



Munich Personal RePEc Archive

**Works on market supervision and
shar'iyah governance (al-hisbah wa
al-siyasah al-shar'iyah) by the sixteenth
century scholars**

Islahi, Abdul Azim

Islamic Economics Research Center, KAU, Jeddah, KSA

28 February 2006

Online at <https://mpra.ub.uni-muenchen.de/18445/>
MPRA Paper No. 18445, posted 08 Nov 2009 06:29 UTC

Works on market supervision and shar'iyah governance
(*al-hisbah wa al-siyasah al-shar'iyah*) by the sixteenth century scholars

Abdul Azim Islahi

Abstract: In Islamic tradition two sets of works – *al-hisbah* and *al-siyasah al-shar'iyah* – appeared that proved to be a rich source of economic thought of past Muslim thinkers. Works related to *al-hisbah* generally discussed socio-economic control, moral and market supervision, prevention of monopolies, check on cheating and fraud and such other corrupting practices, standardization of products, facilitation of the supply of necessities, etc. As far works pertaining to *al-siyasah al-shar'iyah* are concerned, they generally dealt with the rules of governance, economic role of the state, sources of public revenue, public expenditure (in addition to works exclusively devoted to public finances), maintenance of law and order, internal and external defense, etc. The present paper aims to discuss the state of these two institutions in the sixteenth century and writings on the subject by the scholars of the period.

1. Development of the Institution of *al-Hisbah* (Market Supervision)

Al-Hisbah is one of the earliest economic institutions of Islam. The precedent was set by the Prophet (pbuh) himself, who used to inspect the market and give instruction for just and fair dealings. After the Prophet, his rightly guided caliphs followed the practice and personally performed this duty. (al-Qarni, 1994, pp. 499-521). But in the later period when government affairs became complicated and multi faceted, special officer was appointed to perform the duty of *muhtasib* (the in-charge of *al-hisbah* department). Most of the contemporary historians hold that the term '*al-muhtasib*' was used for the first time during the Abbasid caliph al-Mahdi (d. 169 AH/786 AD. Henceforth in writing the date the first figure would mean Hijrah year and after / Gregorian.) (ibid. p. 532). With the passage of time, the importance of this institution also increased and works dealing with the nature, scope, and practical guidance of *hisbah* appeared.

Under the Mamluk rulers of Egypt, when the government weakened during the early 10th/16th century, *al-hisbah* institution also fell a prey of corruption and declined in esteem. The position of *muhtasib* was obtained by payment of money (Ibn Iyas, 4:378; Ibn Tulun, p. 216). When this happens, it is only noticed that the receiver of the office tries to re-coupe himself from the merchants by means of illegal demands, and favouring those offenders who offer bribery (Ibn Tulun, 1998, p. 216; al-Jaziri, n.d. pp. 1000, 1144). In this situation the office is held by those who lack the basic qualities of *muhtasib*.

The institution of *hisbah* not only regained its prestige but also increased its jurisdiction under the Ottoman rule. The Ottoman sources use the term *ihtisab* derivative verbal noun from *hisbah*. In addition to *hisbah*'s conventional functions, *ihtisab* also included levying dues and taxes on traders and artisans as well as on certain imports (Mantran, 1971, 3: 489). Perhaps for the first time in Islamic history the regulation, concerning the functions and duties of the *muhtasib* were codified in the *ihtisab qanunnameleri*. Sultan Bayazid II (886-918/1481-1512) was first to order codification of *ihtisab* regulations at the beginning of 10th/16th century. The subsequent rulers made addition and amendments to *ihtisab* regulations (ibid). This may be one of the reasons that in spite of increasing importance of *ihtisab* institution during Ottoman rule, writing on the subject by independent scholars of the period declined. It may be noted that these regulations also included the original functions of *muhtasib* such as supervision of civil behaviour and morality in public and observation of religious rites. *Muhtasib* was also responsible to collect certain taxes. In this case he was assisted by agents called *qol oghlanlari*. The office of *muhtasib* or *ihtisab aghasi*, as it was called, was farmed out annually (*iltizam*), and the holder used to receive a certificate of nomination after approval by the *qadi*, the Grand *Wazir* or the governor of the province. This was possible only after he had paid a certain sum called the *bedel-i muqata'ah* [*badal al-muqata'ah* in Arabic] or

cash-value of the right to farm (ibid).

