

Hisbah and Its Role in Safeguarding Markets and Protecting Them against Adulteration during the Zayyanid Period (7th–9th AH / 13th–15th Centuries CE)

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Abstract

Islamic law attached considerable importance to establishing a peaceful and secure environment for people throughout the territories under the rule of Islamic states, whether in the eastern or western regions of the Islamic world. This was intended to facilitate economic transactions in accordance with the principle of “no harm and no reciprocating harm” between seller and buyer. Therefore, Islam instituted the Hisbah system as one of its administrative and supervisory institutions, subject to Islamic legal and ethical regulations, to eliminate all forms of corruption. Against this background, the present study focuses on the Central Maghreb during the Zayyanid period to examine the institution of Hisbah and its role in safeguarding markets and protecting them from fraud and adulteration. The subject is worthy of careful scholarly study and investigation.

Keywords: Hisbah system; Muhtasib; Central Maghreb; Zayyanid State; Markets.

Introduction

Throughout the history of the Zayyanid state, the institution of Hisbah remained closely associated with social, religious, and economic activity. This is particularly evident in the Muhtasib's duties in the economic sphere. Given the importance of this function and its connection with safeguarding Muslim interests and averting harm, it operated in accordance with the principle of “no harm and no reciprocating harm.”

The supreme authority appointed the Muhtasib after rigorous selection criteria were met, including knowledge, religious commitment, good moral character, and an understanding of governance. This careful selection reflected the weight of the responsibility entrusted to the holder of the office of Hisbah, particularly the supervision of market activity and commercial transactions, the protection of markets from fraud and adulteration, the prevention of short measure, the supervision of the quality of goods offered for sale, efforts to ensure their proper condition, and intervention to punish fraudsters appropriately.

Thus, the central problem addressed in this study may be formulated as follows: To what extent did the Muhtasib contribute to providing necessary, comprehensive protection for markets and cleansing them of fraud and adulteration during the period of Zayyanid rule? How successful was the Muhtasib in regulating market activity? What forms of infringement confronted the Muhtasibs in the performance of their duties? These are the principal questions, together with others, that this article seeks to answer.

First: The Concept of the Office of Hisbah and the Conditions for Assuming It

1. The Concept of Hisbah

1.1 Linguistically

Hisbah is used as a noun and denotes counting and intention. It also carries the meaning of sound management and is used as a verbal noun, as in *ihtisab*. It may refer either to seeking reward in the Hereafter, as in the Prophetic hadith, “Whoever fasts Ramadan with faith and seeking reward will have his previous sins forgiven,” or to condemning reprehensible acts.¹ The expression *hasaba al-shay’ yahsibuhu hisaban* means that he counted it; *tahassaba* means that he became acquainted with things and investigated them; and *ihtasaba ‘alayhi* means that he condemned something he had done.²

The term *Muhtasib* is derived from it, as in the expression “the *Muhtasib* of the town.”³ *Hisbah*, with a kasrah on the letter *hā’*, is a verbal noun derived from *ihtasaba*, *yahtasibu*, *ihtisaban wa-hisbatan*. To say that a person *ihtasaba* means that he condemned another’s action, while the *Muhtasib* seeks reward from God.⁴

In administrative terms, *Hisbah* refers to the office responsible for supervising weights and measures; from this function, the specialised supervision exercised by the market and public-morality police developed. Al-Mawardi describes it as follows: “*Hisbah* is commanding what is right when its abandonment becomes apparent and forbidding what is wrong when its commission becomes apparent.”⁵ In support of this, he cites the Qur’anic verse: “Let there be among you a community calling to what is good, commanding what is right, and forbidding what is wrong; it is they who are successful.”⁶ Nevertheless, the term *Hisbah* specifically highlights the work of the *Muhtasib*, that is, the supervisor, whereas commanding what is right and forbidding what is wrong is a broader activity that extends to other duties.

