المجمع 5 (2011/1432)، 1-24

The Role of the Muslim Institutions in Architectural Activity in Medieval Islam: The Case of *Hisba* and the *Muhtasib*[1]

Ahmad Ghibin

A somewhat negative attitude towards opulent and unnecessary temporal building emanates from many Qur'anic verses and yet it is not a strict judgment.[2] A different attitude could be deduced from the magnificent buildings that God sanctioned Solomon to construct.[3] In general, the exegetes accepted the negating attitude claiming that what Solomon did was at God's behest as a proof of faith.[4] Nevertheless, they deduced some building principles from the verses: stone building for winter houses and mud and brick building for summer houses. Both techniques were in use in the medieval Islamic world. Aristocratic Muslims used the positing signs in the verses to impart legitimacy to their magnificent palaces. In other verses the Muslims are urged to build mosques but nothing is said about their design, their size and decoration.[5] However, they present the main two elements around which every mosque developed: *qā'at al-salāt*, the prayer space and the *qibla,* the direction.

As to Muhammad, it is believed that his words were clearer. While urging his followers to build mosques where they were needed for permanent prayer he nevertheless advised them to restrain from building magnificent and richly decorated mosques.[6] He also urged them to be satisfied with residences that met essential living requirements.[7] In any case, the currency of such attitudes in traditions ascribed to the Prophet was intended to suppress the strong desire of

[1] Note that the Arabic terms are written here with Latin letters without transcription symbols which does not exist in this format. For instance the Arabic letters like ح= h, =s, =t, =z, ع=', ض=d, =q, خ=kh,='. For more reading see my pdf file in this site.

so many caliphs and governors to spend vast public resources on building magnificent monuments.

Therefore, the issue of building in Muslim society deserved the intervention of the authorities, not to prevent the construction of splendid buildings but to fit the procedures of construction with religious, moral and public needs. The supervisional responsibilities of *hisba* office, however, were restricted to the *'āmma* classes.

The role of the *muhtasib* in architecture was limited to two main domains: the religious public, and the professional. In the public domain he had to forbid the building of mosques and minarets that could interfere with the practices of the Muslims, unless permission was obtained from the Imam.[8] As to minarets, he also had to forbid building them too close to nearby private houses to ensure that the muezzin would be unable to look inside them from on high when calling the believers to prayer. According to 'Alī's tradition quoted in what seems to be the oldest treatise on *hisba*, the minaret had to be of the same height as the roof of the mosque, otherwise the *muhtasib* had to order the open gap in the minaret overlooking the nearby houses to be sealed.[9] In principle, he also had to forbid the building of unnecessary additions to the mosque, especially innovations introduced after the Prophet and the Rashidūn caliphs, such as the *maqsūra*, an enclosure including the prayer niche that was reserved for the caliph and the imam, as well as balconies.[10] For maintenance of the building, the *muhtasib* had to find a professional builder capable of keeping it in good repair.[11] As a defender of public rights, he used the public money (endowments and public offerings) to preserve public buildings and establishments.[12] Through this kind of inspection, the *muhtasib* did indeed protect public interests and morals. In spite of his far-reaching authority, the *muhtasib* had no right to intervene in the architectural or aesthetic aspects of any building.

As far as the *muhtasib*'s religious and moral interest was concerned with architectural luxuriance, decoration and beautification, it was his duty to forbid any kind of wall figural paintings, gold and stucco decorations in religious and secular buildings.[13] In practice most of these prohibitions were not enforced. As to mosques, only the figural prohibition was accepted and adhered to while the other techniques of covered decorations in gold, stucco, calligraphy and faience remained in dispute between the *fuqahā'*. The arguments of those in favor of covering the walls of the mosque with *zakhrafa* (decoration), *tazwīq* (embellishment) and *naqsh* (incision) were that they imparted more majesty to the mosque and generated greater veneration of the faith. Tilmisānī, referring to the luxurious decorations carried out by the Prophet Solomon in Bayt al-Maqdis (the Temple of Jerusalem) and the enlargements of the Prophet's mosque in al-Madīna by 'Uthmān and the Umayyads Abd al-Malik and 'Umar b. al-'Azīz, said that after all it was legitimate to adorn the *qibla* wall in the mosque with gold and calligraphic decorations.[14] The opponents, on their part, argued that such decorations, even the Qur'ānic inscriptions on the *qibla* wall, might divert one's mind from the prayer, and would cost the public treasury far too much.[15]

Despite this theological debate, in practice many great mosques were built throughout the Islamic world with huge tall minarets whose balconies towered above the nearby housing quarters: the implication being that the authority of the *muhtasib* to prevent extravagant buildings and tall minarets was non-existent. In fact, most of these minarets are still towering above nearby dwelling quarters. In addition, these mostly 'imperial' buildings intended to display the glory of Islam and the power of their builders. Multiple and tall minarets served more for aesthetic, symbolic and cultural purposes than merely for calling to prayer.[16]

Almost every great mosque built in Islam had rich decorations on its various components: *mihrāb*, *minbar*, dome, walls, columns, entrances, arches, surfaces and minarets. The decorations included a wide range of techniques: gilding, marble facing, stucco plastering and engraving, mosaic coating and calligraphic, floral and geometric designs.

