CHAPTER VII

ROLE OF STATE IN ECONOMIC LIFE

A. NEED FOR A STATE

Ibn Taimiyah, like most of the Islamic thinkers regarded the institution of government to be indispensable. Describing the need for a state, he says, "It should be noted that to regulate the affairs of people is one of the most important requirements (wajibat) of the Religion (al Din). Really speaking, al Din cannot be established without it. The well-being of the sons of Adam cannot be accomplished except through a well organized society (ijtimā') because they have need of one another; and for such a society a ruler is indispensable."¹

He gives two reasons for regarding the state and leadership as religious duty. First, the saying of the Prophet: "If three persons set on a journey, they should appoint one of them their leader." Citing this tradition he argues, "If a leader is considered necessary in a journey — a temporary association of few persons — it is an instruction to have it in all kinds of greater associations."² He further argues — as his second reason — that the duty of commanding the good and forbidding the evil cannot be completely discharged without power (quwwah) and authority (imarah). The same applies to all religious duties like holy war (jihād), justice, establishment of pilgrimage and prayers, helping those who are wronged and meting out punishment

¹Ibn Taimiyah, al Siyāsah al Sharī'ah, p. 184.
²Ibid. p. 185.

*By 'al Din' he means the religion of Islam which provides not only a unique system of worship and moral rectitude but also a code of life. No aspect of man's behaviour is beyond its jurisdiction including politics and economics.
in accordance with the legal penalties (iqāmah al hudūd).\(^1\)

Since all these tasks cannot be carried on without government and power, the institution of government and state is necessary from the religious point of view also.

It is worth mentioning here that on the same ground some eminent Muslim scholars of the present age have strongly advocated the view that political power is a necessary means to enforce Islam fully in personal and social life.

Al Māwardī (991-1058), al Farrā, Abū Yālā (990-1065), al Ghazālī (1031-1111), Ibn Jamāʿah (1241-1333) and Ibn Khaldūn (1332-1406) have all emphasized the need for the state and its religious character. Al Māwardī, Abū Yālā and Ibn Khaldūn distinguish between two types of government based on reason (aqlīḥah) and the higher form of the government based on revealed law (Sharīʿah). The first merely guards against mutual injustice, discord and anarchy, and strives for the worldly welfare; while the second provides for the positive enforcement of law and justice in mutual confidence and fellowship. Above all, it takes into account the welfare of this world as well as the welfare of the hereafter.\(^2\)

To Ibn Taimiyah authority is preferable to anarchy. Although he asks Muslims not to obey orders contrary to the commandments of Allah and forbids them to cooperate with an unjust ruler,\(^3\) he does not advocate open rebellion or encourage to overthrow him. He quotes a saying: Sixty years of an unjust imām (ruler) are better than one night without a sultan.\(^4\) Many other thinkers

\(^1\)ibid. p. 185.


\(^3\)Ibn Taimiyah, al Siyāsah al Sharīʿah, pp. 16, 61.

\(^4\)ibid. p. 185.
and the Greek and Scholastic philosophers were also of the same opinion. Al Ghazālī and Ibn Jamā'ah are of the view that any effort to depose even a tyrannous sultan is liable to create chaos and lawlessness. Following the Greek philosophers, St. Thomas Aquinas adopts the same view. Describing it William Archibald Dunning writes: "In respect to individual action in slaying tyrants, he observes that it is more often bad men than good that undertake such an enterprise, and that, since bad men find the rule of kings no less burdensome than that of tyrants, the recognition of the right of private citizens to kill tyrants involves rather more chance of losing a king than of being relieved of a tyrant." The reason behind the view that an individual should not try to remove an unjust established ruler may be the bitter experience of these thinkers that a newcomer always proved more incapable and worse than the outgoing one. Moreover, the instability and chaos created by the overthrow of the regime always retarded economic growth and prosperity and affected adversely the social and academic institutions. But they failed to suggest the proper way to get rid of a tyrant.

But this should not mean that to Ibn Taimiyah, like the Mercantilists* of fifteenth and sixteenth centuries, the state was the main thing. As against the Mercantilism where "the


*Mercantilism developed at the end of Middle Ages. According to the mercantilist writers it is very important that state should be economically strong and powerful, and this can be done only through foreign trade.
welfare of state was substituted in place of the amelioration of the individual,\textsuperscript{1} Ibn Taimiyah emphasizes that the necessary objective of the authority (wilāyāt) is to improve the material and religious conditions of the people in preparation of the future life.\textsuperscript{2} He expresses the need for a close cooperation between the authority and the people.\textsuperscript{3} Moreover, Mercantilism was amoral in its essence. In the words of Heckscher, "The mercantilists were amoral in two-fold sense, both in their aims as also in the means for the attainment of their ends. This two-fold amorality arose from their widespread indifference towards mankind, both in its capacity as a reasoning animal, as also in its attitude towards the eternal."\textsuperscript{4} Mercantilist thinkers like Machiavelli (1469-1527) and Jean Bodin (1520-1596) freed politics from all moral and ethical considerations and held the state accountable before none.\textsuperscript{5}