As far the financial affairs are concerned, 'the *muhtasib* levied those taxes that derived from *ihtisab* or *ihtisab rusumu* as it was called in Ottoman terminology. In addition, he was authorized to levy taxes described as import or entry taxes and lastly a tax on shop-keepers termed as *yewmiyy-i dakakin* which was collected from the shopkeepers on daily basis. The revenues collected from these taxes were meant to provide emoluments for the *muhtasib* and his supporting staffs' (ibid.). The regulation prepared for the *muhtasib* contained every thing relating to his duty of supervision, inspection, punishment and, particularly, in regard to the provinces, of the levying of taxes. 'These regulations included on the one hand a list of the prices (*narkhmi ruzi*), which had to be observed for the sale of commodities, manufactured or other articles, the permitted profit margins and penalties to be exacted from delinquent traders and artisans; they also gave the total amount or the percentage of the taxes, dues, charges and other contributions collected in the name of *ihtisab* and levied on the members of the trade guilds' (ibid.).

2. Writings on the subject of *al-Hisbah*

As we noted above, the practice of *ihtisab* goes back to the Prophet himself, but the writing on *al-hisbah* started much later in the 3rd/9th century. Perhaps the first work which had survived, came from the Muslim Spain by Abu Bakr Yahya b. Umar al-Kinani (213-289 / 829-901) entitled *Kitab Ahkam al-Suq* (A book on rules of the market). Although the author is not using the term *hisbah*, it is a guide for the *muhtasib*.

Works on *al-hisbah* are of two kinds: firstly, those descriptive of the system in general way, the virtues and obligations of the *muhtasib*, and religious and juridical aspects of his office; and secondly those descriptive of the practical and technical details of supervision. Since supervision was principally of the various crafts and trades, the books in the latter category are practical guides to the administrative control of the professions, and maintenance of product quality and standards. Elsewhere we have given an account of works on *al-hisbah* that appeared up to 9th/15th century (Islahi 2005, pp. 58-59). In this paper we shall deal with the works which were written during the sixteenth century.

In 1943, Awwad published an article entitled '*al-Hisbah fi Khazanat al-Kutub al-Arabiyyah* (works on *hisbah* in Arabian Libraries), in which he gave list of sixty-four titles classified in three categories: 1) Past works on *al-hisbah*, 2) chapters and sections on *hisbah* in the past writings, and 3) modern writings on *al-hisbah*. It gives many new titles which are still in manuscript form; while it missed many known titles. Thus, as the author himself admits it is no way a complete or comprehensive list (Awwad, 1943, 18:428).

Awwad mentions two works – *al-Hisbah al-Saghir* and *al-Hisbah al-Kabir* by Abu'l-Abbas Ahmad al-Saraskhi (d. 286/898) who was himself the *muhtasib* of Baghdad. Awwad (1943, 18:420) thinks that these books have not survived and are lost to posterity. Awwad's list contains only two entries that are related to our study period: *Kitab al-Hisbah* by Jamal al-Din Yusuf b. Abd al-Hadi known as Ibn al-Mubarrad al-Dimashqi (d. 909/1503) and *Ilm al-Ihtisab*¹ by Tash Kubrizadah (d. 968 / 1561) (ibid. 18: 421, 425). Another work which is not mentioned by Awwad but which is available to us is entitled *Kitab Bughyat al-Irbah fi Ma'rifat Ahkam al-Hisbah* by Ibn Dayba' (d. 944/1537). Following is a brief description of these works.

3. *Kitab al-Hisbah* by Ibn al-Mubarrad

Jamal al-Din Yusuf b. Abd al-Hadi (d. 909/1503) known as Ibn al-Mubarrad was one of the renowned scholars of Damascus during the Mamluk period. He died in early sixteenth century. His treatise on *hisbah* is only in seven leaves in which he describes occupations in Damascus and means

of living, basic industries and trades. He never describes the way how cheating, fraud, adulteration and sub-standardizations were possible in those businesses. These are things that a *muhtasib* must know, so that he can check them. He just admonishes the manufacturers after discussing every industry to adopt piety and integrity and avoid cheating (Ziadeh 1964, p. 53).

