Beyond Solidarity Economy and Social Finance: Reconstructing Waqf and Zakāt as Institutional Expressions of Tawḥīd

Abderrazak Said Belabes

Department of Islamic Economics Institute, King Abdulaziz University

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ABSTRACT

Contemporary literature generally addresses *waqf* and *zakāt* as two components of the solidarity economy and social finance. While these approaches highlight their economic and financial effects, they largely neglect a more fundamental question pertaining to *ḥikmat al-tashrīʿ* (wisdom of *Sharīʿah*): what is the principle that gives these institutions their coherence within the *Sharīʿah* order? This article answers this question by proposing a theory of *tawḥīd* of *ʿumrān*. Instead of starting with the rules or institutions themselves, it relates them to the principle that makes them intelligible, legitimate, and capable of being instituted. The study shows that tawḥīd constitutes not only the theological foundation of *Islām*, but also the organizing principle of an institutional architecture in which the common good takes precedence over any form of particular appropriation. Since this architecture stems from the Oneness of Allah, the institutions of *Sharīʿah* cannot be interpreted through conceptual frameworks based on different presuppositions without risking their internal coherence. This architecture finds its first institutional manifestation in al-Bayt al-Ḥaram, extends to *waqf*, governs private property, guides the redistributive function of *zakāt*, and converges toward the performance of *ʿumrān*. *Waqf* and *zakāt* thus appear not as mere economic or financial institutions, but as institutional manifestations of the signs of Allah within the *Sharīʿah* order. This article therefore proposes a theoretical framework that renews the analysis of Islamic economic institutions by reconstructing their articulation based on their common founding principle.

Keywords: Tawḥīd; ʿUmrān; Waqf; Zakāt; Wisdom of Sharīʿah.

INTRODUCTION

Contemporary literature on *waqf* and *zakāt* generally presents them as two complementary institutions of Islamic economics and finance. They are frequently used as the main instruments of the Islamic solidarity economy and Islamic social finance, and are increasingly associated with achieving the Sustainable Development Goals. Waqf is thus primarily studied as a pious foundation intended for the sustainable financing of activities of general interest, while *zakāt* is analyzed as a mechanism for wealth redistribution and social protection. This research has largely contributed to highlighting their economic, social, and institutional functions.

Despite its merits, this literature remains primarily focused on the effects produced by these institutions rather than on the principle that gives them their coherence. By favoring a legal, economic, or functional approach, it largely overlooks the philosophical presuppositions that structure the social order and coherently determine the place of private property, contract, money, and the various institutions responsible for organizing the relationships between people and the resources created.

This gap points to a more fundamental question concerning the *ḥikmat al-tashrīʿ* (wisdom of *Sharīʿah*): what is the principle upon which *Sharīʿah* organizes economic and social life with a view to *iʿmār al-arḍ*? This is not limited to the mere material exploitation of the land; it designates the mission entrusted by Allah to humankind as *khalīfah* (steward on earth), which consists of inhabiting it, developing its resources through construction, agriculture, and production, while remaining in a relationship of worship and gratitude towards the One who bestowed them. Therefore, how is this vocation translated into *ʿumrān*, that is, into the sustainable organization of human life and its institutions? Is private property the primary principle around which this structure is ordered,

with solidarity mechanisms intervening only as corrective measures to mitigate imbalances? Or does property itself derive from a more original principle that determines its status, purpose, social function, and limits?

This article defends the second hypothesis by showing that property, far from constituting an autonomous original principle, is embedded in a more fundamental order structured by *tawḥīd*. Monotheism represents not only the theological foundation of Islam; it also constitutes the ontological principle that organizes the relationships between Allah, humankind, and the resources of creation. It is from this perspective that the mission of *iʿmār al-arḍ* takes on meaning: humankind, as steward, is not the absolute owner of the earth and its resources, but is responsible for their development in accordance with their divine purpose. When this mission is fulfilled with respect for divine sovereignty, human responsibility, and the common destiny of created goods, it unfolds within *ʿumrān*, understood as the civilizational order through which human life is sustainably organized according to justice, responsibility, and the pursuit of the common good.

This perspective leads us to recognize the Bayt al-Ḥarām as having a foundational role in the institutional architecture of *Sharīʿah*. Described by the Qurʾān (3, 96) as "*the first House established for mankind*", it represents the first earthly manifestation of a space dedicated to Allah and oriented towards all of humanity. Its sanctification removes it from any particular appropriation and affirms, from the outset, the primacy of a universal purpose for the resources and places established in the name of Allah. The Bayt al-Ḥarām thus reveals a fundamental institutional principle: certain goods and spaces, by virtue of their higher purpose, are not subject to exclusive possession but rather to a function serving a collective order.

This principle will then be extended in the institution of the waqf, not as a simple late legal construction or a philanthropic device, but as the lasting formalization of a logic already present in the founding experience of the Sacred House. Private property and *zakāt* then find their place in this same normative architecture: the first constitutes a mode of responsible management of the resources entrusted to human beings, while the second ensures their permanent reorientation towards the social and spiritual purposes for which they are intended.

The aim of this research is to propose a *tawḥīd* theory of *ʿumrān* based on an ontological level of analysis that highlights the principle of unity linking the main economic institutions of *Sharīʿah* . This approach does not take as its starting point the institutions, rules, or practices themselves, but rather the ontological principle that renders them intelligible, legitimate, and capable of being instituted. Ontology is thus considered the level of analysis from which the coherence of the institutional order is revealed. This order is organized according to a foundational hierarchy that originates in *tawḥīd*, unfolds in the order of the common good, receives its first institutional objectification in al-Bayt al-Ḥarām, extends through *waqf*, frames private property, guides the redistributive function of *zakāt*, and converges toward the realization of *ʿumrān*. This succession refers to a conceptual architecture that attempts to highlight the foundational relationships between these different institutions. These institutions do not constitute a juxtaposition of legal mechanisms responding to particular needs; they proceed from the same normative order that determines their purpose, their articulation, and their limits.

This reading leads us to reconsider the relationship between *waqf* and *zakāt*. Far from being two distinct instruments of solidarity, they appear as two complementary expressions of the same normative architecture stemming from tawhid. Yet, this connection remains largely absent from the literature, where *waqf* and *zakāt* are generally studied separately or analyzed from primarily legal, economic, financial, or managerial perspectives, without being linked to the ontological foundation that ensures their institutional coherence. To our knowledge, and based on the literature consulted, this connection has not been systematically formulated. This research therefore aims to fill this gap by proposing a unified interpretation of *waqf* and *zakāt*, grounded in their shared roots in *tawḥīd*.

To establish this argument, the article is organized into four parts. The first lays out the ontological foundations of ʿumrān, demonstrating that *tawḥīd* establishes the primacy of the common purpose of resources over any form of private appropriation. The second analyzes al-Bayt al-Ḥarām as the first institutional objectification of this order and as the conceptual matrix of *waqf*, prior to its formalization within the categories of *Sharīʿah*. The third shows how *waqf* translates this foundational logic into a perennial institution ensuring its reproduction throughout the history of human societies. Finally, the fourth establishes the respective roles of private property

and *zakāt* within this framework, demonstrating that the former involves the delegated administration of resources, while the latter guarantees their continuous circulation in accordance with the objectives of *ʿumrān*.

Tawḥīd and the order of the common good: foundations of ʿumrān

This section develops the philosophical framework of the analysis, starting with *ḥikmat al-tashrīʿ* (wisdom of *Sharīʿah*), understood as the wisdom that directs the prescriptions of the *Sharīʿah* toward the realization of the purposes willed by Allah. As Ibn al-Qayyim (1991, 3, 11) emphasizes, the *Sharīʿah* "*rests entirely on ḥikmah and on the realization of the maṣāliḥ of humankind, both in this life and in the hereafter*"; it is entirely justice, mercy, self-interest, and wisdom, such that anything that leads to injustice, corruption, or absurdity cannot be considered part of the *Sharīʿah*, even under the guise of interpretation. This conception of *ḥikmah* constitutes the starting point of our reflection.

The central hypothesis is that *ʿimār al-arḍ* is not primarily based on economic institutions, but on a *tawḥīd* ontology of causality and social order that governs the relationship between Allah, humankind, and created resources (Belabes, 2026a). From this perspective, private property does not appear as the foundation of the economic order, but as a legal modality of administration stemming from a more fundamental principle: the allocation of resources for the common good in accordance with the will of the Creator.