According to Ibn Taimiyah the authority exercised by the state is not absolute. It is a trust (āmānāh) from Allah, and it is to be exercised in accordance with the terms laid down in the Sharī'ah. He quotes a tradition (ḥadīth) of the Prophet to strengthen his stand, "It (sovereignty) is a trust, and on the day of judgement it will be a thing of sorrow and humiliation except for those who were deserving for it and did well."\textsuperscript{6} At another place he observes that "the government is a religious duty; to seek Allah's favour

\begin{enumerate}
\item Ibn Taimiyah, al Siyāsah al Sharī'ah, p. 36.
\item ibid. pp. 42, 60.
\item Heckscher, op. cit. 285.
\item Gray, A, op. cit. 56.
\item Ibn Taimiyah, al Siyāsah al Sharī'ah, p. 22.
\end{enumerate}
by fulfilling its obligations with all mights is one of the
noblest of good deeds (afḍal ṣamāl al ṣāliḥah). He again quotes
a tradition reporting that the most beloved of the creatures to
Allah is a just sovereign (imām ʿadil) and the most hateful
creature is a tyrant sovereign.\(^1\)

According to Ibn Taimiyah, for appointment to a public office
the most suitable person available for that office should be
chosen. Ability (qūwwah) and integrity (amānah) are the two
essential qualities required in public office. But it is not
easy to find all the time a person who possesses the two quali-
ties equally. In that case one should decide which quality is
more essential for that particular office.\(^2\) Stating the same
fact Erwin Rosenthal writes: "Ibn Taymiya is realistic enough
to suggest that ability to fill an office - courage and bravery
in war-leader, judgement and power of enforcement in a judge -
is more important than piety and loyalty if no body can be found
who combines all requirements. In support he appeals to the
Sunnah. Muḥammad was always guided in the choice of a leader by
the welfare of the ummah as the overriding consideration, even if
his subordinates were to surpass him in knowledge and faith. If
no one person is available who possesses in himself all the
qualities needed for an office one has to appoint as many as
together are endowed with them."\(^3\) After this statement he
observes, "This idea is strongly reminiscent of al Fārābī and
goes back ultimately to Plato, as does the idea of men forming an
association to help each other to satisfy their need."\(^4\)

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\(^{1}\) Ibn Taimiyah, al Ḥisbah fiʿl Islām, p. 11.
\(^{2}\) Cf., idem, al Siyāsah al Sharīʿah, pp. 25-33.
\(^{3}\) Rosenthal, Erwin I.J., op. cit. p. 54.
\(^{4}\) Ibid. pp. 54-55.
It is strange that Rosenthal on the one hand says that Ibn Taimiyah supports his view with the Sunnah (which means that the basis of his opinion is the Prophet's tradition);—on the other hand he describes it as reminiscent of al Farābī and goes back to Plato, as if he took this idea from the Greeks. Actually, existence of two similar ideas in two different sources is not a proof that one is taken from the other, especially when there is no documentary evidence.

1. GOALS OF ISLAMIC STATE

Ibn Taimiyah does not discuss the form of government, and the way of its formulation. He accepts the state as it is. His only emphasis is on its religious character and the goals assigned to it. According to him, "The greatest goal of the state is to enjoin the good and forbid the evil; for example, performance of prayer, payment of zakāh, fasting, truth, honesty, obedience of the parents, good relation with kinsmen, good behaviour with the household and neighbours etc."¹ 'To enjoin the good and to forbid the evil' is a very comprehensive term. It includes enjoining socially and economically beneficial practices and forbidding social and economic evils. He emphasizes that "the welfare of the people and the country can be achieved only through commanding the good and forbidding the evil. People and their economic well-being lies in obedience of Allah and His apostle. And that is possible only by enjoining good and forbidding evil."²

From the above lines it becomes clear that he incorporates economics and religion and they cannot be separated from each other. But it was not his peculiarity. Its essence is found in Islam. Describing the duties of a Caliph al Mawārdī also

¹Ibn Taimiyah, al Siyāsah al Sharī'ah, pp. 90-91.
²ibid. p. 89.
mentions similar things. His first duty is to guard the faith based on its established principles and on the consensus of the early Muslims (salaf al ummah). Next, he must execute and preserve justice. Then comes protection of life and limb, so that people may freely engage in earning of livelihood. Fourth, he is obliged to see that punishment for offences (ḥudūd) is meted out so that the prohibition of Allah may not be violated and rights of His bondsmen are upheld. Fifth, garrisoning of frontiers with all means and might. Sixth, to wage holy war against those who refuse the just message of Islam. Seventh, management of booty and poordues according to Shari'ah. Eighth, sound financial administration. Ninth, judicious selection of competent and loyal officials. Tenth, he should extend his personal supervision to public affairs.

Ibn Taimiyah does not mention all economic activities and responsibilities of the state at any one place in his book. They are scattered all over his work. Below we shall examine his views about economic responsibilities of Islamic state and its power to secure these goals.

The basic point underlying the welfare state is that the "State must accept legal and explicit responsibility for the well-being of all of its members; that apart from preservation of law and order and provision for common defence, the welfare of the individual and his uplift is so important that it cannot be left to the customs or informal arrangements and private understanding. And it is, therefore, responsibility of state to do it.

