



---

# The Manifestations Of Animal Kindness Through The Books Of Hisbah

**Dr. Farida chikhi** University of Dr. Yahya Fares in Medea, Faculty of Humanities, Contemporary Historical Studies Laboratory, Postgraduate School of Professors Bouzraia (Algeria).

Email Author: [chikhi.farida@univ-medea.dz](mailto:chikhi.farida@univ-medea.dz)

Received: 03/2023

Published: 11/2023

---

## Abstract:

The Islamic religion has urged us to the phenomenon of kindness, mercy, and kindness, in many situations and in the Quran and Sunnah there are various indications, and many books have dealt with the phenomenon of kindness, whether in humans or animals, including the books of Hisbah, whether in the East or the Maghreb area , and I will try in this study to address this part, which is a study The phenomenon of kindness through the books of Al-Hisbah, which noted this in many subjects, as well as emphasized the necessity of being kind to animals, as well as human beings, by protecting their rights, so I tried to clarify these aspects in this brief research.

**keywords:** Hisbah, authorship in the Hisbah , animal welfare, human kindness.

## Introduction

Islam has urged us to be kind in many places. Islam is a religion of mercy, kindness, and compassion. Many books have referred to the phenomenon of kindness, including the books of Hisbah. Hisbah books are considered to be one of the most important sources that have dealt with the topics of the phenomenon of kindness to animals and humans alike.

In this brief research, I will try to address the phenomenon of kindness to animals through the books of Hisbah. This leads us to raise the following question: What is the image of kindness to animals through the books of Hisbah?

### 1- The concept of the Hisbah system and its development in Islamic history.

**a. Linguistic and technical definition:** Hisbah in the language is from the verb "Hasab", and we mean by that your reckoning the reward on Allah, and reckoning is asking for the reward, so it is said that someone is good in Hisbah in the matter, that is, good planning and consideration in it<sup>1</sup>. So, Hisbah in its linguistic meaning means asking for the reward and the reward from Allah and

---

<sup>1</sup> - Ibn Manzur Muhammad bin Karam, Lisan al-Arab, Dar al-Maarif, p. 866

being content with it, and it also means good planning in matters and considering their consequences.<sup>1</sup>

### **In technical terms:**

Many scholars and jurists have defined Hisbah as an administrative control that is carried out by the state through a specialized official over the actions and dealings of individuals. The names of the person who is in charge of it have differed, and we find the Muhtasib, the owner of the market, and the governor of the market.<sup>2</sup>

We find that Ibn Khaldun defines it as: "It is a religious function from the aspect of enjoining the good and forbidding the evil, which is obligatory on the one who is responsible for the affairs of the Muslims, and he appoints for that whoever he sees is eligible for it..."<sup>3</sup>

Al-Mawardi defines it as: "Enjoining the good if its abandonment is apparent, and it is from the evil if its occurrence is apparent."<sup>4</sup>

As for al-Majlisi, he mentions that it is: "One of the greatest religious plans, and among the plan of the judiciary and the plan of the police, combining both religious legal consideration and political deterrence by the Sultan."<sup>5</sup>

Therefore, Hisbah is an administrative control that is carried out by the state through a specialized official over the actions and dealings of individuals.

As for Hisba, it is: the practice of administrative control by assignment from the state over the actions and dealings of individuals. The names of the person who holds it have differed, and he is called the Muhtasib, the owner of the market, and the governor of the market. His function in the market is to monitor what is happening in the markets of fraud and deception, and to inspect the weights and measures.<sup>6</sup>

### **b. Origin and development:**

---

<sup>1</sup> - Al-Fayrouzi abadi, Al-Qamoos Al-Muhit, Commercial Library, Egypt, 1960 AD, vol. 1, p. 54.

<sup>2</sup> - Rihab Muhammad Kamal Muhammad Ahmad al-Mughrabi, The Role of the Muhtasib in Fighting Social Plights in the Islamic Maghreb from 6-9 AH/12-15 AD, Egyptian Society for Reading and Knowledge, p. 253

<sup>3</sup> - Ibn Khaldun Wali al-Din Abd al-Rahman d. 808 AH: Introduction, Dar al-Kutub al-Ilmiyyah, Beirut, 2nd edition, 1999, p. 572.

<sup>4</sup> - Al-Mawardi: Abu Al-Hasan Ali bin Muhammad d. 540 AH, Sultanic Rulings and el walayat diniya, Dar Al-Kutub Al-Ilmiyyah, Beirut, DT, p. 486.

