



THE RESPONSIBILITIES OF THE MUHTASIB (ACCOUNTANT) IN THE ACCOUNTABILITY SYSTEM OF ISLAM

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Abstract

When Islamic caliphate broadened and the relations of the Muslims with other nations of occupied areas were established and a betterment came in the economic life of people, the trade touched the heights and established bazars, market and factories, religious values and beliefs of the people were weakened. The people began to treat one another harshly. People became causal in their matters of honest earning. People of all categories became engage in extravagant, misdeeds and evil doings.

So, it is needed to establish the society on Islamic basis which should be free from economic and social anxiety. So, the system of accountability progressed gradually and fineally got legal shape and it became famous in the name of "Husba" and it got the position of an Islamic department under the legal system. The Abasi Caliphs gave more importance to accountability and gave it a distinctive position as a separate department in the name of "Waloyat-UL-Hasba". Its heed was called Muhtasib. The Ombudsman (Muhatasib) was given a scholarship as the ratio of richness and poverty from Bat-ul-mal.

The system of accountability progressed gradually and organized and then in Ayoobi and Fatimi era, it gained its complete and perfect shape.

For a long period, then system remained alive with separate identity and then weakened and finally came to an end. Because the condition of the various cities of Islam was worse, so it was merged with some other departments and it was inter changed with some other departments and ministries. Same is the situations in the present era particularly the look after of bazars and some other related issues are administered under some other departments.

Meaning of Husbah

The word Husbah has been derived from the word "Husbah" which means counting, the word Husab is which means to count the events and deeds of your forefathers. Alhasb is derived from Hisab (Mathematics) which means counting of good deeds and achievements as the Arabs counted the achievements and praise of their fore fathers proudly.¹



Meaning of Hisbah

Movardi² has defined Hisbah as to order for good deeds when its discard is apparent and to forbid evil when its action is apparent.³

The sheikh-ul-islam Ibne Temia writes about Islamic departments, "The abstract of Din and all departments is to order for good deeds and forbid from evil. So, dear Prophet (PBUH) was sent with this message of ordering for good deeds and forbidding evils. In the Holy Quran the ordering for good deeds and forbidding from evil deeds has been ascribed as the characteristics of Holy Prophet and the true Muslims. So, it is the saying of God, ⁴

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾⁵

The true Muslim male and the true Muslim female are companions of each other. They order for good deeds and forbid from evil.

The scholar Ibn e Temia defined it comprehensively.

"According to the principles of Shariah and according to the traditional standards of every period and every atmosphere, for the achievements of justice and perfection in respect of moral, religious and economic, is the administration of state by the administrators"⁽⁶⁾

The writer of Nisab-ul-Ahtsab writes, the accountability is related with many things in a simple way, waste of wine, breaking of musical instruments, repairing of roads, keeping away the neighbors from painful matters such as peeping into the house of neighbors, making hurdles in the way of light, The matters related to ownership do not come into the circle of accountability such as occupying someone 's land, the balance of weight, look after of weight, look after the cleanliness of shops and hotels.⁷

The Arguments in Favour of Accountability in Sharia

In Islam accountability is basically related with ordering for good deeds and forbidding from the evil deeds which is the main scope and circle of Islam and an important part of the decrees of God and it is an integral part of the religions brought by all prophets. ⁸

In this perspective, accountability is the name of authority of administration to implement commandments of God on human being. And God has praised such people who perform this duty It is saying of God:

﴿وَلَتَكُنَّ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ﴾⁹

Some people among you must remain who should invite for goodness and remain forbidding from evils. The people who will do this, be successful.

The meaning and interpretation of this verse is that there should be a group among Muslims who should perform the duty of ordering for goodness and forbidding from evils and these people are successful. ¹⁰

The following verse establishes the superiority of Muslims Ummah to other Ummahs

﴿كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ﴾¹¹



Now you are the best group in the world who are brought in the field (world) for the guidance and reformation of human being, you order for goodness and forbid from evil.