A welfare state must guarantee social and economic justice for its citizens. In this regard the main tasks are fulfilment of

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1 cf., Al Māwardī, op. cit. pp. 15-16.
the basic needs of its inhabitants like food, shelter, clothing, education and health; price control, fixation of wage and provision of employment, interference in property right and ban on usurious business activities. The state will strive to eradicate poverty, attain economic stability and adopt techniques of planning to achieve the desired goals. It is also responsible for the all-sided progress of the country and for general welfare.

The writers on the subject claim that the 'Welfare State' is a new phenomenon in the politico-economic history of man. This may be correct in the Western society, but not everywhere. Islam as a complete guidance for mankind has presented a very comprehensive concept of welfare state. Islamic caliphate in its flourishing days provided the best example of such a state. Islamic thinkers and jurists always advocated for such a system and held the state responsible for the all-sided welfare of the people in the light of the Qurān and Sunnah. Let us note Ibn Taimiyah's contribution in this regard.

2. STATE AND JUSTICE

Ibn Taimiyah is very emphatic on justice. He regards justice as the basis of the whole world; without it man can be successful neither in this life nor in the hereafter. Referring to Caliph ʿOmar bin ʿAbdul ʿAzīz, he compares use of authority with the market mechanism. He writes, "If expenditure is made on the values like

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1Encyclopaedia Americana bears as "The term welfare state with its specific meaning of social and economic security of basic minimum came into widespread use only during and after World War II. Such general publicly sponsored programs of social and economic welfare were first called "Welfare State' programs in Britain." (Ebenstein, W., Encyclopaedia Americana, Vol. XXVIII, p. 606.)

2Ibn Taimiyah, al Ḥisbah, p. 95; al Siyāsah, p. 178.
truth, justice, benevolence and honesty in the market, the same will be brought there. On the contrary, if expenditure is made on falsehood, vice, injustice, and dishonesty, the same qualities will be brought there."¹ It means the ruler should adopt and promote these values and he will get positive response from his subject.

The economic implication of justice is that the ruler should demand from people only such duties and taxes as are just, and the people ought to pay whatever is obligatory for them without any evasion. He says, "More often injustice is done by both - the rulers and the subjects - the former demands what is not legitimate while the latter denies even what is due."² This, we can say, is the requirement of justice about imposition and payment of taxes. As far as distribution is concerned, the just policy for the ruler is to reward all those who deserve and not to deny any one his due. Likewise people ought not to demand what they do not deserve.³

It is also a requirement of justice that everyone should have equal opportunity to produce and to engage in business, and none be allowed to create monopoly and deny others the right to produce or trade. In the same way wages and prices also can be fixed by the state if situation demands it, in order to check exploitation and protect the interest of people.

Justice also requires that all usurious, fraudulent and gamble-some transaction should be prohibited. Standard weights and quality should be guaranteed. Ibn Taimiyah prescribes a policy for the state which includes all these measures.

¹ibid. pp. 44-45.
²ibid. p. 56.
³cf., ibid. p. 42.
According to Ibn Taimiyah, "to rule with justice and to render their dues to those who have a claim, constitute the essential principles of just government (al siyāsah al 'ādīlah) and the very purpose of public office (al wilāyah al șāliḥah)."\(^1\)

One of the requirements of justice is to give due importance to each aspect of life. Unless a just balance is maintained in both spiritual and material well-being of the people, the state will be lacking the quality of being a welfare state. Ibn Taimiyah always emphasized the role of state in these two aspects of life. He says, "The necessary function of the state is the betterment (īslāḥ) of the religious life of people .... and promotion of material well-being as a prerequisite for the religious foundation."\(^2\) We shall confine ourselves, however, to the role of state in economic life of people.

**B. POWER OF THE STATE TO SECURE ITS GOALS -- STATE VS. INDIVIDUAL FREEDOM**

The state shall always seek the cooperation of individuals in the above mentioned vital economic activities, and it shall inspire them to do their best for the well-being of their fellow-brethren.

Ibn Taimiyah attaches great importance to the individual freedom in economic behaviour. According to him, basically all things are valid and permitted, unless there is any special instruction from Shari'ah about a particular object. He also believes that restriction has been imposed only on those activities which are injurious and harmful. In his Fatawa he writes, "We believe that Allah has permitted earnings (makāṣib), trades (tijārāt) and

\(^1\) Ibid. p. 16.
\(^2\) Cf., Ibid. p. 36.
industries (ṣanā‘āt) and He has prohibited fraud and injury."¹

Ibn Taimiyah recognizes the identity of individual and its right in the society as he says, "Men have full rights on their property; nobody has a right to take it or part of it away from him without his consent, with the exceptions caused by necessity."²

These views of Ibn Taimiyah are in full conformity with Islam where the focus of attention is the individual who is responsible for his performance in this life and accountable to Allah for the exercise of his power and freedom of action. Along with the right to property and freedom of action, the individual has been enjoined to perform some social duties and take part in social reconstruction necessary for his own welfare as well as for other members of society. He is also forbidden to hurt the freedom of others or inflict injury to them. In such conditions state will intervene and limit the individual's freedom.

