

## SOCIO-POLITICO-ECONOMIC SOVEREIGNTY AND THE MARKET OF MEDINA

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### **Abstract**

Throughout history, political sovereignty has not been reached without socioeconomic independence. Prophet Muhammad, conscious of the significance of this reality, after his Hegira, worked to found a sovereign Islamic state strong enough to protect its citizens from exploitation by non-Muslim powers and to establish an economic order just enough to prevent Muslims from exploiting each other. In order to accomplish this goal, he signed a treaty, the "Constitution of Medina," which would safeguard political harmony under his sovereignty, and established a market, namely the "Market of Medina," where Muslims would be dominant. As a second step, he set up two important and attractive principles that would make the new market more preferable: i) no taxes would be imposed on it, and ii) no enclosures would be monopolized within it. He also made other arrangements, internal and external, to ensure an orderly market system. Another area of concern was the administration of the market and seeing that the economic rules of the *Shari'ah* were carried out. Therefore an institution named *al-hisbah* was devised for running the economic system; technically qualified staff, permanent and temporary, male and female, were appointed to investigate market affairs. The four caliphs after him followed his footsteps without any deviation. Throughout the last century non-Muslim powers have led and exploited the Muslim world due to economic dependence. Thus, we have to take lessons from the Prophet's realistic strategy and establish, say, chambers of commerce, trade unions, and economic communities, where the Muslims would be dominant.

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### **1. Introduction**

Socioeconomic independence is one of the most important factors leading to political sovereignty. Prophet Muhammad (peace be upon him), a respectable, truthful, and experienced merchant who had visited Palestine, Yemen and Bahrain-Oman for trade purposes, and who had endured the effects of a severe economic embargo placed on him by the pagans of Mecca<sup>1</sup> in accordance with a treaty signed

among them,<sup>2</sup> was certainly conscious of the significance of this reality. For this reason, after his Hegira he worked to construct as strong a state as he possibly could. In order to accomplish this goal, he signed a treaty which was so important that some contemporary researchers have called it the "**Constitution of Medina.**" In a short time he managed to establish a market where Muslims could dominate and where their own rules would be in force.

Over time some Qur'ānic verses regarding economic matters were revealed, some laws were made, and some rules were created, while some of the pre-Islamic conventions and values were annulled or modified, or else retained intact. Prior to these changes, Jewish and pagan merchants had dominated the markets of Medina.<sup>3</sup> Naturally, their commercial activities were carried out in accordance with their own market norms. However, as Islamic rules were given, they had soon to be put into effect. It was very difficult to apply all of the Islamic rules and create a socioeconomic environment of mutual trust in a situation where transactions illegitimate according to Islam were carried out. In addition, since business with non-Muslims had been to the disadvantage of the Muslims and since the Jews believed that "whatever we grab of the possessions of the Arabs (i.e., Muslims) will remain as profit for us because they are not on a righteous path,"<sup>4</sup> a crisis in the near future for the newly born city-state was likely. So the establishment of an autonomous market where the Muslims could dominate and the *Shari'ah* prevail was vital and the market that later came to be called the "Market of Medina" was established.

## 2. The Establishment of the Market of Medina

The establishment of the market is recorded by Ibn Mājah and Ibn Shabbah as follows: The Messenger of God went to the market of al-Nabī, looked at it, and said: "This is not a market for you." Then he went to (another) market,<sup>5</sup> looked at it, and said: "This is not a market for you." Then he returned to this market (that later came to be called the Market of Medina), went round about in it, and said: "This is your market; never let it be diminished<sup>6</sup> nor have taxes levied on it."<sup>7</sup> A similar tradition reports: A man came to the Prophet and said: "O Messenger of God! I have found a (suitable) place for the market. Would not you come and see it?" So he visited with him the place of the Market of Medina today (i.e., in their time), stamped (the ground) with his foot, and said: "This is your market. Never let it be diminished nor have taxes imposed on it."<sup>8</sup> The place chosen by the Prophet was a cemetery in the quarter of the Banū Sā'idah. Some of the Banū Sā'idah objected at first but all consented later.<sup>9</sup> It was such an open space that when a rider alighted and put his saddle down, he could see it wherever he went in the market.<sup>10</sup> Ibn Shabbah records that (before this) the Prophet pitched a tent in the locality of

