2000), 2, 41.

²⁶ ʿAbd al-Rahman Ibn Khaldūn. *Al-Muqaddimah* (Beirut: al-Maktbaʿa al-ʿAsriya, 2001), 355; Muḥammad Ibn al-Azraq. *Badāʾiʿ al-Silk fī Ṭabāʾiʿ al-Mulk* (Baghdad: Ministry of Information, 1977), 1, 46; Taqī al-Dīn al-Maqrīzī. *Ighāthat al-Ummah bi-Kashf al-Ghummah* (Homs: Dar Ibn al-Walid, 1956), 41.

²⁷ Bruno Latour and Nicolaj Schultz. *Mémo sur la nouvelle classe écologique* (Paris: La Découverte, 2022), 24-25.

²⁸ Muhammad Muwaffaq Al-Arnaut. *Al-Waqf fī al-ʿālam al-Islāmī ma Bayn al-Mādhī wa al-Ḥādhir* (Beirut: Jadawel, 2011), 103-116.

a lower level. Higher-level interventions occur only if the problem exceeds the capabilities of the lower level. In this perspective, as the Turkish historian Halil İnalcık reminds us, during the 17th century, when asked to build a dam to organize the management of water from Lake Konya, the Ottoman state told the farmers that this was their responsibility and not that of the state.²⁹

The quadriptych of *rizq*, *ḥabs*, *ma'āsh*, *'umrān*, reveals the richness of meanings underlying Hājar's statement that is hidden by the concept of individual ownership, which should not systematically be associated with domination and appropriation. In this regard, criticisms of the ideology of property only serve to fuel vague debates. The conceptual language of both the mainstream and its critics conceals more than it reveals. This leads to the need to shed light on the traps set by the concept of individual ownership, preventing us from deepening the discovery of the meanings conveyed by Hājar's statement.

1.5 The limitations of the theory according to which there is no *waqf* without possession of an asset

Translating Hājar's statement "لَا حَقَّ لَكُمْ" as "you have no right to possess" takes us back to the *summa divisio* of things and people. However, the quadriptych *rizq*, *ḥabs*, *ma'āsh*, *'umrān* invites us to associate the 'world we live from' and the 'world we live in', in reference to the divine provision to fulfill the rights of the Creator and the rights of creatures. In other words, it invites us to consider things as milieus (*umwelt*, *fūdo* 風土) and people as their inhabitants, rather than opposing things to people. From this perspective, it is possible to inhabit without appropriation of assets, that is, without aiming for exclusive power over a thing. In this regard, the constraint of the scarcity of water in a given territory "does not invalidate the rights of others," as stipulated by Mustafa Zarqa in the book *Explanation of the Maxims of Jurisprudence*.³⁰

The *ḥadīth* of al-Bukhārī reveals that Hājar, as the wife of Ibrāhīm and the mother of Ismā'īl –peace be upon them–, lived a fulfilled life without wealth worthy of mention. She had access to the goods that her milieu could provide. From this perspective, the actual possession of things seems to be of little importance. What matters is access to essential goods and services. Indeed, when Ibrāhīm left Hājar and Ismā'īl beside a large tree, he left them with only a bag full of dates and a skin filled with water.³¹ But God granted them what is better, that is, *Zamzam*, which is not just water, but a whole food. Anyone who has sincerely consumed it can testify to this.

²⁹ Halil İnalcık. The Ottoman State: economy and society. In: *An Economic and Social History of the Ottoman Empire, 1300-1600* (Beirut: Dar al-Madar al-Islami, 2007), 149.

³⁰ Mustafa Zarqa. *Sharḥ al-Qawā'id al-Fiqhiyah* (Damascus: Dar al-Qalam, 1989), 213.

³¹ Ismā'īl Ibn Khathīr. *Al-Bidāyah wa al-Nihāyah* (Damascus: Dar Ibn Kathir, 2010), 1, 229.

Instead of focusing on who owns something, we should ask: How can we be good stewards of divine provision? This shows the limits of the *awqāf* approach, centered on the concept of individual ownership, in the sense that there can be no *waqf* – as a *‘aqd tabaru* – without possession of an asset, which is donated in perpetuity for the benefit of a public utility or charitable work. Such a conceptualization leads to the rejection of the fact that the *Bayt* is a *ḥabs*, on the pretext that there is no individual who has owned the land on which the sacred house was built and declared it to be a *waqf*.