<sup>5</sup> - Al-Mujalidi Ahmed Saeed: Al-Taysir in Pricing Rulings, Musa Laqbal, National Publishing and Distribution Company, Algeria, 1970, Master's thesis, Institute for Research and Studies of the Islamic World, Omdurman University,

<sup>6</sup> - Ahmed bin Yahya Al-Wansharisi (824-914 AH / 1421 AD-1508 AD): Al-Walaat, p. 134

Some historians trace the origin of the Hisbah system back to the time of the Prophet Muhammad (peace be upon him) in the hadith "Whoever cheats us is not one of us." This is because the Prophet (peace be upon him) passed by a man who was selling food, and he liked it, so he put his hand in it, and found that the food was wet. The Prophet (peace be upon him) then said the famous hadith "Whoever cheats us is not one of us."<sup>1</sup>

This incident was taken as the beginning of the origin of the Hisbah system.

Ibrahim Hassan believes that the first beginning of the Hisbah system was in the time of Umar ibn al-Khattab (may Allah be pleased with him) in his words to someone who was carrying his camel with more than it could bear, saying "Why did you carry your camel with more than it could bear?"<sup>2</sup>

In the caliphate of Uthman (may Allah be pleased with him), people needed someone to monitor their business dealings in buying and selling.

As the market in Medina expanded, the caliph appointed al-Harith ibn al-Hakam in 9 AH/656 CE to oversee the weights and measures, and he was given two dirhams per day.<sup>3</sup>

This continued until the Umayyad period (41 AH/661 CE - 132 AH/750 CE) under what was called the "governorship of the market," and the person in charge was called the "market worker."<sup>4</sup>

The Hisbah began to take on a distinct functional shape in the late Umayyad period.<sup>5</sup>

In the Abbasid period (132-656 AH/750-1258 CE), the Hisbah system was effectively established with the emergence of the movement of atheism, when the Mahdi established a special department headed by an employee to follow the news of atheism and eliminate them.<sup>6</sup> The Hisbah became a supervisory system, independent in itself, with its own components, characteristics, and specific tasks.<sup>7</sup>

It extended to the countries of Morocco and Andalusia, and it played a prominent role in guiding the human behavior of the individual, and organizing social and economic life.<sup>8</sup>

---

<sup>1</sup> - Abdel Qader Rabouh, previous article, p. 71

<sup>2</sup> - Hassan Ibrahim Hassan, The History of Political, Religious, Cultural, and Social Islam, 4th edition, Dar Al-Sabil, Al-Nahda Library, Beirut and Cairo, vol. 1, 1996, p. 245.

<sup>3</sup> - Al-Ghazali Abu Hamid al-Tusi, d. 505 AH/1111 AD, Ihya Ulum al-Din, 1st edition, Dar Al-Thaqafa, Algeria, 1991, vol. 2, 1346, p. 59.

<sup>4</sup> - Abdel Qader Rabouh, previous article, p. 72

<sup>5</sup> - Rihab Muhammad Kamal Muhammad Ahmad al-Mughrabi, The Role of the Muhtasib in Fighting Social Evils in the Islamic Maghreb from 6-9 AH/12-15 AD, Egyptian Society for Reading and Knowledge, p. 254

<sup>6</sup> - Ibn Kathir Ismail bin Omar al-Dimashqi, The Beginning and the End, Dar al-Maaref Library, Beirut, 1410/1990 AD, vol. 10, p. 149.

<sup>7</sup> - Abdel Qader Rabouh, p. 73

<sup>8</sup> - Rihab Muhammad Kamal Muhammad Ahmed Al-Maghrabi, previous article, p. 254

As for the countries of Morocco, the term Hisbah was first used by Ibn Bishkoual (d. 578 AH/1183 CE) in the 6th century AH/12th century CE, and then it was used by Ibn Farhūn (d. 799 AH/1397 CE) in the 8th century AH/14th century CE, as a corrective supervisory system for the actions of the public and the private, through which it is possible to supervise the public and private positions, and arrange for different punishments for violators of the system within the city.<sup>1</sup>

### **C. Conditions of the Muhtasib:**

The duties of the Muhtasib are summarized in the care of social and economic life and transparency in accordance with Islamic law and virtuous ethics, and good taste in factories, roads, neighborhoods, and schools, while preserving the prevailing doctrine and monitoring the Dhimmis and their commitment to covenants and agreements.<sup>2</sup>

The appointment of the Muhtasib is obligatory on the one who is responsible for the affairs of the Muslims or the judge, according to the following conditions:

he must be a Muslim.

he must be a free man who is just.

he must be knowledgeable, just, and honest. He must abstain from what people have and not be led to bribery.

he must be trustworthy, experienced, and wealthy.