Existing examples of these arts are plentiful: the Dome of the Rock; the great mosque in Damascus; the great mosque of Qairawān; the great mosque of Cordova and many others in Iran, Central Asia, Egypt and Maghrib. In other words, architectural decorations and of religious buildings existed in every period and on the highest artistic levels, and it was considered by most of the *fuqahā'* as a great legal and even preferred undertaking because it played a religious role and strengthened the sanctity of God and His religion in the souls of the believers – as was the case with the gilding and binding of the Qur'ān Manuscripts or the writing of its verses in any artistic style.[17]

In order to control the moral behavior of the artisans the *muhtasib* had to appoint a trustworthy assistant called *'arīf*, a chief builder well experienced and familiar with the numerous specialties of the building trade. Coming from building circles, he was supposed to advise and acquaint the *muhtasib* with the builders' techniques and secrets. Through him, the *muhtasib* fixed the regulations and instructions to be enforced, such as rates of pay, correct working hours, prevention of dishonesty, and elimination of sub-standard or superfluous materials as well as ordering the workers to wear uniforms covering their private parts. Above all, the *muhtasib* had to make sure that the professional builders were equipped with the proper implements, such as angles, weights and lines in order to ensure that the building would be properly built without any deviation from the perpendicular.[18] He also had to order every professional builder to provide his client, in advance, with formal specifications of the required quantities of material and equipment in order to keep him from incurring

heavy debts.[19] By exercising such extensive inspection, the *muhtasib* ensured the safety of the public, saved the people unnecessary outlays, and compelled the artisans to do their work honestly and properly.

As to quality, the *muhtasib* had the authority to intervene in the precise details of every stage of the work, for which he needed the good services of the *'arīf*. He had to initially fix regulations standardizing the weights and measures of building materials such as sun-dried bricks, kiln-fired bricks, tiles, wooden floor joists, flooring boards and timber beams to ensure that they would comply with the measurements of the building to be constructed. To ensure this he ordered the makers of these materials to use the right equipment such as modeling moulds that had to be made of hardwood and identical to those that the *muhtasib* usually hung up on the Friday mosque. Makers of *ṭūb*, baked (kiln-fired) bricks were sworn to make good-quality bricks by using the proper mixture of paste and by filling the moulds with fine clay. They also had to produce samples to show their clients. In order to meet the market demand and to maintain price levels the *muhtasib* ordered the artisans to produce a wide variety of bricks and other materials. These materials had to be manufactured outside the city walls in order to keep the city clean and to provide enough work space.[20] Ibn Bassām devoted two chapters to *jabbāsīn* (makers of gypsum plaster) and to *jayyārūn* (makers of quicklime). The *'arīf* ordered the gypsum calciners to calcine the material well so that when the plaster was smeared on a wall it would stay wet for at least an hour, thus making it easy to handle. He also checked the wooden scales and other measuring implements such as *quffat al-jayyār* (lime maker's bucket/scuttle). All scales had to be sealed with the governor's lead stamp and signed by the *muhtasib*. The same arrangement also applied to the brick makers. In order to fire their bricks thoroughly they were ordered to remove broken pieces of brick from around the *majyara* (limestone kiln).[21]

Any comparison of these regulations with the architectural reality of Islam shows that the *muhtasib* was involved in those materials. For example, gypsum as a cementing material in plasters and mortars was common in most areas of the Islamic world.[22] More importantly, it was used as a basic material for *jass* (stucco), a very cheap and easily worked mixture used as a medium for decorations almost everywhere in the Islamic world. Ettinghausen believed that the widespread use of this material for decorating the interior walls and even the *mihrāb*s, the focal point of every mosque, was a result of the negative attitude towards luxury,[23] while M. Aga- Oglu disagreed with him saying that the use of stucco in Islam was simply a tradition that Islam inherited from pre-Islamic cultures.[24] In any event, such widespread use of this material in Islamic architecture demanded the special attention of the *muhtasib* and his *'arīf.* They had to ensure that it remained wet for a sufficiently long time after being applied to a wall to enable the carvers to shape their required designs.

It is very interesting that *hisba* manuals made no mention of masonry as a building craft and material.[25] Nevertheless, we may conclude that there were a number of different specialist crafts of stone masonry embodied in the general meaning of the term *bannā'* (builder) and in the general reference to crafts and artisans – specialist artisans, quarrymen, stone dressers, skilled carvers and different builders – all of whom received their pay according to the regulations fixed by the *muhtasib* in consultation with his *'arīf.*[26] In effect, beginning with the Umayyads stonework was used in many religious and secular buildings. However, it must be admitted that it was an expensive technique, especially in regions where stone was very rare or difficult to work with. Therefore, I believe that stonework in Islamic architecture remained a luxury technique whose use only caliphs and wealthy people could afford in their building projects. We must also remember that at least the early Muslim architects preferred to re-use

stone columns, capitals and marble panels taken from pre-Islamic buildings, as was the case with many Umayyad mosques and palaces.[27] Thus, the *muhtasib* was more specifically interested in 'popular' materials and techniques that concerned his public.