The argument unfolds in three stages. First, it demonstrates that *tawḥīd* establishes a unified conception of causality and social order from which the various institutions of *Sharīʿah* derive (Belabes, 2026b). Second, it establishes that this ontology renews the understanding of economics and property by situating them within the dynamics of *ʿimār al-arḍ* and the common good. Finally, it highlights the institutional translation of this *ḥikmat al-tashrīʿ* through the main institutions of patrimonial law –notably the *waqf*, private property, *zakāt*, the prohibition of *ribā* and the prohibition of *kanz* not purified by *zakāt* and the regimes applicable to common goods– which appear as so many complementary expressions of the same tawḥīdian order oriented towards the realization of *ʿumrān*.

Tawḥīd as the organizing principle of human life

Tawḥīd constitutes the fundamental principle that structures the creation of jinn and mankind, who share the same existential purpose: servitude to Allah, as attested by the divine Word: "*I did not create the jinn and mankind except to worship Me*" (Qurʾān 51, 56). *Tawḥīd* thus consists of recognizing the absolute oneness of Allah in all that is unique to Him. This oneness unfolds according to three complementary dimensions that structure the relationship between Allah, creation, and human action.

Tawḥīd al-Rububiyyah (the Oneness of Lordship) consists of affirming with certainty that Allah alone is the Creator, Provider, and Ruler of the universe. *Tawḥīd al-Uluhiyyah*, also called *tawḥīd al-ʿubūdiyyah* (the Oneness of Divinity or Worship), consists of dedicating all acts of worship, such as supplication, fear, hope, or prayer, exclusively to Allah, without directing any of them toward anyone other than Him. Finally, *tawḥīd al-Asmaʾ wa-l-ṣifāt* (the Oneness of Names and Attributes) consists of affirming the names and attributes that Allah has attributed to Himself in the Qurʾān or that His Messenger has attributed to Him, while declaring Him to be free from any resemblance to His creation.

The message of all the prophets rests on two inseparable dimensions of *tawḥīd*. The first, *tawḥīd al-ʿilmī al-khabarī* (monotheism of knowledge), concerns the knowledge of Allah, His names, and His attributes. The second, *tawḥīd al-ʿamalī al-irādī* (monotheism of worship), pertains to will and action: it consists of directing worship, love, obedience, and, more broadly, all human actions exclusively toward Allah.

From this perspective, simply acknowledging *tawḥīd al-rubūbiyyah* is not sufficient for conversion to Islam. It must necessarily be accompanied by *tawḥīd al-ulūhiyyah*, which constitutes the heart of the prophetic call and the practical purpose of faith. It is for the affirmation of this that the prophets were sent and the Scriptures revealed. It is also in this area that shirk is mainly manifested and where the deepest deviations occur (Ibn Taymiyya, 2005, 77).

This conception gives *tawḥīd* a scope that far exceeds the abstract affirmation of divine unity. Because Allah is the one Lord, He is also the sole source of the transcendent normativity that governs human life. *Tawḥīd* thus becomes the principle from which the relationships between Allah, humankind, and created resources are organized. It not only defines the believer's worship of their Creator; it grounds the entire moral, legal, economic, social, and political order established by *Sharīʿah*.

Human beings do not sovereignly determine the ends of their existence; they receive them from Allah. Therefore, as al-Shāṭibī (1997, vol. 1, p. 340) affirms, "*any intention that contradicts the intention of the Shāriʿ is null*". The legitimacy of human action thus resides in its conformity to the ends willed by Allah, which express the *tawḥīd* conception of causality and social order developed in this research. The Qurʾān presents the universe as a creation established *bi-al-ḥaqq* and governed by the *sunan* Allah. Humanity's mission, therefore, is not to institute this order, but to participate in it, as *khalīfah*, by assuming the responsibility entrusted to it by Allah.

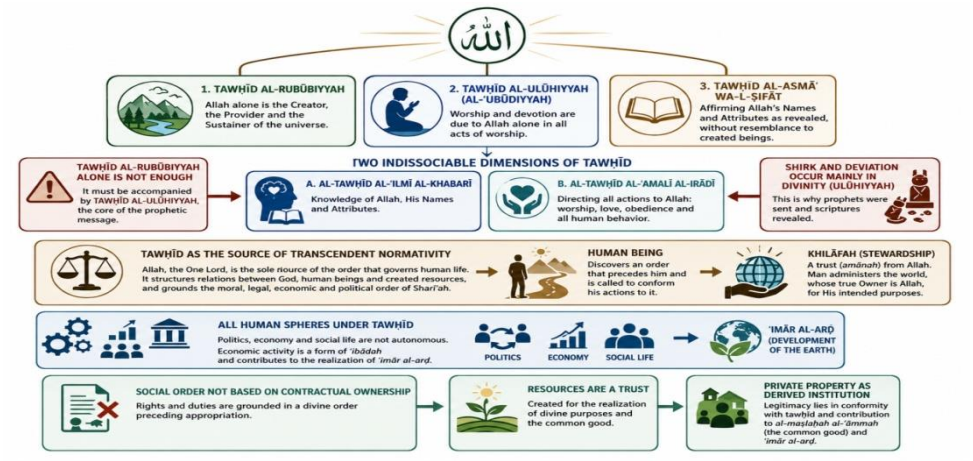
This responsibility is expressed by the notion of *khilāfah*. The caliphate does not designate autonomous sovereignty of man over the earth, but a *amānah* (trusteeship) exercised in the name of Allah. Man administers a world of which Allah remains the sole owner and whose resources are entrusted to him so that he may use them in accordance with divine purposes.

It follows that no domain of human activity –political, economic, or social– can be conceived as autonomous from *tawḥīd*. Having acknowledged Allah's Lordship in the primordial covenant –"*Am I not your Lord?*" They replied, "*Indeed, we bear witness*" (Qurʾān 7, 172)– human beings are called upon to conform their entire existence to this original commitment. Economic activity itself thus ceases to be a space governed exclusively by the pursuit of individual interest; it becomes a modality of worship, participating in the realization of *ʿimār al-arḍ* (Belabes, 2026c).

From this perspective, social order does not arise from a contract concluded between individuals conceived as the original owners of their rights. Rights and duties are grounded in a divine order prior to any appropriation. The resources created are intended, from the outset, for the realization of the purposes Allah intended for humanity. Private property thus appears only as a derived legal institution, designed to organize the administration of these resources. Its legitimacy does not reside in the autonomy of the owner, but in its conformity to the tawḥīdian order and in its contribution to the realization of *al-maṣlaḥah al-ʿāmmah*, a condition of *ʿimār al-arḍ*.

Figure 1 summarizes the conceptual chain that leads from *tawḥīd* to the realization of *ʿimār al-arḍ* through *khilāfah* and the orientation of all human institutions towards the *al-maṣlaḥah al-ʿāmmah*.

Figure 1. Conceptual framework linking *tawḥīd*, *khilāfah*, the common good, and *ʿimār al-arḍ*



The divine souverainet and the destination of the resources

One of the most fundamental principles of the Quran is that Allah remains the sole owner of the heavens and the earth: "*To Him belongs the dominion of the heavens and the earth*" (Qurʾān 57:5). This statement forms the basis

of the legal order governing property. Since Allah is the absolute owner of all things, no human right to property can be either original or absolute. Rights of appropriation, therefore, do not derive from individual sovereignty over resources, but from the normative order established by Allah. Private property thus appears not as an unlimited right of disposal, but as a legal modality for the administration of created goods, the legitimacy of which remains subordinate to the purpose for which Allah instituted them.

This purpose is explicitly stated in the Qurʾān when it addresses humankind, affirming that everything on earth was created "*for you*" (Qurʾān 2:29). This formula, repeated in reference to numerous resources –land, water, pastures, animals, crops, and even metals– does not establish an original right of ownership for specific individuals. It expresses the primary purpose of created resources: they are placed at humanity's disposal so that it can fulfill its mission of *ʿimār al-arḍ*. Their shared purpose thus precedes any particular form of appropriation (Belabes, 2026d). Property rights, therefore, do not serve to create this purpose, but rather to legally organize the modalities of its exercise, in accordance with the purposes intended by the Lawgiver.

Human beings thus receive resources not as sovereign owners, but as *amīn* (custodians) charged with ensuring their administration in accordance with Allah's will. This responsibility excludes both *isrāf* (waste), *fasād* (corruption), and forms of hoarding incompatible with the original purpose of the goods. The exercise of property rights is therefore not a matter of absolute freedom of disposal; it is rooted in a fiduciary responsibility that constantly links the use of resources to the purposes for which they were created.

