

The role of the inspector in confronting manifestations of fraud and deception during wars and crises in the Zayyanid era 962/633 AH - 1554/1235 AD.

REDOUANE Zirar

University of Tlemcen (Algeria)

E-mail: redouane.zirar.5582@gmail.com

Received: 01/02/2025

Accepted: 01/12/2025

Published: 25/12/2025

Abstract:

This study aims to shed light on the manifestations of fraud and deception that accompanied the wars and crises experienced by the Central Maghreb, particularly towards the end of the 9th Hijri/15th Gregorian century. These practices were no less impactful than the acts of killing and displacement inflicted upon a large segment of the population, especially as they spread through various means and diverse methods during the period of study. Unfortunately, most of the fraudulent methods and corrupt practices were carried out by sellers and merchants arriving in the markets of the Central Maghreb, particularly the Jewish community, who seized the turbulent conditions as a golden opportunity for fraud and forgery, despite the attempts of the Zayyanid sultans to confront these violations by appointing market inspectors (Muhtasibs) to oversee sellers and merchandise. Scholars and jurists firmly stood against them, declaring them forbidden due to their corrupting and harmful effects on society. This issue sparked a jurisprudential debate among the scholars of the era, with some supporting price controls in markets to protect consumer rights, while others rejected them due to the injustice towards owners or sellers.

In this study, we concluded that the manifestations of fraud and deception, as a social problem and an economic scourge, had widespread evils and numerous harms on the members of the society, according to the consensus of jurists and scholars. as it 's taking people's money unjustly, and its severity sometimes exceeded that of other calamities.

Keywords: The Hisbah, Zayyanid State, Markets, Monopoly, Price Control.

Introduction:

The fundamental principle in Islam is that any control over people's livelihoods, manipulation of their sustenance, and exploitation of difficult times to seize their provisions and needs—which causes them harm and hardship—is forbidden in the religion of God, as stated in the Quran, Surah Al-Baqarah, verse 88: "And do not consume one another's wealth unjustly." And the Prophet Muhammad (peace and blessings be upon him) said: "Every Muslim is inviolable to another Muslim in his blood, his wealth, and his honor." These social and economic ills, such as fraud, deception, monopoly, and smuggling, were widespread in the markets of central Morocco during the Zayyanid rule (1236-1554 CE). This was due to the region's role as a battleground for external and internal wars and conflicts with its Hafsids and Marinid neighbors, as well as with local Arab and Zenata tribes. Furthermore, the region suffered from various calamities, including drought, storms, diseases, locust plagues, and other afflictions. These factors led to food shortages in the markets because merchants and landlords hoarded goods and commodities, withholding them from the

market to sell at inflated prices for their own gain at the expense of the public good. This situation prompted Islamic scholars to take a firm stance to curb this social problem.

In this study, we will examine the role of market inspectors (muhtasibs) in combating these negative practices during crises and the resulting hardship they caused for the population.

Before addressing this issue, we will attempt to frame the study by defining some key concepts directly related to our research.

First - Defining the Concepts:

1. The concept of Hisbah:

Hisbah: Linguistically, it comes from the root meaning "accountability," which signifies good management of a matter. It also means reward and recompense from God Almighty, and it means denunciation and protest.(Ahmed Sobhi Mansour, 1995, 1st edition, p. 7.)

It also includes intention and accountability, as in the Prophet's saying (peace and blessings be upon him): "Intend your deeds to God, for whoever intends his deeds to God will have the reward for his deeds and the reward for his intention recorded for him."

Hisbah (accountability) is one of the religious duties that falls under the category of enjoining good and forbidding evil.(Musa Laqbal, 1971 AD, p. 20.) The Hisbah, as an administrative system, is an institution that regulates the operation of markets and adjudicates disputes that occur between customers and professionals, and because it is originally a religious function according to Sharia laws.(2- Abd al-Rahman Ibn Khaldun,, 2000 AD, 1st edition, p. 280) And by establishing it, the ruler and the ruled will be reformed. (Fatima Belhouari, 2010, pp. 91, 92.)

In this regard, al-Saqati says: "The one in charge of overseeing the market supervision must be a jurist in religion, upholding the truth, of impeccable character, of high ambition, known for his justice, patient, forbearing, vigilant, and understanding, knowledgeable about the details of matters and public policy, not provoked by greed, nor swayed by leniency, nor deterred by the blame of any critic in the cause of God." (Abu Abdullah Muhammad ibn Abi Muhammad al-Saqati al-Malaqi al-Andalusi, Paris, p. 06.)

2. The Zayyanid State: The Zayyanid State (633-962 AH/1235-1554 CE):

This state belonged to the Banu Abd al-Wad tribe, one of the branches of the Zenata Berber tribe. The Banu Abd al-Wad were named after their ancestor who lived as a hermit in a valley, and was known as the "Worshipper of the Valley." The poet Ali ibn Muhammad ibn Abd al-Haqq al-Uqayli said:

Ask the Banu Abd al-Wad on the day they rebelled, for they had committed a great act of deceit.

This state is known by various names: the Abd al-Wadid State, named after the Banu Abd al-Wad tribe, and the Zayyanid State, named after Zayyan ibn Thabit ibn Muhammad of the Banu Ta' Allah, the father of Yaghmurasen. It is said that the first to use this name was Abu Hammu Musa II (760-791 AH/1359-1382 CE). This state was named the State of Yaghmurasen because he was its first founder. He was proclaimed Emir in Tlemcen on Sunday, the 21st of Dhu al-Qi'dah, 633 AH/1235 CE. He was the greatest knight of his time, and Ibn al-Khatib described him in his poem, "Number of the Garments," with the following verses:

The first of their kings was Yaghmurasen, the lion of the land and the renowned hero.

The battlefield praises him with a feat that no one can match. He met the Marinid armies like a lion defending its den.

This dynasty existed from 633 AH/1235 CE to 962 AH/1554 CE, ruled by approximately 27 sultans, and witnessed numerous internal and external wars, particularly with its Marinid neighbors.