There were other related building crafts that had to be inspected by the *muhtasib*, probably more so in large and complex urban communities where specialization was much more in demand. For example, in the medieval Mediterranean areas we find at least five different crafts branching from the woodworking profession: *nashshār,* sawyer, sawing timber into wooden boards for roofing and supports; *najjār,* carpenter, preparing most of the woodwork in buildings; *najjār al-dibab,* 'woodworking locksmith'*,* making wooden door locks to secure property and women in every house; *kharrāt,* turner, shaping wooden screens for windows.[28] The *muhtasib* had to make sure that at least three workers worked the saw: one sharpening the cutter blade and the other two sawing the wooden boards. He also had to prevent sawyers and carpenters from monopolizing the profession and to compel them to keep to working hours.[29] Locksmiths had to swear under oath to the *muhtasib* and his *'arīf* not to make symmetrical locks in order to ensure their clients' safety and to provide protection for their money and *harīm* (women).[30]

Those who worked in clay and in digging were classified as unskilled building workers, (*fa'la*). The *muhtasib* ordered them to wear the *tabābīn* clothes: short trousers of one span (*shibr*) length, just enough to cover their private parts while working.[31] Soon after the actual construction work was completed came the turn of the *mubayyid*, who spread white gypsum plaster over the walls of the building. The *muhtasib* ordered him not to use too much brick mixture when making the gypsum plaster and to test the white material before actually beginning the work.[32]

We can trace a large number of technical terms given in Islamic sources to materials, tools, activities, professions and artisans – all appertaining to architecture. In her classification of occupations by economic sectors in the Medieval Islamic world M. Shatzmiller counted 63 occupations in the field of construction. To these we may add many related occupations from other fields like woodwork, metal work, and pottery.[33] Even then, she admitted, the division of labor and specialization in construction was much greater than that revealed by her occupational list.[34] Other scholars extracted more building terms, with various combinations, from these sources.[35]

In this paper, our interest is only in building terminology as it is mentioned in the manuals. After a comprehensive survey of the manuals known to me, I found only 40 building terms, all representing simple techniques in popular use in the various fields of building. We may group these terms into three main categories:[36]

a) The manufacture of building materials:

Specialization		Manufactured Material	
jayyār lime maker	jīr	*quicklime jabbās*	plaster maker
jibs	gypsum plaster waqqād	*furnace*	kiln minder
tawwāb	brickmaker	*tūb*	bricks
najjārī al-dibab	timber locksmith	*aqfāl.Mafātīh*	locks and keys
ājurī	maker/seller of fired bricks	*ājūr kiln-*	fired bricks or clay
qarāmīdī	roof tile maker	*qarmīd*	roof tiles
labbān	bricklayer or brick and tile	*labinah*	bricks and tiles maker
nashshār	sawyer		
tawābīqī	(large sun-dried) brickmaker	*ājūr tawābīqī*	large sun-dried bricks

b) The actual building process:

bannā'	builder	*mubayyid*	whitener/plasterer
raqqās	worker	*dahhān*	painter
najjār	carpenter	*'arīf*	chief builder
fā'il	clay worker, or digger		

c) Working tools:

akhshāb	al-da'ā'im wooden beams	*mīzān*	weighing balance
astāl	buckets*	*qālib*	mould
ātūn	lime-pit	*qasriyyah*	bucket*
furn khayt	oven/kiln measuring string	*quffah sihrīj*	bucket/scuttle*
ma'jan minshār	lump of dough saw	*zāwiyah*	Cistern angle

* Of different types and sizes

d) More building materials in the sources:

jā'izah, lawh al-farsh, khashabah	various kinds of timber
jibs rajī'	used plaster
jibs mufallak	new plaster
jīr musaffā	pure quicklime
jīr tawābīqī	maker of large sun-dried bricks
ramād al-atāūn	ash of lime pits
tīn	clay
tūb 'atīq	old bricks

The limited number of building terms and the simplicity of the techniques they represent prove that the *hisba* manuals reflect only a fraction of the real world of Islamic architecture, as can be seen from the absence in the manuals of many practical building terms. The outstanding example here is the fact that of the most common architectural terms in Arabic only one, *bannā',* was mentioned in *hisba* manuals, while the other two, *muhandis* and *mi'mār* were totally ignored.[37] Linguistically, *muhandis*, of Persian origin, is the designation of one who makes

estimates or plans of waterways,[38] while the Islamic sources refer to the *muhandis* as a person proficient in the mathematical sciences, especially geometry. Ibn al-Nadīm included *muhandis* with mathematicians, astrologists, musicians and mechanics but said nothing about the "supposed connection" of the aforementioned *muhandis* with building practices.[39]

In other sources *muhandisūn* were also described as those involved in the planning and designing of imperial projects such as the building of new cities, great mosques and other religious and secular buildings.[40] Those who built private dwellings remain unknown to us because they did not sign their works or because the sources ignored artisans who worked for the lower classes. Relying on the Cairo Geniza findings, Goitein defined *muhandis* as "a land surveyor who had to deal with the setting or checking of the boundaries of lots and houses and estimating the values of houses and amounts of rents".[41] However, despite Mayer's view that *muhandis* is a synonymous term for *bannā'* and *mi'mār*, it looks as if he was more involved in the planning and designing of edifices than in the practical building work done by the *bannā'* and the *mi'mār*. For instance, the architect of the Kāshāna tower in Bistam (1301), Muhammad b. Abū Tālib, was called *al-muhandis al-bannā*', meaning that he was skilled in both engineering and building.[42] Another *muhandis*, Hakīm al-'Adlī explained the difference between *muhandis, bannā'* and *jassās* by saying:[43] "*Laysa al-jassās kal-bānī wal-bānī kal-muhandis. Fal-muhandis Bitlimus wal-bānī huwa al- Battānī wamartabatī martabat al-jassās*". In effect, he referred to three professions connected with building; the *muhandis*, like the Greek Ptolemy, the builder, like Battānī (from Raqqa, d. in the first half of the third century H.) and I am in the same rank of the plasterer.[44]