Ibn Khaldun, for his part, considers *Hisbah* to be “a religious function arising from commanding what is right and forbidding what is wrong, which is an obligation incumbent upon the person responsible for the affairs of the Muslims. He appoints to it someone whom he considers qualified, and the duty thereby becomes incumbent upon him. He appoints assistants for this purpose, investigates wrongful practices, imposes discretionary punishments and disciplinary measures according to their gravity, and compels people to observe the public interests of the city. The judge is relieved of these matters because of their general nature and the simplicity of their purposes, and they are entrusted to the holder of this office to carry them out. Its position, therefore, is to serve the judicial office. In many Islamic states, it was included within the general jurisdiction of the judge, who appointed to it whomever he chose. Later, when the office of the sultan became separate from the caliphate and his authority became general in matters of governance, it was incorporated among the functions of kingship and established as an independent office.”⁷ Al-Maqqari, regarding *Hisbah*, states: “As for the office of *Hisbah*, among them it is entrusted to people of learning and discernment,

¹ Ibn Manzur, *Lisan al-‘Arab*, vol. 1 (Beirut: Dar Sadir, 1990), 213.

² Al-Firuzabadi, *Al-Qamus al-Muhit* (Beirut: Mu’assasat al-Risalah, n.d.), 95.

³ Muhammad Murtada al-Husayni al-Zabidi, *Taj al-‘Arus min Jawahir al-Qamus*, vol. 2, ed. a group of scholars (Dar al-Hidayah, n.d.), 278.

⁴ Ibn Manzur, *Lisan al-‘Arab*, 314.

⁵ Abu al-Hasan al-Mawardi, *Al-Ahkam al-Sultaniyyah wa-al-Wilayat al-Diniyyah*, vol. 1, 3rd ed. (Beirut: Dar al-Kutub al-‘Ilmiyyah, n.d.), 270.

⁶ Qur’an 3:104.

⁷ Ibn Khaldun, *Al-Muqaddimah* (Beirut: Dar Ihya’ al-Turath al-‘Arabi, n.d.), 226.

and its holder is as though he were a judge.”⁸ This highlights the principal qualities required of the Muhtasib: discernment and knowledge.

1.2 Terminologically

The technical definitions of Hisbah are varied and encompass both general and specific formulations. One such definition describes Hisbah as an authority that grants its holder the right to command what is right when its neglect becomes apparent, to forbid what is wrong when its commission becomes apparent, to act through authorisation by the Lawgiver or appointment by the Imam, and to punish offenders in accordance with the provisions of Islamic law within the limits of his jurisdiction.⁹ Ibn Taymiyyah, in his discussion of Islamic offices, maintains that the purpose of all Islamic offices is to command right and forbid wrong, whether the major office of warfare, such as deputising for the ruler, or the lesser offices, such as the police, the administration of public funds, the bureaux, and the office of Hisbah.¹⁰

From the foregoing texts, it is clear that Hisbah was one of the religious offices founded upon the principle of commanding right and forbidding wrong. It was entrusted to an official attached to the judiciary known as the Muhtasib, who appointed assistants and auxiliaries to circulate through markets and streets, suppress wrongful practices, and encourage acts of goodness and right conduct. The market supervisor, or Muhtasib, monitored goods, weights, and measures, as well as fraud, price manipulation, and other infringements mentioned by Ibn Khaldun in his *Muqaddimah*, including: “preventing obstruction in the streets; preventing porters and those operating ships from overloading; ordering the owners of buildings liable to collapse to demolish them and remove the anticipated danger they pose to passers-by; restraining teachers in schools and elsewhere from excessive beating of pupils; his judgement does not depend upon a dispute or a formal complaint, but he may examine and adjudicate matters of which he becomes aware or which are brought before him. He does not, however, have unrestricted authority to pass judgement in lawsuits, but only in matters relating to fraud and deception in livelihoods, as well as in weights and measures. He may also compel procrastinating debtors to act equitably, and other such matters in which no evidence need be heard and no judgement enforced, as though they were rulings.”¹¹

Second: The Legitimacy of Hisbah

No doubt recognising the legitimacy of Hisbah and linking it to commanding right and forbidding wrong made it a fundamental pillar in upholding Islamic law, establishing justice within the community, and ensuring the continuity of the religious mission. Numerous Qur’anic passages demonstrate its importance in various aspects of human life through the practice of commanding right and forbidding wrong, as well as its status as an individual obligation. God Almighty says: “O my son, establish prayer, command what is right, forbid what is wrong, and endure patiently whatever befalls you. Indeed, that is among the matters requiring determination.”¹²

