

Is There an Islamic City?

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Abstract : The paper demonstrates the existence of Islamic city as a separate entity and identifies 'origin' and 'order' of the same. Every city possesses a unique sense of architectural expression and identity. The study of the urban aspects of Muslim civilization is not easy to understand because the periods of urbanization are not the same and causes for the origin also differ. Researchers have studied the Islamic cities for sometime and have dealt with the sense of spatial order, meaning and function of the cities. But they were not able to define the 'origin' and the 'order' of the Islamic city. In search of the 'origin' and the 'order', the paper examines the implications of legal practice in regard to various aspects of the physical environment of the Islamic City. The conflicts between urban dwellers call for the exercise of a mufti's independent reasoning (ijtihad) in matters, which are not explicitly clear from the text of the Hadith or the Qur'an. Hence, with the help of two other sources of law; Ijma (consensus) and Qiyas (analogy) the jurists used ijtihad as the basis for rendering a legal opinion (fatwa) when dealing with the innumerable types of habitat conflicts. The paper concludes that Sharia (Islamic law) has played a major role in shaping the Islamic cities.

Key Words : Islamic city, Urban design, Sharia, Islamic law

Introduction

The question, 'Is there an Islamic City?', was originally asked by Dale Eickelman in his paper published in the journal titled Islamic Urban Studies (Volume 39). The discussions of this paper also revolve around this basic question. It also tries to find the basic 'order' and 'origin' of the Islamic cities. Many researchers have worked on Islamic cities but researches, in particular, on the basic structure of the Islamic cities are very few. Islamic cities are observed through the templates made out of researches on European cities, as a result the true sense of Islamic City was never revealed.

Islamic cities have developed a sense of integrity in its morphology and typology which is easily recognizable (Figure 1). Most of the modern builders of cities have lost this understanding and hence all the cities are becoming commonplace and even having its finest areas eroded. Therefore, it is essential to study the 'order' and 'origin' of the Islamic cities. The study would cast light on the problems that are faced in understanding present urban environment.

The planners, urban designers and architects, at times, make mistakes by observing Islamic cities in generalised and superficial manner; and thus solutions are sought along the model of European or North-American cities.



Figure 1 : Aerial view of Fez, Morocco (after Besim S.Hakim)

European City versus Islamic City

To establish the existence of something called "Islamic City" it is to be discussed separately. In addition, to provide a separate entity to the Islamic cities it is also necessary to discuss how European cities in general differ from the Islamic cities. The main

intention is to establish that they do differ. In a broad category, the European cities in general between the periods of 3rd to 16th Century can be divided into four groups (Eisenstadt and Shachar, 1987, 279). The time period is particularly significant because the emergence and development of Islamic cities are also within this time period. The groups are

1. The decline of Roman Empire (3rd to 5th Century)
2. Early Middle ages when the first wave of Urbanization started (9th to 10th Century)
3. High Urbanization (11th to 13th Century)
4. Late Middle Ages (Until 16th Century) (Eisenstadt and Shachar, 1987, 279-281)

To study Islamic cities the groups, number 2 and 3, are of more importance to us. The urbanization process of 10th and 11th Centuries evolved due to the settling of merchant groups in or near the pre-urban cores. As time passed some of these merchant groups developed their own self-governing system and began to challenge the authority of the land lords. They refused to give tax and started their own self-rule and defence. This shows that the European cities during 10th Century were trying to break away from the central rule. But on the other hand during the same time period the Islamic cities were very much under one central rule. The unplanned appearances of the European cities during this time period were due to lack of authority (Eisenstadt and Shachar, 1987, 286). However, the apparent unplanned Islamic cities are not the outcome of the same. To establish the argument further, the paper briefly discusses some observations with reference to the Islamic City.

Akel Ismail Kahera in his paper mentions "Pauty observed that many cities in the Islamic world were overwhelmingly created cities, and for this reason, the definition of a medieval city in Europe cannot be compared with an Islamic city." (Kahera, 1997, 10)

Max Weber has mentioned five components of a city. They are fortification, markets, a legal-administrative system, distinct urban forms of association, and partial anatomy. But his studies were done on the European cities where the geneses of these components are quite different from those of Islamic cities. The differences became more visible when a house in Europe is compared with a house in an Islamic City. (Cited in Hourani, 1970, 13) In Morocco, usually the houses are bounded by a white washed boundary wall with a single gateway or entryway to the premise. The window openings are on the sides of the open space/s.