3. Markets:

The place of buying and selling, where transactions take place. The word can be masculine or feminine, and its plural is "markets." In the Quran, it says: "But they eat food and walk in the markets." The verb "to market" (سَوَّقَ) means to buy and sell. Markets are places that contain the goods and merchandise people need. Ibn Khaldun classified them into necessities, such as staple foods like wheat, and luxuries, such as fruits, utensils, and vehicles. (Abd al-Rahman Ibn Khaldun, 2000 AD, 1st edition, p. 453.)

Markets are the arena where commercial activity takes place, and their origin stems from the idea of gatherings that allow people to buy and sell. In terms of the structure of the market in the city, it consists of a group of shops and factories where craft and commercial life is concentrated, and warehouses dedicated to storing various types of goods. These are weekly, daily, annual, and military types. (Ali Hassan Al-Kharboutli, 1994 AD, 2nd edition, p. 200.)

4. Monopoly: In the Sahih (a collection of hadiths), it is stated that hoarding food means collecting and withholding it, waiting for prices to rise. This is called *hukr* (with a short *u* sound). *Hakrah* means hoarding, i.e., withholding goods from sale until their price increases. It is narrated: "There is no hoarding of fruit." The hoarder is the one who frequents the markets to buy what people need in order to hoard it. The Prophet (peace and blessings be upon him) said: "The one who brings goods to the market is blessed, and the hoarder is cursed."

Fayruzabadi defined it as: Hoarding is injustice and mistreatment; i.e., withholding something in anticipation of its price increase, like *hukr*, which means monopolizing something. It is said that a man hoards something, meaning he monopolizes it. He hoards wheat, meaning he collects it and prevents its sale, waiting for its price to rise. In Islamic jurisprudence, hoarding refers to the purchase of essential food supplies for humans and animals and withholding them until prices rise. The duration of this hoarding is forty days, or a month, or even more than a year. These are the prescribed punishments in this world, but the act is considered sinful even if the period is shorter, as hoarding is religiously prohibited under certain well-known conditions.

In economics, it is defined as a buying and selling process restricted to one or a few individuals, such that competition from others has no effect. It is reprehensible because it allows the hoarder to manipulate prices according to their whims, without being subject to any economic laws. This allows hoarders to amass enormous wealth without commensurate effort, thus disrupting the economic balance. Furthermore, it deprives many who previously traded in the hoarded goods of work and income.

a. Currency Counterfeiting:

The mint is a manifestation of the Caliph's authority, or that of his representative. As Ibn Khaldun stated, it is "a necessary function for the ruler, as it distinguishes genuine currency from counterfeit in transactions." Therefore, the value of currency was linked to political stability and the strength or weakness of the Zayyanid state. This was not limited to the central Maghreb, nor to any particular era. Indeed, it intensified during periods of political turmoil and economic stagnation, as al-Uqbani affirmed: "The corruption of the Muslims' coinage and the counterfeiting of their dirhams became widespread throughout the Maghreb, and no solution was found to address it, to the point that people's capital was nearly lost."

However, the phenomenon of fraud dominated the situation in Tlemcen, especially after the year 791 AH/1390 CE, due to several contributing factors, including Sultan Abu Hammu II's employment of the Jewish community in the financial and monetary sectors. He allowed them to engage in usurious practices in banking and the collection of taxes, which the populace abhorred. They flooded the markets with counterfeit and adulterated currency in collusion with the owners of gold and silver, to the point that they became known as the Jews of the mint. Perhaps the best illustration of this phenomenon comes from al-Hasan al-Wazzan, who observed that "near the mint there was a market in the goldsmiths' shops, and their treasurer was the one who kept the metal molds and stamped the coins, and most of the goldsmiths were Jews."

Marmol Carvajal, when discussing the Zayyanid state, noted that "they minted coins of inferior gold that weighed only one and a quarter riyals, and even when they circulated among the population, they weighed only nine and a half riyals of gold. They also counterfeited silver coins and mixed them with copper," until coins "were sold by the number of coins." "Weight," and what most clearly explains the process of fraud and counterfeiting of currency resulting from the difference in weight is Ibn al-Khatib, who lived through this stage. For example, he pointed to "the fighting of some residents over the prices of counterfeit currency with swords." We can add another text by al-Wansharisi, in which he describes the state of the spread of counterfeit weight in Tlemcen, saying: "And it continued for a while until the deficiency increased and became excessive in about three months at the end of the period. The deficiency during the period was usually permissible with the permission of the weigher. Then tolerance increased and became widespread among the people until they neglected weight altogether, and that became a custom that was believed to be necessary." (Al-Wansharisi, *Al-Mi'yar*, Vol. 5, pp. 189-190)

In some cases, an agreement was reached between them and the Zayyanid rulers due to lax oversight of the currency. This is confirmed by Mahmoud Ismail Abdel Razek's statement that the state relied on counterfeiting, leading to a decline in industrial and commercial capital and further economic deterioration. Thus, the prevalence of counterfeit and substandard currency led to a significant problem in currency transactions: the existence of counterfeit money. This is understood from a question posed to the jurist al-Bazli regarding the practice of "al-muratala" (a form of exchange), to which he replied that it was permissible because the giver of the new currency at a higher price gained no benefit. Al-Qalqashandi also mentioned that there were old and new dirhams, the latter being pure silver, while the old silver was mixed with copper. This counterfeiting sometimes occurred when they were permitted to mint coins outside the official mint, known as "external coins," which were closer to being counterfeit because they were not subject to the Sultan's control. It is beneficial to understand the rulings of Islamic jurists regarding counterfeit currency. It is well-known that its widespread circulation leads to the corruption of economic activity and an increase in disputes and litigation among those involved. Al-Abdusi was asked: "What about someone who received dirhams and found them to be counterfeit, and then found it burdensome to litigate with the payer, incurring expenses for spending them, and then returned some of them to the payer, and now wishes to return the rest?" The answer was: "He may do so." Furthermore, goods lost their true value in the markets, as Ali ibn Yusuf al-Hakim expressed: "If the currency is sound, the zakat threshold, the amounts of exchanges and donations, and the values of consumables will stabilize, and disputes will decrease." Perhaps the only aspect of this issue on which there was no disagreement, according to Muhammad Fathah, concerns the punishment of those responsible for counterfeiting currency. They were sought out, and if apprehended, their punishment was severe. They were surrounded in the markets and imprisoned. The jurist of Fez, Isa ibn Ahmad al-Mawasi, issued a fatwa stating that "he should remain in prison until he dies." (Ahmad ibn al-Qadi al-Maknasi (960 AH - 1025 AH), *The Book of the Spark of Inspiration in Mentioning Those Who Resided Among the Notables in the City of Fez*, Dar al-Mansur for Printing and Publishing, Rabat, Morocco, 1973 AD, p. 503)