Ordering for good deeds is not the capacity of every one rather it is the duty of the ruler. Because it is his jurisdiction to issue Hadud. And punishments depend upon his opinion and to captivate, to release and to exile is his jurisdiction. So the rule will appoint in every city a well learned and trustworthy man who will perform the duty of ordering for goodness and will issue the Hadud in Shariah without any addition.¹²

It is saying of God

﴿الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ. وَلِلَّهِ عَاقِبَةُ الْأُمُورِ﴾¹³

These are these people to whom if we bestow authority on earth they will say prayers pay their zakat, order for goodness and forbid from evils and the end of all matters are in the hands of God.

The order for goodness has been decreed in Hadith as decreed in Quran and it has been frightened by its discard.

It is saying of Holy Prophet (PBUH)

مَنْ رَأَى مُنْكَرًا فَاسْتَطَاعَ أَنْ يَغَيِّرَهُ بِيَدِهِ فَلْيَغَيِّرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَبِقَلْبِهِ، وَذَلِكَ أضعفُ الإِيمَانِ.¹⁴

“A person who sees evil should alter it with his hands, who has no such power should alter with his tongue and who has no power even for this should consider it bad by heart and it is the weakest grade of belief “

Dear prophet said on another occasion,

وَالَّذِي نَفْسِي بِيَدِهِ، لَتَأْمُرَنَّ بِالْمَعْرُوفِ، وَلَتَنْهَوَنَّ عَنِ الْمُنْكَرِ، أَوْ لَيُوشِكَنَّ اللَّهُ أَنْ يَبْعَثَ عَلَيْكُمْ عِقَابًا مِنْ عِنْدِهِ، ثُمَّ لَتَدْعُنَّهُ فَلَا يَسْتَجِيبُ لَكُمْ.¹⁵

“I vow that Allah in whose hands is my life, you should order for good deeds and forbid from evil otherwise the wrath of God is approaching and then you pray to God and God will not heed to you”

It is known from the previous discussion that the order to good deeds means to order for every good deed and obligation and to forbid from evils means to stop from every forbidden and unholy works by sharia The building of accountability stand on these two pillars and end with these.¹⁶

It is also revealed that to order for good deeds and forbid from evil deeds is a collective duty of every Muslim. And if there is no one to abide by this, it is a compulsory duty of every Muslim who is able to do this.

So, accountability is infect a public and religious position. It is mandatory for all Muslims who have power from religious, moral and economic perspective and it is compulsory duty on every Muslim who is able to do this.

The liabilities of an Ombudsman (Muhtasib) in system of accountability

In performing the duty of ordering for good deeds and forbidding from evil deeds and from the perspective of this system of accountability the human beings have different grades.

He should perform it voluntarily



He should be assigned for it and he should be a position holder for this. Which is generally called Ombudsman (Muhtasib)

Volunteer Ombudsman (Muhtasib) is one who willingly adopt the duty of ordering for good deeds and forbidding from evil and do justices. He should not expect reward from anyone for this deed expect Allah.

The volunteer Ombudsman (Muhtasib) trusts in Allah in performing his duties to order for good deeds and forbid from evil.

The assigned Ombudsman (Muhtasib) is one who is appointed by his imam (leader) to look after public and the needs and matters of public. ¹⁷

Or the assigned Ombudsman (Muhtasib) is a special servant from the state who is appointed for the protection of religious, moral and economic activities of the people to achieve justice and perfection according to the basic principles of Shariah.

The assigned Ombudsman (Muhtasib) has the authority from the state to order for good deeds and forbid from evil which the volunteer Ombudsman (Muhtasib) has not.

The Conditions for the Ombudsman (Muhtasib)

1-Islam

A non- believer cannot be appointed as Ombudsman (Muhtasib) because invitation to Allah is a blessing and a person who is basically non- believer and for appointment of religion how can he be eligible? ¹⁸

Second reason is that sainthood in accountability is rule and distinction of authority. But the non-believer is respect less and priceless, he cannot have right to get the distinction of authority over Muslims. ¹⁹

It is saying of Allah,

وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا - ²⁰

Allah has no way for the non- believer to dominate the Muslims.

