

## **A Historical Investigation of the Land Granted to Tamīm Ibn Aws al-Dārī in Islamic Jerusalem during the Early Islamic Period**

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### **Abstract**

This paper attempts to investigate historical facts regarding the land of Tamīm Ibn Aws al-Dārī and his brothers in Islamic Jerusalem that was granted by Prophet Muhammad (PBUH) during his life time. It would seem significant to examine the accounts related to the land of al-Dariyyin brothers relationship since this could help in understanding early vision of social entrepreneurship led by Prophet Muhammad (PBUH). Therefore, the researcher attempts to examine the reliability of the accounts, followed by a discussion on the status of waqf or iqta'. The researcher adopts a multidisciplinary approach in conducting this study. Alongside the use of historical research methods to examine key historical events, the Islamic research methodology is applied to explore Muslim perspectives on social entrepreneurship. The findings reveal that the concept of social entrepreneurship has its roots in the teachings of Prophet Muhammad (PBUH). The analysis of the al-Dariyyin brothers' land case further indicates that early forms of social entrepreneurship were manifested through the practices of waqf and iqta'.

**Keywords:** *Waqf (Endowment), Iqta' (Land Grant), Social Entrepreneurship*

*JEL Classification:*

*N35, Z12, L31, P48.*

### **Introduction**

This paper attempts to investigate historical facts regarding the land of Tamīm Ibn Aws al-Dārī and his brothers in Islamic Jerusalem that was granted by Prophet Muhammad (PBUH) during his life time. It would seem significant to examine the accounts related to the land of al-Dariyyin brothers relationship since this could help in understanding early vision of social entrepreneurship led by Prophet Muhammad (PBUH). Therefore, the researcher attempts to examine the reliability of the accounts, followed by a discussion on the status of *waqf* or *iqta'*. The researcher employs a multidisciplinary approach in conducting this study. While the historical research methodology is utilized to examine significant historical events, the Islamic research methodology is also applied to establish a foundation for understanding Muslim perspectives on social entrepreneurship. The findings indicate that the early concepts of social entrepreneurship can be traced back to the teachings of Prophet Muhammad (PBUH). The analysis of the al-Dariyyin brothers' land further reveals that two early forms of social entrepreneurship were reflected in the practices of waqf and iqta'.

### **Literature Review**

#### ***The Land Grant to Tamīm Ibn Aws al-Dārī (d. 40 AH/ 661 CE)***

The researcher identified that the land grant bestowed by Prophet Muhammad (PBUH) upon Tamīm Ibn Aws al-Dārī holds great importance in comprehending the early Islamic perspective on social entrepreneurship. As narrated by Ibn Sallām (2002, p. 271):

“Sa‘id Ibn Ufayr, as reported by Damra Ibn Rabī‘a from Samā‘a, related that Tamīm al-Dārī sought from the Prophet Muhammad (PBUH) the allocation of several villages located in the region of Syria (Islamic Jerusalem), such as ‘Aynūn and its surrounding areas, including the sites believed to contain

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the graves of the Prophets Ibrāhīm and Yaʿqūb (Ibn Sallām, 2002, p. 271)". The Prophet replied, 'Bring this matter up after I have prayed.' After he presented his request, the Prophet documented these lands for him, along with the surrounding areas serving them. Later, during the caliphate of ʿUmar, after Allāh granted victory over Syria, this written grant was duly implemented.

The credibility of this narration is well established, as it has been referenced by numerous distinguished Muslim scholars. Among them are Abū Yūsuf (d. 182 AH / 798 CE) in *al-Kharāj*, Ibn Saʿd (d. 230 AH / 845 CE) in *al-Tabaqāt*, al-Tabarānī (d. 340 AH / 951–952 CE) in *Majmaʿ al-Zawāʿid*, al-Māwardī in *al-Ahkām al-Sultāniyya*, al-Maqrizī (d. 845 AH / 1441 CE) in *Dauʿ al-Sārī*, Ibn Hajar (d. 852 AH / 1448 CE) in *Fath al-Bārī*, and Ibn ʿAsākir in *Tārīkh Dimashq* (Shurrāb, 1990: 137–140). Since its authenticity has remained unquestioned, this narration has been regarded by notable Muslim jurists—such as Abū Yūsuf, Ibn Sallām, and al-Māwardī—as a credible basis for validating the practice of \*iqṭāʿ\* (land grants). In addition, al-Hamawī (d. 652 AH / 1254 CE) provides further clarification in a separate report, noting that the allocated lands included Bayt ʿAynūn, Hebron, al-Martūm, and Bayt Ibrāhīm (pp. 245–246).