Baqīʿ al-Zubayr and said: "This is your market." Then Kaʿb ibn al-Ashraf (the chief of the Jews) came, forced his way in, and cut its (i.e., the tent's) ropes. The Prophet then said: "It does not matter. Indeed, I will move it (i.e., the market) to a place which will be even more upsetting to him than this one," and he moved it into the place of the Market of Medina. Then he said: "This is your market. Do not monopolize enclosures within it,<sup>11</sup> and let no taxes be imposed on it."<sup>12</sup> The Prophet, who had described marketplaces in some of his sayings as the battlefield of Satan,<sup>13</sup> probably wanted to create a spiritual impression on his community by choosing the new market place in a cemetery, which would remind them of death<sup>14</sup> and the weighing of their actions on the Day of Judgement. The Baqīʿ was in the quarter of the Banū Qaynuqāʿ<sup>15</sup> and near their market which was then the favourite market in the city, so much that when ʿAbd al-Raḥmān ibn al-ʿAwf, one of the wealthiest men in pre-Islamic Mecca, asked about the market after his Hegira to Medina, the market of the Banū Qaynuqāʿ was shown to him.<sup>16</sup> Therefore Kaʿb ibn al-Ashraf, seeing that in the near future this new rival market would knock out the Jews' economic power, tried to keep the status quo by resisting the Prophet's new enterprise.

The new marketplace on the land of the Banū Sāʿidah was rather far off from the Jewish quarter, far enough not to be sabotaged by them. It was almost at the center of the city in the valley of Buthān near the Mosque of the Prophet at the crossroads in Medina. I suppose that it was the strategic location of the new market that made the Jewish chief, Kaʿb ibn al-Ashraf so upset. For if the primary reason for Kaʿb's resistance had been Muhammad's invasion of the Jewish quarter, as Kister puts it,<sup>17</sup> then why should it be more upsetting to him when it was re-established at a place far away from them? To me, the main reason for his aggressive attitude was the obvious economic threat he felt.

### 3. Market Regulations

The Prophet's work did not end with the establishment of the market. The second step was to create the conditions that would convince people to leave their favourite, familiar, and perhaps closer markets where they had regular suppliers or customers and choose the new one. So the Prophet, who was certainly conscious of this reality, did not delay in setting up two important and attractive principles that would make the new market more preferable: i) no taxes would be imposed on it, and ii) no enclosures would be monopolized within the market.

#### 4. "Tax-free Market" Principle

The above-mentioned sayings of the Prophet and the other information given by the sources indicate that some kind of tax was imposed on the majority of pre-Islamic markets and fairs of Arabia. To Kister the principle of establishing a new market without taxes perhaps implied that the Prophet intended to adopt the practice of the fair at ʿUkāz where taxes were not levied. The reports that Muḥammad visited the fairs of Arabia, like ʿUkāz, Majannah, and Dhū al-Majāz during the decade from the third year of his prophethood to the Hegira,<sup>18</sup> as well as his no-tax order, seem to support Kister's idea. Perhaps the Prophet felt that tax-free practice had made the fair at ʿUkāz the favourite market of the time. According to Kister another explanation for freeing the market of any taxes may be that "it was a charitable endowment" (i.e., the Prophet granted the Muslims this new market as a charitable endowment).<sup>19</sup> Another important point is that the Prophet, as an experienced merchant, was certainly conscious of the fact that a tax-free market would attract most of the suppliers because the profit motive was a primary stimulus for any business and tax-free earnings would yield more profit. Also, tax-free transactions would reduce prices and the lower the prices the more customers there would be. When we take into account that the Jews were imposing taxes on their markets,<sup>20</sup> we see how sound a judgment it was to establish a tax-free market in order to compete.

Because there is no record which proves the contrary, we can presume that the tax-free market principle operated by and large during the period of the first four caliphs, although a few taxes other than the market dues were collected at some marketplaces. For example, the caliphs ʿUmar and ʿUthmān collected customs duty (*ʿushūr*), and *zakāt* of merchandise respectively at the market of Medina.<sup>21</sup> According to Ibn Abī Shaybah, the forerunner of the taxes that were imposed on the markets in Islamic history was found during the governorship of Ziyād ibn Abīh.<sup>22</sup>

#### 5. Enclosure-free Market Principle

To me, this principle aimed to promote justice among the merchants by preventing them from taking enclosures for the rest of their lives and consequently transforming into a privileged rentier class. It also stimulated commercial life by encouraging the early start of business activity each day, since the early riser was allowed to set up a daily counter wherever he chose.