This legal system stems directly from the *tawḥīd* approach to causality and social order developed in this research. Contrary to a major tradition in modern political economy, in which labor is conceived as the foundation of value, property, and, more broadly, the creation of wealth (Locke, 1689; Smith, 1776; Ricardo, 1817), the *tawḥīd* perspective never attributes autonomous causality to human activity. Wealth results from the interplay between resources created by Allah, the *asbāb* (causes) that human beings legitimately employ, and the divine causality through which Allah effectively grants *rizq* (provision). This notions finds a particularly illuminating expression in Ibn Khaldūn (1981, 1, 479), who defines *maʿāsh* as "*the pursuit of rizq and the effort exerted to obtain it*", thus distinguishing human effort from the ultimate source of sustenance (Belabes, 2026e). Human activity is therefore a necessary cause of the production of wealth, without ever being its creative principle, the latter remaining inseparable from the sovereignty of Allah.

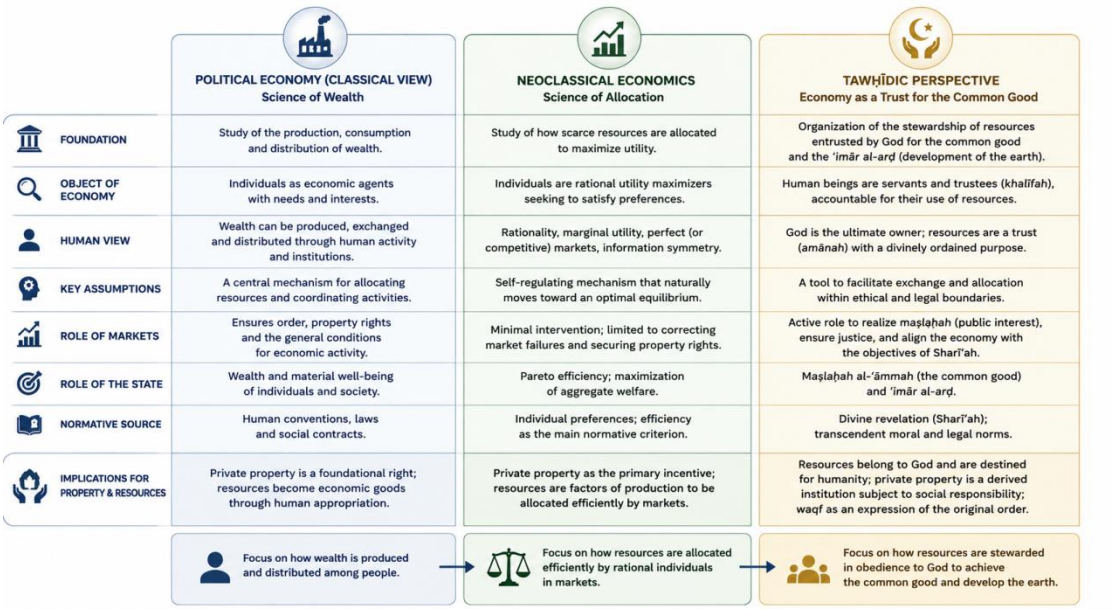
Consequently, neither private property nor the market can be established as the founding principles of the economic order. They constitute institutions designed to organize the administration, circulation, and allocation of resources in accordance with their original purpose. The logic is thus reversed: resources do not become common because people decide to share them; they become common because of their primary belonging to Allah and their original purpose in service to humanity. Property rights, therefore, do not function to create this common purpose, but rather to legally organize the modalities of its exercise in accordance with the objectives of *Sharīʿah*.

This shift in the level of analysis leads to a redefinition of the very object of political economy. While economics is traditionally defined as the science of the production, consumption, and distribution of wealth (Say, 1803), here it appears as the study of the legal and institutional conditions that enable the responsible management of the resources entrusted by Allah for the purpose of achieving the common good (al-maṣlaḥah al-ʿāmmah) and the iʿmār al-arḍ. Economic activity is no longer viewed as the autonomous production of wealth, but as the management of resources whose creation, purpose, and destination are governed by a pre-existing ontological order (Belabes, 2025a).

This conception also differs from the neoclassical paradigm, whose analytical framework is based on individual rationality, the maximization of utility, and the assumption that markets spontaneously tend toward an optimal equilibrium (Arrow & Debreu, 1954). From a Tawhid perspective, neither individual preferences, nor property rights, nor market mechanisms constitute the generating principle of economic order. This order stems from Tawhid, understood as the ontological principle that governs the relationships between Allah, humankind, and created resources, and whose legal expressions are found in the institutions of *Sharīʿah*.

Figure 2 summarizes this comparison. It shows that the divergence between these two paradigms lies less in their economic mechanisms than in their ontological presuppositions. These presuppositions determine the conception of the origin of resources, economic causality, the function of property, the purpose of economic activity, and, more broadly, the modes of organization of social order.

Figure 2. Three Conceptions of Economic Order: Political Economy, Neoclassical Economics, and the Tawḥīdic Perspective.



The maṣlaḥah al-ʿāmmah as the primary principle of the Shariʿ order

The preceding developments lead to a decisive consequence for the *hikmat al-tashrīʿ*. In the legal order based on *tawḥīd*, *al-maṣlaḥah al-ʿāmmah*, which al-Juwaynī (2007, 8, 350) defines as "*al-jihah al-ʿāmmah al-ḥāwiyah li-wujūh al-khayr*" (the general destination encompassing the various forms of achieving the common good), does not constitute an external limit imposed on the exercise of individual rights; rather, it represents their foundational principle (Belabes, 2025b).

In this definition, the expression "*wujūh al-khayr*" does not refer solely to charitable works in the narrow sense, but to the entirety of beneficial *maqāṣid* recognized by *Sharīʿah*. The *maṣlaḥah al-ʿāmmah* thus appears as the general destination encompassing all legitimate forms of achieving the common good. Any claim to the appropriation of created resources therefore finds its legitimacy only in its conformity to the purpose that Allah has assigned to them, and not solely in the will of the one who possesses them.

This clarification also leads us to reconsider the role of the *waqf*. It does not primarily fall under the category of charity or benevolence, of which it can certainly be one expression, but rather under the umbrella of the common good itself. Its foundation is therefore not that of a "*third sector*" distinct from the state and the market; it belongs to the fundamental institutional architecture of *Sharīʿah*, from which the various methods of resource management subsequently derive, whether these fall under public authority, private property, or forms of solidarity (Belabes, 2017).

The *Sharīʿ* order, therefore, does not establish the purpose of goods; it recognizes a pre-existing purpose and organizes the modalities of its fulfillment. Property rights thus appear as derived legal forms, intended to allow for the responsible management of resources without ever altering their original purpose. Private property is therefore neither an original right nor sovereignty over goods, but an institutional modality for the management of resources entrusted to humankind. Its legitimacy stems from its effective contribution to the common good and to the realization of *iʿmār al-arḍ*, in accordance with the objectives of *Sharīʿah*.

This hierarchy of objectives confers unity upon the principal institutions of property law in Islam, as illustrated in Figure 3. These institutions do not serve independent purposes but rather constitute complementary

expressions of the same ontological order. The *waqf* permanently removes certain assets from the ordinary mechanisms of appropriation in order to guarantee their collective use. Zakāt ensures the continuous circulation of wealth in accordance with this same objective. The prohibition of *ribā*, *kanz* (hoarding), and monopolistic practices prevents resources from being diverted from their primary purpose to become instruments of capture or economic domination (Belabes, 2025c). Similarly, the legal framework governing resources naturally intended for collective use –such as water, pastures, or public roads– directly reflects their shared purpose. Despite the diversity of their legal mechanisms, all these institutions stem from the same principle: preserving the original purpose of the resources created and organizing their administration in service of the common good and *ʿumrān*.

Figure 3. The Tawḥīd-Based Architecture of Resource Governance



Figure 4 shows that these institutions do not constitute exceptions to property rights, but rather complementary expressions of the same legal order based on *tawḥīd*. Each reflects, in its own way, the primacy of the common purpose of resources over their individual appropriation. Their coherence thus stems from a single principle that governs all property law.

