



The Institution of Hisbah: In the Purview of Its Significances and Development

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ABSTRACT

Objective – In relation to this, this paper is aimed at portraying the elements of hisbah with regard to the contemporaneous atmosphere; namely ombudsman within the ambit of the modern world.

Methodology/Technique – In the process of playing its important role of enjoining good and forbidding evil, this system has been evolved in accordance with the surrounding atmosphere wonderfully. It should be emphasized that the fundamental doctrines and principles has been rooted since the period of the Prophet's lifetime. Consequently, this administration system of justice later has been developed luxuriously to be institutionalized, together with own identity and entity during the period of Al-Mawardi (died 450 H). Simultaneously, the fuqaha has played such significant roles by virtue of this remarkably scenario, that is, for the purpose of governing the principles of justice in the society properly.

Findings – The institution of hisbah has been acknowledged as one of the main components of Islamic judicial institutions which has a link with various institutions, inter alia, qada', mazalim and also shurtah.

Novelty – In addition, it is hoped that; throughout this paper, a better understanding could be gained pertaining to the future prospects of hisbah holistically.

Type of Paper: Conceptual

Keywords: Hisbah; Muhtasib; Future prospect; Justice.

JEL Classification: K1, K2, K3, K4.

1. Introduction

Lexically, the term "hisbah" denotes some Arabic words of "ihtisaba", yahtasibu" and "ihtisaban" which denote several meanings. Firstly, it can simply be understood as reward from Allah (*talab al-ajr*).¹ On the

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¹ Ibn Manzur, *Lisan Al-Arab*. 1:305, see also al-Sunami, *Nisab al-Ihtisab*, p. 2. Ibn. Abdun, *Risalah*, p. 8.

other hand, it also indicates banning any wrongful acts which are against with the *syara'*.² Besides, from the word "*ihlasaba*", "*yahtasibu*" refers to the acts of thinking any possibilities which may be materialized, as what has been explained in numerous verses, *inert alia*, Surah 65:2-3, 39:47 and 59:2. In addition, it refers to the acts of making calculation or estimation of something. In this context, Allah has clearly enjoined in the Holy Quran, for example, 4:6, 17:14 and 33:39. On the other hand, *hisbah* also derived from the verb of "*hasaba*", "*yuhasibu*" and "*muhasabah*" which carries the meaning of evaluating himself or examining one's conscience. To illustrate this situation, it has been narrated from the incident of Umar Al-Khattab who has ordered Hatib ibn Abi Balta'ah to rise up the price of the good sold by him or otherwise, he has to leave the place. Later, Umar has reviewed the order made by him (*hasaba nafsa*) and asked forgiveness from Hatib for his wrongful order previously.³

As regards to the technical approach, majority of the medieval Islamic jurists generally opined that the concept of *hisbah* actually refers to the act of enjoining good and forbidding evil (*al-amar bi al-ma'ruf wa al-nahy an al-munkar*). In fact, it is actually a collective responsibility of whole Muslims as prescribed in the Holy Quran.⁴ In this context, Al-Juwaini opined that the whole parts of the Islamic *syariah* principles are rooted from the duties of enjoining good and forbidding evil.⁵ Similarly, according to Ibn Taimiya, he also emphasized that the most apex achievement in executing the public duties of Islamic institutions is to uphold goodness and get rid of evil. In a nutshell, by defining the term *hisbah* as "enjoining good and forbidding evil", it actually visualized the whole Islamic –oriented institutions, as well as the public inclusively, in order to accomplish such duties. Hence, it can be observed thoroughly that this kind of responsibility does not merely lies on the *muhtasib per se*, but rather to the whole individual Muslim as a whole.

2. Legal Injunctions

2.1 Al-Quran

Generally, it can be understood that the main concept and nature of *hisbah* is pertaining to the religious obligation which is aimed at striving towards righteousness and fighting against the evilness in accordance with the Islamic faith. Hence, in respect with these duties, there are numerous verses in the Holy Quran, as well narrated Hadith which vehemently emphasized its significances, *inner alia*, by virtue of Surah Al-Maidah verse 87 – 88, Allah said:

Translation:

O ye who believe! Make not unlawful the good things which God hath made lawful for you, but commit no excess; for God loveth not those given to excess.
Eat of the things which God hath provided for you, lawful and good; but fear God, in Whom ye believe.