Nevertheless, the early Islamic sources report occasional attempts to erect buildings and pitch tents in the market despite the Prophet's prohibiting the monopolization of the places there. This may imply that the market was so attractive that some merchants tried to root themselves there, but a passage in al-Samhūdī's *Wafā' al-wafā'* reveals that the Prophet saw a man who pitched a tent in the market and ordered it to be destroyed by fire.<sup>23</sup> This shows his consistency and insistence on the application of the anti-enclosure rule to discourage monopolization.

All these measures must have been so useful that the merchants preferred that market, and consequently it attracted enough demand even from the Jews. We can deduce from indirect indications in some reports that the Jews showed interest in that market.<sup>24</sup>

Reports say that there were similar attempts to violate the same market rule in the subsequent periods. But the first four caliphs also reacted in exactly the same way. For example, ʿUmar got Abū Sufyān ibn Ḥarb to destroy the terrace which he erected in front of his house promptly and with his own hands.<sup>25</sup> Again, the Caliph himself destroyed a stable counter which was built in the marketplace by a Medinan.<sup>26</sup> The principle that the early comer was allowed to set up a daily counter wherever he chose was applied to all the markets of his time, especially to those of the newly founded cities.<sup>27</sup>

Also the fourth Caliph ʿAlī had the stable counters, which were built by some merchants in the market place, ruined. He mentioned to them the aforesaid principle, and that the market places were in the public domain as were the mosques.<sup>28</sup> Nevertheless, there is a report that he sheltered in a tent while he was running away from a heavy rain which caught him when he was walking about the Kufan market.<sup>29</sup> We may deduce from this report that he permitted some portable shelters to be set up in the market probably in some special cases or on condition that they only be erected daily.

The Prophet also made other arrangements to ensure an orderly market system. For example, he set up "departments" in the market by designating different sections for various goods. The sources report several traditions which mention special shopping areas for livestock, textiles, and foodstuffs. It may be supposed that by doing this he considered not only orderliness but also hygienic requirements.

We see that he also ordained some standards of behaviour for the buyers and sellers. For example, he ordered that those who wanted to enter the market with a weapon had to carry it without harming people.<sup>30</sup>

## 6. Peripheral Arrangements

The Prophet, not content with ensuring the internal regulation of the market, also considered the traffic of the commercial caravans in the area. Having formerly been involved in the caravan trade himself, he ordered that the width of new streets be at least seven *dhirā's* (approximately 3.5 meters),<sup>31</sup> which was wide enough for two laden camels to pass each other without touching. Perhaps for the same reason he forbade sitting down in the street.<sup>32</sup>

At the time of the Caliph <sup>U</sup>Umar close attention was given on city planning, especially while the new towns like Basra, Kufa, and Fustāṭ were founded. After reserving a proper place for the mosque and market amidst the area chosen to found a new town, the land beyond a bowshot's distance from the center towards each cardinal point was parcelled up. The agora was surrounded by a ditch to safeguard against the possibility of encroachment. By the directive of the Caliph <sup>U</sup>Umar the main roads were settled at about forty or sixty, the avenues twenty or thirty, and the streets seven *dhirā's* in width.<sup>33</sup> The main reason for keeping the roads so broad may have been to facilitate military movements, for each newly founded town of that time had also garrison characteristics. These cities, urbanized and developed in a very short time, must have been relieved of much traffic congestion because of their broad roads.

As Henri Pirenne puts it, from the tenth century A.D. onward, newly founded merchantile cities, called *portus*, *novus burgus*, or *forisburgus* in Western Europe began to flourish in the course of time and extended over the old ecclesiastical towns (*vetus burgus*), or feudal fortresses near them.<sup>34</sup> It is an interesting fact that a similar process was realised in the Muslim world long before that. For example, the new city of Basra extended over old Ubullah nearby, such that it reached the Persian Gulf within a short time. Nevertheless, these newborn cities were planned and founded by the government itself. Thanks to the religious values and state control over the market, the European type bourgeoisie could not flourish in the Muslim world.

This is ensured by the fact that in Muslim cities, mosques and markets coexist within the agora; the world and the Hereafter are not conflicting but are harmonious in Islamic theology. This is an indicator of the endeavour to keep those who entered into the market (which is the door of the worldly goods) close to the door of felicity in the Hereafter.