he must be a denouncer of evil, even if it is not a sin. For example, if he sees a madman drinking wine or committing adultery, he must denounce him.

he must act according to what he knows and his words must not be contrary to his actions. he must not fear the blame of anyone in the way of Allah, and he must be dignified, respectable, and have high aspirations.

he must be an enjoiner of good and must be gentle and use the method of persuasion in his call.<sup>3</sup>

## **2. Writings on Hisbah:**

**a. In the Islamic East:** We can classify those who wrote on Hisbah into two categories:

**The first category:** They are those who took the path of the technical jurists, the theoretical approach to the laws of Hisbah and what should be the case for the one who does this work. Among

---

<sup>1</sup> - Belhaj Tarchaoui, Crafts and Professions in the Central Maghreb through Hisbah Books, Mamayez Journal of Social and Historical Research, No. 4, June 2013, pp. 348-349.

<sup>2</sup> - Abdel Qader Rabouh, the Hisbah system in Morocco and Andalusia, its essence, historical development, roles, Journal of the Development of Human Sciences, Issue 13, December 2015, p. 76

<sup>3</sup> - Rihab Muhammad Kamal Muhammad Ahmed Al-Maghrabi, previous article, pp. 254\_255

these are, for example, al-Mawardi (d. 450 AH/1058 CE) in his book "al-Ahkam al-Sultaniya", although the book is not entirely about Hisbah, but rather Hisbah is one of its twenty chapters.<sup>1</sup> Other examples include the book "Ihya Ulum al-Din" by Abu Hamid al-Ghazali (d. 505 AH/1111 CE), the book "al-Hisbah al-Islamiya" by Ibn Taymiyyah (d. 728 AH/1328 CE), the book "al-Turuk al-Hukmiya" by Ibn Qayyim al-Jawziyya (d. 751 AH/1350 CE), the book "al-Khitabat" by al-Maqrizi (d. 845 AH/1441 CE), and the book "Sabah al-A'sha" by al-Qalqashandi (d. 821 AH/1418 CE).<sup>2</sup>

**The second category:** They are those who specialize in the subject of hisbah, from the point of view of scientific treatment, and they are:

Abd al-Rahman ibn Nasr al-Shaizari (d. 590 AH/1094 AD) in his book *Nihayat al-Ribat fi Talab al-Hisbah*. Imam al-Shaizari is considered the first to write about hisbah in the Islamic East. He limited himself to mentioning the famous professions only, saying: "I limited myself to mentioning the famous professions only, and I made it forty chapters that the accountant follows its example and follows its pattern. I warned in it against the fraud of the living in sales, the fraud of the owners of industries, and the disclosure of their hidden secret, and the disclosure of their hidden secret."<sup>3</sup>

And Ahmad ibn Basm al-Muhtasib (d. ca. 626 AH/1229 AD) in his book *Nihayat al-Ribat fi Talab al-Hisbah*.

## **B. In the Islamic Maghreb:**

In the Islamic Maghreb, the composition of hisbah appeared early, dating back to the early 2nd century AH/815 AD. The oldest compositions in hisbah include the book *Ahkam al-Suq* by its author Yahya ibn Umar, which is considered an important source in the study of the civilizational systems of the Islamic Maghreb.<sup>4</sup>

The book of hisbah by Ibn Abdullah Muhammad ibn Abi Muhammad al-Saqati al-Maliki al-Andalusi, which was printed by the Mashriqans Levi Provençal and Coulon.<sup>5</sup>

The book of *al-Tasyir fi Ahkam al-Ta'seer* by Judge Abu Sa'id Ahmad ibn Sa'id, who was concerned with pricing. He pointed out to guide the accountants to seek the help of trustworthy people from the people of professions and industries. The book was verified by Qabala Musa in 1326 AH/1968 under the title *Hisbah in the Islamic Maghreb*.<sup>6</sup>

---

<sup>1</sup> - The Sitting of Bint Faraj Bin Shatwi Al-Qahtani, A Study in the Book of the End of Rank in *Talab Al-Hisbah*, by Ibn Sam, Issue 33, *Journal of the College of Islamic and Arab Studies for Girls*, Alexandria, p. 17

<sup>2</sup> - Abdel Qader Rabouh, previous article, p. 73,

<sup>3</sup> - Abd al-Rahman bin Nasr al-Shirzi, *The End of Rank in Talab al-Hisbah*, p. 210

<sup>4</sup> - Belhaj Tarchaoui, *Crafts and Professions in the Central Maghreb through Ahsaba Books*, A Study in *Tuhfat Al-Nazir* by Imam Al-Aqbani, Social and Historical Research Laboratory, Issue 4, June 2013, p. 353.