No matter what the social position of the *muhandis* and *bannā*' were in Islam,[45] it is clear that the *muhandis* was more a governmental building supervisor

who supervised government projects as well as "the correct demarcation of boundaries between properties in the city", and served as a judge in disputes over alleged encroachments,[46] while the *bannā'* was the builder who constructed according to the plans and designs of the *muhandis* and under his supervision.[47] In any case he, as a government employee, and his professional staff were not under the authority of the *muhtasib* but possibly under the authority of an administrative official appointed to supervise imperial building projects, such as *shādd al-'amā'ir* in the Mamluk Sultanate,[48] *sāhib al-madā'in* in Spain and *diwān al-abniya* in 11th century Iraq.[49]

Another term that is mentioned in *hisba* manuals is *murakhkhimim* or *rakhkhām*, a worker in marble mason, who was in great demand in imperial projects. I believe that here, too, *hisba* authors did not find it worthwhile to write about a high-cost craft that at the same time was religiously unacceptable even though in practice it was very popular.

The following observations may serve to sum up the relationship between *hisba* and architecture:

1. The scant description and partial portrayal of architecture in *hisba* manuals was due partly to the popular and simple nature of the subjects under discussion and partly to the exemplary choice of these subjects made by *hisba* authors. Shayzarī declared: "In this *hisba* book we have mentioned only those artisans working in the better-known crafts, and have given enough information to enable the *muhtasib* to detect any cheating and use of fraudulent methods. This (the manual) is the model on which the *muhtasib* should base himself to judge other cases by analogy".[50]
2. Regardless of the fact that his main duty was to forbid iniquities such as extravagance and waste of money on ostentatious buildings, in effect the *muhtasib* did nothing about the luxurious building projects initiated by

many caliphs, governors and *khāssa* members in all Islamic periods. Furthermore, we find very few references in the manuals to the behavior of the *khāssa* and no reference at all to their luxurious architecture. From this we can deduce that the *muhtasib* mainly had to deal with the *'āmma* classes. In building work the *muhtasib*, as we saw above, dealt with materials, tools and artisans connected with popular crafts.

3. As for decorations of secular buildings, such as private houses and palaces, some manuals treated this subject but only in the context of the *muhtasib*'s duty to forbid figurative representations. Figural decorations, Ghazāli said, are forbidden and the *muhtasib* had to enforce this prohibition.[51] Here the *muhtasib* is only performing the religious prohibition without actually interfering in the state or the shape of the decorations as long as they do not infringe the *sharī'a* instructions. According to the Geniza documents, the most decorated sections in the house were the *qā'a* (entrance hall) and the *majlis* (living room). Such *qā'as* had decorative ceilings and walls; folding doors of carved wood; decorative wall hangings; marble columns; and even gilded washbasins.[52] *Muhtasibs* had nothing to do with these interiors as well as nothing to do with the interiors of the palaces of the rulers and the *khāssa*.

As opposed to that, public buildings like mosques and *hammāms* (public baths) were accessible to the *muhtasib* inspection. However, here also, the main purpose of his inspection was to forbid figurative wall representations and to prevent people from entering such *hammāms*.[53] Ghazālī maintained that paintings of floral and other nonfigurative adornments are lawful on *hammām* walls.[54] It should be noted that wall paintings in *hammāms* were very common, as witnessed by the remains of the Umayyad *hammāms*[55] and in the descriptions of some sources of the human wall

figures of a Baghdadi *hammām*[56] and other in Damascus.[57]

The widespread phenomenon of human wall paintings in the *hammām* prompted the *fuqahā'* to issue special *fatwās* to the use of the *muhtasib*, or at least to be followed by the clients of the *hammām*. The well known Imam Ibn Hanbal compelled *hammām* visitors to rub out the wall paintings, if not they had to leave the place.[58] Ghazālī obligated the *muhtasib* to remove figural paintings from the walls of the *hammām* saying that just looking at them is a forbidden act.[59] Some philosophers and physicians perceived the existence, in the changing room (*makhla'*) of the *hammām*, of benign and pretty figurative scenes – such as the lover and the beloved, the pleasure ground, animals in the wild and other pretty shapes – to be physically refreshing in terms of a spiritual strengthening of the body.[60] Obviously, that attitude stood in striking contrast to that of the jurists and to the duty the *muhtasib*. In particular, he had to destroy and remove any type of immoral figures, such as nude images or love scenes mentioned by the philosophers and physicians. Such representations were found in the early Umayyad *hammām* of Qusayr 'Amra and on the walls of the Abbasid *hammām*s in Samara, as well as on those of the Fatimids in Cairo.[61]

4. We may sum up the inspection duties of the *muhtasib* in the field of building as follows:

   a. Forbidding cheating and theft by artisans in order to protect the money and interests of their clients.

   b. Ensuring the well-being and security of the dwellers by controlling the quality of the materials used and of the work itself.

   c. Watching over the morals of the various artisans.