Ibn al-Mubarrad classifies occupations as the best, favourable, good undesirable, bad unfortunate and gives a list of industries belonging to each category but very little is of economic significance. Mostly he supports his views with weak traditions and sayings. He enumerates various occupations and mentions the requirements of *hisbah* with respect to those occupations and industries (ibid. p. 54, 56).

In spite of being very short, this treatise is very significant in the sense that it gives kinds of firms in each industry. For instance, he says that silk knitting has forty categories; wool has twenty; mat knitting ten categories; and so on and so forth (ibid. p. 55).

4. Ibn al-Dayba' and his work on Hisbah

Abd al-Rahman b. Ali al Shaybani al-Shafi'i known as Ibn al-Dayaba' (866-944/1461-1537), born in the city of Zabid (Yemen), his father was a trader who died in Diu (India) during a trading voyage in the year 876/1470. His maternal uncle Jamal al-Din Abu al-Naja Muhammad b. al-Tayyib took him under his guardianship and gave him best education. He became a great historian of Yemen and taught about fifty years in the grand mosque of Yemen during the Tahirid rules (1454 – 1516).

The book contains juridical opinions and public and private laws. In this regard, the author follows al-Ghazali (d. 505/1111) and al-Mawardi (d. 450/1058) and mostly delves into them. The book is divided into six sections and a conclusion. Its thrust is ethical. There are only five lines on matters related to market dealings (Ibn al-Dayba', 2002, pp. 72-73). It seems a summarized selection of earlier works on *al-hisbah* for the guidance of *al-Muhtasib*. There is nothing related to economic analysis such as one finds in works on *al-hisbah* by past writers. This only shows how new ideas and original thinking diminished in the period under study in writings on the traditional subjects. This may be the reason that Tash Kubrizadah writes in his work *Miftah al-Sa'adah wa Misbah al-Siyadah*, under the section *Ilm al-Ihtisab* that he is unaware of any book on the subject of *al-hisbah* (Awwad 1943, p. 425 footnote).

5. *Al-Hisbah* in the 16th Century Iran and India: a brief note

In the foundation period of Safavid regime (the early sixteenth century), the institution of *hisbah* was almost ignored. Some of its functions were performed by other offices but *hisbah* under its own terminology did not exist. It was Shah Tahmasp (d. 984/1576) who officially started *al-hisbah*. Perhaps the same was the case with the neighbouring Uzbek state. This is clear from the writing of Khunji (d. 927/1521) who advises the Uzbek ruler Ubayd-Allah 'to appoint someone with the requisite qualification to the office of *muhtasib*' (Khunji, 1966, p. 166). Though a socially obligatory duty (*fard kifayah*), 'it was for imam/sultan to see that it (*ihtisab*) was undertaken so that he should not be the cause of the suspension of the ordinance of the Shari`ah by the reason of the fact that members of the community had left the duty of *ihtisab* to each other to perform, each one relying on the other to carry it out so that it remained undone' (ibid. p. 167). He extensively quotes al-Ghazali's *Ihya' Ulum al-Din* on this issue. Khunji admits that in early Islamic period, the caliphs themselves performed this function but due to changing situation and increasing government works, now the sultan cannot do that himself, and therefore he should appoint to it someone else (ibid. p.170). He gives an account of *muhtasib*'s functions related to market evils, social and civil problems and religious and ethical issues (ibid. pp.184-90).

In India, prior to 16th century most of the Delhi Sultans had the institution of *hisbah*. In the 16th century Sikandar Lodi (d. 923/1517) also had this institution. After him and during Mughal rule the position of *muhtasib* did not exist. Some of the functions of *muhtasib* were performed by other offices. It was emperor Awrangzeb (d. 1118/1707) who restored the institution of *hisbah* in Mughal India (Ansari, 1971, 3: 491). We are not aware of any work from the 16th century Iran and India exclusively dealing with the subject of *hisbah*.