Thus practically no major windows are visible from roads, particularly from ground levels.

According to Titus Burckhardt (1980) the fabric of an Islamic City was created from the rules which resulted from the tradition (Sunnah) of the Prophet and his companions and customary law. While describing Fez of Morocco, he summarized the typology of the city as follows:

"Residences are reached by neighbourhood streets often covered with 'bridging' sections, or at the end of a narrow cul-de-sac which are no more than a kind of a corridor penetrating the 'blocks' or groups of windowless houses pressed one against the other. This system of roadways has nothing in common with the plan of European towns and it would be wrong to try to judge it by the criteria of the latter." (Cited in Burckhardt, 1980, 166).

"Major differences are therefore discernible in the meaning and use of domestic, public space and property ownership" (Kahera 1997, 5). The judicial personalities and the social structure of the community of an Islamic City have no parallel in Europe.

In absence of a concrete definition of an Islamic City, it has become necessary to study Islamic cities further, which explains the purpose of this paper. Definition proposed by Burckhardt (1980) will be used as the basis to study the Islamic City further.

Background

Historians, Cultural Anthropologist, Architects and Geographers have studied Islamic cities for sometime. They were concerned with the sense of spatial order, meaning and function of the city. But at the end, they have failed to define the 'order' of the Islamic City. Some of the observations made by the author will be presented in the following paragraphs.

- a) Some common spatial elements like mosque (masjid), market (suq) and public bath (hammam) were identified by Xavier de Planhol as the trademark for a medieval Islamic city (Cited by Kahera, 1997, 7).
- b) G. Von Gruenebaum has explained the 'social history' of an Islamic city as a hierarchical construction of public and private space and commercial and religious activities (Cited by Kahera, 1997, 7)
- c) Adel A. Ismail (1972) has identified courtyard

house (maskan) as 'Arab' spatial reality. He ignored the earlier existence of this type of residential unit. He made the same mistake in treating al-Mansur's ring shaped cities as an ideal model of an Arab Muslim City (Ismail, 1972, 113-123)

The above authors have failed to define Islamic City in its true sense. Apart from being overly sympathetic to the views of G.Von Gruenebaum and Xavier de Planhol, the danger with this type of interpretation is that it does not recognize the cultural diversity that existed within the different Islamic cities. They have also ignored the fact that one type of building activity often assimilated an earlier building tradition (Kahera, 1997, 9). Courtyard house may be considered as an example. These authors have also failed to see the association of the religion - Islam to a physical entity city.

City and Religion

There is a direct relationship between the religion, Islam and the city. Islam believes in the continuation of other true religion such as Judaism and Christianity. Islam believes that God is one, All Powerful, Sovereign, Eternal and the Lord of the worlds. The word, "worlds" incorporates both the temporal and spiritual world. This particular religion need concrete environment to implement its theology. It can not survive only with spiritual life. The Islamic city/state has combined spiritual and temporal power. (Islam, 1999, 13). But the concept of Christianity is different, which is discernable in Christ's word, "My Kingdom is not of this world." (Cited in Burchkhadt, 1992, 117). But in the case of Islam, the prophet is both the Messenger of God and the temporal ruler who has led both war and prayer. The Qur'an is both a spiritual teaching and legislation: it contains not only moral law that applies to the individuals but also a social law that applies in the community. Islam needs a community or settlement for its full realization (Islam, 1999, 13)

But a settlement is not only an amalgamation of houses, streets, people, walls etc. It is an 'act' or an instance of setting or the "process of being settled". Therefore a city or a settlement is not only a physical object but is an outcome of a 'process'. This 'process' become more clear in the words of Idriss II, who while establishing Fez in Morocco was saying, to sow the land within the boundaries of the wall of the site and take possession of the land as a gift of God (Cited by Kahera, 1997, 89). Land is a gift of God. The con-

cept of land ownership according to Sharia is that it is an amana (trust) given to people. If land is not owned but an amana then the use of the land is different. How shall he/she use it then?

Sharia is the methodology, which provides the framework necessary for the "process of settling" (Cited by Kahera 1997, 16). There are, however, some other factors which have also played their role. Effect of local climate and effect of pre-Islamic civilization are the best examples. The Islamic world extended from Spain to Southeast Asia, thus apart from law and religion the other influencing regional factors had varying impact depending from location to location. Law and Religion are almost constant for the Islamic world. But the Islamic law that we observe today, has not emerged in one day. It has developed over a long period of time.

