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Hisbah Writings in the Andalusian Heritage: Combining Jurisprudential Foundations with Historical Documentation: Ibn Abdun's Treatise and al-Saqati al-Malaqi's Adab al-Hisbah as Case Studies

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Abstract:

Hisbah writings in the Andalusian heritage are valuable historical and jurisprudential sources. They reveal the depth of administrative and economic organization in al-Andalus. Two works are especially important: Ibn Abdun al-Tujibi's treatise on the judiciary and hisbah, and al-Saqati al-Malaqi's Adab al-Hisbah. These works combine Islamic legal grounding with practical application. They describe an integrated system of oversight based on the principle of enjoining right and forbidding wrong. This system was embodied in the office of the muhtasib, whose duties included supervising markets and regulating commercial transactions.

These writings also document Andalusian economic and social life in considerable detail. They offer a vivid picture of the range of occupations and crafts, together with their quality standards and ethical rules. Their exceptional importance also lies in the fact that they reflect the Andalusian Maliki model of hisbah and show how Islamic approaches to the management of public affairs were adapted to local circumstances. Their value therefore extends beyond jurisprudence. They function as broad historical documents that reveal the close interaction of religion, economic activity, and morality in society. They also provide a model of governmental supervision of markets and document distinctive aspects of everyday life that are rarely addressed in other historical sources. This makes them a rich body of material for researchers.

Against this background, the study addresses three main themes. The first is hisbah in al-Andalus and its role in regulating social and economic life. The second is Andalusian writing on hisbah and its most prominent authors. The third is the historical value of these works as an integral part of the Islamic heritage of al-Andalus.

Keywords: hisbah writings; al-Andalus; Ibn Abdun al-Tujibi; al-Saqati al-Malaqi; hisbah.

Introduction

Hisbah writings are among the most important historical sources for understanding different aspects of life in Islamic civilization, particularly in al-Andalus. Their texts provide vivid and detailed accounts of the social, economic, intellectual, and moral conditions of the period. These works were not merely administrative or regulatory manuals. They also reflected everyday Andalusian life. They recorded detailed information about markets, crafts, and industries, as well as social relations and the moral values that governed Andalusian society.

Among the most important of these writings are two works of considerable scholarly value: Ibn Abdun al-Ishbili's Risalah fi al-Qada' wa al-Hisbah (Treatise on the Judiciary and Hisbah) and al-Saqati al-Malaqi's Adab al-Hisbah (The Etiquette of Hisbah). Both works combine Islamic legal grounding with practical application. They describe a comprehensive system of supervision grounded in the principle of enjoining right and forbidding wrong. This principle was embodied in the institution of hisbah, which was responsible for supervising markets and regulating commercial transactions.

Because of the distinctive place of these works in the Andalusian heritage, this study seeks to demonstrate their historical value through three main themes. It first examines hisbah in al-Andalus and its role in organizing social and economic life. It then reviews the development of writing on hisbah in al-Andalus and the leading authors in this field. The third section studies the historical and scholarly value of hisbah literature through two examples: Ibn

Abdun's *Risalah fi al-Hisbah wa al-Qada'* and al-Saqati's *Adab al-Hisbah*. The study introduces both works, outlines their main contents, and highlights their historical value. This is particularly important because they serve as a mirror of social and economic life in al-Andalus.

1. Hisbah in al-Andalus and Its Role in Regulating Social and Economic Life

A study of the hisbah system in al-Andalus shows that it drew on earlier forms of market supervision. In ancient Greece, the *agoranomos* (Agoranomos) was responsible for regulating markets. In pre-Islamic Arabia, the *amin al-suq*, or market supervisor, monitored commercial dealings. Islam reshaped and developed these practices into the institution of hisbah. It became a religious and social mechanism intended to uphold the Sharia and regulate conduct¹. Andalusians gave considerable attention to hisbah. Al-Maqqari confirms this when he states: "They have rules governing hisbah that they circulate and study just as the rulings of jurisprudence are studied, because they apply to all purchases." Hisbah in al-Andalus began with the Islamic conquest, but its institutional features became clearer during Umayyad rule. In the reign of Abd al-Rahman II, hisbah was established as a separate office after previously falling within the authority of the chief of police².