The Caliph <sup>U</sup>Umar, like the Prophet, scattered with a whip in his hand those who blocked the road by crowding around some merchandise, and ordered them to cause no bottleneck.<sup>35</sup> Also, he destroyed a blacksmith's bellows because it

narrowed the road whereon it was placed.<sup>36</sup> Likewise, the Caliph ʿAlī prohibited disposal of drainage and sewage into the streets.<sup>37</sup>

## 7. *al-Hisbah*: The Institution Devised for Running the Economic System

Another area of concern was the administration of the market and seeing that the economic rules of the *Shariʿah* were carried out. Therefore an institution named *al-hisbah* was devised for running the economic system. The word "*hisbah*" is a noun derived from "*ihtisāb*," and both are derivatives of the root *ḥsb* meaning "reward," "good deed," or "judgment and measure." *Ihtisāb* also means "taking into consideration," "hoping for a reward in the Hereafter by adding a pious deed to one's account with God," and "shaming and preventing a bad deed."<sup>38</sup> It is not hard to see how the usage of the noun *ihtisāb* came to be associated with the activities of a person who invites others to do good and advises them not to do evil in the hope of getting a reward in the Hereafter. More technically, the noun *hisbah* is used to mean a socioeconomic institution established by the state to promote good and forbid evil.<sup>39</sup> From this root the formal official in charge of *hisbah* was called *muhtasib*.<sup>40</sup> Although the Qurʾān encourages every Muslim to promote good and suppress evil,<sup>41</sup> a community is obligated to do this.<sup>42</sup> The Islamic state was commanded to institute arrangements to implement this order.<sup>43</sup>

So the Prophet established an Islamic state at Medina, and part of the task before him was to reshape earlier institutions, lay down standards of behaviour, and provide arrangements for the protection and perpetuation of these standards. The pre-Islamic norms which had evolved in a pagan culture required drastic modification. Islamic culture, rooted in the concepts of *wahdah*, *risālah*, and *ākhirah*, could not adopt pre-Islamic values. Besides devising a code of approved behaviour, the holy Prophet took care to institutionalise the perpetuation and preservation of this code by commanding everyone to engage in "*al-amr bi-al-maʿrūf wa-al-nahy ʿan al-munkar*."<sup>44</sup> In a number of traditions he was reported to have emphasised this task for every Muslim.<sup>45</sup>

The functions of the institution of *hisbah* can be classified into three main categories: those relating to religious duties, those relating to human rights, and those relating to both. The first category covered such concerns as the punctuality of prayers, the organization of congregational prayers on Fridays and feast days, and the maintenance of mosques. The second category was related to community affairs and behaviours in the market such as the accuracy of weights and measures and honesty in market dealings. The third was related mostly to affairs regarding municipal administration such as keeping the roads and streets clean and preventing the construction of buildings in public areas.<sup>46</sup>

Given the subject of this paper, I want to deal especially with the second and partially the third categories, but before doing that I want to examine the organizational form of *hisbah*. Although it is generally accepted that *hisbah* attained an organizational form during the caliphate of <sup>c</sup>Umar ibn al-Khattāb, its theoretical foundations were laid during the time of the Prophet. Besides that, the Prophet had established a simple prototype of this organization.

The Prophet frequently undertook inspections of the markets to check on the application of the economic principles of the *Shari'ah* and stop merchants from engaging in improper behaviors, and thus he may be described as the first *muhtasib* in Muslim history.

During one of his inspections, as reported in a widely known tradition: "the Messenger of God (peace be upon him) approached a stack of food (i.e., wheat) and inserted his hand, and his fingers reached something moist. 'What is this, food merchant?' he asked. The merchant answered: 'It has been affected by the weather (i.e., rain), Messenger of God.' Then the Prophet asked: 'Why not put it (i.e., the moist part) on top of the stack so that people can see it?' and he added: 'He who defrauds us is not of us.'"<sup>47</sup> This tradition, reported in almost all the sources of this subject, presents the clearest example of the Prophet's actual inspections. There are two other traditions that provide examples of his controls. Once the Prophet, stopped by the commission agents (*simsār* in Arabic), addressed them with a better name, saying: "O merchant community! A lot of oaths are spoken and empty words are uttered during business transactions. So stick to charity (in order to be forgiven)."<sup>48</sup> Another time the Prophet spoke to a wine merchant, Kaysān, who had imported some wine from Damascus to sell in the market. He said: "O Kaysān, wine has been forbidden while you were absent." Then Kaysān approached the wine drinker and spilled it by kicking.<sup>49</sup>

These three examples show that the Prophet gave the orders and warnings considered necessary to people in a variety of professions during his inspections of the market. Also, besides initiating actual investigations on his own, he received complaints from the public<sup>50</sup> and answered questions.<sup>51</sup> Later on, when he was too busy to do this sort of work, he appointed a technically qualified staff to investigate market affairs.