Since man is by nature a social being and it is his nature to help and cooperate with each other,³ the state would appeal first of all to this unique instinct of man, and impose a number of moral and legal responsibilities on him. He says, "Every person has certain obligations e.g. to support himself and his relatives and help them in payment of their debts. If he does not do so, he is really a wrongdoer."⁴ Thus it is basically the individual's duty to earn livelihood for himself and for his dependents and to assist others. But moral teachings and ethical responsibilities are not always helpful. The opposite forces like miserliness, selfishness and apathy are also at work. Hence the state has to

¹ Ibn Taimiyah, MFS Vol. V, p. 81.
² idem. al Ḥisbah, p. 38.
³ ibid. pp. 8, 116.
⁴ idem. MFS Vol. XXIX, p. 280.
come in picture with its authority. To quote Ibn Taimiyah, "It is obligatory for people to help each other in matter of food, cloth, shelter etc. The imām (Head of the State) should impose it and force them to do so."^1

Moreover, market forces sometimes operate against public interest and may not be rewarded optimally despite their best effort, in that case the state has to step in to rectify the situation. Such steps by the state may be regarded as hampering individual's right and freedom. But as Ibn Taimiyah says, "The principle is to secure more and more social benefits (maṣāliḥ) and to abolish injury (mafasid) or minimize it. When a situation is faced where realization of one kind of benefit means the loss of another benefit, then the greater benefit will be acquired in preference to the lesser. And bigger loss or injury will be avoided by tolerating the lesser of the two."^2 Thus individual freedom can be limited and interference by state would be allowed to secure the larger interest of the public. This is just opposite to the idea of laissez faire advocated by Adam Smith and others.

Following are some of the economic functions of the state and cases in which it can interfere with individual's rights for the sake of greater social benefits.

1. ERADICATION OF POVERTY

A look into economic views of Ibn Taimiyah reveals that the state is obliged to secure 'eradication of poverty'. Contrary to the opinions of the medieval philosophers and many religious thinkers, he does not praise poverty. In his opinion a man should be rich and independent. He encourages one to get rid of impecuniosity

^1 cf., ibid. p. 194.
^2 Ibn Taimiyah, al Siyāsah al Sharī'ah, p. 63.
and to earn wealth, because a number of obligations and religious
duties cannot be performed without wealth. It is obligatory to
attain the means on which fulfilment of any obligation depends.\(^1\)

It will be the duty of state to help people in improvement of
their financial condition. Stating the heads of public expendi-
ture, he writes, "It is common consensus that those who are unable
to earn sufficiently will be aided with money that suffices them,
no matter if such a person is in the disguise of a traditional
beggar, an armyman, trader, artisan or he is a farmer. Revenue
of poor-due (ṣadaqah) is not specific to any one kind of these
people. The artisan whose industry is not ample, the trader whose
trade is not adequate, and the armyman whose land-grant (iqṭā')
is not sufficient ...., all have a right to that revenue."\(^2\)

We may rightly infer from the above statement that the state's
responsibility does not come to an end by just providing the
subsistence level of income or minimum standard of living. It has
to strive to provide for its people a good standard of living and
help them to become independent. Prohibition of interest, system
of zakāh, institution of kaffārāt (financial penalty on certain
offences), voluntary expenditure (al ṣadaqāt al nāfilah), grants
(ʿātā) by the government, one's obligation to spend on kinsmen
and relatives, rights of the neighbour, encouragement for work
and business and condemnation of idleness, all such measures are
directed towards the removal of poverty.

According to Ibn Taimiyah "The best deeds of the authorities are
to differenciate between deserving and nondeserving and to do
justice in distribution of means of livelihood and public offices."\(^3\)

\(^1\)Ibn Taimiyah, MFS Vol. XXIX, p. 279.
\(^2\)Ibid. Vol. XXVIII, p. 570.
\(^3\)Ibid. p. 572.
To reduce the gap between rich and poor and to move towards just and equitable distribution of wealth, 'it is the duty of the ruler to collect money from where it is due and put it where it is just and proper to do so and never to deprive the deserving.'¹

The removal of poverty involves not only negative means or only equitable distribution of existing wealth and income, it also implies an increase in social wealth. Ibn Taimiyah does not pay due attention on this aspect of the problem. The only thing which he says is that the state should compel producers and workers to produce these goods if they are not available sufficiently and the people need them."²

2. REGULATION OF THE MARKET

The state has power to control the prices or fix the wages in order to procure justice and welfare of the people. In normal conditions, Ibn Taimiyah does not favour price control, because people are free to sell their goods at whatever rate they like; and to compel them to sell their goods at a particular rate will be injustice to them.³ Moreover, price fixation may have its adverse effect. Traders may hide merchandise or abstain from entering the market rather than sell at a lower price. Black marketing and low grading of the same goods is also possible. This will further deteriorate the situation.⁴ But when the sellers create imperfection in the market and consumers' interest may not be safeguarded without resorting to price fixation, the state will do it.⁵ Price fixation will not be arbitrary. It will

¹Ibn Taimiyah, al Siyasah al Shariah, p. 45.
²cf., idem. al Hisbah fi'il Islam, pp. 30,34.
³cf., ibid. p. 25.
⁴cf., ibid. p. 41.
be decided through mutual consultation negotiation and discussion with the representatives of producers and consumers.\(^1\) Prices determined in this way will be more acceptable for all, and its harmful effects will be avoided.\(^2\) (Chap. III).