Hisbah became one of the principal foundations of social and economic regulation in medieval Andalusian society. The institution was represented by the *muhtasib*, who carried out a range of duties under the principle of enjoining right and forbidding wrong. His authority therefore extended into many areas of everyday life.

In family and social affairs, the *muhtasib* played a clear role in supervising marriage contracts and ensuring their legal validity and compliance with religious requirements. He oversaw what was known in al-Andalus and the Maghrib as the marriage office (*khittat al-nikah*). This institution existed at least from the Almoravid period. Through it, the official known as the *wali al-ahkam wa-l-manakih* or *wali ahkam al-nisa* was responsible for drafting and recording marriage contracts in accordance with recognized Islamic legal requirements³. The *muhtasib*'s role did not end with documentation. He also supervised the female matchmaker who mediated between families in marriage matters. He was expected to ensure her good conduct and prevent her from misleading families in her description of prospective spouses⁴. This helped protect marriage arrangements from fraud and misrepresentation.

The *muhtasib* also sought to protect women in public spaces. He prevented intrusions on women at places where they washed clothes by rivers or streams. He also confronted idlers and loiterers who tried to harass or spy on them there, allowing women to carry out their work without disturbance⁵. He further prohibited the mixing of women and men during prayer in mosques and during festivals and public gatherings⁶. Women were also prohibited from following funeral processions⁷. In addition, they were expected to wear modest clothing when leaving their homes. These measures were intended to preserve the moral norms of the Islamic community.

With regard to children, the *muhtasib* monitored teachers and instructors in Qur'anic schools and mosques. He sought to ensure that boys were not mistreated. Discipline of boys under the age of seven inside mosques was prohibited out of respect for the sanctity of those spaces⁸. The *muhtasib* also intervened to prevent abuses against children⁹. This reflects the concern of Islamic society for the protection of children and for the provision of an appropriate educational environment.

In the economic sphere, the *muhtasib* played a central role in supervising markets, merchants, and artisans. Particular attention was given to textile production and spinning, which formed an important sector of the economy. The *muhtasib* monitored product quality and worked to prevent fraud by craftsmen and traders. Fraudulent practices included mixing coarse and fine yarn, keeping the fine yarn and replacing it with a coarser type for others, and spinning spoiled or rotten yarn together with fine yarn. Another practice involved white silk known as *al-masraqa* or *al-musraqa*, which was taken out before its boiling process was complete and then dyed. Wax, oil, clarified butter,

¹ Wafa Sarem et al., "The Hisbah Institution and Its Development in al-Andalus during the Middle Ages," *Tishreen University Journal* 42, no. 4 (2020), p. 475.

² Muhammad ibn Abd Allah al-Ma'muri, "Hisbah in al-Andalus," *Journal of Human Sciences*, College of Education, p. 91.

³ Muhammad ibn Askar and Muhammad ibn Khamis, *A'lam Malaqa* [Notables of Malaga], ed. Abd Allah al-Murabit al-Targhi, vol. 3, 1st ed. (Beirut: Dar al-Gharb al-Islami and Dar al-Aman, 1999), p. 329; Abu Abd Allah Muhammad ibn Muhammad ibn Abd al-Malik al-Marrakushi, *Al-Dhayl wa al-Takmila li-Kitabay al-Mawsul wa al-Sila*, ed. Ihsan Abbas et al., 1st ed. (Tunis: Dar al-Gharb al-Islami, 2012), vol. 1, p. 486; vol. 4, p. 169.

⁴ Abu al-Abbas Ahmad ibn Yahya al-Wansharisi, *Al-Mi'yar al-Mu'rib wa al-Jami' al-Mughrib an Fatawa Ahl Ifriqiya wa al-Andalus wa al-Maghrib*, vol. 3, prepared by a group of jurists under the supervision of Muhammad Hajji (Rabat: Ministry of Awqaf and Islamic Affairs, 1981), p. 121.