<sup>5</sup> - Same, p. 353

<sup>6</sup> - Belhaj Tarchaoui, the previous article, p. 354, and Moussa Lakbal, *The Sectarian Hisbah in the Maghreb, "Its Origins and Development,"* 1st edition, National Publishing and Distribution Company, Algeria, 1971.

The book of *Maalim al-Qarya fi Aḥkam al-Hisbah* by Muhammad ibn Muhammad ibn Ahmad al-Qurashi, known as Ibn al-Ikhwān. This book reveals the conditions of hisbah and the function of the accountant. The author presented a chapter on the conditions of the educator.<sup>1</sup>

The book of *Tuhfat al-Nadir* by Abu ‘Uthman Said ibn Muḥammad al-Tarjini al-‘Aqbani al-Tilimsani. The author divided this book into 8 chapters. The first five chapters discuss the rulings of hisbah, including its definition, conditions, etc.<sup>2</sup> The remaining three chapters present examples of the work of the accountant within the urban space. These chapters provide a valuable picture of the economic and social life of the Middle Maghreb in that period.<sup>3</sup>

It is worth noting in this context that Moroccan books on hisbah dealt with the subject of hisbah according to the Maliki school of thought. On the other hand, the Easterners based their works on jurisprudential texts. For example, the book of *Fark* by Ḥiṣn al-Muḥāsibīn by Yahyā ibn ‘Umar is considered a jurisprudential work according to the Maliki school of thought.<sup>4</sup> The book of *Nihayat al-Ribat* by Ibn Basm is considered a work that explains fraud, obscenity, and betrayal between people in transactions, and warns against it.<sup>5</sup>

### **3- Manifestations of kindness to animals through the books of hisbah:**

#### **A. The concept of kindness in general in the books of hisbah:**

Hisbah is a supervisory body and an executive authority that requires action to combat corruption and confront all its forms in a deterrent manner. It is a position that requires severity for intimidation and deterrence. However, the books of hisbah often emphasized the need for kindness and gentleness instead of severity and violence.

Al-Shaizari confirms this principle by saying: "And let it be among his characteristics kindness, softness of speech, fluency of face, and ease of morals, when he commands people and forbids them, for that is more effective in attracting hearts and achieving the goal, God Almighty said to his Prophet, peace be upon him: "By the mercy of God, you were gentle to them."<sup>6</sup>

Al-Aqbani (d. 871 AH/1467) who noted the change of the evils with kindness and gentleness, then preaching, then calling for staying away from sins by frightening from the

---

<sup>1</sup> - Abdel Qader Rabouh, previous article, p. 75

<sup>2</sup> - Al-Uqyani Abu Abdullah Muhammad bin Ahmed bin Qasim bin Saeed, d. 871 AH / 1467 AD, the masterpiece of the observer and the richness of the memory in memorizing rituals and changing evil deeds.

<sup>3</sup> - Belhaj Tarchaoui, previous article, p. 354

<sup>4</sup> - Abdel Qader Rabouh, previous article, p. 75

<sup>5</sup> - Belhaj Tarchaoui, previous article, p. 352

<sup>6</sup> - Abd al-Rahman bin Nasr al-Shirzi, *The End of the Rank in Talib al-Hisbah*, Abd al-Rahman bin Nasr al-Shirzi, Press of the Authorship, Translation and Publishing Committee, Cairo, 1365 AH/1946, p. 9.

punishment of God, then resorting to discipline and closure by word and rebuke by tongue without resorting to insults and blame.<sup>1</sup>

Therefore, whoever takes up the position of hisbah should be characterized by kindness in speech, fluency of face, and ease of morals, when he commands people and forbids them, for this is more effective in attracting hearts.<sup>2</sup>

The books of hisbah (Islamic law enforcement) warned against any behavior that would harm the reputation of the muhtasib (hisbah officer) and bring him the wrath of the public, and alienate people from him. They warned against spying on people, and emphasized the importance of educating the ignorant and excusing him for his ignorance, and that he should be treated with kindness without violence.<sup>3</sup>

Even when the muhtasib would catch someone who committed an offense that merited punishment, such as shorting the measure, cheating the balance, or adulterating goods, the books of hisbah called for the offender to be given a chance to repent, and to be admonished and warned. If he returned to his actions, he would deserve punishment. Punishment should not be excessive or insufficient, but should not exceed the severity of the offense.<sup>4</sup>

In order to protect merchants from being taken on suspicion or error, or from being wronged by the muhtasib out of ignorance or intentionally, the books of hisbah ordered that an aarifa (supervisor) be appointed from among the good people of each trade or industry. He should be an expert in the details of that trade and knowledgeable about the types of fraud that merchants may use. One of the conditions of this aarifa or shaykh al-sina'ah (master of the trade) is that he be known for his trustworthiness and honesty.<sup>5</sup>

In order to protect the merchant and not harm him for the sake of the customer, some books of hisbah prohibited the muhtasibs from setting prices for goods for people, so as not to harm the merchants.<sup>6</sup>

We find in the books of hisbah many examples of recommendations from the muhtasib to be kind to artisans, merchants, children, and animals. For example, some books of hisbah required that the sale of bread be decided without harming .