This primacy of the common good not only governs the status of resources; it also determines the distribution of obligations (*takālīf*). Al-Shāṭibī (1997, 3, 88–89) shows that everyone is first and foremost obligated to assume responsibility for the interests for which they are directly responsible. However, when a *maṣlaḥah* concerns the entire community, individual interests may be assumed by others to allow the person concerned to dedicate themselves to this collective purpose, provided that this assistance does not impose an equivalent or greater harm on them.

The *maṣlaḥah al-ʿāmmah* thus appears not as a mere moral or political objective, but as the structuring principle of the *hikmat al-tashrīʿ*. It simultaneously governs the legal regime of resources and the distribution of obligations by subordinating private interests to the ends upon which the preservation of the order established by *Shariʿah* depends.

This reading also renews the interpretation of the Qurʾān narrative of creation. Before any appropriation, the earth is established as the abode of humanity, and resources are directed toward the preservation of life and the realization of *iʿmār al-arḍ.* The purpose thus precedes appropriation, responsibility precedes the right, and legitimate use precedes legal title (Belabes, 2025d). The legal order does not create this purpose; it organizes its realization.

The *waqf* and *zakāt* therefore no longer appear as corrective mechanisms intended to compensate for the effects of private property or the market. They express, in a particularly explicit manner, the original structure of the legal order stemming from Tawḥīd, by giving institutional expression to the principle that all human appropriation remains fiduciary, relative, and ordered to the *maṣlaḥah al-ʿāmmah* and the *iʿmār al-arḍ*.

This conclusion naturally opens the second part of this study. If the common good constitutes the primary principle of the legal order, its first institutional objectification could not be a property regime, but an institution entirely dedicated to Allah and intended for all of humanity: al-Bayt al-Ḥarām. This thus appears as the institutional matrix of the *waqf* and the first historical manifestation of the tawḥīdian order of the common good.

The Bayt al-Ḥarām: the first historical manifestation of the order of the common good

The first part established that *tawḥīd*, both ontologically and normatively, grounds the primacy of the common good over any form of particular appropriation. It now remains to examine its first historical objectification. The Qurʾān presents the Bayt al-Ḥarām not as a mere place of worship, but as the first earthly institution in which the tawḥīdian order receives legal and spatial expression. This foundation, however, does not constitute an absolute beginning. It extends, in the order of human history, the Bayt al-Maʿmūr, the celestial House continually frequented by the angels (Qurʾān, 52:4; al-Bukhārī, no. 3207). According to the *ḥadīth*, seventy thousand angels perform prayer there every day. After leaving it, they never return, yielding their place daily to a new group (Ibn Ḥajar 1971, 6:303). The Bayt Ḥarām thus appears as the earthly manifestation of a pre-existing cultic and institutional order, ensuring its continuity within human creation. A consistent institutional trajectory then emerges: from the Bayt al-Maʿmūr, the celestial archetype of exclusive consecration to Allah, to the Bayt Ḥarām, the first earthly objectification of this order, and then to the *waqf*, which guarantees its legal perpetuation throughout history.

The transition from principle to institution reveals that the primacy of the common good is not merely an abstract requirement: it is embodied, from the very beginning of human history, in an institution exclusively dedicated to Allah, whose consecration simultaneously establishes the universality of its purpose, the permanence of its function, and its irreducibility to any form of private appropriation (Abulaban & Belabes, 2025). As such, the Bayt al-Ḥarām constitutes the historical prototype of the institution of the common good and can be understood as the archetype of the waqf, predating its doctrinal systematization by fiqh and revealing the principles that would later govern its legal regime.

From this perspective, the *waqf* no longer appears as an institution whose understanding rests primarily on its division into *waqf dīnī*, *waqf khayrī*, and *waqf ahlī* (Belabes, 2021), nor as an institution whose historical originality resides essentially in the development of *waqf ahlī* as an Islamic innovation (Kahf, 2006, 9), since its religious and charitable forms are attested in pre-Islamic civilizations. While this typology remains relevant for distinguishing the different legal modalities of allocating property, it cannot account for the principle that confers unity upon them. The *waqf* constitutes the legal form through which the same principle of consecration is reproduced throughout history (Belabes, 2020), its first earthly manifestation being the Bayt al-Ḥarām and its purpose being the fulfillment of tawhid during the *ʿumran* (Belabes & Rajhi, 2026). The various categories of waqf therefore represent neither distinct institutions nor autonomous innovations, but rather the historical modalities through which a single principle of consecrating the common good to Allah unfolds in diverse legal, social, and economic contexts. The *waqf* thus appears as the institutional memory of the Bayt al-Maʿmur and the Bayt al-Ḥarām: it ensures, throughout the history of human societies, the continuity of an ontological order in which institutions originate from the consecration of the common good to Allah for the purpose of fulfilling tawhid on earth, before acquiring their legal, economic, and social characteristics.

The First Building Erected for Humankind

The Qurʾān opens the institutional history of humanity with a statement whose scope far exceeds the mere description of a place of worship: "*Indeed, the first House established for mankind was that at Bakka, blessed and guided for the worlds*" (Al ʿImrān, 3:96). The originality of this verse lies as much in its choice of vocabulary as in the legal order it reveals. The text does not present the Bayt al-Ḥarām as the first building constructed by humans, but as the first House "*established for mankind*" (*wuḍiʿa li-l-nās*). The use of the verb wuḍiʿa in the passive voice suggests that the origin of this institution does not stem from a human initiative, but from a founding act of which Allah is the author. The Bayt al-Ḥarām thus appears as an institution whose function was determined from its very establishment.

The significance of this statement also lies in the expression "*li-l-nās*" (for all). The beneficiary of this institution is neither a tribe, nor a people, nor a particular religious community, but all of humanity. This universality does not simply reflect a broadening of the circle of beneficiaries; it is inherent to the very definition of the institution. From its inception, the Bayt al-Ḥarām was established for all people, regardless of any familial, political, territorial, or religious affiliation.

This universal purpose illuminates the legal logic that governs the institution. Because it is exclusively dedicated to Allah, the House is simultaneously exempt from any particular appropriation. Far from opposing consecration and universality, the Qurʾān presents them as two dimensions of the same reality: it is precisely because the Bayt al-Ḥarām belongs exclusively to Allah that it cannot belong to anyone in particular and remains open to all of humanity. The vertical relationship with the Creator thus grounds the horizontal vocation of the institution.

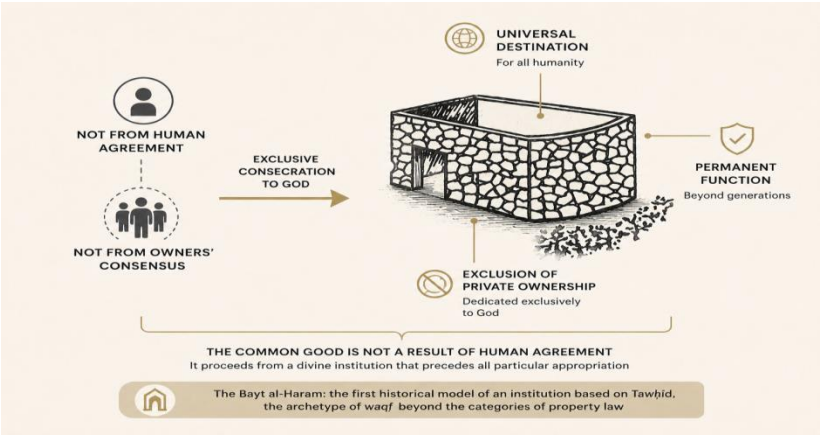
The Bayt al-Ḥarām therefore appears as much more than a place of worship. It constitutes the first earthly institution whose system derives entirely from this articulation between divine consecration and universal purpose. Even before the various historical forms of property, political authority, or economic organization structured human societies, the Qurʾān presents an institution whose function is to make visible a more fundamental principle: certain goods are consecrated to Allah and, for this very reason, ordered toward the common good of humanity.

This interpretation also allows for a renewed understanding of the 'umran. This does not originate from a political power or a system of exchange, but from an institution that predates all human sovereignty. The Bayt al-Ḥarām constitutes the first organizing center of human life because it establishes a common order based on reference to Allah even before the emergence of the various systems for managing resources. The economic, legal, and political order thus appears as the historical development of a more fundamental institutional architecture.