The Prophetic Sunnah likewise refers to this in many instances and demonstrates its effectiveness in regulating people's affairs. God Almighty says: “Those who follow the Messenger,

⁸ Ahmad ibn Muhammad al-Maqqari al-Tilimsani, *Nafh al-Tib min Ghushn al-Andalus al-Ratib*, ed. Ihsan Abbas, vol. 1 (Beirut: Dar Sadir, n.d.), 218.

⁹ ‘Abd Allah Muhammad ‘Abd Allah, *Wilayat al-Hisbah fi al-Islam*, 1st ed. (1416 AH/1996 CE), 60–61.

¹⁰ Ibn Taymiyyah, *Majmu‘ al-Fatawa*, ed. ‘Abd al-Rahman al-Najdi, 2nd ed., vol. 28 (Maktabat Ibn Taymiyyah, n.d.), 66.

¹¹ Ibn Khaldun, *Al-Muqaddimah*, 225.

¹² Qur’an 31:17.

the unlettered Prophet, whom they find written for them in the Torah and the Gospel.”¹³ In this regard, it was narrated from ‘A’ishah, may God be pleased with her, that she said: “The Messenger of God, peace and blessings be upon him, entered one day, and I perceived from his face that something had occurred to him. He performed ablution and went out without speaking to anyone. I pressed close to the chambers to hear what he was saying. He sat upon the pulpit and then said: ‘O people, God Almighty says: Command what is right and forbid what is wrong before you call upon Me and I do not answer you, ask Me and I do not give to you, and seek My help and I do not help you.’”¹⁴ Ibn ‘Umar, may God be pleased with them both, reported that the Messenger of God, peace and blessings be upon him, said: “You shall command what is right and forbid what is wrong, or the worst among you shall be given authority over you and inflict upon you severe punishment; then the best among you shall supplicate, but their supplications shall not be answered. You shall command what is right and forbid what is wrong, or God shall send against you those who show no mercy to your young and no respect for your old.”¹⁵

Third: The Historical Development of the Hisbah System: Its Origins

According to historians’ accounts of the emergence of the Hisbah system, it appears to be as ancient as history itself. The Muslim Arabs retained it because of their need for it, developed it, and gave it an Islamic character. It may date back to the time of the Prophet, peace and blessings be upon him, based on the Prophetic hadith narrated by Abu Hurayrah, may God be pleased with him. When the Prophet, peace and blessings be upon him, passed by a man selling food, he put his hand into it and found the food to be wet. The Prophet, peace and blessings be upon him, said: “Whoever deceives us is not one of us.”¹⁶ This indicates the detection and condemnation of fraud and demonstrates the close connection between the office of Hisbah and the establishment of the Islamic state by Muhammad, peace and blessings be upon him. Its establishment did not arise from an explicit command issued by him; rather, Muslims adhered to the principles of Islam they had learned, including commanding right and forbidding wrong, which were among the qualities of the noble Companions. Following the emergence of fraud in the markets, however, there arose the need to appoint someone to undertake this function.

Some scholars trace the emergence of Hisbah to the reign of the caliph ‘Umar ibn al-Khattab, may God be pleased with him. Hasan Ibrahim Hasan, for example, states that the first Hisbah organisation emerged during the reign of the Rightly Guided Caliph ‘Umar ibn al-Khattab.¹⁷ The practice of Hisbah continued under the designation of the office of the market, or the market official, during the Umayyad period (41–132 AH/662–756 CE), and the person responsible for Hisbah was appointed by the caliph.

During the Abbasid period (132–922 AH/750–1517 CE), the first Hisbah organisation emerged as an independent institution with distinct components. It became a judicial and supervisory system with defined characteristics and duties. Those entrusted with Hisbah were subject to conditions

¹³ Qur’an 7:157.