In this regard, the conceptual frameworks established by Islamic economics and finance, law, contemporary jurisprudence of financial transactions, and *awqāf* literature, embedded in a contract approach centered on individual ownership, merely reveal the limits of their scope. However, what is most astonishing is that such an abstract construction of the mind can become the standard from which what is acceptable and unacceptable is defined, knowing that the modern representation of the concept *‘aqd tabaru* comes from the French civil code,³² which sanctifies private property.³³ Knowledge that does not recognize what it does not know cannot be taken seriously. Allah says: (*and you [O humanity] have been given but little knowledge*).³⁴ This raises the question of the limits of the application of theories, which must constantly be confronted with facts.

Hājār's statement allows us to distinguish between two kinds of historical facts that should be kept in mind.

- The *aḥbās* built before the advent of *‘umrān* as is the case of the *Bayt* at the time of Ādam and *Zamzam* at the time of Ibrāhīm –peace be upon them both–, as illustrated in figure 5a.
- The *awqāf* built after the appearance of *‘umrān*, as is the case of the mosque of Qubā, the mosque of the Prophet in Medina, and the land of Khaybar of ‘Umar Ibn al-Khattāb (may Allah be pleased with him) in reference to the word of the Prophet (blessings and peace of Allah be upon him): "*If you like, make the asset inalienable and give its usufruct in charity,*" as illustrated in figure 5b.³⁵

The model in figure 5a is more robust than that in figure 5b because it considers human beings as stewards of God and does not reduce them to individuals who possess. In this regard, through his advice to ‘Umar Ibn al-Khattāb (may Allah be pleased with him), the Prophet (blessings and peace of Allah be upon him) reminds

³² François Denis Tronchet, Félix Julien Jean Bigot de Préameneu, Jean-Étienne-Marie Portalis, Jacques de Maleville. *Code civil des Français* (Paris : Imprimerie de la République, 1804), 169.

³³ *Code civil des Français*. 134.

³⁴ Qur‘an (17: 85).

³⁵ Al-Bukhāri (2737).

us that God is the possessor of the *rizq* that He has granted us and that through the *ḥabs*, we are only returning a part of the provision that we have benefited from to the initial possessor.

Figure 5a. The ḥabs before the advent of ‘umrān

Figure 5b. The waqf after the advent of ‘umrān



Source: Author's own

This typology that deserves attention shows how things are not as obvious as we tend to imagine because of the embedding of our minds in fixed conceptualizations that we consider to be unsurpassable. Concepts hide more than they reveal. Conceptualization is a form of fragmentation. This makes each part independent and prevents the overall vision. Such an epistemological position leads to the exclusion of what is vital for understanding the whole.

Hājār's statement offers us a time where wisdom is a bridge connecting the past to the present, offering inspiration for building a better future. The meanings of *rizq*, *ḥabs*, *ma'āsh*, and *'umrān* are not foreign to us; they are part of our collective memory. We have every interest in embracing these meanings by sharing them with those we love by asking ourselves the question: How can we honor *Rizq*? How can we embody *ḥabs*? How can we practice *ma'āsh*? How can we contribute to *'umrān*? By aligning ourselves with these meanings, we can build a better world

It is incredible that a word that is more than 4000 years old rightly reminds us that the most important thing is not to find answers, but to ask deeper questions that can arouse our curiosity, nourish our minds, and give us the pleasure of learning more, to better understand our role in life, and enrich our milieu. In this regard, water, as a key molecule of life, plays a fundamental role in the preservation of biodiversity.

The translation of Hājār's statement "*You have no right to the water*" by "*you will have no right to possess the water,*" widely used on the Internet, social networks, and conversational robots based on artificial intelligence, shows the extent to which the wisdom of the crowd can be not only deceptive, false, or misleading, but can also prevent access to authentic worlds, allowing for unprecedented connections that

cannot be established on a statistical basis despite their interest. Conceptualization hides more than it shows in that it focuses attention on individual ownership as the pivot of social organization.

However, the original Arabic is more complex and deeper than this is mine and not yours in a kind of zero-sum game. It is about right in the much broader meaning, which refers to the fulfilment of the rights of God and the rights of creatures. Hence, the importance of the meaning of *ḥabs*, which refers to what can benefit everyone, not just one person or a group of people. In this respect, *Zamzam* is considered as *ḥabs* because it is central to life. Access to water is an inalienable right for everyone. The management of this issue is a matter of solidarity. No one person can claim exclusive ownership. Hājar had no doubts about this point because she saw with her own eyes that water is a divine provision. This was also the case with the Jurhum tribe, who were convinced that there was no water in that place.