---

<sup>1</sup> - Abu Abdullah Muhammad bin Ahmed bin Qasim Al-Aqbani Al-Tilmisani, d. 871 AH / 1476 AD, Tuhfat Al-Nazir and Ghaniyat Al-Zakir fi Preserving Rituals and Changing Evil Things, edited by Ali Al-Shanufi, ed., p. 329.

<sup>2</sup> - Ibn Bassam al-Muhtasib, The end of rank in seeking Hisbah, edited by Hussam al-Din al-Samarrai, Al-Maarif Press, Baghdad, 1387 AH/1968 AD, p. 13.

<sup>3</sup> - Wajih al-Din Abd al-Rahman bin Ali al-Shaibani, known as Ibn al-Dayba' for the purpose of knowledge of the rulings on the Hisbah, ed., Talal bin Jamil, Umm al-Qura University, 1422 AH/2001 AD, p. 65.

<sup>4</sup> - Ibn Bassam al-Muhtasib, edited by Hussam al-Din al-Samarrai, Nihayat al-Zutba, previous source, p. 14.

<sup>5</sup> - Ibn Bassam al-Muhtasib, previous source, edited by Hussam al-Din al-Samarrai, p. 18.

<sup>6</sup> - Same, p. 18.

either the baker or the people.<sup>1</sup> However, we find that some of them, due to their great compassion for the people, used to oblige the owners of the ovens, if they roasted fish or meat and its smell emanated, to take a piece of it in the presence of its owner and give it to the pregnant woman if she asked him for it.<sup>2</sup>

The books of hisba also drew attention to the rights of workers and the need to be kind to them. For example, carpenters are required to work on each saw with three people, one of whom sharpens the saw. If one of the two gets tired, the other replaces him.<sup>3</sup>

Among the manifestations of compassion and softness in the books of hisba, what was mentioned of an order to the teachers of boys of the necessity of being kind to them, and not to beat them with a thick stick that breaks the bone, or a thin stick that hurts the body, but to be moderate, and not to beat the places where the pain is greatest. He relies on hitting it on the folds, thighs, and lower legs, because these places are not feared for disease or danger.<sup>4</sup>

### **B- Some manifestations of violence against animals through the books of hisba:**

The books of hisba touched on animals, and the necessity of being kind to them, and not to harm them. In the chapters of hisba on butchers, butchers, donkey drivers, veterinarians, and millers, there are examples of this. Through the recommendations of these books to the accountants, we can know some manifestations of violence against animals. Among them are the actions of sheep, goat, and camel butchers by dragging the sheep from its leg with a violent.

pull and slaughtering it with a blunt knife. Some of it began to skin after slaughter before the sheep cooled down and the soul came out of it.<sup>5</sup>

One of the behaviors that is contrary to compassion is the practice of some butchers to slaughter camels that are covered in sores, even if all of the sores have healed.<sup>6</sup> The books of hisbah (market regulation) reveal that many butchers do not observe the etiquette of slaughter as mentioned in the Sunnah, such as sharpening the knife and hiding it from the sheep, and not slaughtering the animal in front of another animal so that it does not panic.<sup>7</sup> As for bird hunters, some of them used to play with them and blow them up, causing them harm.<sup>8</sup>

---

<sup>1</sup> - Ibn Bassam al-Muhtasib, previous source, p. 23.

<sup>2</sup> - Ibn Bassam al-Muhtasib, The End of Rank in Talab al-Hisbah, p. 61

<sup>3</sup> - Ibn Bassam al-Muhtasib, Nihayyat al-Ratbah, p. 145.

<sup>4</sup> - Ibn Bassam al-Muhtasib, Nihayyat al-Ratbah, p. 162.

<sup>5</sup> - Ibn Bassam Al-Muhtasib, edited by Hussam Al-Din Al-Samarrai, Al-Ma'arif Press, Baghdad, 1968 AD, p. 35.

<sup>6</sup> - Ibn Basim, b. 35.