In order to carry out his duties the *muhtasib* was assisted by his *a'wān*, *nuwwāb, 'uyūn* and *ghilmān*, and by specialists in each of the crafts he inspected, *amīn*, and *nāzir* in the Maghrib and *shaykh*, *naqīb, 'arīf* and *kabīr* in the Mashriq.[62] It would appear that for the *muhtasib* the most important assistant dealing with the artisans was the *'arīf* whom "the *muhtasib* had to choose from among the best and the most specialized artisans in every craft and who had to be very well-acquainted with all the fraudulent tricks his workers might be up to; who was deemed trustworthy and faithful; who was willing to disregard the interests of his fellow workers and to keep the *muhtasib* well informed about all the activities of the artisans; and who would faithfully oversee all that was necessary for the performance of the *hisbah*".[63] The presence of the *'arīf* was required for inspecting every architectural craft as well as for other crafts and trades inspected by the *muhtasib.*[64]

Notes:

[1] Note that the Arabic terms are written here with Latin letters without transcription symbols which does not exist in this format. For instance the Arabic letters like ح= h, =s, =t, =z, ع=‘, ض=d, =q, خ=kh, =’. For more reading see my pdf file in this site.

[2] Q. 7:74, 15:82, 26:128, 149, 40:36-37. See for example Ibn al-‘Arabī, *Ahkām al-Qur’ān*, 4, pp. 1656-1658 accepted these verses from what he called *ayāt al-ahkām* (verses of legal implications).

[3] See Q. 38:37, 34:12-13, 27:44

[4] See Ghabin, the Qur’ānic Verses, p. 205.

[5] See Q. 9:17-18, 22:40, 24:36

[6] Traditions (*hadīths*) with such meaning occur in the most authentic collections of Hadīth: Bukhārī, 1/2, p. 122; Muslim (Cairo 1407/1987) 6/18, pp. 113-114; Ibn Mājja, 1, pp. 243-244; Nisā’ī, (Cairo n.d.) 2, p. 31; Sajastānī, 1, 124-125.

[7] See Ibn Mājja, 2, p. 1393-1394; Sajastānī , 4, p. 360; Hubayshī al-Wisābī, p. 49.

[8] See Serjeant, “A Zaidi Manual”, p. 28.

[9] Serjeant, “A Zaidi Manual”, p. 16

[10] This innovation to the plan of the mosque was introduced by Mu‘āwiyya for security reasons. He said his prayers there, far from the other worshippers. See Creswell, a *Short Account*, pp. 8-9. For the decorations inside the mosque see Zarakshī, pp. 335-337, 375.

[11] See Ibn ‘Abdūn, p. 21; Ibn al-Ukhuwwa, p. 26.

[12] See Māwardī, *al-Ahkām*, pp. 245-246; Ibn al-Ukhuwwa, p. 26; Ibn ‘Abdūn, p.21.

[13] See Serjeant, “A Zaidī Manual”, pp15-16; Ghazālī, *Ihyā’,* II, p. 97; Subkī, p. 129; Zarakshī, pp. 335-338. According to the Zaidī Manuel, figures inside the mosque are merely “repulsive”, while the overwhelming majority of the theologians pronounced a “banning” judgment.

[14] See ‘Uqbānī, (d. 871 H. /1467 A.D.) pp. 286-287.

15 See the debate around this question in Zarakshi, pp. 335-337.

16 More about the functions of the minaret see Bloom, especially chapter 11, pp. 175-191.

17 See al-Maghribī, p. 87. See also the views of the theologians on gilding and binding the Qur'ān in: Nawawī, *al-Majmū* ', II, p. 445; Jazīrī, II, pp. 14-16.

18 Ibn 'Abdūn, p. 34. See also Lewcock, p. 134.

19 See Ibn al-Ukhuwwah, pp. 234-237; Ibn Bassām, pp. 228-229

20 See Ibn Bassām, p. 438.

21 See Ibn Bassām, pp.363-365, while Ibn al-Ukhuwwah mentioned these two materials in the chapter on builders, see chap. 69, pp. 234-237.

22 See R. Lewcock, p. 138; Irwin, pp. 143-144.

23 Ettinghausen, "The Character", p. 255; Lewcock, p. 139.

24 Aga-Oglu, pp. 184-185.

25 Even Ibn Khaldūn ignored it in his *Muqaddima*, see pp. 406-409.

26 See Lewcock, pp. 134-136.

27 See Creswell, *A short Account*, pp. 36-40.

28 See Goitein, *Studies in Islamic History*, p. 257; Lewcock, p. 133, See also the classification of Shatzmiller, pp. 103-105, 124-126.

29 See Ibn Bassām, 429; Ibn al-Ukhuwwa, p. 235; Saqatī, p. 65.

30 Ibn Bassām, 431; Ibn al-Ukhuwwa, pp. 236-237; Ibn al-Rif'ah, *al-Rutbah fi al-Hisbah*, manuscript of Lala Li Lib., no. 16o7, fol. 132.

31 See Ibn Manzūr, art. "*Tbn*"; Ibn Bassām, p. 429; Ibn al-Ukhuwwah, p. 235.

32 Anonymous, *Kitāb al-Rutbah fi al-Hisbah*, Manuscript of al-Khazānah al-'Āmmah, Rabāt, no. 278, p. 280; Ibn Bassām, p. 430; Ibn al-Ukhuwwa, p. 236; Ibn al-Rif'ah, fol. 132.

33 She classified the occupations according to many Islamic sources, see pp. 96-168. For building occupations see pp. 103-105, 124-126.

34 Shatzmiller, p. 210.

35 Such terms were studied in different contexts by: Mayer, *Islamic Architects*, pp. 15-26; Goitein, *Studies in Islamic History*, pp. 255-278; Cohen, pp.17-61; Beg, pp. 140-167; Gil, "Maintenance", pp. 136-195.