A. The Phenomenon of Smuggling:

The practice of smuggling goods into the country, or transporting them with the intent of evading significant revenues, is a reprehensible practice that became widespread in the central Maghreb, especially during times of crisis such as wars, sieges, and excessive taxation. For example, during the Marinid siege of Tlemcen from 698 AH/1299 CE to 706 AH/1307 CE, which lasted a considerable amount due to the treachery of some prominent figures at court, an organized but clandestine trade was conducted by smuggling networks. These networks operated primarily at night and had connections with certain influential figures within the royal court and the Marinid court itself.

A. Smuggling:

The practice of smuggling goods into the country clandestinely, or transporting them with the intent of evading significant revenues, was a reprehensible practice that became widespread in the central Maghreb, particularly during periods of crisis such as wars, sieges, and taxation. It is not unlikely that the discovery of this operation had consequences, manifested in the removal of some of the beneficiaries. Ibn Khaldun explains how "the Sultan became suspicious of many of his courtiers in his final days," and it is possible that these beneficiaries were the ones who preempted events in Dhu al-Qi'dah 706 AH (May 1307 CE) by using one of the eunuchs to assassinate the Sultan and abandon the siege of Tlemcen.

Food was smuggled in by the Marinid soldiers. Muhammad ibn Marzuq sent his nephew a container of ghee, which he sent him every time. However, the news reached the Marinid Sultan, who had "declared the blood of anyone found inside, or who knew of it, or who agreed to it, or who knew of it and did not report it, forfeit, and he killed many of the elders of the Marinids and others for that." From this statement, we can infer that the Marinid Sultan did not tolerate anyone caught red-handed sending food to those besieged inside Tlemcen. This was confirmed by Ibn Khaldun, who said: "He would inflict the severest punishment and raids on those who supplied it and would lie in wait for anyone who smuggled provisions into it." But despite this severity and harshness, the Marinid soldiers seized this opportunity to trade in food and sell it secretly to the inhabitants, as evidenced by the fact that watermelons only grow in the summer, while the siege was in (May 698 AH/1299 AD), that is, in the spring, which is conclusive evidence that supports what we mentioned earlier. Furthermore, the trade in these consumer goods, and the accompanying exorbitant prices, took place outside the walls of Tlemcen due to the suffocating siege imposed on the population. Money had become practically worthless within the city, as the sole concern of those under siege was survival. Trade was affected but did not cease entirely. The coasts of central Maghreb continued to attract Christian merchants, particularly from Majorca, from which ships regularly departed in 703 AH/1304 CE for the eastern ports of the Zayyanid state, such as Ténès, Cherchell, and Algiers. After landing at the western ports, European merchants risked traveling to the war zone around Tlemcen, which had become a thriving black market. Mansourah was the primary beneficiary of this activity. (Dufourcq *l'Espagne catalane*, p.369-)

In the same vein, during Abu al-Hasan al-Marini's conquest of Tlemcen in 735 AH/1335 CE, he surrounded the city with "a wall of walls and siege tents, so tightly encircling them that hardly anyone could escape." He then adds, "They besieged them so tightly that even the swiftest among them could almost reach them." From these two statements, we can infer that this phenomenon was more prevalent in such circumstances. Therefore, how else can we explain the resistance of the besieged population for years despite the lack of supplies, especially since most crops were grown outside the city walls, if the smuggling of goods was not carried out clandestinely? This tightening of the siege meant halting the flow of supplies to the besieged so they wouldn't gain strength and would surrender as soon as possible.

Furthermore, according to one researcher, numerous smuggling networks flourished, representing an organized clandestine trade undertaken by prominent Muslim and Christian merchants alike, who seized the opportunity to amass wealth. In line with what has been mentioned, we find that the trade of Jews and Christians flourished during the long siege of Tlemcen through the smuggling of certain goods, such as weapons. This is similar to today's black market for smuggled goods, where they inflate prices. Genoese merchants also smuggled some prohibited materials, such as building timber, oars, masts, and weapons, to the port of Béjaïa. This is documented in a letter from Pope Gregory X, dated 670 AH/1272 CE, accusing the Genoese of selling prohibited goods to Muslims. Despite this, smuggling operations continued, albeit covertly. This is evident in a letter from the Datini company, sent in 796 AH/1395 CE from Majorca to Béjaïa, stating that several merchants sold prohibited goods in Morocco, particularly iron, despite the strict

instructions requiring merchants to declare their cargo before departure. Because these activities were carried out clandestinely, it is difficult to determine the extent of smuggling of prohibited materials to the ports of central Morocco, especially since... The central Maghreb was open to trade with many neighboring regions, including Venice, Barcelona, Malaga, Florence, Genoa, and Marseille. Dr. Atta Allah Dahina noted that a Jewish merchant in Marseille minted gold coins that imitated Islamic currency, which he then smuggled to Tlemcen and Bejaia as counterfeit money.

Among the examples of smuggling prohibited goods, particularly during times of crisis, is Morocco's importation of iron tools such as swords and horse saddles from Ifriqiya, despite the traditional conflict with the Hafsid dynasty. Furthermore, some Zayyanid merchants exported horses, armor, helmets, daggers, arrows, and knives of good quality to Europe, while other smuggled goods, such as shields, swords, and bridles, were sent to Sudan. The Zayyanid state did the same, importing various types of European-made weapons, particularly from the Berdhil region, a region specializing in military manufacturing and located on the border between the Christian kingdoms and Andalusia. Al-Maqqari was impressed by the quality of these weapons, especially the swords, shields, spears, and saddles. The Ouargla region also served as a transit point for smuggled arms, receiving various weapons and knives from merchants in Constantine and Tunis, who then exchanged them with Gnawa merchants (from Guinea) for cotton cloth.

