"MARKET SUPERVISOR/INSPECTOR" AND "PUBLIC MORAL OFFICER" AS TRANSLATIONS OF THE TERM MUḤTASIB: AN EVALUATION OF THEIR APPROPRIATENESS

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1. Introduction

Hisbah and muḥtasib are Arabic terms. They generally appear in literary works written in English in transliterated form (as appeared in the preceding sentence), or in translated form. Transliterated forms are found, for instance, in the article on hisbah in Encyclopedia of Islam. R.P. Buckley, the author of the most comprehensive article on hisbah, does not use translation of the term muḥtasib, although the title of his English translation of al-Shayzārī’s Kitāb Nihāyat al-Rutbah fī Ṭalah al-Ḥisbah is The book of Islamic Market Inspector. On the other hand, translated forms are found, for example, in The Ordinances of Government – an English translation of al-Māwardī’s masterpiece al-Ḥkām al-Sutāniyyah wa al-Wilāyāt al-Dīniyya. The last chapter of this translated book is On the Market Supervisor’s Office. In this chapter, the term hisbah has been translated as “public morals office” and “market supervision,” and muḥtasib as “public morals officer” and “market supervisor.” Another English term used for muḥtasib is “market inspector” which can be found, for example, in Trade and Traders in the Medieval Muslim Spain.

2 R.P. Buckley, “The Muḥtasib,” Arabica Revue D’études Arabes, vol. 39, no. 1 (March 1992). In this article, the author invariably uses transliterated form with one exception in page 83 where he uses the translated term “market inspector.”
5 O.R. Constable, Trade and traders in the Medieval Muslim Spain – the Commercial Realignment of the Iberian Peninsula 900-1500, (Cambridge: Cambridge University Press, 1995). The term “market inspector” can also be
Historically, hisbah was a one-word expression for the Quranic principle of "commanding right and forbidding wrong." The discharge of such a sacred duty (ordering good and forbidding evil) since the establishment of the Islamic governance at Medina gradually assumed institutional form, which was for the first time termed al-Hisbah during the early years of Abbasid Caliphate. It is widely known that the maintenance of public morality and supervision of markets were entrusted with al-Hisbah—an institution of government administration in Islamic civilization. The person-in-charge of al-Hisbah was known as al-muhtasib. He had a vast area of jurisdiction, which covered a wide array of functions, including facilitation of worshipping, management of town services, and supervision of trade, crafts and professions. The function mentioned last practically outweighed the others.

The summarized information provided in the preceding paragraph may create an impression that the translation of the term muhtasib as "market supervisor/inspector" and "public morals officer" is quite relevant and meaningful, as they apparently reflect the general functional objectives of hisbah: supervision of public morals and markets. However, a thorough consideration of the nature and scope of the muhtasib’s duties and responsibilities may question the validity of such a translation. This paper attempts to evaluate the appropriateness of the two terms used as translation of "muhtasib" in relation to its relevance and adequacy. For the term "market supervisor," the evaluation will be carried out in reference to broader functional areas of the muhtasib. And the nature and scope of his job will be the main frame of reference for assessing appropriateness of the term "public moral officer" as a translation of "muhtasib" vis-à-vis supervision in economic domain.

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6 Buckley, The Muhtasib... 65.
7 Encyclopaedia of Islam (2), "Hisba."
9 Henceforth, only “market supervisor” is used.