36 For more about work division and specialization see the comprehensive study of Shatzmiller, pp. 209-216.

37 See Mayer, *Islamic Architects,* p. 25.

38 See Ibn Manzūr, art. "Hnds"; Rāzī, *Mukhtār*, art. "Hnds".

39 Ibn al-Nadīm, pp, 371-397; Mayer, Islamic Architects, op. cit.; Taymūr, *al-Muhandisūn*, pp 13-62.

40 For example, al-Mansūr entrusted the planning of Baghdad to at least seven *muhandisūn*. See Ya'qūbī, *al- Buldān*, (Bierut 1408/1988) pp. 7-20.

41 See Goitein, *a Mediterranean Society*, p. 113.

42 See Lewcock, p. 130.

43 See Taymūr, *al-Muhandisūn,* pp. 56-57. He said nothing about the source and the date for this report.

44 For Bitlimus and Battānī, see Ibn al-Nadīm, pp. 374-375, 389-390.

45 See Mayer, *Islamic Architects*, pp. 25-27.

46 See Goitein, *a Mediterranean Society*, pp. 38-39.

47 See Lewcock, p. 130.

48 See Subkī, p. 129.

49 See Mayer, *Muslim Architects*, p. 19; Shatzmiller, p. 212.

50 See Shayzarī, p. 108,116; Ibn al- Ukhuwwa, pp. 216-218. Other sources made a significant number of references to architectural terms that *hisba* manuals do not provide. For example, see the studies: Grohman, *Arabic Papyrui*, VI, *Economic Texts*, pp. 81-151; Mayer, *Islamic Architects*; Gil, "Maintenance" p. 148; Goitein, *a Mediterranean Society*, IV, pp. 1-81; Shatzmiller, pp. 103-105, 209-216.

51 Ghazālī, *Ihyā'*, II, p. 341.

52 See Goitein, *a Mediterrancan Society*, IV, pp. 61-63. For more about Muslim houses see Petherbridge, pp. 176-208.

53 See Ibn al-*Ukhuwwah*, p. 155; Maqdisī, *Mukhtasar*, pp. 122-123.

54 Ghazālī, *Ihyā'*, II, p. 339.

55 See for example Creswell, *A Short Account*, pp. 91-126, 130-224; Grabar, *The Formation*, pp. 153-158.

56 Baghdadi *hammām* built by Sharaf al-Dīn al-Juwaynī, See Taymūr, *al-Taswīr*, p. 9.

57 The *hammām* of Saif al-Dīn in Damascus, and its figures rendered by the poet Mas'ūd al-Halabī See Bāshā, p. 46; Taymūr, *al-Taswīr*, pp. 9-10.

58 Taymūr, *al-Taswīr*, p. 10.

59 See Ghazālī, *Ihyā''*, II, pp. 339-340.

60 See Kawkabānī (the 12th century H.), pp. 12-13, 38-43, 181.

61 See Ghazūlī, II, pp. 8-9; Fares, *Sirr*, pp. 36-38; Bāshā, pp. 69-91, see also note 117 in the same source. For more about wall paintings see: Ettinghausen and Grabar, pp. 45-71; Hillenbrand, pp. 11-37; Grabar, *The Formation,* pp. 160-178.

62 All of these were specialized officials and assistants, everyone in his field, but all were under the authority of the *muhtasib*. For more about them see: Ibn al-Ukhuwwa, pp. 219-222; Shayzarī, p. 12; Saqatī, p. 9. See also the modern studies of Dūrī, "Government Institutions" pp. 59-60; Essid, pp. 131-133.

63 See Ibn Bassām. p. 327. Shayzarī gave similar saying, p. 12.

64 More about the *'arīf*, see Bear, "Guilds in Middle Eastern History" pp.11-16; Abū Zaid, pp.125-130.

Bibliography

1 Abū Zaid, Sihām. *al-hisba fī Misr al-Islāmiyya*, al-Hay'at al-Misriyya al-'Āmma lil-Kitāb, Cairo 1986.

2 Aga-Oglu M. "Remarks on the Character of Islamic Art", *The Art Bulletin* (Sept. 1954): 175-202.

3. Anonymous, *Kitāb al-Rutbah fī al-Hisbah*, Manuscript of al-Khazānah al-'Āmmah, Rabāt, no. 278, p. 280

4. Bear, G. "Guilds in Middle Eastern History" in M.A. Cook (ed.), *Studies in the Economic of the Middle East*, Oxford University Press, 1970, pp. 11-17

5. Beg, M.A. "A Contribution to the Economic History of the Caliphate", *Islamic Quarterly*, 16/3-4 (1392/1972): 140-167

6. Bukhārī, Muhammad b. Ismā'l. *Sahīh*, Dār Ihyā' al-Kutub al-'Arabiyya, Cairo, n.d.

7. Cohen, H. "The Economic Background and secular Occupation of Muslim Jurisprudents and Taditionists in Classical Period of Islam" *JESHO*, 13 (1970): 16-61. The article is an extract of his Ph. D. thesis submitted to the senate of the Hebrew University in Jerusalem in 1962 and is called: *Motsa'am ha-Kalkalī u-Parnasutihim shil Hakhmī ha-Dat vi-Anshī ha-Misūrah ha-Klāsit ba-Islām 'ad ha-Mi'a ha-11* [Hebrew]

8. Creswell, *A Short Account* = Creswell, K. A. C. *A Short Account of Early Muslim Architecture*, the American University in Cairo Press, Cairo 1989.