Development of Fiqh (Jurisprudence) and Islamic Cities

Sharia has played its role from the very first Islamic City. The early Islamic cities have developed from the pre-Islamic settlements. Yathrib can be considered as the first Islamic City. This is the city where the prophet Muhammad (peace be upon him) took shelter when he was banned from Makkah in 632 AD. Later its name was changed to madinat al nabi (city of the Prophet, shortened al-Medinah, anglicized Medina) (Hitti, 1973, 33). Medina became the center of the Muslim world. The physical characteristic of the city was very similar to ancient Mesopotamian settlements. It was a system of clustered courtyard buildings. Mesopotamian cities had building codes and regulations but Medina did not adopt such rules and regulations.

New rules and regulations evolved from the sayings and principles of the Prophet-the Hadith. During the lifetime of the Prophet, the disputes were solved by the Prophet himself. After his death, the Qur'an and the Hadith were enough to solve simple problems of urban disputes among citizens. But as the Islamic world began to grow and started incorporating vast areas and people from different cultures (Figure 2), the Hadith and the Qur'an were not sufficed anymore to solve the disputes. Many scholars started research on religious principles of law to find solutions to the immediate problems. The most renown is Imam Abu Hanifa (d.150 AH).

Two further sources, i.e. Ijma (consensus) and Qiyas (analogy); besides the Qur'an and the Hadith were

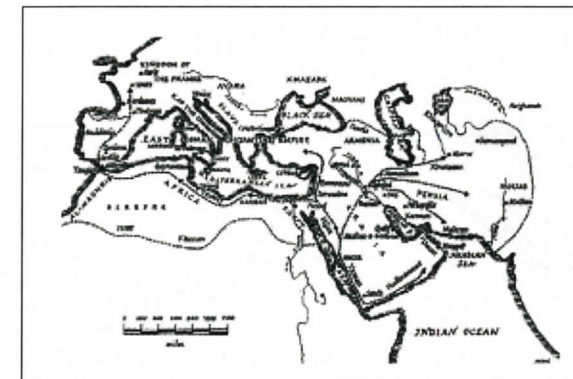


Figure 2 : Islamic world at its height, ca.750

developed, Ijma is the third source of the Islamic law. It is an agreement of jurists among the followers of Muhammad (peace be upon him) in a particular age on a question of law (Abdullah, 1982, 15)

Qiyas means to establish the law of the original case for the parallel case on the basis of their common legal causes (Hasan, 1994, 15). Qiyas helped the jurists to argue from the intention of some specific rule of Qur'an or Sunnah, to cover matters that are not explicit or literal.

It is worthwhile to mention here that there are some early Islamic cities which have very little to do with Sharia. For example, City of Anjar in Lebanon, were laid out was in the Roman model (Figure 3) and the city of Al-Mansur in Baghdad was based on typical Assyrian settlements (Figure 4). These cities had cardinal orientated roads, axis running from north to south. But for a Muslim, the city needs not to be connected with the stars. Therefore these shapes were not repeated. Hence these cities should not be taken into consideration while discussing the basic 'order' and 'origin' of the Islamic City.

The later Islamic cities became more Indefinite with one or two main arteries and having the central complex or mosque at the middle. These Islamic cities have created characteristics of their own in the spatial organization. The most important feature which became apparent is the distinction between the private and public spaces. This dissimilarity is very easily recognized by looking at the aerial view. Public areas are usually placed at the central location of the city. The streets of the public area are wider and more systematic. The main mosque, main madrassa and the main market are located in this part (Islam, 1999, 22).