Water is the basis of *ma'āsh*, which refers to the way in which we use and manage resources, our means of sustenance, livelihood, and what we depend on, that is, more generally, the '*world we live from*.' If *rizq* is a divine provision, *ma'āsh* is what we do with that gift; it is our actions and choices, and it is like recognizing that we depend on something bigger than ourselves, so we have to use what was given to us wisely. It should be shared without waste or abuse. Hence, the importance of the meaning of *'umrān*, that is, living in solidarity and embodying mutual care. It is not about adapting to the milieu to survive, but about living together in peace, fulfilling the rights of God and the rights of creatures. It is not about creating a world for merely surviving but thriving, considering life in all its dimensions, beyond money and the market, to improve the quality of life for everyone.

Assimilating Hājar's statement to an opposition to individual ownership leads to limiting its scope and veiling the underlying meanings, that is, *rizq*, *ḥabs*, *ma'āsh*, *'umrān*. In this sense, the concept of individual ownership is performative, in that it induces an action on the '*world we live*', and inhibits its undesirable structures by emptying them of their meanings resulting from life, an image of the splendors of divine creation. Conceptualizing individual ownership aspires to represent the totality of the world and no longer recognizes the existence of another. The paradox is that the non-recognition of the existence of another inevitably leads to the negation of the self. Such impoverishment of life reinforces nihilism, which sanctifies the void, as Emmanuel Todd rightly pointed out in his latest book, *The Defeat of the West*.³⁶

The mainstream discourse that conceptualizes individual ownership as the vital force of the *ḥabs* has fallen into this trap without measuring its consequences. As

³⁶ Emmanuel Todd. *La défaite de l'Occident* (Paris : Gallimard, 2024), 35.

a result, it shapes our vision of the world of the *aḥbās* around individual ownership as the pivot of the organization of existence. The interest of Hājar's statement is to remind us through the springing forth of *Zamzam*, on the one hand, that *ḥabs*, as what needs to be shared for the benefit of all, fundamentally refers to the fact that God is the Possessor of heaven and earth, and, on the other hand, that human beings are the stewards of divine creation with purpose and accountability, which closely connects the '*world we live from*' with the '*world we live in.*'

CONCLUSION

Hājar's statement is simple but powerful. It illustrates the depth of meanings emanating from divine creation, like those underlying the water of *Zamzam*, and the limits of concepts emanating from human thought, through the dichotomy of 'subject versus object' developed by Descartes, which only impoverishes the richness of life. This shows how grafting the concept of individual ownership onto Hājar's statement impoverishes life by leading the organization of existence into a self-destructive closed entropic mode nourished by nihilism, an impulse that pushes to destroy everything that is natural, real, tangible, palpable, that is, linked to life.

This process of destructive creation explains the contemporary discourse, which tends to assimilate *waqf* as a component of the social and solidarity economy, social finance, or donation contracts. Such disciplinary confinement reveals its limits in a world confronted with a mixture of wars, climate change, rivalries between great powers, trade conflicts, rapid technological progress, and the end of empires. Such disruptive evolution, which challenges traditional concepts, requires the development of new knowledge that transcends the analytical frameworks of academic disciplines.

The sanctification of individual property, which denies the existence of another, in turn only fuels a zero-sum game, that is, the negation of self. On the other hand, by considering himself a steward of God, man will be led to recognize the other as a complement to build a better world together for the benefit of all. The *ḥabs*, a practice rooted in the foundation of human life since the building of the House of God by Ādam (peace be upon him), does not imply the abolition of private property. Instead, it calls for reconsidering the forms of property protection by freeing oneself from the right to private property as the essence of the organization of life.

In view of history over a long period, the *ḥabs* encourages theoretical reflection with strong epistemological stakes, as much for economics, finance, and law, as for contemporary jurisprudence of financial transactions, as for other social sciences interested in the administration of divine provisions by virtue of the *istikhlāf* (stewardship). In this respect, the right to private property appears secondary and subordinate to the rights to fulfill the rights of God and the rights of creatures, which are more fundamental over a '*long period.*' These fundamental rights presuppose the

relativization of the right to private property, rather than its sanctification. What matters is the right to use things in accordance with the *aḥkām* (injunctions), *qawā'id* (maxims), and *maqāṣid* (purposes) of the *Sharī'ah*.

DISCLOSURE

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