2-Burden

A non-believer cannot be assigned any duty as he is not bound to abide by and there is no demand from him. ²¹

3-Authority

Powerless means he has no authority, is the main reason for accountable for nothing because accountability is useless from the person who is powerless. Rather it causes great loss instead of benefits. But if one has no power of hand or tongue, he should at least consider bad in his heart and it should be tried level best that he should be avoided from the company of such person. ²²

4-knowledge

It is necessary to know that orders of Shariah related to order for good deeds and forbid from evils. ²³



Mavardi and Abu Yale etc. told that the Ombudsman (Muhtasib) should be well aware of apparent forbidden and evil things.²⁴

5-Pity-Spotlessness

The Ombudsman (Muhtasib) should avoid from the wealth of others and should also avoid accepting the gift from traders and industrialists.²⁵

Because this type of gift comes into the category of bribery.

لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّاشِيَّ وَالْمُرْتَبِيَّ.²⁶

The Holy Prophet damned both bride giver and bride taker.

6-Freedom

The Ombudsman (Muhtasib) should be free. A slave cannot be appointed as Ombudsman (Muhtasib)²⁷

8-Male Gender

There are lot of reasons and uncountable causes for this condition.²⁸

So male has a strength, power, courage, dignity and tolerance which female lack.

Besides this, it is impossible for female to move in the company of male, to meet and talk to male because it is forbidden to talk and look at the young woman. And if she is old lady she cannot attend such company with men where is too much rush and chances of becoming the center of men's eye.²⁹

Such is the position /office of accountability like judges and authority only suits to male. Women have nothing to do with it.³⁰

As the Holy Prophet said,

لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أُمِرْهُمْ امْرَأَةٌ.³¹

“Such nation cannot be successful as has made a woman its ruler”

8-A Jurist

Be a jurist is necessary because to order for good deeds and forbid from evil means the correction of the matters of people, so an Ombudsman (Muhtasib) should be a jurist.³²

Mavardi and Abu Yala consider the condition of perseverance and religious minded for an Ombudsman (Muhtasib). It also means to be a a jurist.³³

9-A court (to be avoided from sins)

Mavardi⁽³⁴⁾ Abu Yala⁽³⁵⁾ Ibne Temia consider this condition as compulsory

According to Imam Ghazali, it is not necessary to be safe from sins for an Ombudsman (Muhtasib) rather a sinner can be appointed as Ombudsman (Muhtasib). Imam Ghazlai says that The Ombudsman (Muhtasib) free from sins is against Ijma and is equal to closing the door of accountability.



Because where should we find people free from sins in the later period. The companions of Holy prophet (PBUH) were not innocent and people even differ the prophets. ³⁶

10-Permission from Imam or his subordinate

It is necessary for an Ombudsman (Muhtasib) that he should have a permission from the Imam or his Subordinate. So An Ombudsman (Muhtasib) should be so influential and popular that the sinners should be frightened and rioters should be pressurized and the lazy people should be reformed.

The Manners of Ombudsman (Muhtasib)

Some jurists have discussed some other good characteristic and some manners of Shariah which the Ombudsman (Muhtasib) should be bestowed particularly when he is appointed for that position. Because these qualities have much to do with the performance of duty. Some qualities and manners are as followed.

1-Good Manners

Good Manners is an important part of manners of Islam. Imam Ghazali thinks that is the combination of different manners of an Ombudsman (Muhtasib). Imam Ghazali says,

“Good manners is the foundation of all manners and their causes. Mere knowledge and pity or not enough. Because when one is outrageous, pity and knowledge cannot cool down him so long as his nature is not habitual of good manners. Good manners include following qualities.

A-Mild Nature

It means that the Ombudsman (Muhtasib) should have mild nature, politeness and tolerance so that his conversation may be effective in attaining aim and heart inclination. Apart from this, undue rudeness results in disobedience. And rudeness in preaching results in apathetic. ³⁷

Allah says to Holy Prophet,

﴿فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ، وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ﴾³⁸

Prophet, it is great blessing of God that you happen to be a soft tempered for these people otherwise if you become stone hearted and hard to them, they begin to leave you. And it is saying of holy prophet,

﴿إِنَّ اللَّهَ رَفِيقٌ يُحِبُّ الرِّفْقَ فِي الْأُمْرِ كُلِّهِ.﴾³⁹

Translation

“No doubt Allah is very kind and He loves softness in every matter”

B- Patience

That the Ombudsman (Muhtasib) should be soft and patient in all kinds of trials and tribulations. ⁴⁰

As Allah said about Haszrat Luqman:

﴿وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ وَأَصْبِرْ عَلَيَّ مَا أَصَابَكَ، إِنَّ ذَلِكَ مِنْ عَزْمِ الْأُمُورِ﴾⁴¹



Order (The Prophet) for good deeds and forbid from evil deeds and be patient in every trial. These are the points on which there is much insistence.