### 7.1 Permanent *Hisbah* staff.

I could find five names given in the sources, three men and two women. First, the three men were Sa'īd ibn al-<sup>c</sup>Āṣ ibn Umayyah who was appointed for the

Meccan markets,<sup>52</sup> then ʿAbd Allāh ibn Saʿīd ibn Usayhah ibn al-ʿĀṣ<sup>53</sup> and ʿUmar ibn al-Khattāb,<sup>54</sup> who both were assigned to the markets of Medina. Whenever ʿUmar went out for investigation, he carried a whip with him, and he struck the ones who deserved it. The two women were Samrā bint Nuḥayk al-Asadiyyah, assigned to the markets of Medina, who also carried a whip and struck whoever disobeyed the rules<sup>55</sup> and Shifāʾ bint ʿAbd Allāh who was appointed either by the Prophet or by the second caliph ʿUmar to work in the market.<sup>56</sup> It is possible that she was first appointed by the Prophet and reappointed by ʿUmar. The work of the two women officials might have been directed towards the female merchants and customers, since the names of many female merchants like Asmāʾ bint Muḥarrabah, Hawlah bint Suwayb, Mulaykah Umm Sāʿib ibn al-ʿAqraʾ, and Qaylah al-Anmariyah can be found at this time.<sup>57</sup>

## 7.2 Temporary *Hisbah* officials.

It can be deduced from several traditions that the Prophet also appointed some temporary, even on-the-spot, officials besides the permanent staff. A tradition narrated on the authority of Ibn ʿUmar is a good example: “When we bought foodstuffs at the time of the Prophet, he dispatched someone to us in order to monitor their transfer from where we bought them to another place before we sold them.”<sup>58</sup> Another variation of this tradition is as follows: “I saw some people at the time of the Prophet who bought foodstuffs by estimate of bulk and dared to sell them and were beaten until they transferred them (to another place).”<sup>59</sup>

## 8. Religious and Ethical Economic Guidelines

The *Sharīʿah* sets out economic standards and rules. Consequently, there is a long list of improper behaviours set out by God and His Messenger which the *muḥtasib* had to check on. Included were such behaviours as lying; giving false oaths; deceit and fraudulent practices in commerce, industry, or agriculture like concealing defects and misrepresenting the goods being traded or sold; giving short measure or weight; breaking of coins; or employing items in the production and distribution of goods and services which were categorically *ḥarām* (forbidden); illegal contracts such as the ones based on usury (*ribā*, *ribā* of delay, *ribā* of excess); all usurious dealings in exchange for precious metals (*bayʿ al-ṣarf*), or usurious dealings in advance payments (*bayʿ al-salam*); in two- or threefold sales or in any transaction where the final object is accepting a sum of money in exchange for a greater sum to be paid later; hazardous dealings like speculative sales (*bayʿ al-gharar*), the sale of unborn calves, sale-at-a-touch (*mulāmasah*) or sale-at-a-toss (*munābadhah*); the practice where an accomplice of a seller bids up the price of

something although he has no intention of buying the item (*najash*); leaving the milk in the teats of an animal so that it seems to be a milch animal (*tasriyah*); intercepting goods before they reach the market (*talaqqī al-rukbān*); selling by a townsman for a nomad (*bayʿ al-ḥādir li-al-bādi*); and hoarding of necessities and black-marketeering (*ihtikār*).

The *muhtasib*'s functions imply that an Islamic economy is actively supervised by the state entailing corrective actions in order to obtain a reasonable degree of efficiency and justice.

## 9. Conclusion

Establishing a just order and running a system efficiently requires a high degree of idealism and religious and moral motivation on the part of both individuals and societies. The primary social, political, and economic ideal of the Prophet was to found a sovereign Islamic state strong enough to protect its citizens from exploitation by non-Muslim powers and to establish a just order pure enough to prevent Muslims from exploiting each other. In order to reach this goal, he established the Market of Medina and founded the institution of *Hisbah*<sup>60</sup> to see that Islamic standards were applied. The four caliphs after him followed his footsteps without any deviation. Throughout the last century non-Muslim powers have led and exploited the Muslim world. The main reason for this exploitation is lack of economic independence which leads to political dependency. This tragic situation shows us how realistic the Prophet's strategy was.

