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Aspects of the Muhtasib's Authority in the City of Algiers during the Ottoman Period in Light of the Writings of European Travelers, Captives, and Diplomats

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Abstract:

This study examines aspects of the muhtasib's authority in Algiers during the Ottoman period. It does so through a reading of foreign source texts written by travelers, captives, and diplomats on the city and its political, administrative, social, economic, and religious systems from the sixteenth century to the early nineteenth century. The study seeks to identify the features of the muhtasib's authority as one of the leading actors in Algiers's urban administration. It focuses on his roles and interventions in managing the market district, supervising craft organizations, monitoring them, and enforcing penalties against offenders. It also examines the mechanisms through which he exercised authority, as well as its limits and effectiveness. Finally, it discusses the changes that affected the institution's autonomy and powers during the three centuries of Ottoman presence in the city. This helps clarify the muhtasib's position and status within the administrative apparatus.

Keywords: urban authority; muhtasib; foreign sources; City of Algiers; Ottoman period.

Introduction:

After consolidating its presence in Algeria and restoring security and stability following the defeat of Charles V's expedition and the suppression of internal revolts, the Ottoman authority acted quickly. The author of Kitab Ghazawat Aruj wa Khayr al-Din considered this one of the Regency's most prosperous periods. He likened it to a bride who "...parades in her jewelry and fine garments, amid low prices and security throughout the lands..."ⁱ. The purpose was to strengthen its system and establish its administrative institutions within Algiers. In this context, the political authority adopted a range of measures and decisions concerning urban arrangements for managing the city's affairs and its population. Among the most important was the creation of new administrative offices and posts. It also reactivated local organizations and institutions inherited from earlier political systems. These bodies were given broad regulatory powers to perform security, social, and economic duties.

The muhtasib was among the most important institutions and offices inherited by the administrative system of the new ruling authority in Algeria. The office was integrated into the apparatus of power, and its holder became one of the officials responsible for regulating and organizing various aspects of urban life, especially economic activities.

The importance of the muhtasib's office is clear in the writings of European travelers and diplomats, who recorded their observations of how this authority was exercised in the daily administration of Algiers. Despite the scholarly and historical value of these source materials, they are not free from subjectivity and Orientalist bias. Some sought to impose a narrative of the absence of local institutions. This supported the claim that the city's administration was weak and disorderly. Yet these writings are especially valuable because they also reveal the mechanisms by which the city was managed. The question that must therefore be asked is: to what extent did the writings of European travelers, captives, and diplomats present an accurate picture of the nature, practices, and limits of this urban authority?

1. The Muhtasib: Social Groups and Circumstances of Appointment

1.1 Holders of the Office of Muhtasib

It is difficult to identify the social groups that held this office because historical information is scarce in both local sources and archival documents. These sources are largely silent, apart from the references found in the Market Regulations of Algiers. Researchers have established only that the sharia court records referred to the office, until the late seventeenth century, as *amin al-hisba*.ⁱⁱ

A review of the authority's policy of appointing officials shows that it moved away from the exclusionary and marginalizing policy followed in the early periods. This was especially evident in political and military offices, which had been restricted to specific groups. However, the *Ahd al-Aman* law issued in 1748 abolished these restrictions, so they no longer applied to certain judicial and security offices connected with local administrationⁱⁱⁱ. The aim was to make the administrative system more effective and flexible^{iv}. One expression of this policy was the appointment of local figures who enjoyed influence and standing within their social milieu. This made it easier for them to carry out their duties, as was the case with the office of muhtasib. Venture de Paradis described the muhtasib as "...a native jurist, but he is not the person responsible for the police..."^v. Among those who held the office was the muhtasib Muhammad ibn Sa'id in 1188 AH^{vi}.

2.1 Appointment Mechanisms:

The offices of muhtasib and *mezouar* were among the most coveted positions among local candidates. They paid large sums to purchase them from the pashas in order to secure the revenues they generated. According to the Portuguese captive Mascarenhas, the pasha would "sell or lease these two offices to the highest bidder"^{vii}. The rulers' insistence on directly supervising the appointment and installation of the muhtasib was undoubtedly linked to the need to represent their authority and enforce their policy in the markets. This could improve their image among their subjects.

3.1 Salaries:

A passage in *Tachrifat* reveals one way in which officials were paid. Their salaries did not always come from the treasury. At times, payment was linked to the duties they performed. The muhtasib received remuneration from additional revenues generated whenever in-kind dues were collected on fruit, vegetables, dairy products, and other goods and foodstuffs available in the markets. The source states that "...the proceeds of this tithe are sold, and part of the amount constitutes the muhtasib's dues..."^{viii}. The muhtasib, in turn, deducted a fixed portion and paid it to the treasury each year. The amount was 4,800 *sa'ima*^{ix}.