C- Courage and Seriousness

The Ombudsman (Muhtasib) should not haste in announcing punishment. And he should not do impeachment and give punishment one first mistake and sin. Besides there should be some kind of warning before giving punishment on any crime. And one should not accuse of anyone without inquiry. Allah says,

﴿وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا﴾⁴²

“And we do not torment unless (to teach the difference between wrong and right to the people) we send a messenger”

2-Best Model

That the Ombudsman (Muhtasib) should act upon his own orders and then should be no contradictions between his sayings and deeds otherwise it will be impossible for him to impeach others.⁴³

Allah said about Hazrat Shoaib

﴿وَمَا أُرِيدُ أَنْ أُخَالِفَكُمْ إِلَىٰ مَا أَنهَيْكُمْ عَنْهُ، إِنْ أُرِيدُ إِلَّا الْإِصْلَاحَ مَا اسْتِطَعْتُ، وَمَا تَوْفِيقِي إِلَّا بِاللَّهِ، عَلَيْهِ تَوَكَّلْتُ وَإِلَيْهِ أُنِيبُ﴾⁴⁴

I do like it that I do what I order you to avoid. I want to reform as much as I can. And which I want to do it, all is due to grace of Allah. I trust in this and I consult him in every matter.

The Holy Prophet said,

مَرَزْتُ لَيْلَةَ أُسْرِي بِي عَلَىٰ قَوْمٍ تُفْرَضُ شِفَاهُهُمْ بِمَقَارِضٍ مِنْ نَارٍ-⁴⁵

“I saw such people on the night of culmination as their lips were pruned with the scissors of fire”

So, for people behaving with good manners is a quality which has much to do with preachers, Ombudsman (Muhtasib), preachers and judges. So. There should be compatibility in sayings and deeds of an Ombudsman (Muhtasib) and his sayings should be represented through his deeds.

3-The Aim of willingness of Allah

An Ombudsman (Muhtasib) should keep in mind the willingness of God and grandeur of Din. He should keep his intention spotless and there should be no doubt of any show or snobbery. He should not be angry with anyone’s allegation.

Besides, he should avoid from becoming superior to his equal position holders so that he may be granted the gifts of pity, goodness and grace from Allah. And there should be created obedience in the hearts of people by his grandness.⁴⁶

As there is saying of Holy Prophet,

مَنْ التَّمَسَّ رِضَاءَ اللَّهِ بِسَخَطِ النَّاسِ كَفَاهُ اللَّهُ مُؤْنَةَ النَّاسِ، وَمَنْ التَّمَسَّ رِضَاءَ النَّاسِ بِسَخَطِ اللَّهِ وَكَلَهُ اللَّهُ إِلَىٰ النَّاسِ-⁴⁷



A person who cares not for the displeasure of people and searches for the pleasure of Allah, Allah will support him against the pains of others. And who tries to please others by displeasing Allah, Allah hands over him to people.

Following of Sunnah

It is necessary for the Ombudsman (Muhtasib) to follow sunnah, virtuous action and acts voluntary in religion along with performing his duties and obligations.

He should adopt the habit of good manners and keep his character high and grand. He should avoid from low level deeds and disgracing actions, because this kind of action will enhance his honour and it will be a hurdle in the way of taunting on his religiousness.⁴⁸

But when this is the limit of accountability that he orders for such goodness as its discard is apparent and forbid from such evil as its possibility is apparent, it is not fair for the Ombudsman (Muhtasib) to be curious and doubtful about it.⁴⁹

Because it is unlawful in the light of Quran. It is the saying of Allah,

﴿وَلَا تَجَسَّسُوا﴾⁵⁰

“And not be curious”

After discussing the important condition and manners, the grandeur of the status of Ombudsman (Muhtasib) becomes obvious. So, the person who has all these conditions and manners, he is worth-honoring. And he deserves that his grandness and grandeur should remain continue

The Authorities of an Ombudsman (Muhtasib)

In the beginning the authorities and matters of an Ombudsman (Muhtasib) were limited and gradually these progressed by the passage of time and with the expansion of Islamic state. As a result of it countless economic, trading and social activities came into being. In addition to this many nations inhabitant under the Islamic state which have different cultures, traditions and habits particularly each of it has different industrial, business and professional abilities.