⁵ Ibn Abdun, *Risalah fi al-Hisbah wa al-Qada'*, in *Thalath Rasa'il Andalusiiyya fi Adab al-Hisbah wa al-Muhtasib*, ed. E. Levi-Provencal (Cairo: Institut Francais d'Archeologie Orientale, 1955), p. 32.

⁶ Ahmad ibn Abd al-Ra'uf, *Risalah fi Adab al-Hisbah wa al-Muhtasib*, in *Thalath Rasa'il Andalusiiyya fi Adab al-Hisbah wa al-Muhtasib*, ed. E. Levi-Provencal (Cairo: Institut Francais d'Archeologie Orientale, 1955), p. 74.

⁷ *Ibid.*, pp. 76-77.

⁸ *Ibid.*, pp. 22-23.

⁹ *Ibid.*, pp. 24-25.

gum, or starch could also be used to make yarn appear softer, smoother, and more lustrous. The muhtasib also prohibited sprinkling flax with water and placing it in damp areas so that it would absorb moisture and gain weight before sale¹. All of these practices were treated as forms of fraud and were actively opposed.

To regulate relations between women, merchants, and craftsmen, muhtasibs imposed strict rules intended to preserve public morality and protect women from exploitation. A woman was expected to be accompanied by her husband or by another person brought by him. Situations that could expose her to misconduct were to be avoided, especially times such as the midday rest when streets were quiet. Meetings were not to take place in isolated locations. Women were expected to deal with trustworthy older men known for integrity and good standing. They were also to have a designated place where they could gather to sell their goods rather than sit inside shops².

Juristic opinions addressed many questions concerning women's dealings with merchants and craftsmen. Abu al-Qasim Ibn Siraj (d. 848 AH/1444 CE), for example, was asked about Muslim or dhimmi men who moved from house to house selling goods or repairing tools such as spindles, and about how women should deal with them. The question also referred to women going out to meet such men with their faces uncovered in hot weather. It further noted that women sometimes paid for purchases by giving traders items belonging to their husbands, such as grain, at a low value. The mufti permitted these practices provided that no prohibited conduct occurred. He also allowed a woman to pay for necessary household purchases from her husband's property, even at a low price, provided that the amount was modest and the purchase concerned something necessary for her husband³.

The muhtasib also regulated women's markets, where women gathered to sell yarn and other products. He sought to ensure that these markets functioned properly and to prevent the mixing of men and women⁴. These measures again reflected an effort to preserve public morality and protect women from exploitation.

Consumer protection formed another important part of hisbah. The muhtasib monitored the quality of food and other goods sold in markets, especially bread, grain, and oils, which were basic elements of the local diet. He sought to prevent merchants from cheating consumers in either weight or quality. He also supervised bread production and distinguished among several types. These included darmak bread made from the finest wheat flour, huwwara bread, semolina bread, and khushkar bread. The last contained a higher proportion of bran than the preceding type and was the most widely consumed wheat bread because it was relatively inexpensive⁵.

The muhtasib strongly opposed fraud in foodstuffs and other products. He also prohibited the hoarding of essential goods, especially during crises and famines. The muhtasib monitored commodity prices and intervened to regulate them when necessary⁶. These practices reflect the concern of Islamic society with consumer protection and with ensuring access to high-quality products at reasonable prices.

The institution of hisbah therefore played a central role in regulating social and economic life in al-Andalus. It contributed to the protection of families, women, and children. It also supervised commercial transactions, combated fraud and deception, and protected consumers. The muhtasib acted as an organizer of social and economic relations and as a guardian of Islamic values within society.

2. Writing on Hisbah in al-Andalus and Its Leading Authors

Because hisbah was an important administrative office that helped regulate social and economic life, Andalusian scholars devoted considerable attention to writing about it. Some produced independent works on hisbah, while others incorporated the subject into books of jurisprudence and judicial practice. The available evidence also suggests that writing on hisbah appeared relatively early in the Andalusian tradition, unlike in other parts of the Islamic world⁷.