¹⁴ Abu Hatim Muhammad ibn Hibban al-Busti, *Sahih Ibn Hibban*, vol. 1, 527.

¹⁵ Abu Bakr ‘Abd Allah ibn Muhammad ibn Abi al-Dunya al-Baghdadi, *Kitab al-Amr bi-al-Ma’ruf wa-al-Nahy ‘an al-Munkar*, ed. Salah ibn ‘Ayid al-Shallahi, 1st ed. (Maktabat al-Ghuraba’ al-Athariyyah, 1418 AH/1997 CE), 48.

¹⁶ Muslim, *Kitab al-Iman*, no. 104; al-Tirmidhi, *Sunan al-Tirmidhi, Kitab al-Buyu’*, no. 1319.

¹⁷ Hasan Ibrahim Hasan, *Tarikh al-Islam al-Siyasi wa-al-Dini wa-al-Thaqafi wa-al-Ijtima’i*, vol. 2, *Al-‘Asr al-‘Abbasi al-Awwal fi al-Sharq wa-Misr wa-al-Maghrib wa-al-Andalus (132–232 AH/749–847 CE)*, 14th ed. (Beirut: Dar al-Jil, 1416 AH/1996 CE), 245.

similar to those required of a judge and, at times, even more stringent conditions. This was affirmed by the jurists of that period and by those who followed them in subsequent Islamic eras.¹⁸

1. Conditions for Assuming the Office of Hisbah

The Muhtasib was appointed by sultanic decree, and his appointment required the fulfilment of several conditions that could not be overlooked, since he was entrusted with the affairs of the subjects and the administration of the community's interests. He was also required to seek God's satisfaction, fear His punishment, and bear the considerable weight of this responsibility. The office was regarded as one of the foundations of Islamic law because it regulated both religious and worldly affairs and embodied the implementation of the Islamic message. It was an obligation upon the community, established by Islam in response to circumstances, events, and social needs. Hisbah manuals identify a set of conditions that the Muhtasib was required to fulfil to perform his duties; these may be summarised as follows:

The person entrusted with supervising Hisbah had to be well-versed in religion and deeply knowledgeable in its sciences, committed to applying justice, personally upright, high-minded, and characterised by fairness, patience, forbearance, discernment, vigilance, and insight.¹⁹ He also had to understand both the general and particular aspects of affairs and the governance of people. He was expected to possess dignity of character, remain uninfluenced by greed or undue leniency, and fear no blame in matters concerning God, while maintaining an authority that prevented disrespect and deterred wrongdoers.²⁰

He also had to be pious and devout, just and chaste, truthful and patient, knowledgeable about the affairs of craftsmen and merchants, and familiar with both the sound and unsound aspects of their conduct.

Al-'Uqbani defines the conditions required of the Muhtasib as follows: "The one who changes wrongdoing must fulfil four conditions: that he be a Muslim, legally accountable, knowledgeable of that wrongdoing, aware of the nature of its correction, and capable of undertaking it. As for Islam and knowledge, they are conditions for the validity of undertaking this task, for it cannot be directed towards one who lacks them. The correction of a non-Muslim is not valid, because changing wrongdoing is a victory for the religion of God Almighty.... The same applies to the ignorant person, because undertaking such a task is forbidden for him, as it is not permissible for him to act regarding matters whose reality as wrongdoing or the method of denouncing them is unknown to him."²¹

The Muhtasib was likewise not to be domineering or hard-hearted; rather, he was expected to embody justice in his work without discrimination or favouritism, respect people's gatherings, and avoid injustice. In this regard, al-Shirazi states in the first chapter of *Nihayat al-Rutbah*: "The Muhtasib should adhere to the practices of the Messenger of God, peace and blessings be upon him, such as trimming the moustache, cutting the nails, keeping his clothes clean and shortening them, applying musk and similar perfumes, and observing all aspects of religious law and its recommended

¹⁸ Al-Mawardi, *Al-Ahkam al-Sultaniyyah*, 273.