But the authorities of an Ombudsman (Muhtasib) should depend upon ordering for good deeds and forbidding from evils whether these are related with rights of God or the rights of people or related with both. There are four following conditions for accountability. First, that deed would be forbidden.

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Forbidden deed has two aspects. Sometimes the act of denial is negative, abandoning the known, sometimes the act is positive, such as committing denial are like delegates and all the habits and high traditions of Muslims which Muslims consider to be desirable and there is no special argument for them.

And they should not be in conflict with the basic principles, causes and Shariah laws of Islam. As narrated on the authority of Abdullah bin Masoud, "Who Muslims declare beauty, it is beauty in the sight of Allah."⁵² All these cases are included in the known.

All actions that are prohibited by Sharia or unholy or which are rejected in the eyes of Muslims and their nature is abhorrent are said to be forbidden.



Bad deeds are the cause of narrow-mindedness of a Muslim. Even if there is no specific argument in religion for their prohibition. That

The main powers of the ombudsman may be briefly mentioned in the following cases whether they relate to the rights of Allah.

Either from the rights of the servants or from the common rights.

Enforcing religious rituals and protecting them from apostasy and innovation, such as organizing prayers at the required time,

Supervision of muezzins, imams, arrangement of payment on completion of conditions for Friday prayers. Also making it obligatory to pay in congregation in the mosque. And preventing from skipping fasts even if they have capacity to do so etc. ⁵³

2-Condition of Mosques

Looking after mosques, arranging the light and cleanliness in these. Lock the door after each prayer. To arrange to save mosques from children and mad persons. In this way to protect mosques from eating, drinking, trading, announcements of missing people and making courts

All these matters are abominable in mosque. It is necessary to save mosques from these matters according to shariah. ⁵⁴

3-Inspite of being wealthy and not needy of chariness and begging, to stop these people from begging.

4-To stop the uneducated from issuing fatwas

5-He should stop from drinking, illegal sports, meetings with female. He should forbid from all deeds which can cause doubts and allegations. But first of all he should stop and forbid and do not punish before warning. ⁵⁵

6-Refund of goods in his custody and order for truth in deed and saying, well wising and stop from taking anything kept in his custody. ⁵⁶

7-If the water supply of a city is interrupted or a bridge of a city is broken or the wall of the city is fallen down, he should rebuild these. If there is no money in public treasury the Ombudsman (Muhtasib) should collect this amount from the public. ⁵⁷

8-In case of lame accuses or delays in paying debts, he should compel the moneylender to pay debts to the payer.

“The opponent party should not deny the debts otherwise this case will be referred to judge because hearing witness and taking oath do not come into the jurisdiction of an Ombudsman (Muhtasib). The Ombudsman (Muhtasib) has only authority to compensate in case of deny which is apparent and clear.

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9-To stop building wall or a building on the roof of a neighbor or any others interference in the boundary line of a neighbor.

10-To supervise teachers, doctors, industrialists and other professionals to perform their duties sincerely and honestly. ⁵⁹



11-To stop peeping into the houses of others. It is not fair for a high buildings to cover the roof of neighbor. ⁶⁰

Besides he should stop non-Muslims to build high building than that of Muslims. But if the Non-Muslims have already high buildings, do not disturb them and stop them to peep into the houses of Muslims.

12-He should forbid over-weight on the laborers and on the boats from which the life of human beings and animals may be in danger. ⁶¹

13-To order for the destruction of degenerated buildings and to order to remove hurdles in the way of traveller. ⁶²

14-To stop the Imam of mosques not to prolong prayers. ⁶³

15-To warn such Qazi or judge who are biased in case of needy and rivals. ⁶⁴

16-To advise for doing good deeds and forbidding from evil deeds in the company of rulers and governors. Teach them to deal with the public politely and with good manners and also remind them the teaching of Holy Prophet.

