

ON SEVILLIAN GUILDS TOWARDS THE END OF THE 11th CENTURY

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ABSTRACT: In the third decade of the 20th century, Lévi-Provençal discovered an Arab manuscript by the *ishbīlī* Ibn ʿAbdūn, that dealt with the commercial and artisan practices in Seville at the end of the 11th century. In the document there were references to the offices and personages who had to perform certain functions in various professions. From this manuscript, Lévi-Provençal deduced the existence of 11th-century Islamic guilds in Seville. This idea was assumed by Spanish historians, even up until the final decade of the 20th century. In the present article, the basis which sustained such an idea is analyzed with particular emphasis on the treatise by Ibn ʿAbdūn, since this is the only work that describes the economy of Seville at the time of Classic Islam (before the 12th century), and since this is the principal historical source cited by recent historians as a guarantee of the existence of Sevillian guilds during the Classic Islam; however, other manuscripts of Islamic authors of al-Andalus, and articles of contemporary authors are also taken into account. The result of our investigation disproves the existence of 11th century Islamic guilds in Seville.

KEY WORDS: Middle Ages, Islam, Al-Andalus, Guild, Arabian market, Souk and Consumers.

RESUMEN: En la tercera década del siglo XX Lévi-Proveçal descubrió un manuscrito árabe del *ishbīlī* Ibn ʿAbdūn, donde se tratan las prácticas comerciales y artesanales en Sevilla a finales del siglo XI. En él hay referencias a los oficios y a personajes que debían cumplir determinadas funciones sobre la profesión. De ahí Lévi-Provençal dedujo la existencia de gremios islámicos en Sevilla. Esta idea resultó ser sugestiva y fue asumida por historiadores españoles del siglo XX, incluso en la década final de ese siglo. En el presente artículo se analizan las bases que sustentaron tal idea, haciéndose especial hincapié en el *Tratado* de Ibn ʿAbdūn por ser la única obra que se refiere a la economía de Sevilla en la época del islam clásico (antes del siglo XII) y la principal fuente histórica mencionada por dichos historiadores recientes como garantía de la existencia de gremios sevillanos durante el islam; sin embargo, también se tendrán en cuenta otros manuscritos de autores islámicos de al-Andalus y artículos de autores contemporáneos. El resultado de nuestra investigación refuta la existencia de gremios islámicos en la Sevilla del siglo XI.

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** Unless otherwise stated, English translations of quotations are ours.

PALABRAS CLAVE: Edad media, Islam, Al-Andalus, Relaciones laborales, Gremios, Zoco, Consumidores.

1. Introduction

The existence of guilds in Seville in an epoch as early as that of the Classic Islam, that is to say before the 12th century, was an idea spread in the third decade of the last century. Some historians adhered without any debate to the opinion of the French medievalist Lévi-Provençal. This historian discovered an Arabic manuscript in Morocco on commercial life in the city of Seville. He made it known in the above mentioned language and published it under the title *Un document sur la vie urbaine et les corps de métiers à Séville au début du XII^e siècle: Le traité d'Ibn [°]Abdūn* (1934). Gabrieli, without the consent of the Gallic historian, edited it in Italian: *Il trattato censorio di Ibn [°]Abdūn sul buon governo di Siviglia* (1936). Years later, Lévi-Provençal published it in French: *Séville musulmane au début du XII^e siècle: Le traité d'Ibn [°]Abdūn sur la vie urbaine et les corps de métiers; traduit avec une introduction et des notes par E. Lévi-Provençal* (1947). In Spanish there is the version of García Gómez and Lévi-Provençal entitled: *Sevilla a comienzos del siglo XII. El tratado de Ibn [°]Abdūn* (1948). The great Arabist García Gómez was a Spanish collaborator of Lévi-Provençal.

The first edition of the manuscript was in Arabic, in spite of its title being in French. In our opinion, such a title was chosen because it seemed to its discoverer to be more evocative: *A document on the urban life and the guilds in Seville at the beginning of the 12th century*. This title was essentially kept in the French edition that followed. It is of note, however, that no mention of guilds is made in the title or text of the Italian version; nor does it appear in the title of the Spanish version, although in the text of the Spanish version such a word is continuously repeated. Hence, by reading the tract in Italian, it is not obvious whether there were guilds in Islamic Seville. This is clarified in this paper, where texts of Ibn [°]Abdūn are transcribed in Italian from Gabrieli's translation. *Gremio* was chosen (in the Spanish version) and *corp de métier* (in the French version) to designate such ordinary elements of the Sevillian economy as are the arts and crafts, and to raise them to the category of an Islamic institution in al-Andalus in the 11th and 12th centuries. Curiously, several historians assumed this anachronistic transformation of the concept and the institution without any critique. Furthermore, by spreading the idea, they created a doctrine lasting until almost the present day.