¹⁹ Abu Hamou Musa II advises his son: "My son, you must possess insight in choosing the holder of Hisbah," indicating the importance of the office in administering the affairs of the state and maintaining sound government. See Abu Hamou Musa II, *Wasitat al-Suluk fi Siyasat al-Muluk*, ed. and annotated by Muhammad Butra'ah (Algeria: Dar al-Nu'man for Printing and Publishing, 2012), 241.

²⁰ Al-Saqati, *Kitab fi Adab al-Hisbah*, published by Georges Colin and Lévi-Provençal, introduction by Hasan al-Hafizi Alawi, 2nd ed. (Rabat: Al-Matba'ah al-Amaniyyah, 2011), 6.

²¹ Al-'Uqbani, *Tuhfat al-Nazir wa-Ghunyat al-Dhakir fi Hifz al-Sha'a'ir wa-Taghyir al-Manakir*, ed. Ali Shanufi (Institut français de Damas, Bulletin d'Études Orientales, vol. 19 [1965–66], Damascus, 1967), 7.

practices. This, together with maintaining the obligatory duties and religious obligations, increases his respectability and makes him less vulnerable to criticism regarding his religion.”²²

2. The Duties of the Muhtasib and the Mechanisms of His Work

The Muhtasib was regarded as a civil supervisor appointed by the caliph, minister, or judge. His role consisted of ensuring the proper application of Islamic law, investigating violations, and imposing appropriate punishments on those responsible. Hence, he supervised commercial activity in the markets and the industrial sector, as well as various forms of fraud. He also compelled debtors to repay their debts and required Muslims to perform prayers in congregation. Furthermore, he pursued those addicted to alcohol; if a Muslim openly displayed such behaviour, the alcohol was poured over his head, and he was disciplined.²³ He likewise dealt with those who committed adultery or other religious violations, such as violating the sanctity of Ramadan or infringing upon the privacy of neighbours and their homes. He also monitored the People of the Covenant and their adherence to regulations governing the construction of their houses and the clothing they wore. In addition, he supervised women in markets and streets, ensuring the observance of modesty and dignity in dress.

The responsibilities of the Muhtasib also included combating innovations, superstitions, and sorcery. He supervised educational institutions and teaching methods to advance effective educational principles and ensured the safety and suitability of educational establishments to protect both students and teachers. Given that the activities of the Muhtasib extended to all aspects of life, he was required to possess integrity, refrain from accepting private gifts from craftsmen, and apply the principles of Islamic law in all his actions without deviation, in accordance with the principle of “no harm and no reciprocating harm.”²⁴

Hisbah remained a form of judicial authority in the Central Maghreb during the Zayyanid period and shared with the judiciary the aim of eliminating wrongdoing in streets and markets. The Muhtasib was known as the “master of the market” because most of his activities were concentrated in markets and public places. He received his office from the judge and served as an administrative judge, exercising authority within his jurisdiction. His presence was therefore considered indispensable to eliminating wrongdoing and adulteration.

Third: The Duties and Jurisdiction of the Muhtasib

The duties entrusted to the Muhtasib were numerous, the most important of which were as follows:

A. Supervision of Markets

The Muhtasib’s responsibilities included supervising every practitioner of a profession from which he earned his livelihood. He also exercised strict supervision over craftsmen and merchants, employing astute methods such as making surprise visits to tradesmen or sending children, unfamiliar persons, or strangers to them. He supervised bakers and the manner in which they baked bread, required compliance with hygiene rules and conditions, prevented increases in prescribed prices, and required bakers to wear clothing specifically designated for their work.

Al-Wansharisi provides evidence of the Muhtasib’s strict supervision of bakers in *al-Mi‘yar al-Mu‘rib*, where he states: “The Muhtasib inspects what they use to adulterate bread, such as turmeric,

²² ‘Abd al-Rahman al-Shirazi, *Nihayat al-Rutbah fi Talab al-Hisbah*, ed. Mustafa Ziyadah (Cairo, 1945), 9.

²³ Al-Mawardi, *Al-Ahkam al-Sultaniyyah*, 328.