## End Notes

1. Ibn Saʿd, I, pp. 208-210.
2. al-Bukhārī, "Kitāb al-ḥajj," chap. 45; "Kitāb al-jihād wa-al-siyar," chap. 180; Muslim, "Kitāb al-ḥajj," ḥadīth no. 344; Abū Dāwūd, "Kitāb al-manāsik," chap. 86; "Kitāb al-farā'id," chap. 10.
3. For the then markets of Medina, see Ibn Shabbah, VI, pp. 305-306.
4. al-Ṭabarī (1323-29), III, pp. 226-227; al-Qurṭubī, IV, p. 118; Ibn Kathīr (1390), II, p. 51; Jawād ʿAlī, VII, p. 419.
5. According to a variation recorded by Ibn Shabbah he went to the market of the Banū Qaynuqāʿ. So this market may be theirs. See Ibn Shabbah, I, p. 304.
6. The text has "*lā yuntaqasanna*" and the editor M. Fuʿād ʿAbd al-Bāqī explains it as "*lā yubṭalanna*."
7. Ibn Mājah, "Kitāb al-tijārāt," chap. 40; Ibn Shabbah, I, p. 304.
8. al-Balādhūrī, p. 28; al-Samhūdī, I, p. 540.
9. al-Samhūdī, I, p. 540.

10. al-Samhūdī, I, p. 541.
11. The text has "*lā tatahajjarū.*"
12. al-Samhūdī, I, p. 540.
13. Muslim, "Kitāb faḍā'il al-ṣaḥābah," ḥadīth no. 100; also see Muslim, "Kitāb al-masājid wa-mawādi' al-sālah," ḥadīth no. 288; Ibn Ḥanbal, IV, p. 81.
14. al-Tirmidhī, "Abwāb ṣifāh al-qiyāmah," chap. 26; "Abwāb al-zuhd," chap. 4; al-Nasā'ī, "Kitāb al-janā'iz," chap. 3; Ibn Mājah, "Kitāb al-zuhd," chap. 31.
15. al-Samhūdī, I, p. 539.
16. al-Bukhārī, "Kitāb al-buyū'," chap. 149; "Kitāb manāqib al-anṣār," chap. 3.
17. Kister, p. 274.
18. Ibn Ḥanbal, III, pp. 322, 339, 492; Ibn Sa'd, I, 216, Ibn Kathīr, "al-Bidāyah wa-al-nihāyah," III, pp. 140-141; al-Kattānī, II, p. 164.
19. Kister, p. 276; see al-Samhūdī, I, p. 540 and Ibn Shabbah, I, p. 304.
20. For example see Forstner, p. 79.
21. Mālik ibn Anas, "Kitāb al-zakāh," chap. 47; Yahyā ibn Ādam, p. 64; Ibn Ḥazm, VI, p. 115; al-Ya'qūbī, II, p. 168.
22. Ibn Abī Shaybah, IV, p. 488; VII, p. 248.
23. al-Samhūdī, I, p. 540.
24. al-Tirmidhī, "Abwāb tafsīr al-Qur'ān," chap. 41.
25. al-Azraqī, II, p. 236.
26. Ibn Abī Shaybah, IV, p. 488; Ibn Zanjawayh, I, p. 255; Ibn Shabbah, II, p. 750; al-Muttaqī al-Hindī, V, p. 815.
27. al-Ṭabarī (1960-70), IV, pp. 45-46; Ibn al-Asīr (1851-76), II, p. 29.
28. Abū 'Ubayd, p. 87; Ibn Abī Shaybah, IV, p. 488; Ibn Zanjawayh, I, pp. 254, 255; al-Balādhūrī, p. 297; al-Bayhaqī, VI, p. 151; al-Muttaqī al-Hindī, V, p. 816.
29. Ibn Abī Shaybah, IV, p. 515; al-Ṭabarsī, p. 36.
30. al-Bukhārī, "Kitāb al-ṣālah," chap. 67.
31. al-Bukhārī, "Kitāb al-mazālim," chap. 29; Muslim, "Kitāb al-musāqāt," ḥadīth no. 143.
32. al-Bukhārī, "Kitāb al-mazālim," chap. 22; "Kitāb al-isti'dhān," chap. 2; Muslim, "Kitāb al-libās wa-al-zīnah," ḥadīth no. 114; Abū Dāwūd, "Kitāb al-adab," chap. 12; al-Tirmidhī, "Abwāb al-isti'dhān wa-al-ādāb," chap. 30.
33. al-Ṭabarī, IV, pp. 44-45; al-Māwardī, p. 226; Abū Ya'lá al-Farrā, pp. 212-213; Ibn al-Asīr (1851-76), II, p. 529.
34. Henri Pirenne, pp. 40 ff.
35. Ibn Sa'd, V, p. 60; al-Ṭabarī (1960-70), IV, p. 224; Ibn al-Jawzī, p. 112; al-Muttaqī al-Hindī, V, pp. 815-16.
36. al-'Uqbārī, p. 273; al-Samhūdī, I, p. 541.
37. Muttaqī al-Hindī, V, p. 816.
38. Ibn Manzūr, "ḥ.s.b.," I, pp. 310-317; al-Fīrūzābādī, "ḥ.s.b.," pp. 94-95.
39. al-Māwardī, pp. 299-300; Akram Khan, p. 135.
40. But at the time of the Prophet we find the term '*ṣāḥib al-sūq*' instead of '*al-Muhtasib.*'
41. Qur'ān, 3:110; 9:71; 22:41.
42. Qur'ān, 3:104.
43. Akram Khan, p. 135.
44. *Ibid.*