The private space consists of the residential areas where the streets are narrower (Figure 5). This distinction of public and private life has actually derived

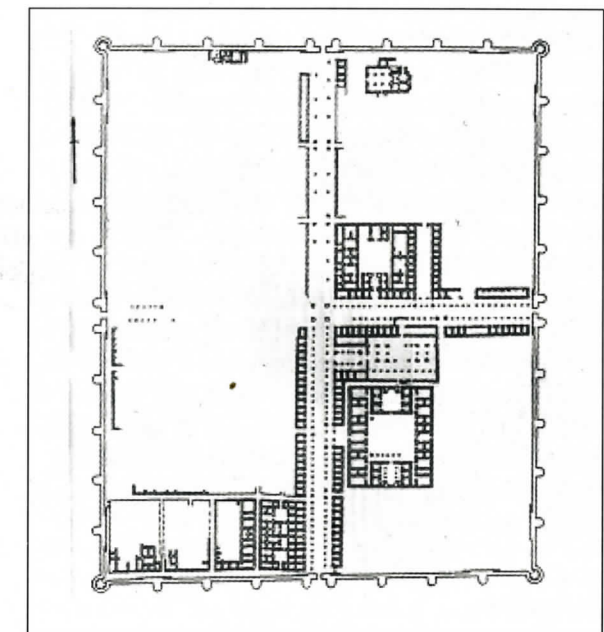


Figure 3 : City of Anjar, Lebanon (after Grabar)

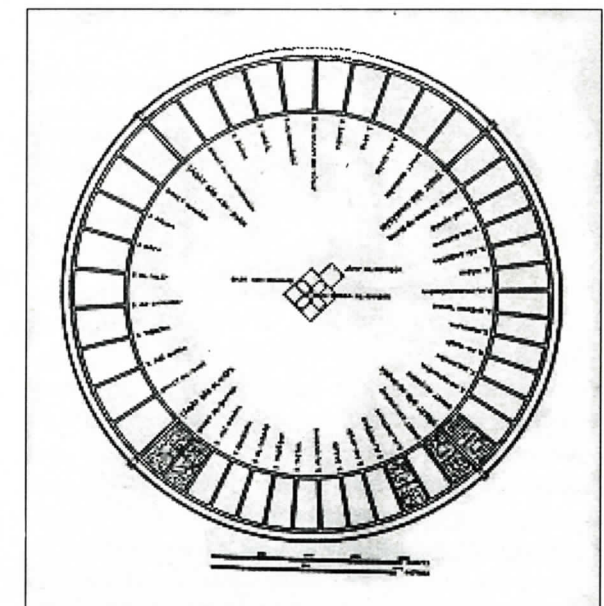


Figure 4 : City of Mansur, Baghdad, (After Grabar)

from the sharia. Sharia supports participation in the public life but also encourages private life (Islam, 1999, 21). In this process, Sharia has influenced almost all the aspects of the physical environment of the Islamic cities.

Influence of Law on City

This section shows that Islamic law has physically influenced the structure of the city. In order to do that

a number of cases and judgments relating to urban disputes in the Islamic city are presented. The cases presented here are originally recorded in Kitab al-Mi'yar of al Wansharisi (d.914/1508) and the Kitab al-Bunyan of Ibn al-Rami (d 734/1334). However, we know that this would at best provide only a rough outline of the structure of the city. But it will demonstrate the sharia's direct role in shaping the physical environment of the Islamic city. At first glance, it may seem to have a very insignificant influence comparing with the scale of the whole urban settlements. For example, when Sharia decides where a new opening (door) should be placed in the street. But one has to realize that adding up all these types of small implementations end up structuring the whole settlement. The examples of cases are presented under the headings of the following categories:

1. Rooftops
2. Streets and Alleys
3. Locational Restrictions

Rooftops

It is very usual in hot arid climates and in densely populated Islamic cities to use the rooftops for sleeping at night. But this practice can also give rise to visual intrusion.

Two similar cases can be found in Kitab al-Mi'yar and in the Kitab al-Bunyan. First "A screen on a roof fell down, making it possible for the residents of the adjacent house to view the neighbour. The neighbour requested that the owner of the screen rebuild it or reposition it, but his request was turned down and gave rise to the dispute. The mufti ruled that the roof user should not be compelled to reposition the screen, but should be punished if he uses the roof without it. In a similar case, another mufti called al-Lakhmi was asked about a person, A, who told his neighbour, B, that neither of them should use a rooftop terrace unless they built a screening wall between them. But B refused to build such a wall. Al-Lakhmi held that A has the right to prevent B from using the roof terrace until the screen is built." (Cited in Kahera and Omer, 1998, 146)

Streets and Alleys

Streets and alleys were always subject to many types of disputes. Disputes mainly occurred as a result of use or encroachment upon public or private space.

Streets were broadly divided according to their physical and social characteristics. The classifications were:

1. Shari: Sharis are the main streets which are open to everybody;
2. Zuquq: They are not open to public and belong in co-ownership of adjacent buildings.