<sup>7</sup> - Muhammad bin Ahmed bin Abdoun Al-Tajibi: Ahmed bin Abdul Raouf's treatise on the etiquette of the hisbah and the muhtasib, p. 93

<sup>8</sup> - Ibn Bassam al-Muhtasib, previous source, p. 58



The millers used to use animals for grinding, as well as for transporting wheat, barley, flour, and other things. Perhaps their eagerness to finish the work led them to not give the animals a rest.<sup>1</sup>

When these animals were sick<sup>2</sup>, their owners treated them with types of treatments that could harm them without contributing to their treatment of diseases.<sup>3</sup> Perhaps some ignorant people claimed.

to be veterinarians and tried to treat animals by bloodletting, cutting, cauterization, and the like, without experience, which leads to the loss of the animal and its death.<sup>4</sup>

Owners of animals would rent them out for work. Sometimes, the owner or the renter would load the animal with more weight than it could carry. In addition, they would beat the animal forcefully, leave it standing with the load on its back, and neglect to feed it enough food to meet its needs and keep it active.<sup>5</sup> As for the donkey traders, some of them were not kind to the animals<sup>6</sup>. Some of them would torture the donkey by loading it with more weight than it could bear, or by putting a saddle on it that would prevent it from sweating.<sup>7</sup> Some meat sellers would not hesitate to slaughter a sick animal, or even a pregnant animal or a lactating animal.<sup>8</sup> Al-Aqbani pointed out some violent acts against animals, such as making them carry more weight than they could, and exhausting them by walking quickly while beating and scolding them severely until they were forced to do more than they could. This was what was practiced by stone carriers, plaster carriers, sand carriers, and others.<sup>9</sup>

### **C. The attention of the muhtasib to the necessity of kindness and gentleness towards animals:**

The muhtasibs emphasized the need for compassion for animals, and this was reflected in the books of hisbah. This had a positive impact on reality and led to a correct culture and practice towards animals, including livestock. In the end of the rank of Ibn Bassam, we find him saying in the chapter on the butchers of sheep, goats, camels, and butchers and their fraud: "Do not drag the sheep by her leg violently and do not slaughter her with a blunt knife, for there is torture in that. The Prophet of God, may God bless him and grant him peace, forbade the torture of animals, and it

---

<sup>1</sup> - Ibn Bassam Al-Muhtasib, p. 60

<sup>2</sup> - Ibn Bassam Al-Muhtasib, p. 61

<sup>3</sup> - Same p. 80.

<sup>4</sup> - Ibn Bassam, p. 124.

<sup>5</sup> - Ibn Bassam al-Muhtasib, The End of Rank in Talab al-Hisbah, p. 165.

<sup>6</sup> - Muhammad bin Ahmed bin Abdoun al-Tajibi: Ahmed bin Abdul Raouf's treatise on the etiquette of the hisbah and the muhtasib... p. 11

<sup>7</sup> - Omar bin Othman Al-Jarsifi's treatise on hisbah, p. 124.

<sup>8</sup> - Abu Abdullah Muhammad bin Abi Muhammad al-Saqati al-Maliki al-Andalusi, Adab al-Hisbah, Ernest Le Roux Press, Paris, 1931, p. 34.

<sup>9</sup> - Al-Aqbani, wrote Tuhfat Al-Nazir and Ghaniyat Al-Zakir about memorizing rituals and changing evil deeds, p. 270.

is obligatory for him to cut the two veins, the esophagus and the throat, and it is not permissible to skin after slaughter until the sheep cools down and the soul comes out of it, because Umar ibn al-Khattab, may God be pleased with him, ordered a crier to call in the city: Do not skin a slaughtered sheep until it cools down."<sup>1</sup>

The prohibition of slaughtering camels and others while their bodies are ulcerated is mentioned, except that all the ulcers in them are healed.<sup>2</sup> In the same context, Abu Abdullah al-Saqti forbids the slaughterers of cattle and meat sellers from slaughtering an animal while it is infected with scabies until it rests from what afflicted it, and that they do not slaughter pregnant women or those who have milk.<sup>3</sup>

The books of hisbah urged the need to advise the owners of working animals to fear God in entertaining them every day and night, according to their need for rest and peace.<sup>4</sup> Through what al-Shizari wrote, we find him strict towards those who carry firewood, straw and the like because they stood with them in the squares without putting the loads off the backs of the animals. He explains this by saying that if it stood with the loads on it, it would harm it, and that would be torture for it, and the Messenger of God, may God bless him and grant him peace, forbade the torture of animals for other than its food.<sup>5</sup>