9. Al-Dūrī, 'Abd al-'Azīz. "Governmental Institutions" R. B. Serjeant (ed.), *the Islamic City*, UNESCO, 1980, p. 52-65.

10. Essid, Yassine. *A Critique of the Origins of Islamic Economic Thought*, E.J. Brill, Leiden 1995.

11. Ettinghausen, R. "The Character of Islamic Art", N. Fares (ed.), *The Arab Heritage*, Princeton 1944, pp. 251-267.

12. Ettinghausen, R. and Grabar, O. *The Art and Architecture of Islam 650-1250*, Penguin Books, 1987.

13. Fares, Bishr. *Sirr al-Zakhrafa al-Islāmiyya*, Cairo 1952.

14. Ghabin, A. "the Quranic Verses as Source for Legitimacy or illegitimacy of Arts in Islam" *Der Islam* 75 (1998): 193-225.

15. Al-Ghazālī, Abū Hāmid. *Ihyā' 'Ulūm al-Dīn*, Dār al-Ma'rifah, Beirut, n.d.

16. Al-Ghazūlī, 'Alā' al-Dīn. *Matāli' al-Budūr fī Manāzil al-Surūr*, Cairo 1300.

17. Gil, M. "Maintenance, Building and Repairs in the Housing of Qodesh in Fustāt" *JESHO*, 14 (1971): 136-195.

18. Goitein, S.D. *A Mediterranean Society*, University of California Press, Berkeley 1967 and 1983.

19. Goitein, S. D. *Studies in Islamic History and Institutions*, Leiden 1966.

20. Grabar, O. *The Formation of Islamic Art*, Yale University Press, 1973.

21. Grohman, Adolf. *Arabic Papyri in the Egyptian Museum*, Egyptian Library Press, Cairo 1934-62.

22. Hillenbrand, R. *Islamic Art and Architecture*, Thames and Hudson, London 1999.

23. Al-Hubayshī al-Wisābī. *Al-Baraka fī Fadl al-Sa'ī wal-Haraka*, Cairo, 1304.

24. Ibn 'Abd al-Ra'ūf. *Risala fī Ādāb al-hisbah,* in Levi Provencal (ed.) *Trios Traites Hispaniqes de Ḥisba,* Imprimerie de L'Institute Francais D'archeologie Orientale Le Caire 1955.

25. Ibn ‘Abdūn. treatise on *hisbah*, in Levi Provencal (ed.) *Trios Traites Hispaniqes de Hisba,* Imprimerie de L’Institute Francais D’archeologie Orientale Le Caire 1955.

26. Ibn al-‘Arabī, Abū Bakr. *Ahkām al-Qur’ān*, ed. ‘Alī Muhammad al-Bajjāwī, Dār al-Jīl, Beirut 1408/1987.

27. Ibn Bassām. *Nihāyat al-Rutbah fī Talab al-Hisbah*: a) edited by Husām al-Dīn al-Sāmarā’ī, Baghdad 1968. b) Another ed. within *al-Turāth al- Iqtisādī al-Islāmī*, Dār al-Hadāthah, Beirut 1990.

28. Ibn Khaldūn, ‘Abd al-Rahmān. *Muqaddima*, Dār al-Turāth, Beirut, n.d. See also the English version, translated by F. Rozenthal, Princiton University Press 1967, vol. 3, ch. 5, section 24

29. Ibn Mājja, Abū ‘Abd Allā M. b. Yazīd al-Qazwīnī. *Sunan*, ed. Muhammad Fu’ād ‘Abd al-Bāqī, Dār al-Hadīth, Cairo, n.d.

30. Ibn Manzūr, Abū al-Fadl Jamāl al-Dīn. *Lisān al-‘Arab*, Dār Sādir, Beirut, n.d.

31. Ibn al-Nadīm, M. b. Ishāq. *al-Fihrisit*, Dār al-Ma‘rifa, Bierut, 1398/1978.

32. Ibn al-Rifah, *al-Rutbah fī al-Ḥisbah*, manuscript of Lala Li Lib., no. 1607, fol. 132.

33. Ibn al-Ukhuwwa, Muhammad b. Ahmad al-Qurashī. *Ma’ālim al-Qurba fī Ahkām al-hisba*, ed. Reuben Levy, Cambridge University Press, 1938.

34. Irwin, Robert. *Islamic Art*, Laurance King, London 1997.

35. ‘Abd al-Ramān al-Jazīrī. *al-Fiqh ‘alā al-Madhāhib al-Arba‘a*, Cairo, 1970.

36. Al-Kawkabānī, Shihāb al-Dīn Ahmad b. Muhammad. *Hadā’iq al- Nammām fī al-Kalām ‘alā mā Yata‘allaq bil-Hammām*, ‘Abdullāh Muhammad al-Habashī (ed.), Dār al-Manāhil, Beirut, 1406/1986.

37. Ronald Lewcock, "Architects, Craftsmen and Builders: Materials and Techniques" in G. Michell (ed.), *Architecture of the Islamic World*, Thames and Hudson, 1996, pp. 112-143.

38. Al-Maghribī, 'Abd al-Qādir. *Kitāb al-Wājibāt*, Cairo 1347.

39. Al-Maqdisī, Ahmad b. Qudāmah. *Mukhtasar Minhāj al- Qāsidīn*, edited by 'Abdullāh al-Laythī, Dār al-Fikr, Beirut 1408/1987.