(Al-Maidah :87 – 88)

Hence, by observing the aforesaid verses, it can be acknowledged that the Jews have been cursed by Allah due to the fact that they have committed countless of wickedness and destruction on the earth. In fact, due to their arrogance and stupidity, they have exceeded the limit prescribed by Allah and eventually being cursed by Allah absolutely. On the other hand, Allah has stated:

Translation:

Not all of them are alike: Of the People of the Book are a portion that stand (for the right): They rehearse the Signs of God all night long, and they prostrate themselves in adoration.

² Al-Sunami, *Nisab al-Ihtisab*, *op. cit.*

³ Al-Muzani, *Al-Mukhtasar*, printed in Al-Shaf'ie, *Al-Umm*, vol. 8, p. 191. Ibn Qayyim, *Al-Turuq*, p. 263.

⁴ Al-Qur'an 3:104.

⁵ Al-Juwayni, *al-Ghiyathi*, pp. 237-8

They believe in God and the Last Day; they enjoin what is right, and forbid what is wrong; and they hasten (in emulation) in (all) good works: They are in the ranks of the righteous.

(Ali – Imran 113 – 114)

Indeed, those people of the Book who have purified their inner-self with genuine and strong faith to Allah; they have welcomed the rise of Islam and eventually embraced it willingly. This group of people has been described as those who keen to uphold goodness and refraining themselves committing wrongful deeds.

Apart from that, Allah also has elucidated whereby the actions taken by the righteous people when they are entrusted with authorized power and chance to manage and administer any matters. Indeed, they will accomplish the trust with a great emphasis and do not hesitate to uphold the principles of enjoining good and forbidding evil. Similarly, this position also has been elaborated in Surah Al-Taubah verse 71 whereby Allah has clearly notified:

Translation:

The Believers, men and women, are protectors one of another; they enjoin what is just and forbid what is evil: they observe regular prayers, practice regular charity, and obey God and His Apostle. On them will God pour His mercy: for God is Exalted in power, Wise.

Besides, the special status and privileges of Muslim as the followers of the Prophet Muhammad as the best and chosen people have been declared by Allah to be exemplified to the other people as long as they are still on the right path of Islamic teachings, inter alia, enjoining good, forbidding evil as well as to worship Allah with the utmost faith undoubtedly. To clarify this matter, Allah has asserted in Surah Ali-Imran verse 110:

Translation:

Ye are the best of peoples, evolved for mankind, enjoining what is right, forbidding what is wrong, and believing in God. If only the People of the Book had faith, it was best for them; among them are some who have faith, but most of them are perverted transgressors.

Likewise, Allah has enjoined Muslims to urge people towards upholding the principles of righteousness and at the meantime, to refrain ourselves from committing wrongful deeds, as what has been affirmed in the gist of Surah Ali-Imran : 104:

Translation:

Let there arise out of you a band of people inviting to all that is good, enjoining what is right, and forbidding what is wrong: They are the ones to attain felicity.

Hence, by analyzing critically these aforesaid verses, it can be concluded that the concept of hisbah is meticulously being materialized, as well as to institutionalized for the purpose of Muslim ummah as a whole. Moreover, as it is well-regarded as fardhu kifayah, however, to certain extent, this kind of collective obligation could also turn to be as individual responsibility for particular situations, by considering to its necessity.

2.2 Hadith of the Prophet

There are numerous narrated Hadith which signifies the fundamental concept and importance of hisbah, for example, the Prophet once has stated:

“There should be no single person in the Muslim ummah who has acknowledged there there is sinful act has been committed and has the power to stop it, however, he does not take any action (if it happens), then Allah’s wrath is totally with him”.

(Narrated by Ahmad)

In the other occasion, it was excellently being reported that the Prophet said:

“If anyone of you has seen any wrongful acts have taken place, then you must stop it with your hands, if you are not able to do so, and then use your tongue, and if you still not able, then use your heart to hate it. It is the weakest faith of you”.

(Reported by Muslim)

By referring to the above hadith, it has been explained by the Prophet that it is an obligation imposed upon each and every individual Muslim to prevent the commission of any sinful act, by using any means, including with the power that we have. If not, we can advise him or even by giving such a warning not to do so. Finally, the last resort which can be applied is through heart, for instances, by not giving any help or not to cooperate to get involved, which indicate our disagreement with that evil. Nevertheless, this action has been perceived as the lowest degree of iman in the process of implementing the notion of Islamic teachings against any kinds of mischief. Similarly, the Prophet also has ordained the necessity of upholding truth and fighting against any evil. Hence, with regards to the plenty of hadith above, it can be understood that hisbah is actually recognized as been part of the syariah injunctions to be enforced as an obligation respectively.