6. Works on *al-Siyasah al-Shar'iah*

In 1943 one Abdullah Mukhlis published an article entitled "*al-Tawalif-al-Islamiyah fi'l-Ulum al-Siyasiyah wa'l-Idariyah* (Muslim Works on Political and Administrative Sciences). It contains a list of more than one hundred titles related to what is termed by Western writers as "Mirrors for Princes" or manuals for governance, while in Islamic tradition such works are generally called as '*al-Siyasah al-Shar'iyah* polity. The list covers the whole span of fourteen centuries. Most of the works mentioned in the list are unpublished manuscripts in libraries of Arab countries and Turkey, France, Spain, Vienna, and Germany. A major defect of the list is that, except in few cases, it does not give the bibliographical details of the works. The list is in no way a complete and exhaustive one. For instance, none of the books surveyed below appears in that list. On the other hand, at least two works, for which dates are mentioned, belong to our study period but we do not have access to them as they are still unpublished manuscripts. Their details are as follows: *al-Nasa'ih al-Muhimmah li'l-Muluk wa'l-A'immah* by Ulwan b. Ali b. Atiyah al-Hamawi al-Shafi'i (d. 936/1529) and *Lata'if al-Afkar wa Kashif al-Asrar* by al-Husayn b. Hasan al-Samarqandi (dated 936/1530) which he wrote for the *wazir* Ibrahim Pasha (d. 972/1565)²

7. *Tahrir al-Suluk fi Tadbir al-Muluk* by Muhammad Ibn al-A'raj

Abu'l-Fadl Muhammad b. Abd al-Wahhab al-A'raj (d. 925/1519) of Cairo was engaged in trading and scholarly activities. He wrote his work *Tahrir al-Suluk fi Tadbir al-Muluk* for the last Mamluk Sultan, Qansawh al-Ghawri. It was written between 905/1500 and 922/1517. The reason for writing this treatise was that he found that the works dealing with the Islamic rules of governance were either too voluminous or too brief. He wanted to prepare a handy booklet, so he composed this work. The book is mainly based on two earlier works – *al-Ahkam al-Sultaniyah* by al-Mawardi (d. 450/1058) and *al-'Iqd al-Farid li'l-Malik al-Sa'id* by Abu Salim Muhammad b. Talhah (d. 652/1254). Thus, it lacks originality. Topics of economic interest like economic role of the state (Ibn al-a`raj, n.d., p. 35), sources of public revenue, (ibid. p. 40), principles of public expenditure (ibid. p. 42) and *awqaf* (ibid. p. 44), are not very substantial. The book may be presented as one of the proofs that 16th century scholars' works are generally imitation and reproduction of early works.

8. *al-Siyasah al-Shar'iyah* by Dadah Afandi

Similar is the case of work *al-Siyasah al-Shar'iyah* by Kamal al-Din b. Ibrahim known as Dadah Afandi (d. 973/1568) who was born in the village of Sunsa near the city of 'Amasiyah'. He taught in various schools of Ottoman Empire. Finally he settled down in Aleppo and managed the school of Khusraw Pasha there. He died in the year 973/1568. He based his treatise on/and extracted from the earlier works on the subject especially al-Babarti's work, *al-'Inayah*.

The book is devoid of economic contents. The main emphasis is on judiciary. Even the traditional topics like management of public revenue and expenditures are missing. It lacks originality. It seems that the book is simply notes on a few aspects of governance and judiciary.

We gave an account of the above mentioned two works not due to their importance on the subject but simply because we could find only these two works in Arabic belonging to our study period. However, this does not reflect the final position on the subject as in libraries of the East and the West a vast literature on the Shari`ah rules of governance is lying still in the manuscript form (Mukhlis, 1943, pp. 339-344). It will not be a surprise if someone discovers a work, in those manuscripts, that really reflects the changes and developments that took place during the course of time in areas of this study. We have two more works, introduced in the following pages, one from the Persian region and the other from Mughal India. They are quite rich in their content and coverage.

9. *Suluk al Muluk* by Fadl-Allah Khunji

At the request of Ubayd-Allah Khan, the Uzbek ruler, Fadl-Allah Khunji wrote the *Suluk al-Muluk* as a guide for him. The book contains features of so-called Mirror for Princes books. However, in its topics and in the arrangement it belongs to the tradition of the manuals of government or *al-Siyasah al-Shar'iyah*. It represents a highly intelligent attempt to harmonize the norms of the Shari'ah, as developed in the first century of Islam, with the realities of a tribal consideration, the body-politics of which is nomadic and Turkish, and not Islamic. Khunji gives the prescriptions and legal interpretations both according to the Hanfi *madhhab* of the Turkish Uzbeks and his own Persian, Shafi'i *madhhab*. He carefully juxtaposes lengthy passages on the legal norms, with numerous quotations from the *hadith* and the canonical textbooks, with highly realistic and sober opinions on the existing state of affairs. This can be observed in the treatment of taxation; he appears to equate certain aspects of the canonical *zakat*-duties with the prevailing Mongol *Tamgha* imposts' (Haarman, 5:55).