40. Al-Māwardī, Abū al-Hasan. *al-Ahkām al-Sultāniyyah*: a) Muhammad al-Fiqqī (ed.), Cairo 1386/1966. b) Dār al-Kutub al-Ilmiyyah, Beirut, 1402/1982.

41. Mayer, L. A. *Islamic Archetects and their Works,* Albert Kundig, Geniva 1956.

42. Muslim Ibn al-Hajjāj, *al-Salīh,* Cairo 1407/1987.

43. Al-Nawawī, Yahyā b. Sharaf. *Kitāb al-Majmū'*, Dār al-Fikr, Cairo n.d.

44. Al-Nisā'ī, Abū 'Abd al-Rahmān Ahmad. *Kitāb al-Sunan*, al-Matba'ah al-Misriyah, n.d.

45. Petherbridge, Guy T. "Vernacular Architecture: The House and Society" G. Michell (ed.), *Architecture of the Islamic World*, pp. 176-208.

46. Al-Rāzī, Abū Bakr. *Mukhtār al-Sihāh*, Bierut 1992.

47. Al-Sajastānī, Abū Dāwwūd. *Kitāb al-Sunan*: a) Dār al-Fikr, Beirut, n.d. b) Riyad ed., n.d. c) Cairo ed., 1373/1953.

48. Al-Saqatī, Muhammad b. Muhammad. *Fī Ādāb al-Hisbah,* edited by G. Colin and E. Levi Provencal, Paris 1931.

49. Serjeant, R.B. (ed.), "A Zaidi Manual of *Hisbah* of the third century (H)" in his *Studies in Arabian History and Civilization*, London 1981, item 7.

50. Shatzmiller, Maya *Labor in the Medieval Islamic World* ,E.J. Brill, Leiden 1994.

51. Al-Shayzarī, ‘Abd al-Rahmān b. Nasr. *Nihāyat al-Rutba fi Talab al- Hisba*, al-‘Arīnī, S. B. (ed.) Dār al-Thaqāfa, Beirut 1401/1981

52. Al-Subkī, Tāj al-Dīn. *Mu‘īd al-Ni‘am wa-Mubīd al-Niqam*, Leiden 1908.

53. Al-Sunāmī, ‘Umar b. Muhammad. *Nisāb al-Ihtisāb*, ed. Mryzen Sa‘īd al-‘Asīrī, Maktabat al-Tālib al-Jāmi‘ī, Mecca 1405-1406/1985/1986.

54. Taymūr, Ahmad. *al-Muhandisūn fi al-‘Usūr al- Islāmiyya*, Dār Nahdat Misr, Cairo, n.d.

55. Taymūr, Ahmad. *al-Taswīr ‘inda al-‘Arab*, ed. Zaky M. Hasan, Cairo, 1942.

56. ‘Al-‘Uqbānī, Muhammad al-Tilmisānī (d. 871 H./ 1467 A.D.). *Tuhfat al-Nāzir wa-Ghunyat al-Dhākir*, ‘Alī Shenoufī (ed.), in *Bulletin d’etudes orientales*, 19 (1965-66): 154-339.

57. Al-Ya‘qūbī, Ahmad b. Ya‘qūb b. Wādih al-Kātib. *Kitāb al- Buldān*: a) M.J. Goeje (ed.), E.J. Brill, Leiden 1892. b) Dār Ihyā‘ al-Turāth al-‘Arabī Bierut 1408/1988.

58. Al-Zarakshī, Muhammad b. ‘Abdalla *Ilām al-Sājid bi-Ahkām al- Masājid*, Cairo 1412/1992.

دور مؤسسات الدولة الإسلامية في الأنشطة المعمارية: الحسبة والمحتسب كنموذج

تلخيص:

الهدف الأساسي لهذه الدراسة هو محاولة اكتشاف دور مؤسسات الدولة الإسلامية في الأنشطة المعمارية التي جرت في المدينة الإسلامية وذلك من خلال التعرف على المهام التي قامت بها مؤسسة الحسبة. لتحقيق هذا الهدف لا بد لنا أولاً من معرفة حقيقة مؤسسة الحسبة ودورها في مراقبة الحياة اليومية في المدينة الإسلامية. أهمية خاصة تعطى لنظرة الإسلام إلى البناء – الديني والدنيوي - باعتباره واحدًا من أبواب التبذير والإسراف التي على المسلم الحذر منها. من ثم لا بد لنا من معرفة دور المحتسب في مراقبة الأنشطة المعمارية التي تجري في المدينة. هنا لا بد من الأسئلة: هل يستطيع المحتسب مراقبة المشاريع المعمارية التي تقوم بها طبقة الخاصة في المجتمع الإسلامي؟ وإلى أي مدى يستطيع المحتسب التدخل في الأنشطة المعمارية التي تجري في أوساط الطبقات السفلى؟ ومن المهم التعرف على دور المحتسب في إنشاء الأبنية العامة وصيانتها كالمساجد والجسور والشوارع والأسواق وأسوار المدينة. وسيتضح لنا دور المحتسب في مراقبة المهن والحرف المتعلقة بمجال البناء بما في ذلك البنائين، وصنّاع مواد البناء كالجيّارين وصناع المسامير، والطوابين (صناع حجارة الطوب) وغيرهم. سيتضح لنا أن المحتسب كان عليه مراقبة كل ذوي الحرف المشاركين في عملية البناء وإلزامهم بالقيام بعملهم دون غش وخداع وذلك حفاظًا على أموال الناس وعلى سلامتهم في بيوتهم وفي المباني العامة.