The existence of Islamic guilds in Seville in the 11th century was therefore accepted by certain Spanish researchers.¹ González Arce and García Sanjuán even maintain that the mainland Christian guilds owe their origins to Islamic guilds after the conquests.² Seco de Lucena was a pioneer with respect to the

¹ Among these: L. Seco de Lucena, "Origen islámico de los gremios", in *Revista del Trabajo*, Vol. 34, 1942, p. 853-855; T. de Aquino García y García, *La corporación laboral en la historia de Sevilla*, Sevilla, Gráficas Tirvia, 1951; J. D. González Arce, "Sobre el origen de los gremios sevillanos", in *En la España Medieval*, Vol. 14, 1991, p. 163-182; F. García de Cortázar and J. González Vesga, *Breve historia de España*, Barcelona, Círculo de Lectores, 1995, p. 141-143; A. García Sanjuán, "La organización de los oficios en al-Andalus a través de los manuales de *hisba*", in *Historia. Instituciones. Documentos*, Vol. 24, 1997, p. 201-233.

² J. D. González Arce, "Sobre el origen de los gremios sevillanos", in *En la España Medieval*, Vol. 14, 1991, p. 163-182, and A. García Sanjuán, "La organización de los oficios en al-Andalus

Islamic origin of the guilds and went even further when he suggested the idea that the European pilgrims, while carrying out the pilgrimage of Santiago, were imbued with guild culture, and upon returning to their countries, they then spread it around Central Europe.³ Some recent historians, such as Collantes de Terán, support the idea of Islamic guilds in al-Andalus, but have ruled out only the idea of the Islamic influence in the Castilian guilds.⁴ Initially, Chalmeta⁵ believed in these guilds in al-Andalus, but later ended up dismissing them.⁶ One Spanish historian who has never accepted them is Romero.⁷ However, these two latter historians barely give any arguments in support of the non-existence of guilds in al-Andalus. This article demonstrates that these guilds did not exist; therefore, the innovation of this article is based on reasons that support the non-existence of guilds in al-Andalus. Here the investigation is restricted to the Sevillian area towards the end of the 11th century, although other Islamic zones will be considered, such as that of Malaga one century later or Cordova in the 9th century.

The Christian conquest of Seville in 1248 deserves a special mention due to its singularity and because it tends to be used as a paradigm to illustrate the survival of the Islamic Sevillian guilds after the change of sovereignty, for example, Seco de Lucena.⁸ It turns out that the Islamic Sevillian guilds never could have survived; primarily, because they never existed in the first place (according to the thesis demonstrated in this paper), and, in the second place, since very few Muslims remained in Seville after the change of sovereignty. Romero states that some of them stayed after Seville had been conquered and «the neighbourhood of the Moorish quarter and a mosque were assigned to them.»⁹ On the Moslem inhabitants of Seville, Mena writes:¹⁰ «Saint Fernando demanded that they deliver the city to him empty of inhabitants, so they all had to go to Morocco, Malaga or Granada.» According to the chronicles, about 300,000 souls were exiled from Seville.¹¹

King Fernando III had to repopulate the city and the rest of the previously Islamic kingdom of Seville with people of Castile and Christians of other origins. On the distribution and the repopulation of Andalusia in the 13th century,

a través de los manuales de *hisba*”, in *Historia. Instituciones. Documentos*, Vol. 24, 1997, p. 201-233.

³ L. Seco de Lucena, “Origen islámico de los gremios”, in *Revista del Trabajo*, Vol. 34, 1942, p. 853-855.

⁴ A. Collantes de Terán, “La formación de los gremios sevillanos. A propósito de unos documentos sobre los tejedores”, *En la España Medieval*, Madrid, 1980, p. 89-104.