In addition to his teacher Jalal al-Din al-Dawani, Khunji seems to be much influenced by al-Mawardi and al-Ghazali. On the pattern of al-Mawardi, Khunji enumerates the duties of *imam* (ruler). As a source of his maintenance and fulfillment of his official responsibilities, Khunji gives an account of sources of ruler's personal income and those of public revenue. To him bribery offered to the Sultan is also a source of public revenue similar to illegal taxes. Rich in content and analysis, Khunji's work is similar to earlier leading Muslim scholars' work on *al-Ahkam al-Sultaniyah* or *al-Siyasah al-Shar'iyah*, much superior than those by his 16th century contemporaries cited above.

In the opinion of Lambton, "the two specific contributions which Fadl-Allah [Khunji] makes to the development of Islamic Political theory are his unequivocal recognition, in his concern to preserve continuity with the past, that the bearer of political power was the *imam* and his equally unequivocal recognition, in his concern for the effective exercise of government, of the legality of non-Shar'i taxes which the *imam* levied to provide with the revenue needed to carry out his functions. He thus removed the permanent illegality into which the pious had pushed the ruler by their persistent refusal to enlarge the scope of lawful taxation" (Lambton 1985, p. 200).

10. *A'in-i Akbari*³ by Abu'l-Fazl [Abu'l-Fadl] Allami

Abu'l-Fazl [Abu al-Fadl] 'Allami, (958-1011/1551-1602) one of the most distinguished scholars of 16th century India, was son of Mulla Mubarak Nagawri (d. 1002/1593) as well as his pupil. Abu'l-Fazl inherited from his father profound scholarship and liberal thinking. It is said that Mulla Mubarak family – himself and his two sons Faizi (Faydi) and Abu'l-Fazl – were instrumental in diminution of the effects of *ulama* and Akbar's religious innovations. "Though Abu'l-Fadl's religio-political views", says Nurul-Hasan, "earned for him the enmity of the *ulama*, the policy of religious toleration which he helped Akbar in evolving, the non-denominational yet spiritual character of obedience to the emperor which he advocated, his justification, on ethical grounds, of every imperial action, and his persistent efforts to inculcate, especially among the nobles, a sense of

mystical loyalty to Akbar contributed greatly to the political consolidation of Mughal Empire (Nurul-Hasan, 1986, 1: 117).

Akbar was much influenced in his thinking by Abu'l-Fazl, his father Mulla Mubarak Nagawri and his brother Faizi (Hodgson p. 72). Akbar organized from 1575, when his administrative reforms were getting underway, a 'house of worship' in which at first scholars representing various Muslim viewpoints, later also scholar representing all known religious traditions, were gathered to discuss and, alas, dispute their respective faiths and claims. He was one of Akbar's most trusted counselors (ibid. pp. 72-73). In the last years of Akbar's life, he was assassinated on an occasion of a revolt by Akbar's eldest son, Salim (Jahangir), who evidently had a grudge against him (ibid. p.74).

Abu'l-Fazl gained high favour with Akbar by his scholarly discussions and sharp criticism of his opponents. According to Hodgson (1974, p.73), 'The most consistent and certainly the grandest literary expression of the intellectual mood at Akbar's court is the *Akbar-Namah*, The Book of Akbar, by Abu'l-Fazl Allami of Agra (1551-1602)'. 'The *Akbar Namah* is divided into two portions – one portion sets forth the annals of Akbar's ancestors, particularly Babur and Humayun, and Akbar himself; the second portion sets forth the institutions established by Akbar in governing his empire (this latter part is called the *A'in-i Akbari*, Akbar's Institutions)' (ibid. pp. 75-76). Commenting on this work, Hodgson says: "The two portions reflect Abu'l-Fazl's goal in different ways. In the annals, all Akbar's deeds are presented as they ought to have happened The whole presents a vivid, detailed, and even reasonably credible 'mirror for princes', a practical image of how a king should rule; but unlike most of the works of that genre, the image is shaped philosophically Then in the second part, the *A'in*, we have an image not merely of kingly rule but of civilization at large, which the ideal king is to foster" (Hodgson p. 76). *A'in-i Akbari*, dealing with imperial regulations and containing detailed information on Indian geography administration and social and religious life, was 'first work of its kind in India' (Nurul-Hasan, 1986, 1: 118). And 'Abul-Fadl's works form the most complete and authoritative history of the events of Akbar's reign' (Jarett, 1978, p. VI). In the opinion of its translator, "The merit and the only merit of the *A'in-i Akbari* is in what it tells and not in the manner of its telling which had little to recommend it" (ibid. p.VII).