2. Duties and Powers

Examining the role of the muhtasib in Algiers after the city came under Ottoman rule requires attention to the changes that affected his duties and powers. The office was one of the administrative posts that the new Ottoman authority in Algeria did not abolish. What reasons led the Ottoman authority to retain it?

The Spanish monk Diego de Haedo explained the ruling authority's reliance on institutions inherited from earlier periods by referring to the limited administrative structure that, in his view, oversaw urban life in Algiers during his captivity there in the 1580s. He excepted only the *mezouar* and the muhtasib. In doing so, he denied the existence of other manifestations of state administration. He wrote: "There are no members of a council of elders, no *amins*, no craft guilds, and no form of civil administration or police, except for the *mezouar* and the muhtasib, who are charged with carrying out all duties."^x

In fact, Haedo's claim that urban administration in the sixteenth century was confined to these two officials requires closer examination. It also raises several methodological questions about the reliability of his account and the other information he transmitted. It further raises the question of how closely he observed and understood the city's administrative institutions. This becomes especially clear when we examine sources close to the period in which he wrote his *Topographia*. Seventeenth-century local and foreign sources reveal a more effective urban administration than the one portrayed by Haedo. The office of *shaykh al-balad* is one example. Its holder appears to have played an important role because he performed a range of duties. He was responsible for police affairs, oversight of craft guilds such as tailors and weavers, cleanliness, and the maintenance of public buildings. He also shared some duties with the *mezouar*, including the supervision of women of ill repute.^{xi}

What is striking in Haedo's account, however, is that he confirmed the existence of the muhtasib and emphasized the office's value and institutional position within the city's administrative structure from the sixteenth century onward. The muhtasib played an important role in administering Algiers and organizing its daily affairs. He assumed several responsibilities with economic and social dimensions, including:

1.2. Supervision of Markets and Crafts:

One of the first points to emerge from foreign sources is that the muhtasib's work was field-based and required his personal presence and daily inspection. This was because the office was closely connected with the markets. These formed the central area of commerce and economic activity and were usually concentrated in the city center. The author of *Topographia* described the muhtasib's responsibilities and powers as including continuous supervision to protect consumers from traders and vendors who manipulated weights and goods. He defined the muhtasib as "the inspector responsible for checking the weights and measures by which the goods found in all the inhabitants' shops in the city are sold, and he is under the authority of the *mezouar*..."^{xii}

The muhtasib's interventions in the markets were not limited to checking measures and weights^{xiii}. Seventeenth-century sources show that he was also entrusted with collecting taxes from bakers. Tachrifat therefore referred to him as the inspector and tax collector of the markets and bakers. In the Market Regulations, Abd Allah al-Shuwayhid described in detail the duties assigned to him. These included collecting in-kind dues on various foodstuffs, goods, and products. He also set commodity prices and checked the quality and weight of bread to ensure that it matched the standard fixed by the state^{xiv}. This undoubtedly helped reduce fraud, deception, and monopolistic practices and, in turn, contributed to market stability^{xv}.

2.2 Enforcement of Penalties:

The muhtasib appears to have exercised quasi-judicial authority. This enabled him to inspect, prescribe penalties, and enforce them in order to discipline and deter offenders. Tachrifat reports that if he encountered traders or vendors violating established regulations during his market inspection rounds, he punished them immediately by beating them with a stick.^{xvi}

This penalty was not fixed; it varied from one case to another. Monetary fines could sometimes be imposed instead of flogging, beating, or execution. The English doctor Thomas Shaw described these punitive mechanisms during his stay in Algeria from 1720 to 1732. He discussed their application to traders involved in fraud, short-weighing, or tampering with the quality of bread. Shaw wrote: "...any merchant caught selling with false weights is punished by death. Nevertheless, the sentence may sometimes be revoked upon payment of a sum of money"^{xvii}. The swift enforcement of penalties against offenders caught in the act, without referral to the qadi, the dey, or the agha of the Janissaries, offers an initial indication of the identity of those accused. They undoubtedly belonged to the local population and were therefore subject to the muhtasib's supervisory and punitive powers.