Verse 3:96 therefore does not merely describe the antiquity of the Bayt al-Ḥarām; it reveals the principle that governs its establishment. The first institution in human history is not founded on a right of ownership, but on a consecration that makes the common good possible. The Qurʾān thus establishes, from the very beginning, that the common purpose of goods precedes their individual appropriation. This priority constitutes the principle from which the various historical forms of resource administration can subsequently be understood, of which the waqf represents the most complete legal expression.

This articulation is summarized in Figure 4, which shows how the exclusive consecration of the Bayt al-Ḥarām to Allah simultaneously establishes its universal purpose, its institutional permanence, and its irreducibility to any private appropriation..

Figure 4. The Bayt al-Ḥarām as the Archetype of Waqf and the First Institution of the Common Good



It is worth noting that the Bayt al-Ḥarām originally had a rectangular plan, extended by a semi-circular section on the north side (now delimited by the *hijr* of Ismāʿīl). Its current configuration dates back to the reconstruction undertaken by the Quraysh when the Messenger of Allah (peace and blessings be upon him) was thirty-five years old, five years before the beginning of the Revelation. According to ancient sources, a woman burned incense

in the Bayt al-Ḥarām; a spark flew from her censer and ignited the building's veil. The fire damaged the structure, leading the Quraysh to demolish it in order to rebuild it (Ibn Kathīr, 2013, 3, 97).

Before undertaking the work, the notables of Quraysh decided to finance the reconstruction only with lawful goods (*kasb ṭayyib*), excluding any wealth derived from prostitution, *ribā*, or injustice. This moral imperative had an architectural consequence: the available resources proved insufficient to restore the building to its original dimensions. The Quraysh therefore reduced its footprint, leaving a portion of the foundations attributed to Ibrahim outside, now marked by the *hijr* of Ismāʿīl, before giving it its current cubic form (Ibn Hishām, 1955, 1, 194). It is from this latter configuration that the name Kaʿba derives, the term *kaʿb* designating in Arabic an object of cubic shape.

The Bayt al-Ḥarām: Consecration to Allah as the foundation of the waqf

The Qurʾān (3:96-97) presents Bayt al-Ḥarām as a House established for mankind on earth and dedicated to the exclusive worship of Allah. These two descriptions express the two dimensions of the same legal framework: one establishes the universality of its purpose, the other guarantees its irreducibility to any human appropriation. Exclusive consecration to Allah thus appears as the legal foundation for its constant orientation towards the common good.

This consecration establishes a fundamental distinction between sovereignty over the property and its administration. If Allah remains the sole sovereign of Bayt al-Ḥarām, men only ever ensure its care and management. The administration of the property is thus dissociated from any claim to ownership. The permanence of its function depends neither on the will of those who are successively responsible for it, nor on the transformations likely to affect the relationships of appropriation; it proceeds exclusively from its consecration to Allah and the purpose that He assigned to it.

The *taḥbīs* thus acquires a meaning that far transcends that of a mere legal technique. This understanding is already suggested by Ibn ʿAbbās's account of the construction of the Bayt al-Ḥarām by Ibrāhīm and Ismāʿīl: "*By Allah, they did not build it with mortar or mud bricks. Nor did they have helpers or the resources necessary to roof it. Allah simply showed them its location, and then they circumambulated it*" (al-Azraqī, 1983, 1, 62). The emphasis, therefore, is not on the monumentality of the building or the material means employed, but on the divine designation of the site and its cultic consecration.

This narrative is also significant for what it omits. Even though Jurhum's tribe already resided near the zamzam well, Ibrāhīm, according to the account, sought no assistance other than that of his son Ismāʿīl. Similarly, the absence of elaborate material resources underscores that the construction of the House was based neither on the financial contribution of any group nor on means that could later establish a particular claim. The Bayt al-Ḥarām was thus established without any person, clan, or tribe being able to claim any right to it on the grounds that their ancestors had participated in its financing or construction alongside Ibrāhīm. Its sole foundation is divine designation, which, from its inception, exempts it from any claim of human ownership or co-ownership and guarantees its universal purpose.

Dedicating property to Allah does not consist of removing it from the world, but rather of permanently removing it from private interests in order to guarantee its ongoing allocation to the purposes intended by the Creator. The vertical relationship with Allah thus becomes the foundation of its horizontal purpose towards humankind. The inalienability of property no longer appears as an end in itself, but as the legal condition for the continuity of its mission in service to the human community.

These historical facts lead to a renewed understanding of the *waqf*. Jurists traditionally define it as the immobilization of the substance of an asset (*ḥabs al-ʿasl*) and the permanent allocation of its utility (*tasbīl al-manfaʿah*). This definition accurately describes the legal effects of the institution, but does not fully reveal its philosophical basis concerning the tashriʿ.

From the perspective of *tawḥīd*, the *waqf* can be understood as the legal institution by which the *Sharīʿah* translates, in the order of goods, the principle according to which the resources created, because they originally

belong to Allah, are intended for the common good before being able to be the subject of a particular appropriation. The immobilization of the good and the lasting assignment of its utility therefore appear as the legal consequences of a more fundamental principle: the permanent consecration of a good in the service of divine purposes and of *ʿimār al-arḍ*.

From this perspective, the Bayt al-Ḥarām not only represents the first place of worship in human history; it constitutes the first institution in which this principle receives a concrete legal translation. Long before fiqh systematized its rules, the Sacred House already brings together the essential characteristics of the *waqf*: a property dedicated exclusively to Allah, exempt from any private appropriation, administered in a fiduciary manner and irrevocably assigned to a universal purpose.

This reading finds explicit support in Ibn Taymiyya (2005, 31, 134), who states: "*It is well known that the Kaʿabah is the best waqf on the face of the earth*". This formula is not a simple analogy; it recognizes that the Bayt al-Ḥarām constitutes the paradigmatic model of *waqf*, the rules of which classical jurists will later explain without modifying the founding principle, according to which the common destination of a good proceeds from its consecration to Allah and precedes any form of particular appropriation.

The *waqf* thus appears less as an exceptional institution limiting the effects of private property than as the most complete legal expression of the tawḥīdian order. It makes legally visible a deeper ontological truth: because Allah remains the sole absolute owner of created resources, all human appropriation is necessarily relative, fiduciary and ordered to the realization of the common good (Muṭīʿī, 2013, 37). The Bayt al-Ḥarām constitutes the first historical manifestation and reveals that the institution of the *waqf* does not come from an innovation in *fiqh*, but from the progressive formalization of a principle inscribed, from the beginning, at the heart of the legal order desired by the Qurʾān.

The Bayt al-Ḥarām as the institutional foundation of the waqf

The Bayt al-Ḥarām can thus be understood as the institutional foundation of the *waqf*. However, such a proposition requires essential methodological clarification. It is by no means a matter of retrospectively projecting onto the time of Ibrahim the technical categories developed several centuries later by classical literature (Al-Raʾy, 2014; al- Al-Khaṣṣāf, 1999; Al-Ṭarābulusī, 1981) by contemporary works devoted to *fiqh al-awqāf* (Zarqa, 1947; Abū Zahrah, 1971; Al-Kubaysī, 1974). The notions of constituent (*wāqif*), constitutive declaration (*ṣīghat al-waqf*), beneficiaries (*mawqūf ʿalayhim*), management (*naẓārah*), and procedural regime all stem from a later legal systematization. They cannot, therefore, serve as the sole criterion for identifying the existence of a waqf throughout the history of Revelation, from Adam to the doctrinal codification of *Sharīʿah*. Making these legal constructs a prerequisite for recognizing a waqf would amount to confusing its normative development with its ontological reality.

The aim of this research is precisely the opposite: to trace the legal forms back to the founding principle that makes them possible. From this perspective, the Bayt al-Ḥarām appears as the first institution in which the principles that would later be systematized by the f*iqh* of *waqf* are already contained. The House is exclusively dedicated to Allah, exempt from any private appropriation, irrevocably allocated to all of humanity, and administered in the name of this purpose rather than by virtue of a right of ownership. The fiqh does not, therefore, establish this logic; it provides it with a conceptual language, legal categories, and a normative framework.

This distinction is particularly clear in the figure of Ibrahim. The Qurʾān never presents him as the owner of the Bayt al-Ḥarām. He is the one who "*lays the foundations of the House*" by fulfilling the mission Allah entrusts to him. His authority stems from a responsibility (*amānah*) and not from a right of ownership. From the outset, the administration of a consecrated property is thus dissociated from any claim to ownership: the one who serves the institution never becomes its owner.