²⁴ Musa Liqbal, *Al-Hisbah al-Madhabiyah fi Bilad al-Maghrib al-‘Arabi (Nash’atuha wa-Tatawwuruha)*, 1st ed. (Algeria: National Publishing and Distribution Company, 1981), 27.

saffron, and similar substances, for these merely give colour to the surface of the bread. Some adulterate it with chickpeas and beans, and he requires them not to bake it until it has fermented, for unleavened dough weighs heavily on the scales and on the stomach.”²⁵

Al-Wansharisi also indicates that some sellers, merchants, and craftsmen in the markets resorted to fraud and deception, thereby exposing themselves to punishment by the Muhtasib. He further mentions the practice of hoarding goods²⁶ in the Zayyanid state, particularly during the repeated sieges imposed upon it by the Marinids. This harmed the population because of rising prices; nevertheless, those responsible were frequently pursued by the Muhtasib and received the punishments they deserved.

B. Supervision of Prices and Weights

This was perhaps among the most important duties performed by the Muhtasib, as he could intervene in pricing, prevent the hoarding of goods, and compel a hoarder to sell what he possessed to the public at the prevailing equivalent price. The Muhtasib in the Zayyanid state therefore imposed and fixed the prices of goods offered for sale. This may be inferred from the statement of the author of *Nafh al-Tib*: “The butcher does not dare to sell for more or less than the price fixed for him by the Muhtasib on the written notice, nor can he readily conceal his dishonesty, for the Muhtasib secretly sends to him a boy or a girl, one of whom purchases from him. The Muhtasib then examines the weight; if he finds a deficiency, he judges his dealings with the people accordingly. Do not ask what he then suffers; and if this is repeated and he does not repent, he is severely punished.”²⁷

C. Supervision of Public Morals

Among the duties entrusted to the Muhtasib were preventing immorality and the public commission of wrongdoing, holding charlatans and sorcerers accountable for reprehensible acts, and holding accountable those who harassed women in the streets.²⁸ He also inspected places where women gathered, such as markets for spinning, cloth selling, and money exchange, as well as places for washing and drawing water, including springs, riverbanks, and the entrances to women’s bathhouses. He sought to prevent improper mixing between men and women, to prevent young men from wandering through the markets without a legitimate purpose, and to pursue thieves and swindlers.

D. Supervision of Acts of Worship

The Muhtasib ensured that places of worship, such as mosques, were kept clean and supervised the presence of children and the mentally disturbed, prohibiting sleeping or the storage of belongings within them because they were houses of God intended for remembrance and prayer.

E. Supervision of Buildings and Roads

The Muhtasib frequently supervised unauthorised constructions that might obstruct roads, since roads belonged to everyone. He also prohibited opening windows that overlook neighbouring houses, out of respect for the sanctity of homes and the preservation of their privacy. As for roads and

²⁵ Abu al-‘Abbas Ahmad ibn Yahya al-Wansharisi, *Al-Mi‘yar al-Mu‘rib ‘an Fatawa Ahl Ifriqiyah wa-al-Andalus wa-al-Maghrib*, ed. Muhammad Hajji, vol. 6 (Ministry of Religious Affairs and Endowments, 1981), 218, 220.

²⁶ Al-Wansharisi, *Al-Mi‘yar al-Mu‘rib*, 6:309.

²⁷ Al-Maqqari al-Tilimsani, *Nafh al-Tib*, 218.

²⁸ Kamal al-Sayyid Mustafa, *Jawānib min al-Hayat al-Ijtima‘iyyah wa-al-Iqtisadiyyah wa-al-Diniyyah wa-al-‘Ilmiyyah fi al-Maghrib al-Islami min Khilal Nawazil Fatawa al-Mi‘yar al-Mu‘rib li-l-Wansharisi* (Alexandria: Alexandria Book Centre, 1997), 73.

neighbourhood lanes, no one was permitted to extend the wall of a house or shop into the passageways or established thoroughfares.