⁵ P. Chalmeta, “*Kitāb fī ādāb al-ḥisba*” [*Book of the good government of the souk by al-Saqatī*]; translation into Spanish in *Al-Andalus*, XXXII/1, p. 125-162; XXXII/2, p. 359-397; XXXIII/1, p. 143-196 and XXXIII/2, p. 367-434; Madrid and Granada, 1967 and 1968.

⁶ P. Chalmeta, *El “señor del zoco” en España: edades media y moderna, contribución al estudio de la historia del mercado*, Madrid, Instituto Hispano-Árabe de Cultura, 1973; and P. Chalmeta, “Organización artesano-comercial de la ciudad musulmana”, in *Simposio Internacional sobre la Ciudad Islámica: ponencias y comunicaciones*, Zaragoza, Institución Fernando el Católico, 1991.

⁷ V. Romero, *Los gremios de Sevilla*, Sevilla, Padilla Libros Editores & Libreros, 2001.

⁸ L. Seco de Lucena, “Origen islámico de los gremios”, en *Revista del Trabajo*, Vol. 34, 1942, p. 854-855.

⁹ V. Romero, *Los gremios de Sevilla*, p. 42.

¹⁰ J. M. de Mena, *Historia de Sevilla*, Barcelona, Plaza & Janés, 1991, p. 97.

¹¹ *Ídem*, p. 97.

González Jiménez's study can be consulted.¹² In our opinion, under such conditions, it was not necessary to respect charters to the Muslims, neither common rights nor labour law, since there was hardly anybody to whom they could be applied. Romero says that «neither are there traces of a structure of trades» among the Jews and Moors who remained after the Christian conquests.¹³

Bearing these facts in mind and that in 1236 the Jurisdiction of Toledo was implemented in Cordova when it was conquered, it is not surprising that Seville was also given the same legal code. Mena narrates the event this way:¹⁴

Occupied was the city when King Saint Fernando began to reorganize the local life, designating as archbishop the prelate *don* Remondo or Ramon, who had accompanied him in the conquest. «Good and big tenements of villas, castles and great rich places were donated to the church of Santa Maria.» He arranged the Town Council and Regiment of the city; he named many magistrates and officials, giving as ordinance and municipal legislation the "Municipal and general Jurisdiction from Toledo," granting to the Sevillian gentlemen the same benefits that were enjoyed by those of Toledo; and to those of the neighbourhood of *Francos* street, the king granted "tax exemption" or the right to buy, sell, and exchange freely and without taxes, thereby giving its name to this street. [In Spanish, *franco* = free].

He distributed the properties in both urban and rural parts of the city and region, [...].

In the notebook of distributions, the lands, cultivation, and buildings which the king granted to gentlemen, princes, and churches appear in detail.

It is also necessary to take into account the customs of the period. According to these, privileges which only affected the relations among the conquered people were granted if they surrendered before the city walls were stormed. Privileges were never granted if the city had to be taken by storm. For example, if the people yielded they were allowed to practise their religion, to keep the mosque, and to apply the Koran to solve their own litigations. Nevertheless, these privileges never pertained to the relationship between the conquered and the victors. In this last case, such relationships were solved according to the norms of the conquerors. Furthermore, adherence to the terms of agreement of surrender was not guaranteed.

This happened in Toledo, where soon the agreement was violated and the main mosque was turned into a cathedral, as Salrach reports.¹⁵ Therefore, it is unthinkable that, after the conquests, Islamic regulations of any supposedly existing guild were left in effect, since said regulations would have affected the Christian royal exchequer and consumers.

Consequently, it can be deduced that the Sevillian guilds after the middle of the 13th century were entirely of Castilian origin. On the other hand, in order for

¹² M. González Jiménez, "Orígenes de la Andalucía cristiana", in *Historia de Andalucía I: La Andalucía dividida (1031-1350)*, Madrid, CUPSA Editorial, and Barcelona, Editorial Planeta, 1980.

¹³ V. Romero, *Los gremios de Sevilla*, p. 28-31.

¹⁴ J. M. de Mena, *Historia de Sevilla*, p. 100.

¹⁵ J. M. Salrach, "Feudalismo y expansión (siglos XI-XIII)", in A. Domínguez Ortiz (dir.), *Historia de España*, Vol. 3, chapter 3, Barcelona, Editorial Planeta, 1989, p. 270.

a guild to prosper, it is necessary to increase the demand and the number of producers that take care of it; and hence the guilds in Seville would have taken time to consolidate, since the city had passed from being populous to having an insignificant number of inhabitants.