A'in-i Akbari as a book of Good Governance. Out of this encyclopedic work, we are concerned here with that part only which gives Abu'l-Fazl's ideas on good governance on the pattern of Persian 'mirrors for princes' or works of *al-siyasah al-shar'iyah* in the Islamic tradition. The second volume of *A'in-i Akbari* starts with the description of the duties of governor or commander of forces which includes political, economic, social and moral. The welfare of people and troops depends on his 'just administration'. He should seek 'will of God in all that he undertakes and be constant in praise and supplication' (Abu'l Fazl, 1978, pp. 37-38). He should promote decentralization of duties. What others can perform 'he should not execute himself'. He should admit chosen men to his advisory councils (ibid. p. 38). Abu'l-Fazl advises him to exercise his power with ethics, wisdom and dignity while dealing with the rebellions, criminals and offenders. He should ensure safety of roads, maintain surplus budget, and pay attention to development of land and agriculture. As against set pattern of Muslim scholars to cite verses of the Qur'an and traditions of the Prophet (p.b.u.h.), one does not come across to references to these basic sources of Islam in *A'in-i Akbari*. He advises the governor to obtain peace of mind by meditation and reciting the *mathnawi* of Jalal al-Din al-Rumi (d. 672/1273), and entertain his mind with the instructive stories of *Kalilah and Dimnah* (ibid, p. 40). Even he innovated another formula for greeting – *Allahu Akbar* and *Jalla Jalaluhu* (ibid. p. 4). But in distribution of spoil of war, he recommends the Qur'anic method (ibid, p. 42). He emphasizes the need for appointment of discreet and unbiased judges. A judge must not be content with witness and oaths, but hold diligent investigation of the importance (ibid, p. 43).

Historical sources show that in the early period of Akbar's reign, the traditional post of

muhtasib did exist. But during the last years of his rule the institution of *hisbah* had undergone a profound change. For example, the *kotwal* (police magistrate) carried out not only the duties of the head police constable, but acted as social and market supervisor also. Abu'l-Fazl assigned him most of the functions of *muhtasib* such as: check on any 'alteration of value in the gold and silver coin of the realm'; examine the weights and ensure its accuracy; restrain the people from the making, the dispensing, the buying or selling of wine; expel or deter dishonest tradesmen from their course of conduct; etc. But *kotwal's* functions were not confined to the above mentioned only. He had to act as senior superintendent of police as well (ibid. pp. 43-45).

Abu'l-Fazl's work is distinguished from similar works by other Muslim scholars in its over emphasis on agrarian relations. The collector of revenue 'should be a friend of the agriculturist' ... He should assist the needy husbandman with advances of money and recover them gradually.' 'He should strive to bring waste land into cultivation and take heed that what is in cultivation fall not waste.' 'Let him increase the facilities of the husbandman year by year, and under the pledge of his engagements, take nothing beyond the actual area under tillage' (ibid, p. 46). According to Abu'l-Fazl, the collector should not insist on cash. He should accept payment in kind if farmers desire so. He describes various modes of share cropping prevalent in India at that time. In choosing any one of them, the convenience of tillers should be observed. In fixation of rent, the land should be fully surveyed. 'He should stipulate that the husbandman bring his rents himself at definite periods so that malpractices of low intermediaries may be avoided' (ibid. pp. 47-49). Abu'l-Fazl's over emphasis on agrarian relation is but a natural step in exact direction in view of the dominantly agricultural economy of India.