As far as wage fixation is concerned, it should be noted that it is one of the state's duties to solve industrial disputes. Generally, most of the industrial disputes relate to wages. Ibn Taimiyah's treatment of wages is the same as his treatment of the price of other goods. For wage fixation he uses the term 'pricing of labour' (tas\(\text{f}\)ir fi'l a\(\text{r}\)m\(\text{al}\)).\(^3\) Labour is regarded as a service carrying a price in the market.

Basically wage determination will be left to the free play of the market forces i.e. supply and demand, and mutual understanding. However, when people are in need of certain services and goods, but the owners of these goods and services refuse to offer them or they demand a higher wage than the just one, wages will be fixed by the state.\(^4\) Thus monopsony is not a desirable condition. Wage fixation is needed to solve industrial disputes and to safeguard the interests of both the employers and the employees. Describing the purposes of wage fixation he says, "So that the employer might not reduce their wages, nor the labourers could demand more than their due wages."\(^5\)

It is also state's duty to remove unemployment and provide jobs for those who are unable to do their own business or fail to get

\(^1\)cf., ibid. p. 41.  
\(^2\)cf., ibid. p. 41.  
\(^3\)cf., ibid. al Hisbah, p. 34.  
\(^5\)cf., ibid. p. 34.
jobs. This responsibility becomes more pressing in a society where majority of population depends on wage earning. Ibn Taimiyah has not shed light on this issue probably due to the fact that the problem of unemployment is mainly a result of industrial revolution, and it had not assumed significant dimensions in the age of Ibn Taimiyah. Nevertheless, we can infer that according to him the state must assume this responsibility, as he considers it an offence for a producer or seller to create an artificial monopoly and prevent others from entering the market. On the one hand he charges high prices and on the other hand he denies others to do business.\(^1\) In this condition the state shall intervene to remove the obstacle in the way of others.

3. MONETARY POLICY

The above mentioned measures are aimed at maintaining justice and economic stability. But one of the greatest dangers to economic stability is unhealthy monetary policy. It is state's responsibility to control the expansion of currency and to put a check on erosion of the value of money, that causes disturbance in the economy. In this connection Ibn Taimiyah quotes the saying of the Prophet who warned against corrupting the currency of Muslims without any ground.\(^2\) This prohibition includes individual action as well as the action of the state. The state must avoid deficit financing and unrestricted monetary expansion as much as possible, because it results into inflation and creates distrust in the currency. The following prescription of Ibn Taimiyah expresses the same point in a text already quoted above.

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\(^2\)idem. MFS Vol. XXIX, p. 469.
Coins other than gold and silver also become price-makers and measures of the value of people's goods. Therefore, the authority should issue coins of the just value of the transactions without any injustice to people. A ruler should not start business in money, such as to purchase copper and mint coins with a view to making profits by trading in money.

In this way he reflects on the importance of monetary policy for the economic stability of the state. According to him money is a measure of value and a medium of exchange; any step that spoils these functions of money is hazardous to the economy (Chap. 3).

4. ECONOMIC PLANNING

Economic development and self-reliance is a pre-requisite for a stable state. An undeveloped and dependent state is an easy prey to the machination of foreign powers and exposed to internal unrest and agitations. Thus no government can neglect the need of overall economic development. One of the most effective devices of development is the technique of planning. Like many other concepts, planning is also a new idea in economic history. Naturally there is no direct reflection on the issue of economic planning in the writings of Ibn Taimiyah. But there are certain ideas whose natural corollary is adoption of such a technique. The most important idea in this connection is his treatment of industries such as agriculture, weaving etc. as 'socially obligatory functions. If voluntary action fails to supply enough goods to meet people's need the state is duty bound to arrange for adequate supplies. This requires that the state keep an eye on the state of the economy and be in readiness to arrange for increasing production in the desired directions.  

1cf., idem. al Hisbah, p. 30.
Ibn Taimiyah does not distinguish between different goods and services. It is a general statement which includes all kinds of industries and services. But there are certain goods (social goods/public goods) which are never supplied by individuals. It means their provision will be a permanent responsibility of the state. In the words of Musgrave, "Social wants cannot be satisfied through the mechanism of market because their enjoyment cannot be made subject to price payment.... Consider, for instance, such items as flood control projects,.... expenditure for the judiciary system,.... or protection against foreign aggression..... (Here) the government must step in, and compulsion is called for." Ibn Taimiyah, like any other Islamic thinker, would count them among primary duties of the state. As already noted, defence of the country and providing justice to the wronged are explicitly regarded as state duties by Ibn Taimiyah.