According to the estimation transmitted by González Jiménez, in 1253 Seville had approximately 4,800 inhabitants¹⁶. Furthermore, in Castile, corporate privileges were only granted by the king, and he granted these case by case. There, the craftsmen already had a tendency to organize privately in the middle of the 13th century, although their agreements were voided by law. Thus, it was proclaimed incisively by the Castilian king Alfonso X, the Wise, in the code *Las Siete Partidas*.¹⁷

Merchants enter into combinations and agreements among themselves taking oaths, and forming brotherhoods for the purpose of aiding one another, establishing prices as to how much a yard they shall pay for every kind of cloth, and also how much they will give according to the weight and measure of other articles, and no less. Moreover, artisans enter into combinations among themselves as to the prices they will pay for each of the articles which they make use of in their trades. They also enter into agreements that no one else can work at their trades, except those whom they receive in their associations, and moreover that those received in this way shall none of them finish what others have begun. They also established a combination of another kind, by which they agreed not to teach their trades to others, excepting such as are descended from their own families; and for the reasons that many wrongs have resulted therefrom, we decree that any brotherhoods, contracts, or combinations, such as those aforesaid, or any similar to them shall be established with the knowledge and consent of the king, and that if this is done without said knowledge and consent, they shall not be valid; and also that all those who establish any in this way from this time forward, shall forfeit all their property to the king, and that in addition to this they shall be banished forever from the country. We also decree that where the superior judges of a town consent to the establishment of said combinations, or if after they have been established, they do not cause them to be dissolved, if they are aware of their existence, or do not send word to the king that he may dissolve them, they shall pay to the king fifty pounds of gold.

2. *The guilds in their medieval context*

The guilds were widespread, typically medieval, work institutions which, in some countries, lasted until the 18th century and even the beginning of the 19th century. Historical precedents of organizations of the professions had already been in existence, although they cannot be considered equal to the medieval guilds. In the populous cities under the Roman Empire, craftsmen of the same

¹⁶ M. González Jiménez, "Orígenes de la Andalucía cristiana", in *Historia de Andalucía I: La Andalucía dividida (1031-1350)*, Madrid, CUPSA Editorial, and Barcelona, Editorial Planeta, 1980, p. 143.

¹⁷ Alfonso X, *Las Siete Partidas*, Vol. IV: "Family, Commerce, and the Sea"; "The Worlds of Women and Merchants"; Part V, Title VII, Law II, translated into English by Samuel Parsons Scott; edited by I. Robert and S. J. Burns, Philadelphia, University of Pennsylvania Press, 2001, p. 1056-1057.

trade were meeting in *collegia*. Dopsch believes that, in some kingdoms arisen from the collapse of the Roman Empire, the *collegia* survived and turned into the guild organization.¹⁸ Among these appears the Visigothic kingdom, which ended up settling in Roman Spain. Dopsch bases the survival of the *collegia* of the Visigothic kingdom on what, at the beginning of the 7th century, Isidore of Seville said about the *collegiati*: «they were very humble people who were populating the cities.»¹⁹ Such an affirmation rests on the authority of Stutz.²⁰ However, apparently the latter author must have also spoken by hearsay since it would be incomprehensible to extract that theory from directly reading the book of Isidoro of Seville.

Let us see what Isidoro of Seville textually writes:²¹

They are called *collegiati* those who have committed some crime and find themselves submitted under the custody of some *collegio*. They are debased riffraff, children of unknown father. [*Collegiati dicuntur, quod ex eorum collegio custodiisque deputentur, qui facinus aliquod commiserunt. Est enim sordidissimum genus hominum patre incerto progenitum.*]

From such a phrase it is not possible to know the role of the *collegio*, but it is very clear that the *collegiati* considered by Saint Isidore were not members of a guild, but a few low criminals who, instead of being in a jail, were interned and guarded in some *collegio*; this not necessarily being a craft workshop belonging to a productive organization of a guild type.