It goes without saying that despite the wars and sieges imposed on the central Maghreb by its neighbors to the east and west, and despite the strict prohibition by Islamic scholars against selling war-related materials, especially to Christians, and the numerous papal decrees forbidding the export of military equipment to Muslims, this phenomenon persisted in the commercial landscape of the Islamic Maghreb, especially since most of these states were predominantly militaristic. This practice often evolved into a thriving industry, providing a livelihood for a vast number of Maghrebi inhabitants and increasing their profits.

B. The Phenomenon of Market Monopoly:

This phenomenon was linked to historical factors, primarily the decline and weakening of the state, the devastation of cities, and times of hardship and adversity. During this period, jurists and judges prohibited merchants from monopolizing goods and urged them to release stored wheat, barley, and other foodstuffs for sale in the markets at reasonable prices to meet the people's needs. A case was brought before al-Wansharisi (d. 914 AH/1509 CE), and its answer and question reveal that "a man may buy food from the market without a partnership, provided four conditions are met: an agreement among market vendors to cooperate; this occurs during the peak season to take advantage of lower prices; and it is customary and established practice for the people to agree on this." From this case, we can conclude that one of the conditions for the validity of sales and partnerships is the absence of collusion to manipulate prices.

Ibn Khaldun also condemned monopolists, considering their actions among the greatest forms of injustice, corruption of civilization and the state, and tyranny over people's wealth by buying what they possess at the lowest prices and then forcing them to sell goods at the highest prices through coercion and force in buying and selling.

Among the forms of monopoly that spread in the markets of the Zayyanid state during crises was the collusion of butchers and millers to clear the market without justifiable cause, "withholding their work until people's circumstances became dire, forcing them to submit to their demands. Addressing this harm to Muslims is a duty." Monopolists also resort to other vendors to disrupt markets and sales.

Another form of collusion in sales was the division of profits among barren goods. They would inflate prices for needy people, selling only what they dictated, or partners would collude to buy goods below cost and then resell them at exorbitant prices.

Similarly, some merchants and traders engaged in the monopolization of food and provisions through collusion among themselves. The jurists prohibited the hoarding of staple foods, ghee, honey, oil, meat, legumes, and similar commodities. They also prohibited the practice of hoarding and adhering to the price controls imposed by the market inspector or the ruler, because the hoarder sells the goods directly, preventing merchants from purchasing them and reselling them. The losses incurred by hoarders also affected merchants residing in the city or those who brought goods from abroad, as well as all market vendors and shopkeepers selling food and fruits, and craftsmen who profited from the sale of their tools and equipment. Thus, the losses affected all categories and classes. Furthermore, hoarding led to market stagnation and the disruption of trade. As the jurists explained, "Those arriving from afar to buy and sell goods are reluctant to do so, causing markets to stagnate and disrupting the livelihoods of the people, since their livelihoods depend primarily on buying and selling. If the markets are stagnant, their livelihoods are disrupted."

The jurists considered hoarding one of the most serious evils in the markets that must be addressed. Al-Uqbani stated, "Addressing this harm to Muslims is obligatory." They also called for the release of crops from hoarders during times of crisis, as ordered by the market authority. There was disagreement regarding the prices at which hoarded grain should be sold. Some scholars believed that people should be allowed to sell their provisions without imposing fixed prices or forcing them to adhere to specific rates. Others argued that hoarding caused harm to the public, and that those who hoarded should be compelled to sell their profits as a form of punishment. If they resumed hoarding, they should be beaten, paraded through the markets, and imprisoned. This was emphasized by al-Wansharisi, who stated: "The market inspector must order the hoarder to sell the food to the people. The hoarder should retain his initial capital, while the profit should be given to the needy as a form of discipline. If the merchant or seller repeats this practice, he should be beaten, paraded through the markets, and imprisoned as punishment."

It is clear from these legal rulings that scholars were strict in punishing hoarders to ensure the public interest, as these individuals exploit difficult circumstances to control the food and necessities of the people, causing harm and hardship to both the state and society.

C. The Prevalence of Exploitative and Forced Sales in the Markets of Central Morocco:

Under the difficult political circumstances of the Zayyanid state, many corrupt sales became widespread due to a lack of oversight, on the one hand, and the fact that the office of market inspector (*muhtasib*), particularly in the later Zayyanid period, was filled by officials who did not perform their duties properly. The legal opinions (*nawazil*) of that period and the official records of market inspectors reveal the prevalence of fraud in the markets. It appears that the market inspectors delegated their responsibilities to their assistants and failed to supervise them. Among these fraudulent sales was the expropriation of goods, which often targeted craftsmen and farmers in villages and rural areas at the hands of an oppressive sultan, his agent, Arab princes, or tribal sheikhs. These officials imposed levies and triple fines on currency and crops.

This type of sale became widespread in the central Maghreb. A case involving a questioner's testimony to Abu al-Fadl al-Uqbani illustrates this: "In our land, injustice and usurpation are rampant. A person is pursued for something he is not obligated to pay and is imprisoned for it. This forces him to engage in transactions involving goods that he gives to the oppressor, goods that are insufficient for his own needs. Then, when the oppressor demands a transaction for the goods at their price, the oppressor claims coercion and pressure. Should the ruling be based on the less common ground, given that the general interest of the people of the area is at stake, so that trade between people does not cease, and he finds no one to free him from his imprisonment, especially since the oppressor's demands are frequent in this area?" The response to

this case included a possibility, even though this objection was for his own release. While there was disagreement on the matter, he advised against deviating from the well-known position in the Maliki school of thought. He cited the fact that the Qadi of Fez, al-Qashtali, issued a fatwa stating that "the sale of something under duress is binding on the one who sells to another, because he uses it to secure his own needs."