Abu'l-Fazl knows that the secret of economic development is saving and capital accumulation. 'When an appropriate means of maintenance is secured it is a requisite condition of economy to husband a portion of one's means, provided that the household is not thereby straitened.' "The proper control of an estate," says Abu'l-Fazl "is conditional on the expenditure being less than the income" (ibid. p. 57). He suggests diversification of investments. 'It is permitted to indulge a little in commercial speculation and engage in remunerate undertakings, reserving a part in coin and valuables, a part in goods and wares and somewhat invested in the speculations of others, and yet a portion in lands and immovable estates, and a share may be entrusted to borrowers of credit, and expenditure regulated with circumspection, justice and modesty' (ibid. pp. 57-58).

A'in-i Akbari is a very rich and most authentic source of economic history of the period. Abu'l-Fazl does not disclose his sources of information. But one can easily guess his source when he talks about Greek economy (ibid. p. 57), Iranian taxation system (p. 59), then existing Turkish and Egyptian system of *kharaj*, changes in the economy introduced by Umar, the second Caliph of Islam (ibid. p. 59). It is strange that he hardly takes a note of Western power and knowledge that made Portuguese next-door neighbour of the Mughal Empire and de-facto ruler of the Indian water. Ottoman-controlled heartland of Islam and Mughal-ruled Muslim India presented two extreme cases of intellectual atmosphere. While in the former independent decision making and original thinking was not much encouraged, in the case of latter liberalism was the norm of the government which patronized the work like *A'in-i Akbari*.

Endnote:

¹. This is perhaps not a work on *al-hisbah*. Rather it is a section in the work entitled *Miftah al Sa'adah wa Misbah al Siyadah* that contains a few lines on *al-hisbah*, at the end of which the author says that he is not aware of any contemporary work on the subject.

². We give here a selected list of the works which in the opinion of this author may be useful for researchers and which may not be known to many scholars:

- 1- *al-Abriz al-Masbuk fi Kayfiyat Adab al-Muluk* by Muhammad b. Ali al-Asbahi, Printed (henceforth 'P') in Algeria.
- 2- *Adab al-Muluk wa Nasa'ih al-Salatin* by Kamal b. Ilyas, Manuscript (henceforth 'M'), Ayasufia, Istanbul.
- 3- *Adab al-Muluk* by Husayn b. Iyaz al-Nahwi, Ayasufia, Istanbul. 'M'
- 4- *Al-Adillat al-Qata'iyah fi Uqud al-Walayyat wa'l-Siyasah al-Shari'iyah* by Abdullah B. Muhammad al-Ghazzi, Kocak Afandi, Istanbul. 'M'
- 5- *Irshad al-Muluk wa'l-Salatin* (in Turkish and Arabic) by Barkah b. Barakiz al-Qafzaqi, Ayasufia, Istanbul, 'M'.
- 6- *Irshad al_Muluk li Sidad al-Suluk* by Ibrahim b. Ali Zayd al-Hindi, Ayasufia, Istanbul, 'M'.
- 7- *Badhl al-Nasa'ih al-Shar'iyah fima `ala'l-Sultan wa Ulat al-Umur wa Sa'ir al-Ra'iyah* by Muhammad b. Mahmud al-Ashbili, al-Fatih, at Istanbul, (M).
- 8- *al-Bayramiyah fi al-Siyasah al-Shar'iyah* by Muhammad b. Bayram al-Tunisi (P).
- 9- *Tahrir al-Suluk fi Tadbir al-Muluk* by Ali b. Muhammad al-Ghazali, Ashir Afandi at Istanbul, (M).
- 10- *Tuhfat al-Turk fima Yajib an ya'mal fi'l-Mulk* by Ibrahim b. Ali al-Tarsusi (d. 758 / 1356), Ayasufia, at Istanbul and Abdullah Mukhlis at Bayt al-Maqdis, (M).
- 11- *Al-Jawahir al-Mudi'ah fi-Ahkam al-Sultaniyah*, by Abd al-Ra'uf al-Munawi (d. 1031 / 1622) (M).
- 12- *al-Siyasah al-Shar'iyah* by Ibn Nujaym, Khalis Afandi at Istanbul, (M).
- 13- *al-Siyasah a Shari'yah fi Ahkam al-Sultan ala'l-Ra'iyah* by Tawghan al-Misri, al-Fatih at Istanbul, (M).
- 14- *al-Siyasah al-Shar'iyah* by Qadi Jamal al-Din (both in Arabic and Turkish), Egypt, (P).