3. The Muhtasib: Declining Autonomy and Reduced Powers

Perhaps the clearest change affecting the office of muhtasib during the Ottoman period was the decline of its administrative independence and the narrowing of its powers. Several brief references in the sources reveal this shift. The observation of the Portuguese captive Mascarenhas is especially important. He states that the muhtasib worked "...under the authority of the mezouar..."^{xviii}. Tachrifat makes the same point, stating that he "...accompanied the mezouar"^{xix}. This suggests that the muhtasib lost his independent position and status within the administrative apparatus. At the same time, part of his jurisdiction passed to the mezouar. During the sixteenth and seventeenth centuries, the latter more clearly assumed responsibility for monitoring public conduct and for enjoining right and forbidding wrong.

Eighteenth-century sources that discuss the muhtasib's duties likewise confirm the reduction of his powers. His responsibilities became largely confined to supervising a number of crafts active in the markets. This was especially true of occupations that met the population's essential needs for basic foodstuffs such as bread and meat. It appears that the *khojas*^{xx} of Algiers took over some of the duties withdrawn from him. Some were responsible for distributing food to the soldiers, while others collected taxes from shops, houses, and land, among other duties^{xxi}.

The most striking feature of these changes is that, by the eighteenth century, the administration of Algiers was no longer entirely under the authority of the mezouar and the muhtasib. On the one hand, the mezouar lost his standing in society because he supervised prostitutes and administered regulated prostitution^{xxii}. On the other hand, the muhtasib came under the authority of a senior official, the Wakil al-Harj. Venture de Paradis recorded this important change in the distribution of powers and authority. The Wakil al-Harj became the muhtasib's effective supervisor and incorporated some of the latter's powers into his own duties. These included fixing prices, monitoring production and consumption, and other interventions required by his office. He "...made daily rounds through the city, weighed the bread offered for sale, and fixed food prices. If he found a baker giving short weight, he cut up the bread and distributed it to the poor, and beat the baker with a stick. Each craft had an amin who regulated the prices of goods..."^{xxiii}. Nevertheless, most source accounts that define the Wakil al-Harj's functions indicate that he was primarily responsible for weapons entering and leaving the city and for their manufacture. He also administered the state's military affairs on land and at sea and served as quartermaster for the garrison or corps^{xxiv}.

Conclusion:

The foregoing discussion leads to the following conclusions:

Foreign sources are indispensable primary materials for writing the history of Algeria during the Ottoman period in its political, military, social, economic, religious, and administrative dimensions. Despite the limitations and biases they contain, they confirm the existence of an effective urban administration. This administration was not oriented solely toward tax collection, as claimed by the colonial school and by some sources that sought to distort the image of the Ottomans in Algeria. It also worked to safeguard the public interest of the urban community of Algiers. The institution of the muhtasib was one of the most important instruments of regulation and urban organization in the city.

The office of muhtasib was primarily an economic office because it was closely connected to the market district, one of its main areas of responsibility. This was particularly true of trades related to food provision. Through these responsibilities, the muhtasib was able to enforce market order.

The status of the muhtasib declined during the Ottoman period, especially in the eighteenth century. His office became subordinate to the mezouar and the Wakil al-Harj. At the same time, he lost a number of powers to other administrative institutions and officials. This was one of the distinctive features of the administrative system in Ottoman Algeria. The

ruling authority relied on many officials responsible for social and economic matters and granted them broad, overlapping powers in order to make the administration of the city more flexible and effective.