2.3 Practices of the Companions

Islamic history has recorded that even though the concept of hisbah has not been made known specifically during the period of the Prophet and Companions, they actually have practiced this principles for the sake of aiming justice and avoiding evil. In the era of Khulafa' al-Rasyidin, Saidina Umar has struggled for a betterment of this concept to function properly. He himself has ensured that any kinds of business transactions which involved weight, measurement, as well as the quality and quantity of the goods sold must be freed from any elements of cheating and oppressiveness. More interestingly, it has been reported that he once has split down a jar of milk on the ground due to the fact that it has been mixed up with water deceitfully. In addition, he also has burnt the house of Rashid Al-Thaqafi because it was used to sell liquor.

In addition, the consistencies of Saidina Umar in improving this kind of concept has been proved whereby he has appointed a number of officer (muhtasib) in order to ensure that this institution could run effectively, based on their respective expertise and scope of duty accordingly. To illustrate this, he has appointed al-Saib bin Yazid, together with Abdullah bin Utbah bin Masud to supervise the business activities held at Madinah. On the other hand, instead of appointing men, he also has entrusted Syedah Al-Syifa and Al-Syedah Samra binti Nahik as the muhtasib at Madinah.

3. Elements of Hisbah

As regards to the salient essentials pertaining to hisbah, reference can be made to several writings of the early period of Islamic era, as well as during the medieval Islamic period. In fact, even though Yahya bin Umar (d. 289 H) has never used the words of “hisbah” and “muhtasib” in his twin masterpieces, Kitab Ahkam al-Suq and Kitab al-Ahkam fi Jami Ahwal al-Suq, however there are three criteria which are related to the concept of hisbah has discussed excellently. Surprisingly, these principles of hisbah have remarkably become such precedent to the subsequent scholars for hundred years everlasting. These three elements are, firstly, the person or individual who has been entrusted to supervise the suquq (markets) and other related transactions. Next, the duties and responsibilities delegated to him and finally, due to the punishments prescribed to be executed against the offenders. Hence, by referring to these trio elements, hisbah signifies as an institution, being entrusted to the appointed person, but later on given to the specific officer who is known as muhtasib who plays the role to supervise and maintain the whole administrative activities of such city or place, which cater economics aspect, Islamic rulings, health authority, urbanization and others. Indeed, such duties imposed upon him basically recognized himself with the authority to ensure that all kinds of activities take place within his area must be in accordance with syariah teachings, as well as to penalize the wrongdoers who are against the prescribed rules respectively. Thus, by virtue of the hisbah concept, the officer in charge is known to be as al-muhtasib.

On the other, the accused person is called as al-muhtasib 'alaihi. Besides, the subject-matter of the cases is named as al-muhtasib fih. Moreover, any actions taken by al-muhtasib are termed as al-ihtisab. As a whole, the term hisbah actually connotes four salient essentials regarding to al-hisbah, namely al-muhtasib (the officer in charge), al-muhtasib 'alaihi (the offender), al-muhtasib fih (subject-matter of the case) and also al-ihtisab (actions taken by al-muhtasib).

3.1 Division of al-muhtasib

As regards to al-muhtasib, they can be divided into two groups, firstly, volunteer enforcement officer known as 'mutatawwi'.⁶ On the other hand, the second group refers to those who are appointed by the authority and executing the duties as al-hisbah (al-muhtasib). In fact, al-mutatawwi is regarded to be as fulfilling collective obligation whereas al-muhtasib duly is accountable to perform such responsibilities entrusted upon him. To illustrate this matter, Al-Mawardi and Al-Farra has outlined several distinctions between them, inter alia, the responsibilities of al-muhtasib is considered to be imposed upon him that is fardhu ain and thus, can be represented to another person. Here, it means that, being appointed as al-muhtasib, he must execute the duties entrusted to him accordingly. In contrast, being as a volunteer, al-mutatawwi is not obliged to enforce the duties of enjoining good and forbidding evil by each and every single individual Muslim as it could be implemented by a group of people in the Muslim ummah (fardhu kifayah). On the other hand, in the process of executing the trust and duties given, it undeniably true that al-muhtasib are forced to be exposed with the complaints and hatred feelings as regards to the matters which may not suit with the people's interests. Nevertheless, since it is not compulsory as it is mere as recommendation for every al-mutatawwi to implement the goodness and forbid evilness, definitely they will not face these kind of challenges. Next, it also can be observed that being as an appointed person and employed by the authority, al-muhtasib is eligible to be paid with a salary by the Baitulmal but not to al-mutatawwi.