For a complete list of 130 entries one must refer to the original. It will be a great service if some one could revise this list with addition of new discoveries, pointing, out the years and full bibliographical details of the manuscripts that have been edited and printed in these 60 years.

³. Originally it is in Persian. It has been translated into English by H. S. Jarett.

BIBLIOGRAPHY

Abu'l Fazl (1978), *The A'in-i Akbari*, (translated from the original Persian by H. S. Jarett), Reprint, New Delhi, Oriental Book Reprint Corporation, vol. 2 (page references are to reprint edition).

Ansari, A. S. Bazmee (1971), *Hisbah* in "the Indian Subcontinent" in *Encyclopaedia of Islam*, Leiden: E.J. Brill, vol.3, pp.491-493.

- Awwad, Korkis (1943)**, *'al-Hisbah fi Khazanat al-Kutub al-Arabiyyah* (works on *hisbah* in Arabian Libraries), Majallat al-Majma' al-'Ilmi al-'Arabi (Damascus), vol. 18, nos. 1-2, pp.417-428.
- Hodgson, Marshall G. S.** (1974), *The Venture of Islam*, Chicago: The University of Chicago Press. Volume 3.
- Ibn al-A'raj, Muhammad** (n.d.), *Tahrir al-Suluk fi Tadbir al-Muluk* (Writing on ways to Kings' Administration) , Alexandria: Mu'assasah shabab al-Jami'ah
- Ibn al-Dayba', Abd al-Rahman b. Ali al-Shaybani**, (2002), *Kitab Bughyat al-Arbah fi Ma'rifat Ahkam al-Hisbah*, Makkah: Markaz Ihya' al-Turath al-Islami, Umm al-Qura University.
- Ibn Iyas, Muhammad b. Ahmad**, (1960) *Bada'i' al-Zuhur fi Waqa'i' al-Duhur*, Cairo: Lajnat al-Talif wa'l-Tarjamah.
- Ibn Tulun, Muhammad b. Ali**, (1998), *Mufakhat al-Khullan fi Hawadith al-Zaman*, Beirut: Dar al Kutub al-Ilmiyah.
- Islahi, Abdul Azim** (2005), *Contributions of Muslim Scholars to the History of Economic Thought and Analysis*, Jeddah, Scientific Publishing Centre, KAAU.
- al-Jaziri, Abd al-Qadir b. Muhammad**, (n.d.), *al-Durar al-Fara'id al-Munazzamah fi Akhbar al-Hajj wa Tariq Makkat al-Mu'azzamah*, Riyadh: Dar al-Yamamah.
- Khunji, Fadl-Allah (1966)**, *Suluk al-Muluk*, edited by Muhammad Nizamuddin and Muhammad Ghouse, Hyderabad.
- Lambton, Ann K. S.** (1985), *State and Government in Medieval Islam*, First Published 1981. Reprint, London, Oxford University Press, (page references are to reprint edition).
- Mantran, R.** (1971), "Hisbah – Ottoman Empire" in *Encyclopaedia of Islam*, Leiden – New York, E. J. Brill, New Edition, Vol. III.
- Mukhlis, Abd-Allah** (1943), *al-Tawalif al-'Islamiyah fi'l-Ulum al-Siyasiyah wa'l-Idariyah* (Islamic Books on Political and Administrative Sciences), Majallat al-Majma' al-'Ilmi al-'Arabi (Damascus), vol. 18, nos. 1-2, pp. 339-344.
- Nurul-Hasan** (1986), "Abu'l Fadl (fazl) Allami" in *Encyclopaedia of Islam*, Leiden: E.J. Brill, vol.1, pp.117-118.
- al-Qarni, Ali b. Hasan** (1994), *al-Hisbah fi'l-Madi wa'l-Hadir* (al-hisbah in the past and the present), Riyadh: Maktabat al-Rushd, vol. 2.
- Ziadeh, Nicola**, (1963), *al-Hisbah wa'l-Muhtasib fi'l Islam*, Beirut, Catholic Press.