17-Keeping in mind the principles to add in the wealth of donor to protect the income and expenditure. And according to the conditions of donors should determine its consumption. ⁶⁵

18-To supervise strictly matters related to the security of the public on the roads particularly teing animals only the way, throwing the wastes of houses on the way. And to stop letting the water from roofs on the way. ⁶⁶

19-To look after the bazars and to keep the bazars away from irregularities. The initial concept of department of accountability was this and for a long time its activities were limited to this and this was the main focus of Ombudsman (Muhtasib).

In respect of bazars, the responsibilities of a Ombudsman (Muhtasib) are as followed,

1-To look after the bazars and other routs

It is the duty of the Ombudsman (Muhtasib) to look after the bazars and keep these broad and high so that people may continue their transport and there should be no problem in walking.

And he should not allow to transgress terrace of their shops from the original path because it is unlawful for the passersby. H should maintain separate bazars for every department in which these products are popular that can cause profit for them. He should compel to make shops related to fire such as naan and blacksmith away from the shops of clothes and foragrance. Because it can cause dmage to some shops.

Besides, he should appoint a supervisor of products of each department who should be well aware of the matters of their products, their ways of cheating. He should be a guardian who can look after of the conditions, maters and goods of trades and keep the prices stable. ⁶⁷

2-Supervision of Measuring and weighting

The Muhtasib should make sure of the stop of less measuring and weighing and he should look deeply at the things which are either measured or weighed.



Because in these matters God has clearly forbidden so that these should be severely punished.

And if he is doubtful in weighing and measuring apparatus, he should check and investigate these.

It is the demand of caution and safety that after checking the measuring and weighing apparatus, it should be stamped and all the people should be compelled to use only stamped apparatus. ⁶⁸

The sight position of a scale is that its both sides should be equal and stable.

The seller should use this method that first of all he should stop the scale and put the good slowly. He should not lift his hand and up at the time of putting goods. And he should not keep on holding the goods after putting on the scale. He should not even move one side of scale with his thumb because it is decrease in measuring and weighing. Weighing apparatus should be of iron and he should compare these with his own weighing apparatus. These should not be of stone as stone loses weight with continuous fraction.

If he cannot make weighing apparatus of iron and making with stone is unavoidable then he should be compelled to put mask of leather on these weighing apparatus and it should be stamped and the Muhtasib should keep regular eye unless the seller makes of woods.

And Muhtasib should make sudden and surprise visit without informing the shopkeepers.

3-Goods for sale and stopping contamination in the products

It is also the duty of a Muhtasib that he should make sure to keep safe public from fraud and contamination in the items of food, drink, dress and utensils. He should also keep people safe from fraud and cheating. He should keep the industrialists away from impurity. ⁶⁹

4-Supervision of trading currency

It is included in the duties of a Muhtasib to stop change and deshape of currency and in this he should stop from trade of currency. Because it has a lot of defects which no one knows except Allah. Rather currency should be used for trading as capital, it should not be used as a good of trade. The currency which has been banned by the ruler, it should not be mixed with prevalent currency. ⁷⁰

5-To keep eye on illegal Trade

In this subject all these illegal matters and invalid sale are included which has been forbidden by Holy Prophet (PBUH). For example all matters of interest done with some pretest and all matters related to gambling in which there is a chance of cheating. In addition to this, purchase of goods outside the city before coming into bazar comes into this category. Because the Holy Prophet has forbidden from this.

“Do not purchase the goods before coming into bazar. If someone purchases in this way the owner of goods has authority after coming into bazar.”⁷¹

Determination of Prices

Its reason is that the Muthasib has the responsibility to be well informed about the prices. If the trader is not selling on fixed prices in spite of needs of people, the Muhtasib should determine the proper prices neither less nor more. He should supervise the rates of the products so that fixed rates should be implemented. ⁷²



In the same way, if someone is decreasing the prices to disturb the market, the Muhtasib should warn him to go with other shopkeepers or leave the bazar.⁷³

7-Supervision of Brokers, intermediaters and bidders.