Abu al-Fadl al-Uqbani was asked about a man who bought a garden, which was then seized by a usurper. The usurper then sold a portion of it back to the original seller while it was still in the usurper's possession. Is this sale binding or not? He replied: "The usurped property and its owner are unable to recover anything until the usurper's power is revoked and the usurped property is restored to its rightful owner, who must retain possession of it for six months, secure from the usurper's actions." From the jurist's answer, we understand that the usurped property is not obligated to make this sale if its owner is proven incapable of doing so. However, if the usurped property is able to be recovered, then the sale becomes obligatory.

The jurists of the central Maghreb condemned dealings with usurpers, even considering the buyer from a usurper to be the usurper himself. "Whoever buys from a usurper, knowing of his usurpation, is like the usurper, for all of it, until it consumes his wealth, belongs to the public treasury." As for the sale under duress, this type of sale was associated with the widespread phenomenon of theft and encroachment on others' property in the central Maghreb, especially at the beginning of the 17th century AH (13th century CE). People often resorted to this type of sale under duress and coercion, fearing reprisals, imprisonment, or torture. The jurist Abu al-Fadl al-Uqbani was asked about a case of a man who was seized by an oppressor. He was unable to resist or escape, and the oppressor bound and severely beat him, demanding money unlawfully. The victim paid a sum of money, but the oppressor demanded more, which the victim could not afford. Out of sheer fear of death, he was forced to sell some of his inherited property. People bought it from him, paying the price, and the usurper took the money from the buyers. Is this sale valid? From the answer to this question, we can infer that the seller has the right to rescind the sale, but he is not obligated to return the price. The jurist Ibrahim al-Thaghri of Tlemcen also answered this question, stating that the property was sold under duress to the buyer, who is not required to return the price paid. Muhammad ibn Marzuq al-Tilimsani answered that "the sale is not binding, and the owner of the property has the right to take action if he feels secure and takes it without paying the required price. The buyers have no right to reclaim what they paid in the aforementioned manner."

This type of coercive and pressured sale did not spare even laborers and tax collectors, who were often forced to surrender or sell their goods to ransom themselves. The prevalence of this phenomenon throughout central Morocco in the late Middle Ages was perhaps due to the weakening political authority of the Zayyanids. Barakat al-Baruni was asked: "A scribe of the Sultan's agent was arrested. The Sultan's agent took the scribe for money and said, 'I wrote you a letter with the money I took from you. I will only release him if he sells his house to free the scribe.' So the agent sold it under duress and gave the proceeds to the Sultan. Is the agent bound by this sale, or is he not bound because he objected to it?" He replied: "The sale is not binding in the manner described, and he has the right to return the house. However, the agent is bound by it if he was coerced into paying what he owed."

In short, the greed of some merchants and their increasing material needs encouraged them to practice this type of corrupt sales, especially in villages and rural areas, taking advantage of the weakness of the state at intermittent periods, which made it a social phenomenon no less harmful and dangerous than previous practices. This leads us to search further for its effects on economic, social and political life during that period.

D. The phenomenon of fraud and deception in the markets:

It seems that manifestations of fraud and deception often spread in the markets of the Zayyanid state as an inevitable result of the turbulent conditions witnessed by the central Maghreb, where some sellers took these circumstances as valuable opportunities to defraud buyers, such as shortchanging in weights, the reasons for which were numerous. Al-Shirzi mentioned: “The people of each region had agreed in their transactions on rats that differed in increase and decrease, which prompted him to talk about them in order to provide the market inspector with what he could not be ignorant of, so that he would know the difference in prices according to the difference in the amounts of weights.” Geographical and travelogues, for example, show the difference between the weight of the pound in Tahert and the pound in Ténès. This difference stems from the material used to weigh them, such as pepper. Due to the general public's ignorance and lack of knowledge about weights and measures, the excesses of those who cheated in weights and measures increased. Some unscrupulous individuals who had made a profession of deception and fraud exploited people, practicing it according to their whims and what would bring them profit. They did not adhere to weights, measures, or the cubit when buying and selling goods, using different weights and measures. They would give the seller a smaller measure and buy with a larger one, and the same applied to the cubit. Shortchanging also occurred with regard to the weight of grains. One type of sale associated with selling by unknown measure, especially in the rural areas of the central Maghreb, was the sale by gambling. In this regard, al-Wansharisi commented on a case in which the jurists of Tlemcen were asked about the impediment to selling by gambling. If the seller knew the quantity of the goods being sold but was unaware of the ratio of the unknown measure, then it was forbidden for him to sell by gambling. The title of his case in the book al-Mi'yar appears as follows: "The sale is permissible." Even if the intention was to sell individually, if the price was low," this prompted the Zayyanid Sultan Abu Tashfin I to monitor the state's markets by extending the use of weights and measures. The measuring device he installed in the Qaysariyah of Tlemcen still stands today.

Among the examples of fraud in the markets mentioned by al-Wansharisi are: “selling underweight bread, the baker mixing poor-quality wheat with good wheat, good honey with bad honey, old oil with new oil, mixing milk with water, bleaching clothes with sulfur, coating figs with oil, butchers mixing fatty meat with lean meat, or inflating meat, and many other practices.” The phenomenon of “najsh” (a form of price manipulation) was also widespread in the Zayyanid state's markets due to weak security and a lack of oversight. This practice involved another merchant approaching a merchant and raising the price of a commodity without actually buying it. Among the state's merchants, this practice was known as “al-burj.” Ibn Rushd defined it as: “When a man offers a gift for a commodity he does not intend to buy, in order to deceive others.” To gain a better understanding of such practices related to sales and transactions, and methods of combating them, which have become widespread during wars and internal strife, we will try to highlight some of them according to the following table:

Table 1: Shows some of the sales and transactions that became widespread during wars and internal strife, and methods of combating them:

Al-Saqati, in Adab Al-Hisbah, p. 56.	The silk is worked in 52 houses, tearing apart the corrupt house. The inspector checked the condition of the two fabrics.	Violating the standardized measurement system.	Silk
Al-Aqabani, Tuhfat Al-	He was fined an equivalent		Flour