Since the growth of the cities and of the urban handcraft economy in al-Andalus existed previous to that of Christian Europe, the question arises regarding whether these corporations also developed in Classic Islam. In fact, as already mentioned, there are historians inclined to consider the existence of guilds in Islamic Seville. To support this idea, some historians take the *ḥisba* handbooks as their documentary source.²²

Among these, that of the *ishbīlī* (Sevillian) Ibn ʿAbdūn stands out, *Risāla fī-l-qaḍā wa-l-ḥisba* [*Treatise on the Judiciary and the ḥisba*] of the end of the 11th century, and is the most commonly referenced and the only *ḥisba* handbook which mentions Seville. There are references to the crafts, *ṣināʿa* [arts, crafts, trades], and to the personage called *amīn* [faithful, fiduciary; in Spanish, *alamín* and *amín*], whose incorrect translations, one word into guild (*ṣināʿa*) and another word into syndic (*amīn*), have induced the belief of the existence of Islamic guilds in Seville. In order to find out whether they existed, the focus of this article is on the analysis of the text by Ibn ʿAbdūn, without forgetting other *ḥisba* handbooks of which only three are concerned with al-Andalus.

¹⁸ A. Dopsch, *Fundamentos económicos y sociales de la cultura europea (De César a Carlomagno)*, Madrid, Fondo de Cultura Económica, 1982 [1918], p. 456-457.

¹⁹ *Ídem*, p. 457.

²⁰ Who wrote the article, “Das karoling Zehentgebot”, in *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung*, Vol. XXIX, 1908.

²¹ I. de Sevilla, *Etimologías*, Vol. I, bilingual edition by Biblioteca de Autores Cristianos, Madrid, 2000, p. 779.

²² *ḥisba* is a term that, without being from the Koran, was assimilated into the legal principle of the Koran for eradicating the evil and fomenting the good; it was used by means of a magistrate of the souk, *al-muḥtasib* [in Spanish: *almotacén*], to censure the bad customs in general and the fraudulent mercantile practices in particular.

3. General concepts on the guilds

Hitherto, the word guild has been used under the assumption that its meaning is very well known. However, in order to tackle research, a very clear understanding of the nomenclature used is required. Therefore, if we speak about guilds, it will be necessary to specify what we mean by this term, especially since this word did not exist in classic Arabic. When analyzing ancient texts translated from Arabic, the assignments, functions and people that characterize the guild would have to be verified, and not blindly set in the words chosen by the translator, since, sometimes, as was seen above in Dopsch, these translations only reflect an individual opinion and lack conceptual content. First of all, a guild is an organization of members of a trade (or guildsmen). In order to give better meaning to this concept, we can inquire into the three combinations and agreements about craftsmen contemplated by Alfonso X in his *Las Siete Partidas* (*Partida V*, Title VII, Law II) *supra*: firstly, to set prices of the products to the benefit of the guildsmen; secondly, to prevent the practice of the trade by non-members of a guild; thirdly, to forbid the teaching of the trade to non-descendants of the guildsmen. It can be clearly shown that none of these combinations and agreements exists in the treatise by Ibn ʿAbdūn or in any other *ḥisba* handbook.

While reducing the requirements for the characterization of a guild, it might also be said that a guild is a corporation or organization formed by the members of a craft, governed by regulatory procedure of the professional practice, and which acts in defence of its own interests. From this perspective there is nothing in the *ḥisba* handbooks that supports the existence of guilds either. That is probably why Chalmeta ended up refuting their existence. For him, it is not possible to speak about 'guilds' among Muslims when they had no «intentions of self-interest.»²³

The genuine concept of guild assumes a corporate framework for the attainment of a professional purpose and not a mere amorphous set of people with no relationship except that of having similar knowledge to practice a profession. In general, this is not what people usually understand as a guild; even if it is correct, from a linguistic point of view, to speak nowadays about the profession (or guild) of the Sevillian medical doctors. As an example of the use of this broad meaning it is possible to consider Chalmeta's initial thought.²⁴ In the year of his doctorate (1967) he believed in the guilds in al-Andalus and hence Chalmeta states that the *almotacén* (*muḥtasib*, in Arabic, who was the inspector of souks) «names *alamines* as the head of every guild.»²⁵ Precisely the latter word is the one that he chooses repeatedly when he translates the *ḥisba* handbook of al-Saqāṭī which describes Malaga at the beginning of the 13th century. Chalmeta also suggests that the *alamín* was the chief or person in charge of the guild.²⁶ However, when reading the tract by al-Saqāṭī, neither can the professional functions of these guilds nor can the internal relations that link

²³ P. Chalmeta, *El "señor del zoco" en España: edades media y moderna, contribución al estudio de la historia del mercado*, p. 201-202.