The Bayt al-Ḥarām thus reveals a fundamental principle of the *tawḥīd* ontology of the social order: *Ḥabs* does not remove a property from the world, but transforms its legal status and purpose. By dedicating it to Allah, it is definitively removed from private interests in order to guarantee the permanence of its universal purpose. *Ḥabs*

thus appears as the institutional mechanism by which a resource is permanently ordered to the common good precisely because it ceases to be susceptible to human appropriation.

This interpretation allows for a renewed understanding of the *waqf*. It no longer appears as a simple instrument of charity or redistribution, but as the reproduction, within the order of human institutions, of the principle inaugurated by the Bayt al-Ḥarām. Each waqf thus constitutes a historical actualization of a more fundamental institutional structure, inscribed from the outset in the architecture of the *ʿumrān*: dedicating a resource to Allah in order to preserve its universal vocation in service of the common good.

This conclusion naturally prepares the next stage of the argument. While the Bayt al-Ḥarām constitutes the first institution of the common good, it is not sufficient on its own to make human life possible. The *ʿumrān* also requires the resources necessary for subsistence. This is precisely the function fulfilled by zamzam. Associated from the outset with the Sacred House, the well reveals that the common good rests not only on a consecrated space, but also on a vital resource intended for all. Together, the Bayt al-Ḥarām and zamzam outline the first institutional articulation between consecration, subsistence, and the common good, foreshadowing the integrated architecture of *rizq – waqf – maʿāsh – zakāt – ʿumrān* that will be developed later in this study.

The waqf: the institutional reproduction of the tawḥīdian order

The preceding discussion has shown that *tawḥīd* ontologically grounds the priority of the common good and that al-Bayt al-Ḥarām constitutes its first institutional objectification. It now remains to understand how this foundational principle becomes operative in a *ḥikmat al-tashrīʿ* where private property is fully recognized. However, private property is neither the sole mode of relating to goods nor the primary institutional form from which social order is constructed; it is part of a broader legal architecture, ordered towards the realization of the common good and *ʿimār al-arḍ*.

The originality of the *waqf* lies precisely in this articulation. It is not simply an institution of property law, but an institution of memory which, by constantly referring to al-Bayt al-Ḥarām as the first institution dedicated to Allah and open to all humanity, reminds us of the limits of any human conceptualization, however fruitful it may be.

It thus invites us to recognize that legal and economic categories, including that of private property, can only be understood within their own domain of validity and cannot claim, on their own, to account for the origin or foundations of the social order. This limitation appears all the more significant as contemporary archaeological and anthropological research calls into question the narratives making property or the economy the first principles of the formation of societies.

The work of Jacques Cauvin (2000) showed that the symbolic revolution precedes the economic revolution, while the excavations led by Klaus Schmidt (2010) at Göbekli Tepe led to the reversal of the classic pattern of neolithization, summarized by the now famous formula: "*first came the temple, then the city*". From a more general anthropological perspective, Maurice Godelier (2007) also emphasizes that no society is constituted solely from economic or property relations: every society is firstly based on a set of symbolic, religious and political realities which make possible subsequent forms of economic organization.

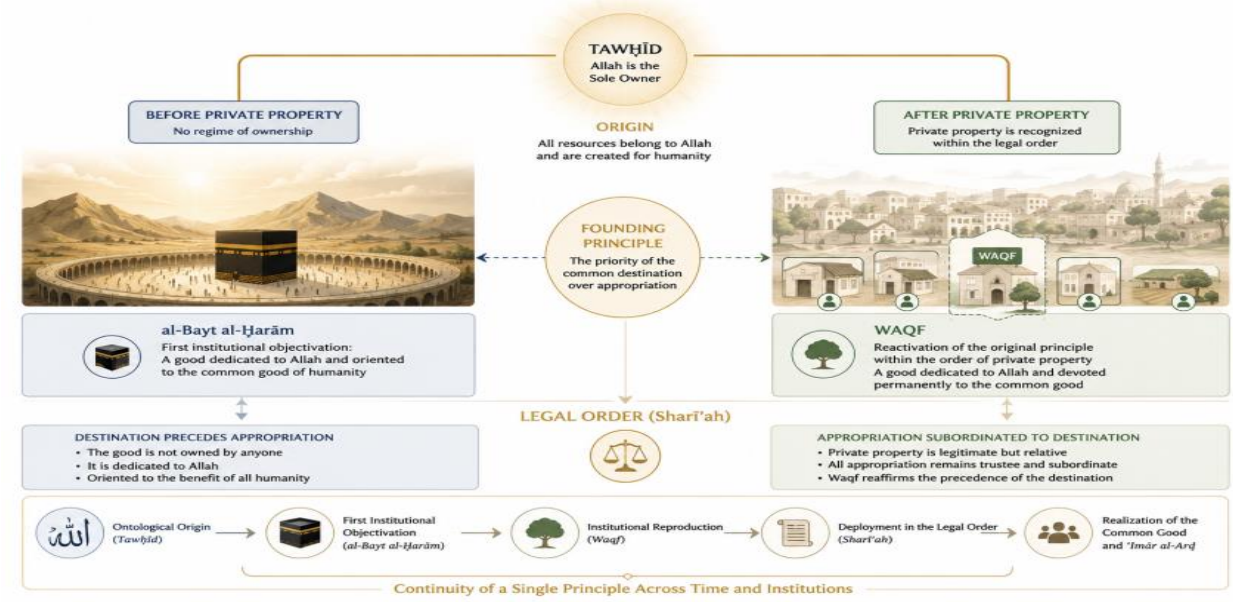
From this perspective, the waqf does not relativize private property; it recalls its proper place within an institutional architecture whose primary principle remains the consecration of the common good with a view to the accomplishment of tawḥīd on earth, as it was inaugurated by al-Bayt al-Ḥarām.

The waqf as an institution of permanent consecration

The uniqueness of al-Bayt al-Ḥarām lies not only in its sacred character. It demonstrates, prior to any institution of property, that an asset can be exclusively dedicated to Allah while remaining entirely devoted to the service of humanity. This interplay between divine consecration and common purpose constitutes the principle that the waqf makes legally applicable.

The *waqf* does not materially reproduce al-Bayt al-Ḥarām; it extends its founding principle, as illustrated in Figure 5. While the Sacred House manifests, prior to any institution of property, the primacy of common use over appropriation, the *waqf* transposes this same principle into a legal order where private property is now recognized (Belabes, 2024). It therefore does not constitute a derogation from the property regime, but rather the reactivation, within it, of a principle that is historically and ontologically prior to it. It does not remove an asset from an original order of property; it reaffirms that all appropriation remains subordinate to a pre-existing purpose. The *waqf* thus renders legally reproducible the principle inaugurated by al-Bayt al-Ḥarām, ensuring continuity between *tawḥīd*, its first institutional objectification, and its deployment within the legal order of *Sharīʿah*.

Figure 5. From al-Bayt al-Ḥarām to waqf: Institutional reproduction of the tawḥīdic principle



The classical definition of *waqf* as *taḥbīs al-aṣl wa tasbīl al-manfaʿah* precisely reflects this continuity. From this perspective, the word *aṣl* does not simply designate capital or property preserved from alienation; it refers more fundamentally to the permanent support of a purpose that precedes any form of human appropriation. The act of consecration, therefore, does not create a new purpose; it confers legal permanence upon this original purpose, while the fruits of the endowment remain continually directed toward the common good. The irrevocability of the *waqf* thus does not express an exceptional limitation of ownership, but rather the permanence of a mission that remains superior to the prerogatives attached to its administration.

The waqf as an institution of the permanence of the ʿumrān

This continuity allows us to understand the central place that the *waqf* has occupied in the history of Muslim societies over the long term. Its primary function was not to redistribute wealth, but to sustainably ensure the institutional conditions on which the reproduction of *ʿumrān* depends.

Mosques, schools, universities, libraries, hospitals, markets, bridges, roads, hydraulic systems, caravanserais, and fountains all stem from the same institutional logic: to guarantee, over the long term, the resources and infrastructure essential to community life. The *waqf*, therefore, is not limited to supporting works of general interest; it establishes, over time, the material and institutional conditions for the development of the common good. It is precisely this function that Ibn Khaldūn (1981, 1, 549) highlights when he describes the rise of pious foundations from the time of Ṣalāḥ al-Dīn al-Ayyūbī and under the Ottoman dynasties that succeeded him:

"*They increased the construction of schools, zawiyas, and ribat, and endowed them with revenue-generating awqaf, while sometimes reserving a share of their administration or profits for their descendants." Driven, for the most part, by the pursuit of good and divine reward, they thus contributed to the proliferation of awqaf, the increase in their revenues, the growth in the number of students and teachers thanks to the resources they*

provided, the influx of learners from Iraq and the Maghreb, as well as the prosperity of knowledge markets and the flourishing of the sciences".