Another comparison is, al-muhtasib is allowed to use his own ijtihad to derive the hukm in encountering certain matters as regards to the local custom which cannot be found its value in the divine sources but it does not apply to al-mutatawwi. Moreover, since al-muhtasib is appointed by the government with the duties assigned, he is authorized to enforce relevant punishments against the wrongdoers provided that it must not beyond the degree of penalties imposed for hudud cases. Conversely, for al-mutatawwi, they are not empowered with such kind of authority to do so. Next, during the process of executing his duties, al-muhtasib could seek a help from various institutions, for example police department (shurtah) in order to ensure that he is capable to accomplish the duties assigned affectively. On the other hand, for al-mutatawwi, this kind of assistance is not applicable for them in the course of enjoining good and forbidding evil. Finally, it can be analyzed that the obligation in seeking for and examining the matters which may contribute to any harmful or evil are regarded to be part and parcel of al-muhtasib's job scope. Yet, al-mutatawwi is not obliged actually to be imposed with such kind of responsibilities as a whole.

3.2 Conditions of al-muhtasib

According to al-Mawardi, he has explained five major criteria which must be possessed by the officially appointed al-muhtasib, inter alia, firstly, he must be a free person and not a slave. Be just and fair is another salient feature to be taken into account that caters various elements, for example, sound mind, has reached at the age of majority (not minor) and refrain himself from committing major sins. On the other hand, he also must be smart and possess the fast thinking skills. It means that he is capable to act immediately or give any decision spontaneously when there is a necessity for him to do so. Furthermore, he also must have the senses of courage and well-determine in the process of enjoining good and forbidding evil. In fact, any actions or decisions taken by him must be in accordance with Islamic teachings. In addition, as he is allowed to exert

⁶ Al-Ahkam al-Sultaniyyah, Li Abi Ya'la al-Hanbali, art. 268-269., Al-Ahkam al-Sultaniyyah, al-Mawardi, art. 231-232.

himself in giving his personal opinion for cases in deriving hukm, thus, being as a knowledgeable person is essentially required for him. The reason is, he could determine the elements of good and bad in the course of executing his duties.

In a nutshell, the institution of al-hisbah has been developing gradually in terms of its organizational structures, as well due to job scope and duties assigned to the appointed enforcement officers.

3.3 Scope of Hisbah

According to al-Mawardi, he has elaborated in length as regards to the duties and roles of muhtasib. Those dual salient responsibilities of him are, firstly, al-amr bi al-ma'ruf (to enjoin good) and next, al-nahyu 'an al-munkar (to forbid evil).

As regards to the duties of enjoining good, such muhtasib must uphold and secure the very basic rights which belong to Allah, human beings and also those rights which are mixed up together. In this situation, rights of Allah refer to the omission of an individual Muslim towards his responsibility towards Allah. This can be seen in the cases due to the failure to perform Friday prayer, breach of trust, does not covering his or her aurat and others. Thus, such enforcement officer could urge the people in order to abide by the commandments, as well His prohibitions as prescribed.

On the other hand, for the rights which belong to human beings, it can be divided into two categories, namely general and also the specific ones. For general rights, it can be seen in the situations whereby the muhtasib makes order relating to the public facilities, for example, to use the assets taken from Baitulmal or taxes from the rich people for the purpose of emergency situation like famine, earthquake and others.

Besides, by referring to the particular rights, it is basically linked with certain individuals. It can be illustrated through the non-payment of debts owed by the borrower from the creditors. Here, muhtasib could pronounce an order to instruct for the payment of such debts to those who are entitled to it. Moreover, in the matrimonial cases, the muhtasib even could insist the husband to pay maintenance to the divorced wife and also his children after the amount has been quantified by the judge.

Apart from that, for concurrent rights, it refers to the situations whereby both rights of Allah and human beings are combined altogether. This can be illustrated whereby the muhtasib could ask the parents or guardian to marry their daughters with suitable husbands.

In the similar vein, for the aspects of forbidding evil, those rights involved are belong to Allah, human beings and also those which are concurrent.