According to the sources, the earliest hisbah writings in the Islamic Maghrib appeared around the middle of the third century AH. They are associated in particular with Yahya ibn Umar al-Kinani al-Andalusi, who authored what is considered the earliest book devoted to hisbah, entitled *al-Nazar wa al-Ahkam fi Jami' Ahwal al-Suq* (Consideration and Rulings Concerning All Conditions of the Market). The book was among the earliest works to establish rulings related to hisbah⁸. It consisted largely of answers to questions put to the author about market regulations. It discussed

¹ Ibn Abdun, *Risalah fi al-Hisbah wa al-Qada'*, p. 52; Zakariyya Muhammad ibn Mahmud al-Qazwini, *Athar al-Bilad wa Akhbar al-Ibad* (Beirut: Dar Sadir, n.d.), p. 539; Mahmud Hadiya, *Iqtisad al-Nasij fi al-Gharb al-Islami fi al-Asr al-Wasit* (Windsor, United Kingdom: Hindawi CIC, 2019), pp. 82-84.

² Ibn Abd al-Ra'uf, *Risalah fi Adab al-Hisbah wa al-Muhtasib*, p. 87.

³ Al-Wansharisi, *Al-Mi'yar al-Mu'rib*, vol. 5, pp. 197-199.

⁴ Lisan al-Din Ibn al-Khatib, *Al-Ihata fi Akhbar Gharnata*, ed. Muhammad Abd Allah Inan, 2nd ed. (Cairo: Maktabat al-Khanji, 1973), vol. 1, p. 325.

⁵ Muhammad ibn Yusuf ibn Khalsun, *Kitab al-Aghdhiyah*, ed. Suzanne Gigandet (Institut Francais d'Etudes Arabes, 1996), pp. 78-80.

⁶ Mahmud Ali Makki, "Ahkam al-Suq li-Yahya ibn Umar al-Andalusi," *Journal of the Egyptian Institute for Islamic Studies* 4, nos. 1-2 (Madrid, 1956), pp. 136-137; Ibn Abd al-Ra'uf, *Risalah fi Adab al-Hisbah wa al-Muhtasib*, p. 109.

⁷ Ibrahim Bin Halima, *Nizam al-Hisbah fi al-Maghrib wa al-Andalus fi Fatrat al-Murabitin wa al-Muwahhidin*, Master's thesis in Islamic Civilization, Faculty of Islamic Sciences, University of Algiers 1, 2012-2013, p. 39.

⁸ Husayn Shanina, *Al-Hisbah wa al-Muhtasib fi al-Andalus min al-Fath al-Islami ila Suqut Gharnata*, Master's thesis in Islamic Civilization, Faculty of Islamic Sciences, University of Algiers 1, 2011-2012, pp. 40-41.

pricing, hoarding, measures and weights, and a wide range of juristic questions concerning markets. Historians have generally regarded it as the first specialized work on hisbah¹.

Another pioneering work was Ibn Abd al-Ra'uf's treatise *Adab al-Hisbah wa al-Muhtasib* (The Etiquette of Hisbah and the Muhtasib), written after Yahya ibn Umar al-Kinani's *Ahkam al-Suq*. The treatise differs from many other Maliki works because it combines two major dimensions of hisbah: theory and practice. It also includes devotional matters that many other authors omitted. The work contains thirty-seven headings. Its theoretical part offers guidance on worship and public conduct, including prayer, ritual purity, almsgiving, marriage, and funerals. Its practical part addresses matters of trade, buying and selling, industries, weights, and the activities of merchants and craftsmen such as perfumers, bakers, oven operators, and butchers².

An important work in this field is also *Diwan al-Ahkam al-Kubra*, known as the *Nawazil* of Ibn Sahl, by Abu al-Asbagh Isa ibn Sahl al-Asadi. Its value lies in the clear picture it gives of social and economic life during the fifth century AH. This was a period of instability in al-Andalus, marked by political upheavals such as the civil strife (*fitna*) that brought down the Umayyad state and by other disturbances. The work contains eighteen chapters, many of which concern hisbah. Some address market supervision, while others deal with matters that had become part of the muhtasib's duties at the time. The book is especially significant because it records actual legal cases and the responses given by contemporary judges and muftis. It therefore provides a vivid picture of social and economic life in fifth-century al-Andalus³.