This testimony shows that the *waqf* was not merely a matter of individual charity. By ensuring the long-term existence of institutions of learning and collective infrastructure, it facilitated the movement of students and scholars, supported the economic activities associated with them, and contributed decisively to the continuation of *ʿumrān*.

This permanence also explains the unique status of the *waqf* in the Islamic legal order. Consecrated property is neither ordinary private property nor state heritage. Their unity does not come from a particular patrimonial regime, but from their irrevocable attachment to the sovereignty of Allah and the common destination of resources. It is in this sense that Ibn Ḥazm (1984, 8, 154) states: "*Waqf does not consist of transferring property to another owner, but to the most eminent of owners*: *Allah, Exalted be He*". The act of consecration therefore does not establish a new owner; it makes legally explicit a sovereignty which, in the tawḥīdian perspective, pre-exists any form of human appropriation.

The *waqf* thus introduces its own temporality into the organization of economic and social life. While market exchanges mainly respond to present needs and public action often remains dependent on transformations in political power, consecrated goods are sustainably linked to a purpose that goes beyond individuals, families and governments. They thus ensure the institutional continuity of the essential functions of the *ʿumrān* and maintain, in history, the principle inaugurated by al-Bayt al-Ḥarām: the common destination of resources remains prior and superior to any form of particular appropriation.

An institution that cannot be reduced to contemporary categories

This perspective leads us to move beyond contemporary interpretations that reduce the *waqf* to an instrument of philanthropy, solidarity economy, or social finance. While these approaches account for some of its historical functions, they fail to grasp its foundation, since they explain it based on its effects rather than on the ontological principle that gives it its coherence. The divergence lies less in the mechanisms employed than in the foundational order that underpins them. In contemporary approaches, private property generally constitutes the starting point of economic organization, with the common good subsequently resulting from voluntary acts of redistribution or solidarity. In the *tawḥīd* perspective, the order is reversed: *Tawḥīd* establishes the common good, which determines the legitimacy and modalities of exercising property rights, before finding its institutional expression in the *waqf* and *zakāt*.

Philanthropy thus rests on the idea that an owner freely disposes of their property in order to allocate a portion of it for the benefit of others. Such a conception presupposes that private property constitutes the original mode of existence of wealth and the principle from which economic and social relations are organized, with the common good appearing only as the end result of a voluntary act of disposal. The waqf operates according to the opposite logic. The act of consecration does not create a new purpose based on an absolute right of ownership; it recognizes that all human property remains derived from a pre-existing order. The founder thus merely confers a permanent legal expression upon the original purpose of the resources created, in accordance with the order willed by Allah.

From this perspective, neither economic efficiency –emphasized by market efficiency theories– nor social utility –prioritized by approaches to the social and solidarity economy– constitutes the basis for the legitimacy of the *waqf*. These are the consequences. A consecrated asset does not produce lasting collective utility simply because it is efficient or socially useful; it becomes so because its primary purpose receives a permanent legal interpretation.

The *waqf* thus appears as the institution through which the principle inaugurated by al-Bayt al-Ḥarām remains operative in an order where private property is recognized. It reminds us that private property is never primary: it remains subordinate to a purpose that precedes it and that finds its origin in *tawḥīd*.

This interpretation finally prepares the way for its connection with *zakāt*. While the waqf ensures the institutional permanence of resources permanently dedicated to the common good, *zakāt* guarantees their continuous circulation within the community. Far from constituting two distinct mechanisms, they express two complementary modalities of the same ontological principle: maintaining the resources created constantly ordered to their origin and their purpose in order to make possible the sustainable realization of *ʿumrān*.

Private property and zakāt in the dynamics of ʿumrān

The preceding discussion has shown that *tawḥīd* constitutes the ontological principle of the Islamic economic order, that the Bayt al-Ḥarām offers its first institutional expression, and that the *waqf* extends its logic into the organization of human societies. This framework, however, is not limited to assets definitively dedicated to Allah. *ʿUmrān* also presupposes institutions governing the production, administration, and circulation of the resources necessary for human subsistence. It is within this perspective that private property and *zakāt* are situated.

Far from being autonomous or competing institutions with the *waqf*, private property and *zakāt* stem from the same *tawḥīd* foundation. The former organizes the responsible administration of resources entrusted by Allah, while the latter guarantees their distribution in accordance with their original purpose and the common good. Together, the *waqf*, private property, and *zakāt* constitute the principal institutional mechanisms through which *tawḥīd* sustainably governs the relationships between humankind, resources, and the *ʿumrān*. This architecture articulates the rights of Allah (*ḥuqūq Allāh*) and the rights of creatures (*ḥuqūq al-ʿibād*) (Ibn al-Qayyim 2009, 314), while making self-reform (*ṣalāḥ al-nafs*) the foundation of societal reform (*ṣalāḥ al-ghayr*) (Ibn Taymiyyah, 1984, 160). From this perspective, *tadbīr al-nafs* (self-management) is never separate from collective responsibility: the exercise of rights over resources remains inseparable from their purpose in service of the *ʿumrān*.

Private property as a function of administration

In the *tawḥīd* order, the fundamental question is not to determine who owns property, but rather how it should be administered in accordance with the purpose for which Allah created it. Private property fulfills this requirement. It is neither the foundation of the economic order nor the ultimate source of rights over resources; rather, it is a mode of organization established to make the performance of *ʿumrān* possible.

Its allocation therefore does not transfer ultimate ownership of property, which remains exclusively attributed to Allah. It confers upon human beings a legal capacity enabling them to exercise the function of *istikhlāf* through the *asbāb* of production, investment, exchange, and the preservation of wealth. Private property thus appears as the legal expression of a responsibility (*amānah*) rather than as the assertion of sovereignty. It organizes the freedom to act without ever severing the link that connects resources to their transcendent origin.

This understanding also renews the meaning of the limits imposed on the exercise of property. Prohibitions relating to waste, usury, fraud, injustice, or hoarding are not external restrictions limiting an absolute right. They express the very conditions of its legitimacy. The owner is only legitimate in their management as long as it remains consistent with the intended purpose of the resources entrusted to them by Allah. Private property thus appears as an institution oriented towards the preservation, development, and growth of assets for the common good.

Zakāt as an institution of circulation

While private property organizes the management of resources, *zakāt* ensures that their circulation remains in accordance with the order established by Tawhid. Its purpose extends far beyond the redistribution of wealth to the categories mentioned in the Qurʾān . It constitutes the institutional mechanism by which resources continue to fulfill the purpose for which they were created.

By periodically reminding us that the assets managed by individuals remain under the authority of Allah, *zakāt* protects private property from any claim to self-sufficiency. It demonstrates that individual management is never

separate from collective responsibility. Wealth cannot therefore be permanently immobilized or removed from the economic activity upon which the continuity of 'umran (Islamic pilgrimage) depends. Its circulation is an institutional requirement, not merely a moral virtue.

This logic reveals the profound complementarity between *zakāt* and *waqf*. While waqf stabilizes certain resources by irrevocably dedicating them to permanent functions of general interest, *zakāt* keeps wealth circulating that remains within the sphere of private property. One guarantees the permanence of the infrastructure of the common good; the other ensures the continuity of the economic flows necessary for its renewal. Together, they prevent resources from being either permanently captured by private interests or dissipated without producing lasting effects.

An integrated institutional architecture

The unity of the *tawḥīd* economic order becomes fully apparent when these institutions are understood not as independent mechanisms, but as complementary expressions of the same *ḥikmat al-tashrīʿ*. Each fulfills a specific function while remaining governed by a single principle: resources belong to Allah and must be managed in accordance with the purpose for which they were created.