As regards to the rights of Allah, it caters those rights which are prescribed clearly in the matters of ibadah, aqidah (belief), prohibitions and others. In this situation, the muhtasib could use his authority in order to combat against those who are refused to pay zakat, performing prayers and others. Besides, he is also responsible to fight against traders who are attempting to monopolize or commit hoarding in order to seek illegal profit (by rising up the prices).

On the other hand, for the rights which belong to human beings, al-Mawardi pointed out that if someone has committed nuisance towards his neighbors, for instance, by making noise, then he has violated the rights against others. Thus, the muhtasib is needed in order to make sure that this kind of problem to be settled accordingly.

Consequently, pertaining to the concurrent rights, it can be exemplified the instruction of the muhtasib towards the road users in order to be careful while driving due to the fact that by driving too speedy, it might jeopardize the other people's lives.

4. The Development of Hisbah

Historically, Al-Tabari has explained the wisdom as regards to the revelation of Surah Al-Mutaffifin. The reason is, it has been reported that once, the Prophet has made a visit to a market and found that there were

plenty of deceptions committed by the traders for the sake of getting profit deceitfully. In addition, during the Prophet's lifetime, he has appointed Sa'id bin Sa'id bin al-As to supervise the markets.⁷

Later, this practice has been continuously blossomed during the period of Khulafa' Ar-Rasyidin whereby it has been reported that Saidina Umar al-Khattab has once penalized a trader who has cheated in the business. Moreover, he also has assigned al-Sa'id bin Yazid and 'Abd Allah bin 'Utbah bin Mas'ud with the duties to take in charge of the business places at Madinah.⁸ In addition, it also has been reported that al-Harith bin al-Hakam has been appointed by Uthman bin 'Affan to become as enforcement officer at Medinah in supervising the business activities accordingly.⁹

During that period, the appointed officers are assigned to maintain the activities of transaction at markets were known as *amil ala-suq*. Besides, the term *'arif* refers to the officer which their scope of duty is similarly equated to the earlier one. Later, changes was made pertaining to the other appointed officers like zakat collector and district governors.¹⁰

Similarly, during the periods of Umayyad and Abbaside reigns, the rulers also have given such great emphasis towards the effectiveness of this institution. Furthermore, the roles of the *muhtasib* also have been extended in order to ensure that management and administration system of the government could run smoothly, in accordance with the Islamic principles.

During the Fatimiyyah period, the importance of the institution of *hisbah* has become more obvious in terms of enforcing the prescribed rules and regulations. In fact, *muhtasib* is not merely investigating business places and determining the proper weights and measurements but also ensuring that there must not be overloaded items being carried out by the traders. In addition, the scope of *muhtasib*'s duties also has been extended due to the fact that they also are responsible in maintaining the morality of the subjects so that the members could live peacefully in the society. Later, enforcement officers' institutions like police force have been set up in order to impose upon, together with enforcing the prescribed penalties among the wrongdoers.

5. Criticisms against Hisbah

The Western orientalist have put their enthusiasm to get involved in studying in depth pertaining to the institution of *hisbah* for their academic's core subject-matter. It can be manifested through suggesting about the theoretical background and origin of this institution. Schacht, for instance, has argued that this concept is actually exemplified from *agoranomos* institution as practiced by the Romans. In fact, this opinion is actually to strengthen the idea of Gaudefroy – Demomynes which initially has been put forward in 1939, as compared to Schacht which is only took place in 1964.¹¹

In addition, according to Gustav E. Grenabaum, a contemporary scholar, he opined that the term of *hisbah*, which is previously known to be as *sahib al-suq* (enforcement officers of the market) is actually originated from *agoranomos* institution as practiced during the Roman Byzantine era.¹² This view has further been affirmed by Schacht who proposed that the development of the institution of *al-suq* to *hisbah* took place during the Abbaside reign. Indeed, these provocations seem to deny *hisbah* as a legacy of Islamic civilization which eventually declines that it has ever existed at the early period of Islam which is practiced by the Prophet, as well as continuously applied after his demise.

In fact, the institution of *hisbah* is actually originated from the legacy of Islamic civilization of Abbaside Empire, not extorted from the foreign culture accordingly. This misconception arises due to the fact that the

⁷ Ibn Abd al-Barr al-Qurtubi, *al-Isti'ab fi Ma'rifat al-Ashab*, printed at the end note of Ibn Hajar al-Asqalani, *al-Isabah fi Tamyiz al-Sahabah*, vol., p. 285.