Al-Saqati al-Malaqi's *Fi Adab al-Hisbah* is another major work on hisbah to emerge in al-Andalus during the sixth century AH. Its importance is linked to the author's own experience as muhtasib in the city of Malaga. The book therefore belongs to the practical tradition of hisbah writing. It presents hisbah through concrete procedures and applied methods. Al-Saqati knew market practices and forms of commercial fraud well, and this knowledge is reflected in the many issues of market supervision addressed in his work⁴.

Ibn al-Munasif's *Tanbih al-Hukkam ala Ma'akhidh al-Ahkam* (Admonition to Judges Concerning the Bases of Rulings) is also among the well-known Andalusian works that addressed hisbah. Although much of the book concerns judicial practice, it includes a section devoted specifically to hisbah entitled "A Chapter on Hisbah in Changing Wrongful Practices and Establishing the Requirements of the Sharia to Preserve Religious Observances." This section discusses common abuses in markets and shops. It also addresses the prohibition of official price-setting (*tas'ir*), measures, and weights⁵.

Ibn Abdun al-Tujibi also produced an important work in the field. His treatise is commonly known as *Risalah fi al-Qada' wa al-Hisbah* (Treatise on the Judiciary and Hisbah). It concentrates on practical matters. Among its topics are the distinction between the duties of the muhtasib and those of the judge, and the methods a muhtasib should use to identify violations. It also describes a number of offices known in Ibn Abdun's time⁶. Historical sources further indicate that other Andalusian works on hisbah once existed but have not survived. These include *al-Hisbah fi al-Amrad* (Hisbah in Matters of Disease) by Abd al-Malik ibn Habib al-Sulami al-Qurtubi and *Tanbih Dhawi al-Albab ala Ahkam Khiṭṭat al-Ihtisab* by Ibn Khalaf al-Gharnati, among other works⁷.

3. The Historical and Jurisprudential Value of Hisbah Writings: Ibn Abdun's Treatise and al-Saqati al-Malaqi's *Adab al-Hisbah* as Case Studies

Hisbah writings are undoubtedly valuable historical and jurisprudential sources. They reveal the depth of administrative and economic organization in al-Andalus. Their value extends beyond jurisprudence because they also function as broad historical documents. They illuminate aspects of daily life that are rarely discussed in other historical sources.

To demonstrate the historical and scholarly value of hisbah literature, it is useful to examine works that acquired particular importance in the Andalusian tradition. Two of the most significant examples are Ibn Abdun al-Tujibi's treatise on the judiciary and hisbah and al-Saqati al-Malaqi's *Adab al-Hisbah*.

¹ Sayyid Muhammad ibn Muhammad al-Husayni, *Manhaj Ulama al-Malikiyya fi Taqrir Ahkam al-Hisbah*, doctoral dissertation in Da'wa and Hisbah, Imam Muhammad ibn Saud University, Saudi Arabia, 1430-1431 AH, pp. 62-64.

² Ibid., pp. 62-65.

³ Salma bint Sulayman ibn Musayfir al-Husayni al-Awfi, *Al-Hisbah fi al-Andalus 92-897 AH: Dirasah Tarikhiyya Tahliliyya*, doctoral dissertation, College of Da'wa, Medina, Saudi Arabia, 1420-1421 AH, pp. 229-233.

⁴ Sayyid Muhammad ibn Muhammad al-Husayni, *Manhaj Ulama al-Malikiyya fi Taqrir Ahkam al-Hisbah*, pp. 69-70.

⁵ Husayn Shanina, *Al-Hisbah wa al-Muhtasib fi al-Andalus*, pp. 46, 478.