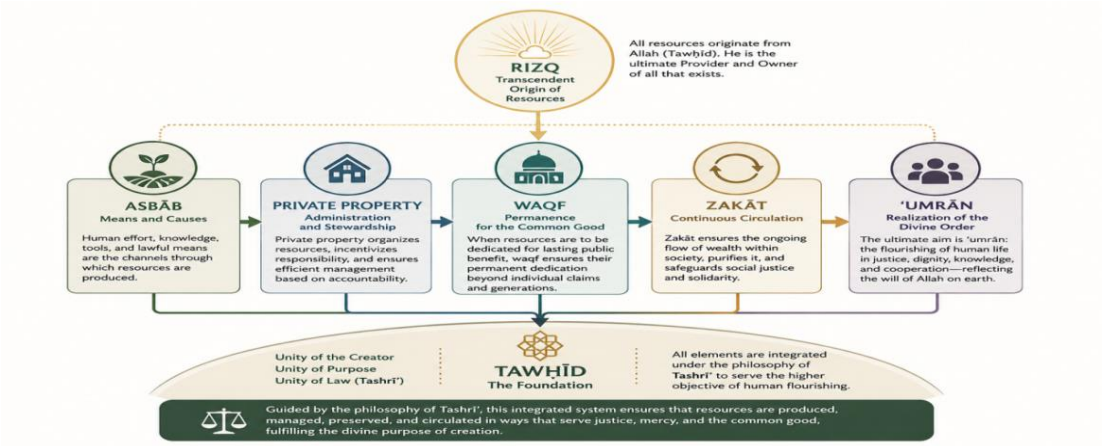
Private property organizes individual responsibility in the development of resources. The *waqf* ensures the preservation of the assets upon which the continuity of collective life depends. *Zakāt* guarantees the circulation of wealth so that its benefits remain accessible to the entire community. Far from pursuing competing objectives, these institutions constitute the various modalities through which *tawḥīd* orders the relationships between individuals, resources, and society.

This architecture makes it possible to overcome several oppositions inherited from modern economic thought, notably between private property and collective interest, market and solidarity, or even individual initiative and institutional intervention, and even to extend this reflection to the different models of AI, from LLMs to World Models (Alghamdi & Belabes, 2026). From a *tawḥīd* perspective, these categories are not competing but complementary, because they all stem from the same ontology. Their coherence does not result from a compromise between conflicting interests, but from their shared orientation toward the realization of *ʿumrān*.

The general architecture that emerges from this research can therefore be formulated succinctly. *Rizq* constitutes the transcendent origin of resources; *asbāb* make their development possible; private property organizes their administration; *waqf* guarantees their permanence when certain resources must be permanently dedicated to the common good; *zakāt* ensures their continuous circulation; together, they contribute to the realization of *ʿumrān*, which constitutes the historical expression of Tawhid through the *ḥikmat al-tashrīʿ*.

Figure 6 summarizes this institutional architecture. It shows how, starting from *rizq* as the transcendent origin of resources, the different economic and social institutions are structured according to a hierarchical logic leading to *ʿumrān*, understood as the historical translation of the order willed by Allah.

Figure 6. From *rizq* to *ʿumrān*: The tawḥīdian order of resources and human flourishing



CONCLUSION

The literature on *waqf* and *zakāt* generally considers them as two distinct institutions, analyzed primarily through their legal, social, and economic functions. Recent works increasingly situate this interpretation within the framework of *maqāṣid al-Sharīʿah*, relating them to the SDGs. While this approach usefully highlights their contribution to development, it tends to favor a functional reading of the institutions without always distinguishing between the different levels of general purposes (*maqāṣid ʿāmmah*), particular purposes (*maqāṣid khāṣṣah*), and specific purposes *(maqāṣid juzʾiyyah*). This assimilation also raises a methodological difficulty: by evaluating *waqf* and *zakāt* primarily in light of objectives developed within a different normative framework, it risks obscuring the inherent coherence of *Sharīʿah*. Institutions designed to preserve *ʿumran* within a legal order prohibiting *ribā* cannot be fully understood when interpreted exclusively through a development model whose financial mechanisms are largely based on interest. This lack of hierarchy thus leads to viewing *waqf* and *zakāt* as instruments serving sectoral objectives, rather than as institutional expressions of a single *tawḥid* order oriented towards the realization of *ʿumrān.*

The shift in analysis to the ontological level involves no longer understanding the institutions of *Sharīʿah* solely through their legal, economic, or social functions, but rather from the perspective of the worldview that underpins them and makes them intelligible. Here, ontology refers to the system of fundamental presuppositions from which a society defines the relationships between different orders of reality and, consequently, organizes its institutions, norms, and practices. From a *tawḥid* perspective, these presuppositions stem from the recognition of Allah's sovereignty over creation, the mission of *istikhlāf* entrusted to humankind, and the common purpose of the resources created for the purpose of *ʿumrān*. The institutions of *Sharīʿah* thus no longer appear as mere mechanisms designed to fulfill specific functions; they constitute the legal and institutional expressions of this ontological order.

This perspective leads to a reinterpretation of the genealogy of institutions that arose around *tawḥid*. The Bayt al-Ḥarām, described in the Qurʾān as "*the first House established for mankind*", appears as the first historical manifestation of this order. Its exclusive consecration to Allah removes it from any human appropriation while guaranteeing its universal purpose. It thus inaugurates an institutional structure that the *waqf* subsequently makes reproducible throughout history. The *waqf* is not an autonomous legal innovation; it translates, in a lasting institutional form, the principle that property consecrated to Allah is irrevocably dedicated to the service of the common good.

The analysis also clarifies the place of private property and *zakāt* within this framework. Private property appears neither as an inherent right nor as absolute sovereignty, but as an institution for managing the resources entrusted to humankind. The *waqf* ensures its lasting consecration when the property must be irrevocably allocated to the common good, while *zakāt* guarantees the continuous circulation of wealth remaining within the sphere of private ownership. Far from pursuing independent ends, these institutions constitute complementary modalities of the same *ḥikmat al-tashrīʿ*, oriented towards the preservation and development of *ʿumrān*, understood as the sustainable flourishing of human life in harmony with the order of creation willed by Allah.

The main contribution of this research lies in highlighting a tawhid architecture of the *ʿumrān*, where the Bayt al-Ḥaram, the *waqf*, private property, and *zakāt* are no longer studied in isolation, but as coordinated expressions of the same ontological principle. This approach leads us to move beyond interpretations that reduce the waqf to philanthropy, *zakāt* to redistribution, or property to an individual right. Their coherence does not stem from a shared economic purpose, but from their inscription within an order of creation founded on divine sovereignty and the common allocation of resources.

Beyond *waqf* and *zakāt*, this research proposes an analytical framework likely to renew the study of *muʾassasāt aṣīlah* (original institutions of *Sharīʿah*). These become fully intelligible when they are related to the tawḥīdian conception of causality and social order which constitutes their principle of intelligibility, rather than when they are considered as a juxtaposition of positive rules or functional mechanisms. This perspective thus invites us to reread, within the same conceptual framework, the theories of property, common goods, natural resources, currency, *ribā*, *zakāt*, taxation and, more broadly, the relationships between the State, the market and society, as so many institutional expressions of the same *ḥikmat al-tashrīʿ*.

Furthermore, this study offers a broader perspective on the *ḥikmat al-tashrīʿ*. It suggests that the *maqāṣid al-Sharīʿah* cannot be reduced to the mere purposes of legal norms; they express the normative translation of a pre-existing ontological order in which *tawḥīd* constitutes the unifying principle. From this perspective, the architecture of "*Bayt al-Ḥarām – waqf – private property – zakāt – ʿumrān*" does not simply describe a succession of institutions, but rather illuminates the logic by which the wisdom of *tashrīʿ* inscribes the sovereignty of Allah within the legal, economic, and social organization of human societies. By placing the common good at the heart of this architecture, this research proposes a theoretical framework capable of renewing the study of original institutions of the *Sharīʿah*, well beyond the sole domain of *waqf* and *zakāt*.

From this perspective, the main challenge is not to adapt the original institutions of *Sharīʿah* to contemporary institutions, but to re-establish their order of precedence. Contemporray institutions –such as banks, financial markets, bonds, or other economic instruments– should not constitute the framework from which *waqf* or *zakāt* are interpreted. On the contrary, they should be conceived as instruments serving the original institutions and the purposes upon which they are founded. Reducing them to mere components of social finance, the solidarity economy, or means of achieving the SDGs amounts to detaching them from their own ontology and reversing the institutional hierarchy established by *ḥikmat al-tashrīʿ*. The renewal of economic thought thus requires less the Islamization of inherited institutions than the reconstruction of contemporary institutions based on the founding principles of *Sharīʿah*.

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