F. Adjudication of Certain Claims

These comprised three principal types: claims concerning deficiency in measures and weights; claims involving fraud and deception in a sale or price; and claims concerning procrastination and delay in repaying an established debt. His responsibilities also included supervising the minting of coins and the types of metals from which they were struck, whether gold or silver. Some youths adulterated dirhams and were punished by having their heads shaved, their clothes changed, being dressed in coarse garments resembling men's attire, and being confined in their fathers' homes rather than imprisoned.²⁹ The office of the Muhtasib may therefore be understood within the framework of commanding right and forbidding wrong, including the protection of the rights of people, the rights of the Lord of the people, and those rights shared between them.

Fourth: Methods and Mechanisms by Which the Muhtasib Exercised His Duties in the Markets of the Zayyanid State

The Muhtasib mounted his mount and entered the markets on unannounced inspection rounds to regulate them.

It appears that infringements extended across various trades. Cake makers substituted or adulterated fillings; pharmacists and perfumers mixed and falsified herbs and perfumes; tailors sewed with a single thread or a full thread; bakers failed to sift flour, reduced its weight, or produced defective baking; furriers concealed defects in fur and improved its outward appearance; sandal makers thickened the edges of sandals, which was prohibited; and cap makers stuffed them with wool or cotton.³⁰ Numerous other trades were also affected, but space does not permit their discussion here.

B. The Phenomenon of Corruption among Muhtasibs and the Deterioration of Their Office

Corruption was not confined to offenders among the subjects of the Zayyanid state; it also affected some Muhtasibs who indulged in the pleasures of life and compromised their integrity in return for contemptible bribes. This undermined the credibility of the Muhtasibs and contributed to the spread of fraud and adulteration within Zayyanid society.

The Muhtasib's activity regarding crafts and trades in the Central Maghreb during the Zayyanid period constituted an interpretative process aimed at restoring examples to their proper models before punishment was imposed, since punishment was regarded as a natural consequence of identifying deviation.³¹ In such circumstances, the Muhtasib was required to know the craft and understand the skills involved in its production. Hence, one of the principal conditions stipulated for the Muhtasib was that he should recognise and understand wrongdoing; without this condition, he could not perform his supervisory task.³²

Al-Maqqari states in *Nafh al-Tib*: "As for the office of Hisbah, among them it is entrusted to people of knowledge and discernment, and its holder was a judge. It was customary for him personally to ride through the markets, accompanied by his assistants, with the scales used for weighing bread carried by one of them, because bread among them had a prescribed weight: for one dirham, a loaf of a known weight, and likewise according to the price. One of the benefits of this was that a purchaser

²⁹ Kamal al-Sayyid Mustafa, *Jawānib min al-Hayat al-Ijtima'iyah*, 55.

³⁰ Muhammad ibn Hamadah, *Khitab al-Hisbah 'ala al-Hiraf wa-al-Sana'i' bi-al-Gharb al-Islami*, vol. 1, Manshurat al-Zaman, no. 76 (Sala, Morocco: Bani Azlasan Press, 2016), 91–92.

³¹ Muhammad ibn Hamadah, *Al-Hiraf wa-al-Sana'i' bi-al-Gharb al-Islami*, 1:82–89.

³² Ibn Hamadah, *Al-Hiraf wa-al-Sana'i' bi-al-Gharb al-Islami*, 1:85–86.

could send a young boy or an inexperienced girl, and what they brought back from the market would be the same as that obtained by one skilled in knowing weights.”³³

Conclusion

The principal findings of this study may be summarised as follows:

- The rulers of the Zayyanid state attached considerable importance to all matters relating to the office of Hisbah, including the appointment and careful selection of Muhtasibs, their guidance and regulation in the performance of their duties, and their supervision. This reflected the value and significance of the office at every level, particularly because it constituted an integral part of the judiciary, which sought to achieve justice as a foundation of rule.
- The strong presence of the Hisbah institution contributed to regulating markets in the Zayyanid state, particularly during its revival under Abu Hamou Musa al-Zayyanid, thereby providing considerable impetus to both the craft and commercial sectors.
- The manifestations of fraud and adulteration that affected the institution of Hisbah, together with instances of corruption among some Muhtasibs during the Zayyanid period, led to infringements that undermined the stability of public life in the state; however, these became particularly visible during periods of crisis.

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³³ Al-Maqqari, *Nafh al-Tib*, 218.

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