⁸ Ibn Sallam, *Kitab al-Amwal*, p. 533. Ibn Abd al-Barr al-Qurtubi, *al-Isti'ab*, vol. 2, p. 576, *Kanz al-Ummal*, vol. p. 815.

⁹ Al-Baladhuri, *Ansab al-Ashraf*, vol. 5, p. 47.

¹⁰ A. A. Duri, *Encyclopedia Islam*, vol. 1, pp. 435-6. See also Watt, *Muhammad in Medina*, Appendix, pp. 366-367.

¹¹ See Schacht, *Introduction to Islamic Law*, p. 25, 1964 and Gaudefroy-Demomynes, "sur les origines de la justice musulmane", *Melanges Syriens Offerts A Rene Dussaud, Paris*, 1939, vol. ii, p. 828.

¹² Grenabaum, *Classical Islam*, translated into English by Katherine Watson, pp. 100-1.

terms of hisbah and muhtasib which is merely being introduced by al-Mawardi since 5 Hegira. Nevertheless, it should be emphasized that even though these terms are quite “new” to be applied, but at principles, its practice and philosophy has been practiced since the era of the Prophet. It can be proved through the progress, as well as the development which have been evolved regardless of from the aspects of linguistic, for examples, ‘amil ‘ala al-suq, sahib al-suq and nazir ‘ala-suq, but also in terms of the roles and duties of the appointed officers. In addition, it can be observed too regarding to the scope and nature of the duties of the muhtasib which cater various aspects, namely including from the supervision of fraud at the market places till to the administrative affairs of the city. Thus, it does reflect the significances and complexities of this institution in the eyes of Islamic organizational system. Indeed, it can be upheld that the ideas which proposed that the institution is modeled from the Roman Byzantine Empire is totally rejected which eventually cannot be perceived. Moreover, some of the orientalist have argued among themselves due to the truth of this propaganda wholly. Claude Cahen and M. Talbi, for instance, hold that the agoranomos Roman institution have been disappeared about 300 years before the emergence of Arabs.¹³

6. Future Prospects

Even though that the concept of hisbah has been established long time before, namely during the early stage of the Prophet’s lifetime, but the concept and philosophy being rooted in it is duly relevant to be applied within the ambit of contemporary situation.

Furthermore, by analyzing the current situation nowadays, many countries have adopted the institution of ombudsman in order to seek a betterment of their administrative system. Indeed, the theoretical concept of hisbah is basically for the sake of human benefits which could be developed gradually towards its excellent function in the society. It is undoubtedly true that both institutions of hisbah and ombudsman could be “entrusted” in order to become such a “backbone” of the government organs in order to enhance the efficiency of management and administration system.

Furthermore, each and every government should put great attempt towards establishing an integration of these concepts so that any loopholes which could be traced from each and every institution could be improved meticulously.

In a nutshell, it can be concluded that by looking to the integral features which denotes the genuine concept of these dual institutions thoroughly, their application should materialized in each and every aspect of human life, not necessarily limited to particular matters solely.

7. Conclusion

To sum up, it can be concluded verily that the institution of hisbah has proved its significances, as well as the implications as a medium of the enforcement units in Islam. The genuine concept of hisbah is aimed at enjoining good and forbidding evil which refers to the administrative affairs of Islamic organizational system accordingly. This institution has been evolved progressively in terms of the organizational structures or even to the basic scope of duties for the appointed officers. It has been recorded that during the Islamic medieval era, the institution of hisbah has developed excellently and recognized as a blessing to the Muslim ummah.

Thus, it can be affirmed that hisbah is one of such institution developed by the Muslims to assist in regulating the society and economy and ensuring the full flowering of the Islamic norms of behavior. On the other hand, this kind of institution is a moral, as well as a socio-economic institution. Its raison d’etre lies in the Quranic command of al-amr bi’l ma’ruf wa-n-nahi’ ‘an al-munkar, which is to ordain good and forbid evil.

In the similar vein, as the roles and duties of muhtasib and ombudsman are resembled, thus, it can be acknowledged that these enforcement officers share the basic function, that is, to uphold justice for the benefit of the people entirely. Even though there might be some comparisons between them; it is undoubtedly true

¹³ CI. Cahen and M. Talbi, “Hisba”, *Encyclopedia of Islam*, vol. 3, p. 487.

that their purpose is the same whereas such integration between them might lead towards the betterment of administrative system in the society as a whole.

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