Nadhir, p. 119.	amount of wheat and punished.		
The same source, p. 107.	The necessity of sifting through a large amount of junk.	Twisting turbans with silk that has been dyed black and soaked in gum.	Wheat, barley, spelt, cotton
The same, p. 108, p. 109, p. 113, p. 114.	It is not permissible to sell too much of it and to prohibit it - meat should only be priced separately and it is not permissible to mix it with its stomachs.	Grinding in a millstone near its engraving.	Meat
The same, p. 115.	It may not be sold except after liquidation.	Mixing: good with bad, superior with inferior, wheat with barley.	Spices and medicines
The same, p. 124.	Discipline and retribution.	Mixing fat with lean, lamb with goat, meat with its entrails.	Slippers
The same, p. 113, p. 116, p. 118.	Taking out of the market - donating bread and the proceeds from its sale - prohibiting the owner of the bakery.	Mixing good with bad and average in leather or tanning, ginger, nutmeg, and mastic.	Bread
Al-Saqati, in Adab Al-Hisbah, p. 48, p. 56.	Appointing a trustee to inspect for defects and attest to their absence.	Thickening the edges before sewing to decorate and improve them. Reducing the weight, reducing the cooking, using poor-quality flour, adding stones to its weight.	Female and male slaves
The same source, p. 122, p. 123.	Reprimand and discipline - return of the sold item.	Collusion between slaves and masters to divide the price after running away in order to resell them in another country. Dusting furs with dirt to improve their appearance and hide defects, deceiving by displaying inferior furs high up, cutting fur with scissors, and beating with a rod.	Clothing, woolen, linen, and cotton garments.

In conclusion, the fundamental principle in Islam is that consuming people's wealth unlawfully is contrary to the teachings of the Quran and Sunnah.

God has permitted trade but prohibited the exploitation of the buyer by the seller to achieve personal gain at the expense of the public good.

The market is a place that encompasses all the goods people need; the buyer represents the demand, and the seller represents the supply.

The markets of the Zayyanid state witnessed a sharp rise in the prices of some goods, especially during years of drought and political instability.

The prevalence of monopolies and the manipulation of merchants during this period prompted the Zayyanid state, particularly during its golden age, to tighten oversight under the supervision of the market inspector (muhtasib)

Scholars have provided us with examples of monopolized staple foods such as wheat, barley, ghee, honey, meat, and other essential goods.

The market inspector must be pure, pious, and knowledgeable about the details of matters, and he has the right to seek the assistance of prominent figures in the market to restore order. Scholars differed on the issue of pricing, between those who saw it as an injustice to sellers and those who saw it as a duty to protect and ensure the safety of people. However, they agreed that if monopoly occurs during a time of need for people, such as a pandemic, then prices must be regulated in a way that serves both the seller and the buyer, unlike times of prosperity.

In summary, and through these examples we observe that many violations have spread widely in the markets of central Morocco, especially during the period of unrest. This prompted the jurists and the men of the Hisbah to stand against them before they became intractable and escalated, by issuing a set of rulings permitted by Islamic law, ranging between admonition and reprimand, and between discipline and imprisonment in the event of persistence in cases of deception and fraud against people.

Sources and References:

Sources:

1. Ibn Taymiyyah, Ahmad ibn Abd al-Halim, **Al-Hisbah in Islam or the Function of the Islamic Government**, Dar al-Kutub al-Ilmiyyah, Beirut, Lebanon, n.d.
2. Ibn Abdun al-Tujibi, Muhammad ibn Ahmad, **Three Andalusian Treatises on the Etiquette of Hisbah and the Muhtasib**, edited by Lévi-Provençal, French Institute of Oriental Archaeology Press, Cairo, Egypt, 1955.
3. Ibn Marzuq al-Tilimsani, Abu Abd Allah Muhammad (d. 781 AH), **Al-Musnad al-Sahih al-Hasan fi Ma'athir wa Mahasin Mawlana Abi al-Hasan**, study and editing by María Jesús Viguera, introduction by Mahmoud Bouayad, National Publishing and Distribution Company, Algeria, 1401 AH/1981 CE.
4. Ibn Marzuq al-Tilimsani, **Al-Manaqib al-Marzuqiyyah**, study and editing by Salwa al-Zahiri, Publications of the Ministry of Endowments and Islamic Affairs, Kingdom of Morocco, 1st edition, 1429 AH/2008 CE.
5. Ibn Maryam Abi Abdullah Muhammad ibn Muhammad, *Al-Bustan fi Dhikr al-Awliya' wa al-'Ulama' bi Tilimsan* (The Garden in Mentioning the Saints and Scholars of Tilimsan), edited by Muhammad ibn Yusuf al-Qadi, Maktabat al-Thaqafa al-Diniyya (Library of Religious Culture), Cairo, Egypt, n.d., 2010.
6. Ibn Manzur al-Ansari ibn Mukarram ibn Ali Abu al-Fadl Jamal al-Din al-Ruwayfi'i al-Ifriqi (d. 711 AH), *Lisan al-'Arab* (The Tongue of the Arabs), edited by Abdullah Ali al-Kabir, Muhammad Ahmad Hasab Allah, and Hashim Muhammad al-Shadhili, Dar al-Ma'arif, Cairo, n.d.
7. Abu al-Hasan Ali ibn Yusuf al-Hakim, *Al-Dawha al-Mushtabika fi Dawabit Dar al-Sikka* (The Intertwined Tree in the Regulations of the Mint), edited by Hussein Mu'nis, *Journal of the Egyptian Institute for Islamic Studies in Madrid*, Volume 6, Issues 1-2, 1378 AH/1958 CE. 8. Abu al-Walid Muhammad ibn Ahmad ibn Muhammad ibn Ahmad ibn Rushd al-Qurtubi (520 AH - 595 AH), *Bidayat al-Mujtahid wa*

Nihayat al-Muqtasid, ed. Majid al-Hamawi, Dar Ibn Hazm for Printing, Publishing and Distribution, Beirut, Lebanon, 1st ed., 1416 AH/1995 CE, vol. 3, p. 1231.