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- ⁱ- Anonymous, *Kitab Ghazawat Aruj wa Khayr al-Din* [The Book of the Expeditions of Aruj and Khayr al-Din], corrected and annotated by Nur al-Din Abd al-Qadir, al-Tha'alibiyya Press and al-Urduniyya Library, 1934, p. 122.
- ⁱⁱ- Aisha Ghattas, *Crafts and Craftsmen in Algiers, 1700-1830: A Socio-Economic Approach*, State Doctorate dissertation in Modern History, vol. 1, University of Algiers, 2000-2001, p. 107.
- ⁱⁱⁱ- Devoulx Fils M., "Ahad Aman, ou Règlement Politique et Militaire", in: *Revue Africaine*, N° 21, 4 Année, Février 1860.
- ^{iv}- Malika Araibi, "Officials of the Security and Judicial Administration in Algiers during the Ottoman Period," *Al-Wanchiris Journal of Historical Studies*, vol. 3, no. 1, January 2024, p. 62.
- ^v- *Venture de Paradis, Algiers during the Eighteenth Century*, translated and annotated by Lakhdar Boutba, Dar Kawkab al-Ulum, Algiers, 2022, p. 52.
- ^{vi}- A document dated to mid-Rajab 1188 AH/1774 records some of the property of the muhtasib Muhammad ibn Sa'id, including the shop located near the Diwan and known as the Muhtasib's Shop. See the archival abbreviation as given in the original: ع ش، م، و، 114-115 and 43.
- ^{vii}- João Carvalho Mascarenhas, *Memoirs of the Portuguese Captive João Carvalho Mascarenhas in Algiers, 1621-1627*, translated and edited by Lakhdar Boutba, Dar Kawkab al-Ulum, Algiers, 2022, p. 117.
- ^{viii}- Tachrifat, *Recueil de notes historiques sur l'administration de l'ancienne Régence d'Alger*, publié par A. Devoulx, Imprimerie du Gouvernement, Alger, 1852, p. 22.
- ^{ix}- Ibid., pp. 22, 45.
- ^x- Diego de Haëdo, *Topographie et Histoire Générale D'Alger*, translated by Monnereau and A. Berbrger, Editions Bouchene, 1998, p. 231.
- ^{xi}- Tachrifat, op. cit., p. 22.
- ^{xii}- Haëdo, op. cit., p. 231.
- ^{xiii}- Mascarenhas, op. cit., p. 117.
- ^{xiv}- The Market Regulations of Algiers by Abd Allah al-Shuwayhid is the first local historical source to refer clearly and precisely to the muhtasib and the duties assigned to him. These duties included setting the prices of basic goods and food products such as grain and bread. The text cites decisions and measures taken by Abd Allah Muhammad ibn al-Hajj al-Shuwayhit and other officials, foremost among them Dey al-Hajj Ahmad, to regulate the price of bread. Accordingly, the muhtasib took half a sa' of grain for making bread. Its price was fixed at 152, and the source states that this yielded thirteen tenths of an uqiyya of bread. The measure was approved by Dey al-Hajj Ahmad in Muharram 1109 AH/1697. Abd Allah ibn Muhammad al-Shuwayhid, *Market Regulations of Algiers, 1107-1111 AH/1695-1705*, edited, introduced, and annotated by Nasir al-Din Sa'iduni, al-Basa'ir al-Jadida, Algiers, 2012, p. 67.
- ^{xv}- Tachrifat, op. cit., p. 22. Other interventions by the muhtasib outside the markets, as recorded in the literature, included regulating the use of public space, facilitating movement through the city's streets, maintaining them, and providing lighting at night. - Le Baron Pichon, *Alger sous la Domination Française son état présent et son avenir*, Barrois, Paris, 1833, p. 168.
- ^{xvi}- Tachrifat, op. cit., p. 22. André Raymond discussed the immediate and summary trials conducted by the muhtasib against those who disturbed market order. The accompanying executioners then carried out the sentences, which could range from flogging to amputation of the hand and other penalties. André Raymond, *The Great Arab Cities in the Ottoman Period*, translated by Latifa Farag, Dar al-Fikr lil-Dirasat wa-al-Tawzi, Cairo, Egypt, 1986, pp. 93-94.
- ^{xvii}- Thomas Shaw, *Journey to the Regency of Algiers*, translated and annotated by Lakhdar Boutba, Dar al-Bahith, Algiers, 2022, p. 109.

^{xviii}- Haëdo, op. cit., p. 231.

^{xix}- Tachrifat, op. cit., p. 22.

^{xx}- Source accounts refer to four khojas in the service of the dey, in addition to eighty others whose powers were limited compared with those of the four khojas. They were assigned various duties and functions, including heading the customs office and supervising military storehouses, among other tasks. Filippo Pananti, Account of the Italian Captive Filippo Pananti's Stay in Algiers in 1813, translated by Lakhdar Boutba, Dar Kawkab al-Ulum for Publishing, Printing and Distribution, Algiers, 2024, p. 318.

^{xxi}- Mr. Laugier de Tassy, Histoire du Royaume d'Alger, Chez Henri du Sauzet, A Amsterdam, 1725, pp. 237-238.

^{xxii}- Paradis, op. cit., p. 202.

^{xxiii}- Ibid., p. 52.

^{xxiv}- Muhammad al-Jaza'iri ibn Maymun, Al-Tuhfa al-Mardiyya fi al-Dawla al-Bakdashiyya fi al-Jaza'ir al-Mahmiyya [The Pleasing Gift on the Bakdash State in Protected Algiers], edited and introduced by Muhammad ibn Abd al-Karim, 2nd ed., National Publishing and Distribution Company, Algiers, 1981, p. 34.