El-ʿAwaisī (2005, p. 50) references this hadīth to support his claim that Hebron, located within Islamic Jerusalem, represents the first charitable endowment (*waqf*) in Islamic history. Nevertheless, this interpretation is open to debate. The researcher contends that the earliest *waqf* is more plausibly associated with ʿUmar Ibn al-Khattab and his land in Khaybar, as noted by Muhammad Ibn Ahmad al-Sālih (2001, pp. 43–44) and Qahf (2000, p. 22). Supporting this view, al-Bukhārī (d. 256 AH / 870 CE) (1985, 4:27) reports, on the authority of ʿAbd Allāh Ibn ʿUmar, that:

When ʿUmar Ibn al-Khattab purchased a plot of land in Khaybar, he sought guidance from the Prophet Muhammad and stated: "O Messenger of Allāh, I have acquired land in Khaybar; never have I received property dearer to me than this; so, what do you command me to do with it?" In response, the Prophet said, "If you wish you may make it an endowment and give its produce as charity." His son, Ibn ʿUmar, commented that: "ʿUmar gave it in charity, declaring that it must not be sold or gifted or inherited, and that its yield would be devoted to the poor, to kinsfolk, to the freeing of slaves, for the cause of Allāh, for travellers, and for guests."

According to Ibn Hishām (1999: 3:206), as this event occurred shortly after the Muslim conquest of Khaybar in 7 AH / 628 CE, it suggests that ʿUmar's case occurred earlier than the encounter between Tamīm al-Dārī and Prophet Muhammad. Therefore, it appears more credible to regard this as the first charitable endowment in Islamic history.

## Methodology

Adopting a multidisciplinary approach, this study employs qualitative methods that integrate both historical and Islamic research methodologies. The historical method is applied to examine and verify significant historical accounts related regarding the land grant bestowed by Prophet Muhammad (PBUH) to Tamīm Ibn Aws al-Dārī and his brothers, by critically analyzing classical sources such as *al-Kharāj*, *al-Tabaqāt*, *Tārīkh Dimashq*, and *al-Ahkām al-Sultāniyya*. In addition, the Islamic research methodology is utilized to interpret the findings within the framework of Islamic jurisprudence and ethical values, particularly concerning the concepts of *waqf* (charitable endowment) and *iqṭāʿ* (land grant). By integrating these approaches, the study aims to provide a comprehensive understanding of how the principles of social entrepreneurship were reflected in early Islamic practices as guided by the Prophet (PBUH).

## Results and Discussion

The grant awarded to Tamīm al-Dārī by the Prophet was, the researcher further notes, an *iqṭāʿ* (land grant) rather than a *waqf* (charitable endowment). At that time, the *iqṭāʿ* was not under the Prophet's authority, as Hebron remained under Byzantine control. As highlighted by al-Sālih (2001: 72), a fundamental requirement for a *waqf* is that the full ownership of the land or property by the *wāqif* is required. In contrast, al-Māwardī (2000: 210) in the context of an *iqṭāʿ*, it is permissible for an individual to petition the ruling authority for rights over property located in enemy territory, thereby securing lawful entitlement to it once the area comes under control. Regarding the effectiveness of the *iqṭāʿ* during the Prophet's lifetime, the researcher emphasizes the importance of understanding the rationale behind the Prophet's decision to grant land to Tamīm al-Dārī.