In order to ensure the health of animals and treat them in the best possible way, these writings highlighted the science of veterinary medicine. Ibn Bassam said: "Know that veterinary medicine is a great science that philosophers have recorded in their books, and they have written books on it, saying that it is more difficult to treat than human diseases; because animals do not have speech to express their pain and illness, but their ailments are inferred by palpation and observation. Therefore, only those who have religion will practice veterinary medicine, as they will be prevented from harming animals by cupping, cutting, cauterization, and the like without expertise, which could lead to the death or injury of the animal."<sup>6</sup>

In the letter of Ahmad ibn Abd al-Rauf on hisbah (accountability), he ordered that the slaughtering be carried out by someone who knows the Prophetic Sunnah. Among the Sunnahs is sharpening the knife and turning away from the sheep or other animal when presenting it for slaughter. One should be gentle with it when laying it down, not be harsh with it, and not strike its legs with the knife before it dies. They are also ordered not to slaughter one sheep while another is watching.<sup>7</sup>

---

<sup>1</sup> - Ibn Bassam Al-Muhtasib, p. 35.

<sup>2</sup> - Same, p. 35.

<sup>3</sup> - Abu Abdullah Muhammad bin Abi Muhammad Al-Saqati, previous source, p. 34.

<sup>4</sup> - Ibn Bassam Al-Muhtasib, edited by Hussam Al-Din Al-Samarrai, Al-Maarif Press, Baghdad, 1968 AD, p. 60.

<sup>5</sup> - Abd al-Rahman bin Nasr al-Shaizri, previous source, p. 14

<sup>6</sup> - Ibn Bassam Al-Muhtasib, p. 124.

<sup>7</sup> - Muhammad bin Ahmed bin Abdoun al-Tajibi: Ahmed bin Abdul Raouf's treatise on the etiquette of the hisbah and the muhtasib...<sup>93</sup>

In the letter of Umar al-Jarsifi, we find him warning against torturing animals and overloading them beyond their capacity, or without a saddle.<sup>1</sup> Al-Aqbani summarizes a number of tips in this regard, saying: "What is the right of beasts that carry loads on their backs to be treated gently and to moderate the amount carried, for the best of things is the middle path. He said in Tanbih al-Hukkam: "Some people may deserve to be punished for harming animals and abusing some animals, such as overloading them beyond their capacity and exhausting them by walking quickly with beating and severe scolding until they extract from them more than their capacity, such as what is customary now for porters of manure, carriers of stones and plaster, service workers of bricklayers and the like. This is one of the evils that must be held accountable for and prevented, and they must be diverted from it in any case, whether the animal is overloaded for itself or for others. There is no justification for the fact that it is his property, for the torture of animals is forbidden and the preservation of lives is obligatory. Even if it happens that someone is seen carrying himself beyond what he can bear and is beaten with violence, I say that the origin of this is what occurred in the Jami' al-Muwatta' that Umar ibn al-Khattab, may God be pleased with him, used to go to al-'Awaali every Saturday, and if he found in a difficult job that he could not do, he would reduce it from him to the extent that appeared to him. If the change is in the right of the rational being who reports his pain and knows his complaint, how about the dumb one who does not know his harm and what is wrong with him other than his Lord or who has inspired him to hold him accountable for his benefit.<sup>2</sup>

## **Conclusion:**

### **In conclusion, this brief article leads to the following conclusions:**

Hisbah is an administrative system that was embodied in practice during the Abbasid period. It seeks to enjoin the good and forbid the evil, and to reconcile between people. The muhtasib, or inspector, should be knowledgeable in Islamic law, and should follow the Sunnah of the Prophet Muhammad (peace be upon him). He should also be characterized by gentleness in speech, a pleasant countenance, and ease of temperament when commanding people and forbidding them.

The books of hisbah emphasized kindness in general, whether towards humans or animals. This was done through preaching and calling people to fear the punishment of God, then resorting to reproach, rebuke, and censure without resorting to insults or abuse, and then to change by force if necessary.

The books of hisbah emphasized the importance of kindness to animals in many ways, as we have seen in the research.

They also emphasized kindness to humans and gentleness with them, by protecting the rights of workers and imposing penalties on violators who harm the public interest in all aspects.

---

<sup>1</sup> - Same, p. 124.

<sup>2</sup> - the book of Tuhfat Al-Nadir and Ghaniyat Al-Zakir on memorizing rituals and changing evil deeds, p. 270.

## **Recommendations:**

- Attention should be paid to rare books and their publication so that researchers and students of science can benefit from them in their respective fields.
- The books of hisbah should be studied for the important information they contain about the political and social life of the authors' eras, and for suitable solutions in providing a system that is suitable for every society in all ages and overcomes some of the moral and social evils.