Economic activities and development depends on social overhead or infrastructure, such as transportation and communication systems, bridges and roads, canals and ports etc. Since building an infrastructure involves projects with a high initial cost and a very long pay off period, private investors do not come forward to finance it. Therefore it becomes state's duty to undertake the building of such social overhead capital. Some passages of Ibn Taimiyah's book al Siyāsah al Sharī'ah and Fatāwā reveal that he had this idea in mind when he suggested that "A considerable portion of public revenue should be spent on building of canals, bridges, roads etc." He has mentioned at more than one place that the heirless property, lost and found whose owner is not known and similar incomes should be spent on public utilities (al maṣālih al 'ammah).  

2cf., Ibn Taimiyah, al Siyāsah, p. 65; idem. al Hisbah, p. 34; idem. MFS Vol. XXVIII, p. 566.  
The state will also arrange for education and training of its people so as to prepare them to fulfil the needs of society. Ibn Taimiyah says, "Although it is right to employ or appoint an incompetent person for a public office if he is the best of all available persons, but it is necessary to make effort for the training and preparation of men. So that they acquire the essential qualifications needed for the performance of state and other affairs..... The principle is that provision of all those means shall be compulsory on which fulfilment of any obligation depends."\(^1\) Thus if it is agreed that it is the duty of state to work for people's spiritual and material welfare, as Ibn Taimiyah maintains it, then it will be obligatory for the state to adopt all programmes and plans needed in this connection.

From the preceding discussion it should be clear that Ibn Taimiyah's intention is not to deny the advantage of private enterprise and elimination of market mechanism. Also he does not support authoritarian imposition of the decision of the state on all kinds of resources allocation, goods production and distribution and a centralized control of economy. What he means is that the market forces may not always work to fulfill all the requirements of society and may not necessarily lead to optimum use of resources, therefore the state should play an active and conscious role in determination of priorities and channeling the scarce resources in accordance with these priorities, especially where market mechanism fails to do so. Of course, the decision of production and priority will be made in consultation with the sound thinkers and experts of the economy as "it is a must for the head of the state."\(^2\) This consultation will be the base for economic planning. A plan prepared through consultation will be more in harmony with the needs and requirements of the society and will get cooperation from all people of the state.

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\(^1\)cf., idem. al Siyāsah al Sharī'ah, pp. 31-33.

\(^2\)ibid. p. 181.
Our discussion about the role of state in economic life of people will be incomplete if we skip the institution through which a large number of economic activities were supervised and controlled, and interference was made whenever necessary, namely the institution of Hisbah. Its jurisdiction was not limited to economic sphere only; moral and spiritual uplift and check on social and civil works were also the functions of hisbah. In view of its important role in economic field, it has become subject of almost every thinker of Islam on economic problems. Ibn Taimiyah has devoted a full treatise on this institution.

1. ORIGIN AND BRIEF HISTORY

Hisbah is defined by Ibn Taimiyah as the control on individuals so as to observe what is commonly known as good (al māfrūf) and to give up what is commonly known as evil (al munkar). This control is concerned with what does not fall under the authorities of governors, judges, or other specified public officers. Māwardī defines hisbah as enjoining what is good when people stop doing it and forbidding what is bad when its practice becomes common. According to a contemporary writer Muḥammad al Mubārak, "It is a control function of the government through persons engaged especially in the field of morals, religion, economy; and generally in their social lives to achieve justice and righteousness according to the principles of Islam and commonly known good customs of the time and environment." Nicola

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1. idem. al Hisbah, p. 18.
Ziadeh defines ḥisbah as the office to control market and common morals (āḏāb).

The officer in charge of ḥisbah was called as muḥtasib. And since one of the functions of muḥtasib was to look after the market activities and control them, it is supposed that ḥisbah owes its origin to Greece where such a department existed with its name as agoranomos which means market officer. But there are not sufficient proofs regarding muḥtasib’s link with Hellenistic agoranomos. Existence of two similar offices in two different countries does not mean that one is taken from other, especially when there are no proofs to this effect. The early writers on ḥisbah ascribe its origin to the verses of the Qurān and to the act of the Prophet himself. Defining ḥisbah al Māwardī quotes the following verses of the Qurān to indicate the origin of ḥisbah:

"Let there arise out of you a band of people inviting to all that is good, enjoining the right conduct and forbidding what is wrong. Such are they who are successful."

Ibn Taimiyah says that all public offices in Islam are meant to enjoin the good and forbid the evil; and ḥisbah is also such an office. He quotes a number of Islamic teachings, in his book al Ḥisbah fi'l Islām, regarding fair business and contracts. He writes that the Prophet himself used to inspect the market. His companion Abū Hurairah reports that the Prophet passed by a heap of grain; he inserted his hand into it and found it to be wet. He asked the seller about it, who told that it had got wet. At this the Prophet said, "Why did you not put the wet grain on top

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1 Ziadeh, N., Al Ḥisbah wa'l Muḥtasib fi'l Islām, (Beirut, Catholic Press, 1963), p. 32.
2 The Qurān III:104.
so that people might see it? Those who cheat are not among my people". This incidence is a clear proof that the hisbah goes back to the Prophet himself. The office of hisbah was carried by the four guided caliphs who were also away from the Creek contact. Thus there is no reason to believe that hisbah was adopted from Hellenistic agoranomos.