These people should be honest, trustable and religious minded. Because people have handed over their goods to them. And they bind them to be guardian in selling, these cannot even mix their goods with other people goods. They cannot even share in the shops and cannot purchase for themselves. They cannot possess the payment of sold items unless the owners have made them the advocate of possession of that amount. If the broker knows any defect in any goods, it is his responsibility to inform the Bayer.⁷⁴

Besides, the broker should not sell any good unless he comes to know about the seller. The seller should bring any well-known man and the broker should write his name and condition in his register. There may be a chance of stolen goods or that slave may not be free.⁷⁵

8-Supervision to consumers

Extravagant use from consumers is dangerous to their religion. Rather the existence of belief comes under danger, particularly when the consumers are not aware of the orders of sharia and orders related to interest. So it is mandatory for each person to be aware of the orders of sharia before using any product so that he may not indulge himself in some unlawful act.

Supervision of Butcher and Slaughterer

It is better that the slaughterer should be a Muslim, a sane and mature. He should say the name of Allah before slaughtering. He should slaughter camel in a sitting position and slaughter the cow and goat by knocking out on the left side. All these order are related with Holy Prophet (PBUH).

And he should not drag the good holding the feet and not slaughter it with the rough knife. because this way of slaughtering causes pain for the animals.

In slaughtering it is necessary to cut both carotid arteries and wind pipe.

It is unlawful to peel off before cooling down and dyeing of a goat. The animal can be slaughter with everything except teeth and nails because the holy prophet has forbidden to slaughter with these two things.⁷⁶

The Ombudsman (Muhtasib) should make it clear that people should the not blow air in the meat after flensing because the meat is deformed and decay in this way.

Some people put water into the meat by tearing skin or the leathers. The butchers have many ways and tricks to put water into the meat. The Ombudsman (Muhtasib) should keep a strict eye on it.

Some butchers show animal and laughter another stead of it. It is also a wrong dealing. The Ombudsman (Muhtasib) should compel the butcher to keep their meet in the boundary line of their shop so that the people passing there may not be disturbed. He should also compel them to keep the meat of a goat and ram separately. In the addition to this, the Ombudsman (Muhtasib) should manage the cleanliness of the places sale. If he is doubtful whether the animal is slaughtered lawfully or unlawfully or it is dead slaughtered, its method is that he should put it into the water. If it is not



drowned it was dead and if it is drowned, it was alive slaughtered. In this way, if the egg is swimming in the water, it is rotten. If it is drowned it is all right.

And the Ombudsman (Muhtasib) should compel the fish and birds sellers to follow the following directions.⁷⁷

He should stop the male to enter into the specific bazar of female and also stop the male to sit on the way of female and punish such people.

He should look after the male working in female bazar. He should allow only honest male to deal with female. If he is doubtful about the character of any male he should stop him to deal with female. He should also punish the male who harass the female.⁷⁸

The vast range of an Ombudsman (Muhtasib) on bazar demands that he should appoint his subordinates particularly in big cities and provinces. He should appoint subordinate servants who can help him to decrease the load of work. He should appoint different industrialists as his helpers who can help him in the secret matters of traders and professionals so that all matters of bazars should be open to him and nothing should be hidden from him.

These are those helpers who are called administrators and secretaries in the East and the West. And with the passage of time after coming universality in the system of state particularly in the west and Andalusia, these helpers were made subordinate to the Ombudsman (Muhtasib) to help him. Whether these matters are related to workers or owners or related with the difficulties of industrialists or sellers and buyer.⁷⁹

System of Accountability in the Present Age

System of accountability has become distinctive characteristics of Islamic civilization for a long time. What would be logic more than this about the vast authorities of an Ombudsman (Muhtasib) particularly in the matters of bazars he has to appoint helpers and agents for his better performance.

Sometime this system of accountability remained active in spite of some defects and then reached the verge of destruction and finally merged in other departments.

After this the condition of different countries became worse and Islamic world was broken into pieces and every country followed different administration system.

Besides, culture and civilization and economic progress became vast and modern countries became interested in departmental system. And the trend of separate ministry for each department began to flourish.

That is why the name of accountability is rare in Islamic countries but its meaning and its basis still alive. The different sections of system of accountability were divided in different ministries, department and state institutions.

So, the matters and duties which were performed by the Ombudsman (Muhtasib) alone were divided into particular workers of different departments and all departments were separated.

So, it is not possible to bring a system equal to department of accountability which can handle all the matters of state rather responsibilities and liabilities of the state are divided into different ministries, departments and institutions.



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