## **List of References:**

- 1- Ibn Bassam, Al-Muhtasib, Nihayat al-Ribat fi Talab al-Hisbah, edited by Hisham al-Samarrai, Al-Maarif Press, Baghdad, 1968.
- 2-Ibn Khaldun, Wali al-Din Abd al-Rahman, Muqaddimah, Dar al-Kutub al-Ilmiyyah, Beirut, 1999.
- 3-Ibn Kathir, Ismail bin Umar al-Dimashqi, Al-Bidaya wa al-Nihaya, Dar al-Maarif, Beirut, 1410/1990.
- 4-Ibn Manzur, Muhammad bin Karam, Lisan al-Arab, Dar al-Maarif, n.d.
- 5-Abu Abdullah Muhammad bin Abi Muhammad al-Saqati al-Maliki al-Andalusi, Adab al-Hisbah, Ernest Leroux Press, Paris, 1931, p. 34.
- 6-Abu Abdullah Muhammad bin Ahmad bin Qasim al-Aqbani al-Tilimsani, Tuhfat al-Nadhar wa Ghina al-Dhakhir fi Hifz al-Sha'air wa Taghyir al-Munkar, edited by Ali al-Shinnawi, n.d.
- 7-Balhaji Tarshawi, Al-Hurof wa al-Mihan fi al-Maghrib al-Awsat min khilal kutub al-hisbah, a study in Tuhfat al-Nadhar li al-Imam al-Aqbani, Ma'had al-Buhuth al-Ijtima'iyyah wa al-Tarikhyyah, no. 4, June 2013.
- 8-Julus bint Farj bin Shatwi al-Qahtani, A study of the book Nihayat al-Ribat fi Talab al-Hisbah by Ibn Sama', no. 33, Journal of the College of Islamic and Arabic Studies for Girls, Alexandria, n.d.
- 9-Hassan Ibrahim Hassan, History of Islamic Political, Religious, Cultural and Social, 4th ed., Dar al-Sabeel, Maktabat al-Nahda, Beirut and Cairo, vol. 1, 1996, p. 245.
- 10-Letter of Umar bin Osman al-Jarsifi on hisbah.
- 11-Rihab Mohamed Kamal Mohamed Ahmed al-Maghribi, The role of the muhtasib in combating social ills in Islamic Morocco from the 6th-9th centuries AH/12th-15th centuries CE\*\*, Egyptian Society for Reading and Knowledge.
- 12-Abd al-Rahman bin Nasr al-Shirazi, Nihayat al-Ribat fi Talab al-Hisbah, Abd al-Rahman bin Nasr al-Shirazi, Committee for Authorship and Translation Press, Cairo, 1365 AH/1946.

- 13-Abd al-Qadir Robah, The system of hisbah in Morocco and Andalusia, nature, historical development, roles, Journal of Human Sciences Development, no. 13, December 2015.
- 14-Ghazali, Abu Hamid al-Ghazali, Ihya Ulum al-Din, 1st ed., Dar al-Thaqafa al-Jaza'ir, 1991, vol. 2, 1346.
- 15-Firouzi Abadi, Al-Qamus al-Muhit, Al-Maktaba al-Tijariyyah, Egypt, 1960.
- 16-Mawardi, Abu al-Hasan Ali bin Muhammad, Al-Ahkam al-Sultaniyyah wa al-Wilayat al-Diniyyah, Dar al-Kutub al-Ilmiyyah, Beirut, n.d.
- 17-Al-Majlidi, Ahmad Said, Al-Tasiyr fi Ahkam al-Tas'ir, edited by Musa Lqabal, Al-Mu'assasa al-Qawmiya li al-Nashr wa al-Tawzi', Algeria, 1970, Master's thesis, Institute of Research and Studies in the Islamic World, University of Omdurman, Sudan, 2007.
- 18-Muhammad bin Ahmad bin Abdulon al-Tajibi, Letter of Ahmad bin Abd al-Rauf on the ethics of hisbah and the muhtassib
- 19- Wajih al-Din Abd al-Rahman bin Ali al-Shaibani, known as Ibn al-Dayba' for the purpose of knowledge of the rulings of the hisbah, ed., Talal bin Jamil, Umm al-Qura University, 1422 AH.
- 20- And Musa Lakbal, The Sectarian Hisbah in the Maghreb, "Its Origins and Development," 1st edition, National Publishing and Distribution Company, Algeria, 1971.
- 21- Ahmaj bin Yahya Al-Wansharisi (824-914 AH / 1421 AD-1508 AD): States. Published and commented by Muhammad Al-Amin Balghaith.