⁶ Samir Qadduri, "Al-Hisbah fi al-Madhab al-Maliki wa Ahamm Mu'allafatiha," in *Proceedings of the First University Training Symposium: Al-Manhajiyah al-Fiqhiyya fi Mu'allafat al-Madhab al-Maliki*, Center for Research and Studies in Maliki Jurisprudence, Ibn Tofail University, p. 537.

⁷ Bassam ibn Sulayman ibn Ali al-Yusuf, *Kutub al-Hisbah al-Makhtuta wa al-Mafquda: Dirasah Istiqra'iyya Wasfiyya*, paper presented at the Conference on the Method of the Righteous Predecessors in Enjoining Right and Forbidding Wrong and the Role of Saudi Arabia in Promoting It (Mecca: Dar Tayba al-Khadra, 2019), pp. 14-19.

1. Ibn Abdun al-Tujibi al-Ishbili's *Risalah fi al-Qada' wa al-Hisbah*

Before examining the content and importance of Ibn Abdun's treatise on the judiciary and hisbah, a brief account of its author is necessary. Andalusian and Maghribi biographical works provide little information about Ibn Abdun's life. He therefore remains a relatively obscure figure compared with many well-known jurists and men of letters of his time. Some aspects of his life can nevertheless be inferred from the hisbah treatise itself.

Ibn Abdun was from Seville, or at least lived there for a long period, as shown by his detailed knowledge of the city. He did not explicitly state his social position or official office. However, the treatise contains extensive information on market organization and proposed reforms to the work of the muhtasib. This suggests that he may have had some secondary involvement in the hisbah administration or the judiciary. The limited internal evidence also suggests that he lived during the second half of the fifth century AH/eleventh century CE. He refers to the Almoravid period and to the beginning of the rule of al-Mu'tamid ibn Abbad (461-484 AH/1068-1091 CE), the last ruler of the Abbadid dynasty in Seville¹.

Ibn Abdun al-Tujibi also appears to have been a jurist, a practitioner of hisbah, and a reformer. He differed from many contemporaries in his criticism of political developments and in the reforms and recommendations he proposed concerning security, social life, politics, and other matters. He was therefore among the authors who contributed to writing on the historical, social, cultural, and political conditions of their society and who showed sustained concern for its problems².

His treatise on hisbah is one of the relatively few documents that provide a vivid picture of social life in fifth-century AH al-Andalus. It is closely connected to Andalusian social realities and offers a distinctive example of social, economic, and political jurisprudence. Ibn Abdun sought to reform his society by advising Muslims through the practice of hisbah and by calling for the correction of their conditions and conduct. Among his principal aims were the promotion of good, the pursuit of justice, the correction of wrongdoing, and the suppression of oppression and injustice. These measures were intended to prevent corruption, which he viewed as a cause of the ruin of the land³.

The treatise is divided into a number of chapters, each with a specific subject. The first concerns "the ruler," while the second deals with agriculture. Ibn Abdun then discusses several offices, including collectors and crop assessors (al-qabbad and al-kharas), before explaining the duties of the judge. He also refers to assistants and the public treasury. Other chapters concern the ruler and his agents, the muhtasib, the vizier, and the sultan, as well as documents, buildings, and road repair. Ibn Abdun also addresses security matters, including prisons. He discusses measures and weights, sellers and major crafts, water carriers, mosques, and other issues⁴.

Ibn Abdun's treatise belongs to the practical and applied tradition of hisbah literature. His method differed from that of earlier authors. He moved away from a mainly theoretical and jurisprudential treatment toward an applied approach shaped by the needs of the Almoravid period, an era marked by major transformations and events. The detailed issues included in the treatise move the discussion from theoretical jurisprudence toward practical regulation. This is especially clear in the range of reform proposals that address concrete problems within his society⁵.

One of the main features of the treatise is its limited emphasis on adducing evidence and its lack of attention to documenting information from its sources. Its thematic coverage is also selective. Ibn Abdun concentrated on practical matters and did not discuss forms of wrongdoing connected with acts of worship. It is also noteworthy that his treatment of hisbah follows, to some extent, the approach of works on al-ahkam al-sultaniyya, or public governance. He surveys major offices and matters of concern to Andalusian society in both the social and administrative spheres⁶.