The institution of hisbah continued to exist throughout the greater part of the Muslim world until the beginning of the twentieth century. During the Mamlûk period, this office assumed great importance. This is evident from the numerous works of hisbah in that period. In Egypt, the system existed till the regime of Muhammad ʿAlī (1805-1849). In Morocco, it was found till the advent of this century. The Latin east who came into contact with Muslim world through crusades adopted the institution of hisbah which is clear from the word 'Mathessep' (muhtasib).

2. WORKS ON HISBAH

Although the system of hisbah existed since the time of the Prophet, but the term hisbah was used in later ages and the writings on the subject appeared in much later period. The works on hisbah can be divided into two categories. First kind of works deals the system in a general way with the content of the virtues of muhtasib, the obligations arising from it and the religious and juridical aspect of this office. The second type of works discuss the practical and technical details of the supervision which a muhtasib must exercise; and since this

1ibid. p. 20.
2Ziadeh, N., op. cit. p. 44.
4The oldest writings on hisbah include a chapter in the works of al Māwardī and Abū Yālā. They were contemporaries and their contd...
supervision was applied principally to the various crafts and trades, the books in this category are practical guide to the administrative control of the professions, and maintenance of the standard of the products.

In the first category, writers like al Māwardī, Abū Ya‘la, al Ghazālī, Ibn Khaldūn and Qalqshandī are included. The second category includes authors like al Shaizarī, Ibn al Ukhūwwah, Ibn Bassām, Ibn Hādī, Muḥammad al Saqṭī etc.

Ibn Taimiyah's book 'al Ḥisbah Fi'l Islam' comes under the first category. Though it is a brief book, yet it has its own characteristics distinct from other works on the subject. It is unique in its style. He has related the institution of ḥisbah to the establishment of state. He deals with the theoretical aspects and pays attentions to those problems that are of the fundamental nature. He does not describe the opinion of only one school of

books bear the same name, i.e.. 'al Ahkām al Sulṭānīah'. Ghazālī's book Iḥyā al Ulūm also contains a few section on hisbah. A full volume on the subject has been written by Ābdur Raḥmān bin Naṣr al Shaizārī (d. 1193) a Syrian native contemporary of Saladin (Ṣalāḥuddīn Ayyūbī). The name of his book is 'Nihāyah al Rutbah fi Taḥb al Ḥisbah'. This book has been used as a base for further writing on ḥisbah. For example, 'Ma‘ālim al Qurbah fi Ahkām al Ḥisbah' by Muḥammad bin Muḥammad al Qurashi known as Ibn al Ukhūwwah (d. 1329), 'Nihāyah al Rutbah fi Taḥb al Ḥisbah' by Ibn Bassām, Muḥammad bin Abī Ahmad. This author has used the text of al Shaizarī with many additions and he even utilized the name of his book. Among the contemporaries of Ibn Taimiyah, Ibn Jamaāh, Ibn Qayyim, al Subkī etc. have discussed the subject of ḥisbah in their writings. Some other independent books on ḥisbah appeared in Muslim Andulucia e.g.'Adab al Ḥisbah'by Muḥammad al Saqṭī. He was appointed muḥtасīb in Andalus at the end of eleventh century A.D. One another Yousuf bin Ābdul Hādī (d. 1503) wrote a book named Kitāb al Ḥisbah. Ibn Khaldūn discusses the office of ḥisbah in one section of his famous Muqddimah. These are only a few names out of the vast literature on the institution of ḥisbah.
thought but gives opinions of different schools and various scholars as well; and whatever stand he adopts, he gives rational reasons and quotes from the Qurān and the Sunnah. The most important distinction of his book is that he has paid much attention towards the economic aspect of the Hisbah institution. He has touched a number of economic problems in his book, which are important even today. He has discussed the extent to which a government can interfere in private enterprise, and how far a state can limit the rights of individuals. He has pointed out many economic concepts, e.g. the law of demand and supply, price control, wage fixation, competition, monopoly, monopsony etc., though without using the modern terminology.

3. ECONOMIC FUNCTIONS OF THE MUḤTASIB

The muḥtasib had to be a man known for his moral integrity and for his competence in matters concerning the law and market and industrial affairs.¹

The state used to exercise a comprehensive socio-economic control through the institution of hisbah on trade practices and other economic activities, the most important being supervision of industry, professional services, standardization of products; check on hoarding, middlemanship and usurious practices. He was also assigned to look after people's social behaviour, religious performance and municipal works. Following is a brief description of his economic role:

Supply and Provision of Necessities. The Muḥtasib had to examine the availability of necessary goods and services. For example, he should ensure the continuous supply of bread and other food-stuffs.² Likewise if certain services e.g. construction,

¹ Ziadeh, N., op. cit., p. 34, 55.
² cf., ibid. p. 40.
cultivation, cloth manufacturing etc. were not available, he could compel men of these services to provide them, through the authority of the ruler.\(^1\)