Abū Yūsuf (216) notes that the grant was given to Tamīm and his brothers during their visit to Madīnah, following the Prophet's return from the Tabūk expedition in 9 AH / 630 CE. During this

meeting, they embraced Islām, and Tamīm requested the possibility of receiving a land grant near his homeland. The researcher argues that the Prophet's allocation of the land to Tamīm and his heirs served to assure him that his homeland in Islamic Jerusalem would ultimately fall under Muslim authority, thereby legitimizing their right to cultivate and administer the property.

This reasoning seems plausible, as the al-Dāriyyīn, being recent converts to Islām, may have been apprehensive about their future under Roman rule. Accordingly, the land grant offered them a sense of security and the opportunity to build new, peaceful, and prosperous lives. Abū Yūsuf (62) additionally observes that both the Prophet and the subsequent Muslim caliphs strategically issued land grants with dual objectives. Firstly, these grants were intended to cultivate and strengthen devotion to Islām among the recipients. Secondly, they aimed to stimulate agricultural development and proper management of the allocated lands.

Building on this perspective, the researcher argues that the land grant given to Tamīm al-Dārī goes beyond its immediate economic and religious purposes. It also illustrates the Prophet's profound concern for Islamic Jerusalem and his strategic foresight, as the grant served as a preliminary measure to facilitate the eventual establishment of Muslim authority in the region. The visit of the al-Dāriyyīn, coupled with their enthusiasm to embrace Islām and disseminate its teachings in thoughtful and appropriate ways—particularly within their homeland of Islamic Jerusalem—left a strong impression on the Prophet and was warmly received. Significantly, he conveyed his intentions with subtlety, reflecting both prudence and strategic foresight in planning the important mission of conquering Islamic Jerusalem.

The researcher notes a clear similarity between the situations of al-Dāriyyīn and Surāqa Ibn Mālik, highlighting how early Islamic leadership addressed the needs of new converts while ensuring their integration and participation in the community.

According to Shurrāb (1990: 171), The Prophet had promised Surāqa that he would one day wear the bracelets of Kistrā, the Persian ruler, a declaration that carried profound symbolic and motivational significance. This assurance not only foreshadowed the ultimate victory of the Muslim community over its adversaries but also served to strengthen the morale and confidence of his companions. By making such statements, the Prophet sought to instill hope and reinforce the faith of those who had recently embraced Islām, encouraging their active participation and unwavering commitment to the development and consolidation of the emerging Muslim community's political and spiritual authority.

This assurance followed Surāqa's request for a written guarantee that he would be honored once the Prophet assumed sovereignty over the Muslim state. Years later, following the Muslim conquest of Persian territory during the caliphate of cUmar, Surāqa was called upon by cUmar to wear the gold-embroidered robe and Kistrā's gold bangles upon receiving a fifth of the spoils from the conquest (Ibn Sa'd, 1997: 5:66). Similarly, al-Dāriyyīn did not assume possession of the land granted to them during the Prophet's lifetime. The property was formally allocated by cUmar at a later stage, following their petition and supported by a historical written record, after the first Muslim conquest of Islamic Jerusalem. The researcher contends that the legitimacy of this land grant was intrinsically linked to Muslim sovereignty over the territory. Since the area remained under non-Muslim control during the Prophet's era, the grant could not have been lawfully conferred at that time. This case illustrates how the application of iqtā'c was contingent upon both political authority and territorial control, emphasizing the practical and legal considerations that governed land allocations in early Islamic history.

Once full sovereignty was established, cUmar, in his capacity as head of the Muslim state, promptly executed the Prophet's directive, acknowledging that the grant offered evident *maslaha* (benefits) and that no obstacles remained to impede its implementation. Furthermore, al-Dāriyyīn demonstrated a clear understanding of the requirement to secure authorization from the ruling authority before occupying and cultivating the land. This is evident from their formal request to cUmar immediately following the Muslim conquest of Islamic Jerusalem, rather than attempting to take possession beforehand. As documented by Al-Tabarānī (2:58) and Shurrāb (1990:124), this action reflects both their adherence to legal protocols and their recognition of the importance of Muslim sovereignty in legitimizing land claims.