Overall, Ibn Abdun's treatise on the judiciary and hisbah is a historical and civilizational document of considerable importance. It reveals important features of the period in which it was written and addresses political, economic, social, and cultural matters. It also contains a significant reformist dimension. The treatise differs from many earlier hisbah works because of its strong interest in practical application. It consequently offers a vivid picture of social and economic life in al-Andalus during the Taifa and Almoravid periods.

2. Abu Abd Allah Muhammad ibn Abi Muhammad al-Saqati's *Fi Adab al-Hisbah*

The information available about al-Saqati al-Malaqi is limited. Studies of his work indicate that he was an Andalusian from Malaga and that he appears to have lived at the end of the eleventh and beginning of the twelfth century. He served as muhtasib in Malaga and became familiar with the conditions of sellers and markets. This experience led him to compose his work *Adab al-Hisbah*⁷.

¹ Ibn Abdun, *Risalah fi al-Hisbah wa al-Qada'*, pp. 9, 28. See also Badriya bint Abd al-Aziz al-Awhali, "Civilizational Aspects in Ibn Abdun's Treatise on the Judiciary and Hisbah: Education as a Case Study, a Comparative Historical-Civilizational Study," *Al-Mu'arrikh al-Misri*, no. 54 (2019), pp. 277-285.

² Badriya bint Abd al-Aziz al-Awhali, previously cited article, pp. 272-277.

³ *Ibid.*, p. 284.

⁴ Ibn Abdun, *Risalah fi al-Hisbah wa al-Qada'*, pp. 3-61.

⁵ Badriya bint Abd al-Aziz al-Awhali, previously cited article, p. 286.

⁶ Sayyid Muhammad ibn Muhammad al-Husayni, *Manhaj Ulama al-Malikiyya fi Taqirir Ahkam al-Hisbah*, pp. 173-174.

⁷ Salma bint Sulayman ibn Musayfir al-Husayni al-Awfi, *Al-Hisbah fi al-Andalus 92-897 AH*, p. 286.

Abu Abd Allah al-Saqati al-Malaqi's *Fi Adab al-Hisbah* is one of the most important works documenting the hisbah system in al-Andalus. It provides precise details about everyday life in the markets and incorporates the sum of the author's experience and knowledge of market conditions and of the practices of merchants and craftsmen. Al-Saqati was motivated by the spread of fraud and deception in commercial transactions and by the appointment of unqualified persons to the office of muhtasib. In his view, these developments weakened the authority and effectiveness of the institution. The book is therefore among the more detailed works in the field, particularly in its account of the muhtasib, also known in al-Andalus as the sahib al-suq, or market officer, who was responsible for supervising the market and enforcing commercial rules and ethical standards.

The book is primarily intended as a practical guide to the forms of fraud used by merchants and intermediaries in the market of a major city such as Malaga. It offers a vivid account of daily market activity and is therefore a valuable source for understanding the economic and social life of al-Andalus in this period. The description also shows the central role of the muhtasib in promoting fairness and integrity in transactions and in dealing with violations and fraudulent practices.

Al-Saqati opens his book by explaining his reasons for writing it. He states: "It became clear to my understanding, and settled in the certainty of my knowledge, from reports about corrupt sellers and craftsmen in the markets, their cheating in measures and weights, their shortchanging, and their use of tricks in dealing with people ... that I could do no other than warn against their deceit and speak rightly about them"¹. In the same introduction, he emphasizes the high position of hisbah within Islamic administration. He describes it as standing between the judicial office and the jurisdiction of grievances, combining legal judgment with the coercive authority of government. He also notes that the early caliphs personally exercised hisbah because of its public importance, before the institution weakened and became, in some cases, a means of earning money rather than establishing justice and distinguishing lawful from unlawful conduct².