**Supervision on industry.** Regarding industry, his main duty was the standardization of products. He was also allowed to impose ban on harmful industries. A distinct example was that of alchemy through which the chemists produced deceitful and unsound goods.\(^2\) He could resolve industrial disputes arising among employers and employees. He could fix the minimum wages if needed. As far maximum hours of work were concerned, we could not find any reference to the same. But we may easily infer that it was also in his jurisdiction. The proof is that the muhtasib had to see that no animal was overburdened or deprived of its sufficient sustinence.\(^4\)

**Supervision on Services.** Like industries, supervision on different services was done by the muhtasib. Perhaps deceiving is more easy in case of services than goods. He was authorized to check whether physicians, surgeons, pharmacologists etc. were performing their duties properly or not; and that they were not deceiving in their occupations.\(^5\) In the same way, teachers, grinders, inn-keepers etc. were also regularly inspected by the muhtasib.\(^6\)

**Supervision on Trade.** The man incharge of hisbah office had to control the market in general and especially the different trade

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\(^2\) cf., ibid. p. 21.
\(^3\) cf., ibid. p. 34.
\(^5\) cf., ibid. pp. 34, 38, 100-102.
\(^6\) cf., ibid. pp. 118-121.
practices. He had to check the weight and measures. He had to ensure the quality of products and see to it that merchants and agents did not resort to practices calculated to deceive the customer over the merchandise or the prices charged for it. He also made sure that the merchants did not indulge in any operation which was connected with the prohibited practices of interest and other usurious transactions.¹

The muhtasib used to put a check on the interceptors of supplies, which is also an injurious practice. Ibn Taimiyah and other writers who prescribed this duty of muhtasib supported their opinion by a group of traditions in which the Prophet has forbidden to purchase goods before they reach the market.² An interceptor creates artificial shortage and exploits the need of consumers. Hoarding was also considered an offence subject to intervention of the muhtasib. He could fix the price of the hoarder's goods to cut his hope of increasing the price in due course; or he could force him to sell his goods at the prevailing price. The basis of their opinion is again the condemnation of the act of hoarding by the Prophet.³

Apart from these activities, the muhtasib had to ensure that in building of houses and in the erection of shops nothing was done which was prejudicial to public safety or which impeded the passage of pedestrians or vehicles.⁴ This is a municipal function of the muhtasib. He was also assigned to take care of the location of industries and businesses. He could separate two different types of industries if any one of them might harm another. For example, industries creating smokes and pollutions might not

¹cf., Ibn Taimiyah, al Hisbah, pp. 21-22.
²cf., ibid, p. 23; Ziadeh, N., op. cit. pp. 96, 150.
be allowed to be established besides pharmacies or cloth merchants.\footnote{cf., ibid. p. 95.} Thus he used to persuade one kind of industries to be established in one area.

As far his supervision of agriculture is concerned, there is no clear account of it in works on hisbah. The reason may be the fact that the cities were the centre of all kinds of social and economic activities, therefore they confined themselves to the mention of those problems which were directly related to the cities. The other possible reason is the fact that the occupation of agriculture was simple and no such malpractice was possible there to pay much attention to it. The only reference to agriculture made by Ibn Taimiyah is that if people were in need of the services of cultivators, they also will be forced to do them, as it is the case in other industries.\footnote{cf., Ibn Taimiyah, \textit{al Hisbah}, pp. 27, 30.} He has also discussed the rules governing sharecropping and land rent as mentioned earlier (Chapter VI).

Ibn Taimiyah has summarised the muhtasib's religious, social and economic functions in the following lines:

"The muhtasib shall order for the Friday prayers, other collective prayers, truthfulness, repayment of deposits, and he shall forbid bad things like telling a lie, dishonesty, incomplete weight and measures, fraud in industries, trades, and religious matters, etc."\footnote{ibid., pp. 19-20.}

In view of the many functions performed by the muhtasib he could be assisted by a number of experts in different industries and businesses. He also used to employ a number of other assistants...
to help him in enforcement of his orders and decisions.\footnote{cf., Ziadeh, N., op. cit. pp. 29,37,39,95,111,130.}

In our own age, no single office can be compared with the office of hisbah. At present the tasks of the hisbah are done by different departments and ministries, e.g. ministry of civil supply, ministry of commerce and planning, industry, health, training, etc.

D. A WELFARE STATE

Ibn Taimiyah's concept of state and its role in economic life can most appropriately be termed as a welfare state in the modern sense, as it is clear from the preceding discussion. In many cases he stressed the states' responsibility regarding the general welfare of people. Thus no act of welfare will be out of the perview of the state. It will be its duty to choose and decide the welfare functions according to the time and need.

In the last it should be noted that Ibn Taimiyah's concept of welfare state has an important advantage over the modern welfare state as he discusses not only the worldly welfare but also the welfare of the hereafter. In other words, he takes account of both the material and the spiritual uplift. No doubt, this was a direct effect of the religion in which he believed. According to him prophethood (al risālah) is necessary for sound achievements of man in economic matters (ma‘āsh) as well as for success in other worldly life (ma‘ād).\footnote{Ibn Taimiyah, MFS. Vol. XIX, p. 99.} He seems to have in mind the effect and importance of truth, honesty cooperation, sacrifice and moral values in general, on production, distribution, consumption and economic prosperity, because these are the qualities stressed by the religion.