Citing Ibn Sirīn from Tamīm al-Dārī, cUmar, in response to Tamīm's request, recommended that the granted land be divided into three portions: one-third designated for *ibn al-sabīl* (travellers), one-third allocated for cultivation, and one-third reserved for the personal use of Tamīm and his family. Clearly, cUmar's recommendation was made in his capacity as the Muslim sovereign. Importantly, this division did not contradict the Prophet's written directive; rather, it was intended to help Tamīm al-Dārī optimize the land's utility for charitable purposes while safeguarding al-Dāriyyīn's rights to benefit from

it. Notably, ʿUmar’s guidance closely mirrors the counsel previously provided by the Prophet regarding his land at Khaybar, reflecting continuity in the application of Islamic principles of land management and social responsibility.

It could be argued that Muslims, by virtue of their sovereignty over Islamic Jerusalem, increased their land holdings in the region, as exemplified by the case of al-Dāriyyīn, which some might interpret as implicit confiscation or silent occupation.

The researcher contends that land grants in Islamic Jerusalem were issued based on necessity, suitability, and rational considerations, particularly about development, cultivation, and regional security. As Gil (1997, p. 130) observes, most early Muslim settlers in Islamic Jerusalem were tribesmen who had actively participated in the Muslim conquests, supplemented by a smaller group of *mawālī* serving in administrative roles. Notable examples include ʿUwaymir Ibn Saʿd of Banī Aws, who served as one of the commanders during the conquest, alongside Rajāʾ Ibn Hayawa of Banī Kinda and al-Rabīc Ibn Matar Ibn Balkh of Banī Tamīm (Gil, 1997, pp. 116, 121, 127). Given their active involvement, the researcher argues that these individuals may have initially settled on their own lands, which were subsequently formalized through *iqṭāʿ* by Muslim authorities in recognition of their contributions to security and administrative functions. This principle is illustrated by ʿUmar’s decision at al-Jābiya, which allowed the Muslim armies to settle near the towns while ensuring that the local inhabitants retained their lands, subject to the payment of *al-kharāj* (al-Hamawī, 2:245; Badr, 1989, p. 373). Overall, the researcher concludes that the land acquired by Muslims in Islamic Jerusalem following the initial conquests was obtained through legitimate and lawful means, without any confiscation or unlawful appropriation.

Furthermore, the land policies implemented by Muslim rulers appear to have been equitable and impartial, without discrimination based on faith or social background. Evidence from the Geniza documents indicates, as noted by Gil (1997, p. 225), that non-Muslim inhabitants of Islamic Jerusalem retained their land ownership rights under Muslim rule from the period of the first conquest through the eleventh century. They were also permitted to possess buildings and other properties, which implicitly reflected authority over the adjacent land. For instance, Gil (1997, p. 225) cites the case of a Jewish woman, Muʿammala, who transferred all her land in al-Ramla to her husband, Mevassēr Ibn Shelah al-ʿAmtānī, illustrating the continuity and protection of property rights under Muslim governance.

## Conclusion

The researcher concludes that a hadith account relates to the land of al-Dariyyin brothers can reliably be considered as initial affirmation of the existence of encouragement on social entrepreneurship since the early Muslim period. Although, the status of the land as a purely endowed land is debatable, this highlights the existence of *iqṭaʿ* (land grant) as another mechanism in encouraging social entrepreneurship within a community. The study confirms that both *waqf* and *iqṭaʿ* played important roles for future advancement of the society as per endorsement by the Prophet PBUH. Indeed, the emphasis on mechanisms to encourage social entrepreneurship by the Prophet PBUH himself highlights its significance towards building society by using collective approach. This can surely educate people the importance of togetherness and moving forward to achieve sustainable excellences within the society. This study also reveals the significance of Islamic Jerusalem region in the mind of the Prophet PBUH. He optimistically granted the land to al-Dariyyin brothers as he was fully confident that the region will be freed and would become parts of territory under Muslim sovereignty.

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