²⁴ P. Chalmeta, "*Kitāb fī ādāb al-ḥisba*" [*Book of the Good Government of the Souk* by al-Saqāṭī]; translation into Spanish in *Al-Andalus*, XXXII/1, p. 125-162; XXXII/2, p. 359-397; XXXIII/1, p. 143-196 and XXXIII/2, p. 367-434; Madrid and Granada, 1967 and 1968.

²⁵ P. Chalmeta, "*Kitāb fī ādāb al-ḥisba*", in *Al-Andalus*, XXXII/1, p. 141.

²⁶ P. Chalmeta, "*Kitāb fī ādāb al-ḥisba*", in *Al-Andalus*, XXXII/1, §77.

the members of a guild be found (on the contrary, the price is set externally by the *almotacén*) nor is there any mention of the acts of the *alamines* defending the guild's interests (on the contrary, the *alamines* carry out the orders of the *almotacén* in defence of the consumers). The *alamín* of the al-Saqaṭī is, in all the cases, a fiduciary, or reliable person, chosen for some post (that is to say, a faithful trustee); for example, the *alamín* of a souk and not of a guild (§131), or *alamina* (feminine of *alamín*) of slaves, in charge of lodging them in her house until the menstruation occurs in order to certify that they are not pregnant at the time of sale (§109). Evidently, the existence of guilds it is not reflected in the book by al-Saqaṭī. Consequently, when there is no documented proof of something, the simplest and most scientific thing to do is not to affirm it. Otherwise, we might invent the "simplodocus" and then shield ourselves by saying that «if they have not found fossils of this species it does not mean that it did not exist, but that its fossils have not yet appeared.» In short, whoever affirms something has the obligation to provide the proof. And now the opposite is happening: we must demonstrate that this something did not exist, because people without proof unquestioningly accepted that it existed.

Craftsmen's organizations with exclusively extra-professional purposes, such as religious or welfare purposes do not deserve our attention either. These organizations, although they assemble members of the same trade, could never be catalogued as guilds, since it is evident that if the professionals of a craft only organize themselves for a procession of the Virgin Mary's statue, for example, nobody would give the name of "guild" to such an organization (especially when its own members were calling it a brotherhood); nor if the organization's purpose is only to collect donations and to deliver them to the widow or the orphans of one of the members of the profession. To start speaking about a guild, it is absolutely necessary that the organization guards the professional interests of its members, although this may also include dealing with religious and welfare questions.

Since this study is about Seville during the Classic Islam, we have chosen not to include articles by authorities which deal with Islamic guilds in different areas of al-Andalus.²⁷

4. Analysis of the guilds according to their mention in the treatise by Ibn ʿAbdūn

The paragraphs in Ibn ʿAbdūn's work where guilds are mentioned are:²⁸

²⁷ Such as those by G. Baer, "Guilds in Middle Eastern History", in Cook, M. A. (ed.): *Studies in the Economic History of the Middle East*, London, 1970, p. 11-30; C. Cahen, "Y a-t-il eu des corporations professionnelles dans le monde musulman classique? Quelques notes et réflexions", in A. Hourani and S. Stern, *The Islamic City*, Oxford, 1970, p. 51-63; and, in C. Cahen, *Les peuples musulmans dans l'Histoire Médiévale*; Damas: Institut Français, 1977; and G. Makdisi, "La corporation à l'époque classique de l'Islam", in *Religion, Law and Learning in Classical Islam*, Hampshire and Brookfield, Variorum, 1991.

²⁸ Ibn ʿAbdūn, *Risāla fī qadā' wa-l-ḥisba* [*Treatise of the Judicature and of the ḥisba*], Spanish version by Lévi-Provençal and García Gómez, *Sevilla a comienzos del siglo XII: El tratado de Ibn ʿAbdūn*, Madrid, Moneda y Crédito, 1948. There are facsimile reeditions by the Servicio de Publicaciones del Ayuntamiento de Sevilla and by the Fundación Cultural del Colegio Oficial de Aparejadores y Arquitectos Técnicos de Sevilla. Italian version by F. Gabrieli, "Il trattato censorio di Ibn ʿAbdūn sul buon governo di Siviglia", in *Rendiconti delle Classe de Scienze morali, storiche e filologiche*, Reale Accademia Nazionale dei Lincei, 1936.