Al-Saqati divided his work into eight chapters. He began with introductory principles of hisbah and the duties of the muhtasib. Later chapters address different areas of market activity. One chapter deals with measurers and measures, another with scales and weighers, and another with flour and bread production and their sellers. A further chapter covers camel slaughterers and sellers of meat and fish. He also included a chapter on perfumers and pharmacists, another on sellers of slaves and servants, and a final broad chapter on craftsmen and their various trades³.

The importance of al-Saqati's book lies in the fact that it does not remain at the theoretical level. It presents a vivid account of Andalusian markets and of the different forms of fraud practiced by some merchants and craftsmen, while also offering practical methods for addressing them. The work reflects al-Saqati's extensive experience in market supervision. He wrote with direct knowledge of hisbah because he had held the office himself. This gives the book an important place among works on hisbah, and it has been regarded as one of the foundational Maghribi works on hisbah. Al-Saqati sought to make this knowledge available to muhtasibs as an aid in carrying out their duties and as a contribution to social reform and to the values of justice and integrity in transactions⁴.

The evidence presented above shows that both works share a basic aim: reforming society and combating corruption. They differ, however, in scope and method. Al-Saqati offers a general framework for the duties of the muhtasib that could apply broadly to Islamic cities. Ibn Abdun focuses more closely on Seville, which gives his treatise a detailed local character. He also discusses agricultural production, whether local or imported, as shown by the second chapter on cultivation. In terms of organization, al-Saqati's book has a more ordered theoretical structure centered on general principles of hisbah. Ibn Abdun's work is more practical and critical, with particular attention to civic institutions and market administration. Both authors reflect the concerns of their age. Ibn Abdun is more visibly shaped by his immediate Andalusian environment, while al-Saqati adopts a broader perspective.

In subject matter, al-Saqati's book is especially strong in its coverage of crafts and market administration. It also provides useful information on prices and wages and thus helps reconstruct the urban economy of Malaga at the beginning of the seventh century AH/thirteenth century CE. It does not, however, discuss port activity or provide detailed information on the internal organization of Malaga's market. Ibn Abdun's work is broader. It includes the religious dimension of the judge's role as well as wider social and economic issues such as moral supervision and institutional reform. Methodologically, al-Saqati's book functions as a guide for the muhtasib, with an emphasis on supervising craft guilds and combating fraud in the trades. Ibn Abdun goes further into the details of daily life in Seville, including conduct on public roads and the regulation of public behavior. His work therefore covers a wider range of Andalusian social life.

Al-Saqati's work is therefore an important reference for understanding economic and craft organization in Islamic cities. Ibn Abdun's treatise, by contrast, offers a rich record of social, economic, and religious interaction in a specific Andalusian setting. Taken together, the two works complement one another in the study of the institution of hisbah.

¹ Abu Abd Allah Muhammad ibn Abi Muhammad al-Saqati al-Malaqi, *Fi Adab al-Hisbah*, ed. E. Levi-Provencal and G. Colin (Paris: Publications de l'Institut des Hautes Etudes Marocaines, 1931), pp. 1-2.

² Ibid., p. 2.

³ Ibid., p. 3.

⁴ Salma bint Sulayman ibn Musayfir al-Husayni al-Awfi, *Al-Hisbah fi al-Andalus* 92-897 AH, pp. 294-295.

Conclusion

The preceding discussion shows that hisbah in al-Andalus formed an integrated system of supervision that contributed to the regulation of economic and social life. Because it was one of the major administrative institutions of al-Andalus, scholars devoted considerable attention to it. They produced independent works on hisbah and also included discussions of it as chapters within books of jurisprudence.

Among the most important Andalusian works in the field are Ibn Abdun's treatise on hisbah and the judiciary and al-Saqati al-Malaqi's *Adab al-Hisbah*. These writings are notable for their concern with the practical dimension of hisbah. They also demonstrate the Maliki model of the application of hisbah. Their importance also lies in the fact that they mirror economic and social life in al-Andalus. They discuss markets, occupations and crafts, measures and weights, judicial matters, forms of transaction, and many other topics that are not always available in other sources. The breadth of information contained in hisbah literature therefore makes it an indispensable body of historical material for the study of Andalusian civilization.

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