45. Muslim, "Kitāb al-īmān," ḥadīth no. 83, 85.
46. al-Māwardī, pp. 303 ff; Ibn al-Ukhūwah, pp. 73 ff; Akram Khan, p. 138.
47. Ibn Ḥanbal, II, p. 50; Muslim, "Kitāb al-īmān," ḥadīth no. 164; Abū Dāwūd, "Kitāb al-buyūc," chap. 50; al-Tirmidhī, "Abwāb al-buyūc," chap. 72; Ibn Majāh, "Kitāb al-tjārāt," chap. 36.
48. al-Tirmidhī, "Abwāb al-buyūc," chap. 4; Ibn Mājah, "Kitāb al-tjārāt," chap. 3; Ibn Ḥanbal, III, pp. 428, 444.
49. Ibn Ḥanbal, IV, pp. 335-336.
50. For example, see Abū Dāwūd, "Kitāb al-buyūc," chap. 49; al-Tirmidhī, "Abwāb al-buyūc," chap. 73; Ibn Mājah, "Kitāb al-tjārāt," chap. 27; Ibn Ḥanbal, III, p. 85.
51. For example see, Ibn al-Asīr (1970-73), II, p. 498; Ibn Ḥajar al-ʿAsqalānī, II, p. 104; al-Kattānī, II, pp. 52-53.
52. Ibn ʿAbd al-Barr, II, p. 8; Ibn Ḥajar al-ʿAsqalānī, II, p. 47; al-Ḥalabī, III, p. 424; al-Kattānī, I, pp. 285, 287.
53. Ibn al-Ukhūwah, p. 36.
54. al-Ḥalabī, III, p. 424; al-Kattānī, I, p. 287.
55. Ibn ʿAbd al-Barr, IV, p. 335; al-Kattānī, I, p. 285.
56. Ibn ʿAbd al-Barr, IV, p. 341; al-Kattānī, I, p. 286.
57. Ibn Mājah, "Kitāb al-tjārāt," chap. 29; Ibn Ḥajar al-ʿAsqalānī, IV, pp. 232, 278, 441; Ibn al-Asīr (1970-73), VII, pp. 76, 245, 270; al-Kattānī, II, pp. 39-40, 117.
58. al-Bukhārī, "Kitāb al-buyūc," chap. 49; Muslim, "Kitāb al-buyūc," ḥadīth no. 33; Abū Dāwūd, "Kitāb al-buyūc," chap. 65; al-Nasāʿī, "Kitāb al-buyūc," chap. 57.
59. al-Bukhārī, "Kitāb al-buyūc," chap. 54, 56; Muslim, "Kitāb al-buyūc," ḥadīth no. 37, 38; Abū Dāwūd, "Kitāb al-buyūc," chap. 65; al-Nasāʿī, "Kitāb al-buyūc," chap. 57.
60. Since I intend to dedicate another paper to this topic I do not want to go into detail here.

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