§43: The *muhtasib* will have to order that each guild had every Friday a town crier to shout loudly the invocation 'God is the greatest' at the same moment the *imām* says it.²⁹

Notice that 'guild' is used instead of 'trade' and that from the context of the epigraph it is not possible to deduce if guild refers to an organized group or to a set of persons who only have the practice of the same profession in common.

The following paragraph has to do with a personage assigned to a specific professional group, that of the second-hand dealers:

§172: There will have to be among the second-hand dealers a wise man who, in the case of catching one of their own selling a suspicious object, seizes it and makes the thief proclaim the truth, so that the one looking for the object can come to claim it, if he happens to give its description.

From the assignment of this task to this 'wise man' and the way the draft was written, it cannot be estimated by any means that the second-hand dealers belonged to a guild. Furthermore, it is not clear that this personage was one of the second-hand dealers, since the words «there will have to be among the second-hand dealers» are insufficiently explicit. What we do know is that Ibn ʿAbdūn proposed a function for this personage: that the members of the trade had to be watched so that they would not sell stolen objects. Since this norm is a proposal, it is evident that the above-mentioned 'wise man' did not exist at the moment when Ibn ʿAbdūn wrote his treatise. It is frankly doubtful that, had there been a real guild of second-hand dealers, the draft of this norm would have been in the same tone as that transcribed above.

Let's now analyze another paragraph relating to the guilds:

§44: The Qāḍī [the highest judge of the city] will have to designate one member in each guild who is a *faqīh* [a man versed in the Koran], well-educated and an honest member, so that, in the case of any differences that may arise in the practice of his profession, he reaches an agreement between the parties, without them having to approach the secondary judge. This measure is excellent, and the Qāḍī will prescribe that they observe the decision and the opinion of this mediator, who will treat them with greater benevolence and who will spare them from having to publicize their disagreements.³⁰

Here it is relevant to make the same observation as in §43: that nothing is lost by changing the translation of 'guild' into 'trade'. In reality, however, it is more confusing to use guild instead of trade. The substitution of one word for another seems to be a deliberate attempt by the translator to propagate the idea of the existence of guilds.

This rule by Ibn ʿAbdūn is slightly more of a qualitative nature. On the one hand, and according to the wording, it can be seen as an effort to eradicate the

²⁹ Gabrieli translates it this way: «Il *muhtasib* debe ordinare ai membri di ogni arte che si prendano per il venerdì un annunciatore incaricato di far loro sentire il takbīr quando l'*imām* lo pronuncia.»

³⁰ According to Gabrieli: «Il Qāḍī debe stabilire per ogni arte uno dei loro, esperto nel fiqh, dotto e retto, che metta pace quando tra loro s'orge una lite in una delle loro faccende, senza che debbano arrivare al giudice.»

habit of approaching the auxiliary judge when differences between parties arise. There were too many lawsuits in Seville, as recognized by Ibn ʿAbdūn (§13): «Seville, where there are more litigators than in any other city due to the many lawsuits that usually exist.» It is probably for this reason why Ibn ʿAbdūn proposed to institute an arbitrator versed in Islamic law who was practicing the trade, since, due to his professional experience, he would be much more of an expert on the matter in question than any other who had only Koranic knowledge. On the other hand, in this writing, we find an emphasis on justifying the measure to be adopted and, above all, on praising its worth, since it is said: «This measure is excellent.» Such a form of expression indicates that this measure is a proposal to be observed in the future, and, therefore, it was not a measure that had already been enforced. From this perspective, the treatise by Ibn ʿAbdūn is evidently not a regulation, but a memorandum directed towards improving the social and economic situation of the country and directed towards public authority; exposed in this memorandum are the measures proposed by its author with the intention of inciting the political power to put these measures into effect. However, in reality, nothing of what was proposed was enforced. Another proof of the non-existence of guilds at the time of Ibn ʿAbdūn is found in this paragraph:

§110: The sellers will be prohibited from reserving fixed places in the portico of the main mosque or in another place, because, this way, a quasi-right of property is created, which generates constant differences and disputes between these sellers. Let the one who arrives first, occupy the place.