9. Abu Imran Musa al-Zanati, *Kitab al-Ihkam li-Masa'il al-Ahkam*, ed. Ahmad Id Musa, Dar al-Kalima, Cairo, 2004 CE.

10. Ahmad ibn al-Qadi al-Maknasi (960 AH - 1025 AH), *Kitab Jadhwat al-Iqtibas fi Dhikr man Halla min al-A'lam Madinat Fas*, Dar al-Mansur for Printing and Publishing, Rabat, Morocco, 1973 CE.

11. Ismail ibn al-Ahmar, **History of the Zayyanid State**, edited by Hani Salama, Maktabat al-Thaqafa al-Diniyya, Cairo, Egypt, 1st edition, 1421 AH/2001 CE.

12. Ismail ibn al-Ahmar, **Rawdat al-Nasrin fi Dawlat Bani Marin**, Royal Palace Publications, Rabat, Morocco, 1382 AH/1962 CE.

13. Al-Barzali, Abu al-Qasim ibn Ahmad al-Balawi al-Tunisi (d. 841 AH/1438 CE), **Fatawa al-Barzali - Jami' Masa'il al-Ahkam lima Nazala min al-Qadaya bi al-Muftin wa al-Hukkam**, vol. 3, edited and introduced by Muhammad al-Habib al-Hayla, Dar al-Gharb al-Islami, Beirut, Lebanon, 1st edition, 2002 CE.

14. Al-Jawhari, Abu Nasr Ismail ibn Hammad (d. 298 AH), **Al-Sihah Taj al-Lughah wa Sihah al-Arabiyya**, reviewed and edited by Muhammad Tamir, Anas al-Shami, and Zakaria Jabir Ahmad, Dar al-Hadith, Cairo, Egypt, 2009 CE. 15. Al-Saqati al-Malaqi al-Andalusi, Abu Abdullah Muhammad ibn Abi Muhammad, on the etiquette of market supervision, Ernest Leroux Library, Paris, France, n.d.

16. Abd al-Rahman Ibn Khaldun, **Tarikh Ibn Khaldun al-Musamma Diwan al-Mubtada' wa al-Khabar fi Tarikh al-Arab wa al-Barbar wa man Asarahum min Dhawi al-Sha'n al-Akbar**, annotations by Khalil Shahada, revised by Suhayl Zakkar, Dar al-Fikr, Beirut, Lebanon, n.d., 1421 AH/2000 CE, vols. 6, vols. 7.

17. Abd al-Rahman Ibn Khaldun, **Kitab al-Muqaddimah**, edited by Khalil Shahada, revised by Suhayl Zakkar, Dar al-Fikr for Printing, Beirut, Lebanon, 2000 CE, 1st ed. 18. Abd al-Rahman ibn Abd Allah ibn Nasr al-Shirazi (d. 590 AH), *Nihayat al-Rutba fi Talab al-Hisba (The Ultimate Rank in Seeking Accountability)*, ed. Ahmad Farid al-Mazidi and Muhammad Hassan Ismail, Dar al-Kutub al-Ilmiyya, Beirut, Lebanon, 1st ed., 2003 CE, p. 15.

19. Al-Uqbani, Muhammad ibn Ahmad ibn Qasim ibn Saeed, *Tuhfat al-Nadhir wa Ghunyat al-Dhakhir fi Hifz al-Sha'a'ir wa Taghyir al-Manakir (A Gift for the Observer and a Sufficient Remembrance for the Preservation of Rituals and Changing Evils)*, ed. Ali al-Shanoufi, French Cultural Institute, Damascus, Syria, n.d., 1967 CE.

20. Al-Qalqashandi, Abu al-Abbas Ahmad, *Subh al-A'sha fi Sina'at al-Insha (The Dawn of the Night-Blind in the Art of Composition)*, vol. 1, Dar al-Kutub al-Misriyya, Cairo, 1340 AH/1922 CE.

21. Carvajal Marmol, *Kitab Africa (Book of Africa)*, ed. Muhammad Hajji et al., vols. 2, 3, and 4, Dar al-Ma'rifa for Publishing and Distribution, Rabat, Morocco, 1984 CE. 22. Lisan al-Din Ibn al-Khatib, **Mi'yar al-Ikhtiyar fi Dhikr al-Ma'ahid wa al-Diyar**, ed. Muhammad Kamal Shabana, Maktabat al-Thaqafa al-Diniyya, Cairo, Egypt, 1423 AH/2002 CE.

23. Al-Mazuni Abu Zakariya Yahya ibn Musa al-Maghili, **Al-Durar al-Maknuna fi Nawazil Mazuna**, vols. 2, 3, and 4, ed. Mukhtar Hassani, reviewed by Malik Karshoush al-Zawawi, Dar al-Kitab al-Arabi for Printing, Publishing, and Distribution, Algeria, 2009 CE.

24. Majd al-Din Muhammad al-Fayruzabadi, **Al-Qamus al-Muhit**, ed. Muhammad Na'im al-Qarqusi, Mu'assasat al-Risalah, Beirut, 2005 CE.

25. Al-Maghili, **As'ilat al-Asqiya wa Ajwibat al-Maghili**, National Book Foundation, Algeria, 1989 CE, p. 181. 26. Al-Maqqari al-Tilimsani, Ahmad, *Nafh al-Tayyib min Ghusn al-Andalus al-Ratib wa-Dhikr Waziriha Lisan al-Din ibn al-Khatib*, vol. 5, edited by Ihsan Abbas, Dar Sader, Beirut, Lebanon, 1963.

27. Anonymous author, **Zahr al-Bustan fi Dawlat Bani Zayyan**, ed. and annotated by Bouziane Deradji, Bouziani Foundation for Publishing and Distribution, Algeria, vol. 2.

28. Al-Wazzan al-Hasan ibn Muhammad al-Fasi, known as Leo Africanus, *Kitab Wasf Ifriqiya*, vols. 1/2, ed. Muhammad Hajji and Muhammad al-Akhdar, Dar al-Gharb al-Islami, Beirut, Lebanon, 2nd ed., 1983.

29. Al-Wansharisi, Abu al-Abbas Ahmad ibn Yahya (d. 914 AH), *Al-Mi'yar al-Mu'rib wa al-Jami' al-Maghrib 'an Fatawa Ahl Ifriqiya wa al-Andalus wa al-Maghrib*, vols. 1/2/4/6/9/11, edited by Muhammad Hajji, Dar al-Gharb al-Islami, Beirut, Lebanon, 1981.