The Prophet Muhammad (Pbuh) himself had given some general principles about the streets. As he said, "If you disagree about the width of a street, make it seven cubits." (Karim, 1988, 238). Streets are considered as the public space of the city and encroachment is not encouraged in streets. These types of protrusion are usually ordered to demolish by the jurists (Hakim, 1986, 25)

Ibn al-Rami cite a case from al-Mudawana in which the use of the fina was disputed by some early Maliki jurists. Asbagh approved of a case in which a man demolished a sitting area on his fina and incorporated it into his house, on the ground that the street was wide. But there are jurists like Al-Habib (d.328/940), Mutarrif, Ibn al-Majashun and Sahnun who opposed this ruling. They considered the encroachment as confiscating public property. There is another criterion that the jurists used to consider is the time period of the construction. If the infringement has existed for a long period of time and the reason behind the protrusion is not known then there are cases where the structure was not demolished.

Opening a new door into a street was also a great source of disputes. In this type of cases the main concern of the jurists was about the infringement of the visual privacy. The deciding factors for this type of cases were the determination of causing harm or not. If all the owner of the adjacent buildings of that alley could reach a consensus then it was allowed. Usually it had not been allowed if it was directly opposite or adjacent to another door causing harm to the existing use of the other door.

The width of the street is of concern because there are cases where the new door was allowed opposite to an existing door because the street was wide and

and busy enough to resume privacy. The width of the street is of importance. Wide streets were treated differently. According to Ibn al-Rami some jurists considered a street "wide" if it is more than seven cubits wide. Seven cubits (1 cubit = 18 inch app.) were the minimum width of a street as suggested by the Prophet Muhammad (Pbuh).

Locational Restrictions of Uses Causing Harm

The Islamic cities followed principles affecting land or building use on a micro scale. The concept behind the principles followed is establishing whether the new construction or activity causing any harm or not. The element of time was sometimes a deciding factor but the jurists considered the idiosyncrasies of each case before issuing an opinion.

Harm was viewed in two ways. In the first case, the use may be an old one but its impact felt due to a recent phenomenon. This category was usually not ordered to change. The other type may be a recent one or still have to be established. Damages could also be caused by activities that create offensive odour. For example, stables, ovens and tanners. Ibn al-Rami specifically mention that the principles followed is to remove garbage, effluence, and sources of offensive smells. The prophets saying regarding the prohibition of persons who eat garlic and onion and who emanate a distinct odour while attending the mosque is used as an indirect reference to support this principle (Cited by Hakim 1986, 32). The following case is regarding uses that create offensive odour.

"Ibn Abd al-Rafi sought the advice of the ahl al-Marifa on a case that had been previously settled. It appears that an individual had built a stable for his small beast, claiming that it was only form of income. Over his neighbour's objection, the individual was ordered to remove the animal and destroy the stable. After soliciting the Mufti ibn Abd al-Rafi, the defendant was ordered to relieve the damage by building a wall parallel to his neighbour's party wall. The wall's foundation was to be one half a hand span of space, extending from five hand span below ground level up to the ceiling, with walls of two hand spans in width. This has actually created a cavity wall, which is used by contemporary architects for sound and climatic insulation. The understanding was that, this new cavity wall would compensate for the damage" (Cited by Kahera, 1998, 156).

Conclusion

The law has played its role in all the aspects of the built environment in the Islamic cities. The 'order' of the Islamic City comes from the law whose main source is the Qur'an. This paper have tried to understand the fabric of the Islamic cities as a way of conveying its importance and qualities from point of view of preservation, but also more particularly

towards providing guidelines for contemporary city's extensions. The contemporary planners, urban designers and architects are failing to recognize the main structure of the city which involves other aspects than only the issues of the physical environment. As a result more and more cities are becoming a cumbersome place to live in. Professionals are ignoring the intangible aspects other than three-dimensional objects, which can play a major role in shaping the urban environment and creating the main structure of the city. They have to realize that cities are not made of roads and houses only; there are many other intangible components which are needed to be considered during planning for the welfare of the city. The planners of the early Islamic cities had recognized the importance of those aspects and succeeded in creating a vibrant growth for the city at their time. Contemporary professionals can surely benefit from the study of various aspects of the Islamic cities.

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