30. Yahya ibn Khaldun, *Bughyat al-Ruwwad fi Dhikr al-Muluk min Bani Abd al-Wad*, printed at the Fontana Oriental Press, Algeria, 1321 AH/1903 CE, vol. 1.

References:

1. Abu Mustafa Kamal al-Sayyid, Aspects of Social, Economic, Religious, and Scientific Life in Islamic Morocco as Reflected in al-Wansharisi's Nawazil and Fatwas, Alexandria Center for Books, Egypt, 1996.

2. Ahmad ibn Fariha al-Gharisi, Islamic Life: The System of Economic and Social Transactions, University Publications Office, Ben Aknoun, Algeria, 2006.

3. Ahmad Mukhtar al-Abadi, Studies in the History of Morocco and Andalusia, University Youth Foundation, Egypt, n.d., p. 198.

4. Ibrahim al-Naqa, Studies in the Economic History of Andalusia: Industrial and Commercial Markets in Andalusia during the Umayyad and Almohad Caliphates, Introduction by Ahmad Mukhtar al-Abadi, University Youth Foundation, Alexandria, Egypt, 2010. 5. Bassam Kamel Shaqdan, Tlemcen in the Zayyanid Era (633-962 AH/1235-1555 CE), Master's Thesis, An-Najah National University, Palestine, 1422 AH/2002 CE.

6. Bassadiq Abdelkrim, Sales and Commercial Transactions in the Central Maghreb and Their Impact on Society between the 6th-9th Centuries AH/12th-15th Centuries CE, Doctoral Dissertation in Medieval Islamic History, University of Oran, 1438-1439 AH/2017-2018 CE, p. 170.

7. Bouziani Deradji, Systems of Governance in the Zayyanid State of Banu Abd al-Wad, University Publications Office, Algeria, 1993 CE.

8. Bouakada Abdelkader, Approaches to the History of the Central Maghreb, Dar al-Khaldounia, Algeria, 1st Edition, 1440 AH/2019 CE. 9. Jawdat Abdel Karim Youssef, Economic and Social Conditions in Central Maghreb during the 3rd and 4th Centuries AH (9th-10th Centuries CE), University Publications Office, Algiers, 1992.

10. Khamissi Boulaaras, The Arms Trade in the Islamic West: A Reading of the Prohibited, Studies and Research Journal, Issue 31, June 2018, Year 10, p. 216.

11. Latifa Bechari, Foreign Trade of Tlemcen during the Zayyanid Emirate (7th-10th centuries AH/13th-16th centuries CE), Master's Thesis in History, University of Algiers, 1986-1987.

12. Muhammad Ben Amira, The Role of the Zenata in the Religious Movement in Islamic Maghreb, National Book Foundation, Algiers.

13. Muhammad Sekjal Al-Majabi, Rulings on the Contract of Sale in Islamic Jurisprudence, Dar Ibn Hazm, Beirut, Lebanon, 1st Edition, 2001. 14. Muhammad Fathah, previous reference, p. 299.

15. Muhammad Farid Wajdi, Encyclopedia, 20th Century Encyclopedia Press, 2nd edition, 1993, vol. 3, p. 472.

16. Muhammad Nasiri, War and Society in Central Maghreb during the Zayyanid Era: A Study of the Impact of War on Economic, Social, and Intellectual Structures (633-962 AH/1235-1554 CE), p. 143, PhD dissertation in Medieval Islamic History, Faculty of Humanities and Social Sciences, Djillali Liabes University, 2020-2021.

17. Mukhtar Hassani, History of the Zayyanid State (Economic and Cultural Conditions), vol. 2, Al-Hadara Publications, Algeria, 2009 edition.
18. Mubarak Al-Mili, History of Algeria in Ancient and Modern Times, edited and annotated by Muhammad Al-Mili, National Book Foundation, Algeria, n.d., vol. 2. 19. Amara Alaoua, Studies in the Medieval History of Algeria and the Islamic West, National Office for University Publications, Ben Aknoun, Algeria, 2008.
20. Amara Muhammad, Dictionary of Economic Terms in Islamic Civilization, Dar Al-Shorouk, Beirut, Lebanon, 1st ed., 1413 AH/1993 CE.
21. Ali bin Jasser bin Suleiman Al-Shaya, Arabic Terms: Money and Trade in the Hadith: A Linguistic Study, PhD dissertation, Department of Graduate Studies, Faculty of Arabic Language and Literature, Umm Al-Qura University, Saudi Arabia, 1425 AH, p. 569.
22. Ali Hassan Al-Kharboutli, Arab-Islamic Civilization: A Civilization of Politics, Administration, Judiciary, War, Society, Economics, Education, Culture, and Arts, Al-Khanji Library, Cairo, Egypt, 1994 CE, 2nd ed., p. 200. 23. Abd al-Raziq Mahmoud Ismail, Sociology of Islamic Thought, Sana Publishing and Distribution, Cairo, Egypt, 4th edition, 2000.
24. Abd al-Aziz Filali, Tlemcen in the Zayyanid Era, National Printing Arts Foundation, Algeria, 2002, Vol. 1, p. 30.
25. Fatha Muhammad, Legal Rulings and Society: Studies in the History of the Islamic West from the 6th to the 9th Century AH/12th-15th Centuries CE, Publications of the Faculty of Arts and Humanities, Casablanca, Morocco, 1999.
26. Rafiq Khalifi, Coinage Craftsmen in Zayyanid Morocco (The Banu al-Mallah Family as a Model - 633-718 AH/1235-1318 CE), Al-Nasiriya Journal for Social and Historical Studies, Laboratory of Social and Historical Research, Issue 4, June 2013. 27. Attallah Dhina, the Royaume Abdelouadide to the "poque of Abou Hammou Moussa 1 and Abou Tachfine 1 .O.P.U. Alger 1985.
28. Dufourcq hespagne, catalane and the Maghreb au XII and XIV Siècle p.j. fiance paris 1966.