The *muhtasib* will have to install the guilds by placing every craftsman with others of his trade in permanent places. This way is better and more perfect.³¹

Much can be said about the characterization of a guild in this paragraph:

§214: Moneychangers must be prohibited from practising usury. In the country no other currency than that of the official mint must be in circulation, because the variety of mints provokes the currency to depreciate, the exchanges to multiply, and the economic circumstances to be altered and veer from the ordinary course. At the head of the moneychangers there must be an honest and wise man who would inform those of his guild about the changes in tender, who would know who proceeds correctly and who proceeds wrongly, and who would correct any abuses.³²

These phrases, apart from being normative, are eminently descriptive of existing realities: usury was practised and, among the moneychangers, total anarchy existed, given that everyone did what they felt like. It was necessary to eliminate this situation by creating a post and naming a person in charge of correcting abuses. Such an individual is described as an honest and wise man. Moreover, it should be heeded that 'guild' is used here to refer to a disorganized group, that of the moneychangers, who did as they pleased, and, consequently,

³¹ According to Gabrieli: «Il muhtasib deve ordinare gli artigiani, e porre ognuno con i suoi simili in luoghi ben determinati; ciò è più degno e sicuro.»

³² According to Gabrieli: «Al cambio della moneta deve presiedere una persona dabbene e virtuosa, che informi gli artigiani dei valori correnti, e di quelli buoni e dei cattivi, raddrizzando gli abusi che venisse a riscontrare.»

their professional group did not constitute a true guild due to its lack of a minimum of cohesion.

Let's follow on with another paragraph in which the word guild is mentioned:

§101: The bearers of every guild must have a fixed stopping point, from which they will not separate.³³

This regulation runs counter to the meaning of guild as an organization, since here it implies that the bearers were not at the service of each trade and, furthermore, that everyone was placing themselves where they wanted. This would not have happened had the guild been organized already, since for its own good the institution itself would have already seen to it that a place be assigned to the bearers who were providing a service to its members.

Another mention of the guilds is as follows:

§134: If someone works on gold or silver belonging to another person, and then part of the metal turns out badly, then he who worked must reimburse the corresponding quantity to the other, since he cheated and betrayed the owner of the metal who relied on him. It is necessary to sanction the fraudulent merchants who are caught, regardless of the guild they belong to, but especially pertaining to the guild of metal, since the one who commits fraud with metal knows perfectly the way metal has to be treated.³⁴

Again, we observe that it would be the same thing to use the word 'guild' or 'trade', since there is no additional information that supports the existence of guilds in Seville before the 12th century. The same can be said for the recommendation in the following paragraph:

§143: There will be no dealing with women in the matter of buying or selling but only on the part of men of trust and honour, whose integrity and loyalty are known to all, and this has to be taken care of by the individuals of the guilds.³⁵

In this paper we suppose that the word used by Ibn ^oAbdūn was 'trade' and not 'guild'. To confirm this supposition we concentrate on Gabrieli's translation; this one does not use the word 'guild', which can be verified by reading his paragraphs transcribed in the footnotes. Additionally, we can regard the information provided by Bosch, who says that Ibn ^oAbdūn uses the word *sinā'a*, which means trade, and he never uses *sinf* (not even its plural *asnāf*), a word which, without being equivalent to guild, alludes to an «associative corporation of people of the same trade or industry of craft.»³⁶

From all this reasoning, we conclude that in the reality of that time in Seville the guilds were not established given that these are not outlined by their

³³ According to Gabrieli: «I portatori debbono avere per ogni arte un luogo [di stazionamento] ben noto da cui non debbono allontanarsi.»

³⁴ According to Gabrieli: «I frodolenti colti sul fatto vanno repressi in ogni mestiere, specialmente nel saggio dei metalli; [...]»

³⁵ According to Gabrieli: «Con esse [le done], nella compra e vendita, deve trattare solo una persona fidata e dabbene, di notoria honestà e fidezza; a ciò debbono vegliare gli artigiani.»

³⁶ J. Bosch Vilá, *La Sevilla Islámica 712-1248*, Sevilla, Servicio de Publicaciones de la Universidad de Sevilla, 1984, p. 370-373.

functions in the treatise by Ibn ʿAbdūn. The mentions of the ‘guilds’ that appear in the Spanish translation of his *ḥisba* handbook are generic, inexpressive and forced; ‘guild’ is used with its meaning of trade and arts and crafts, and there is no reference to a trade organization.

5. Analysis of the guilds according to the functions of the *amīn*

In the Spanish translation of Ibn ʿAbdūn’s text, a personage linked to the guilds, the *alamīn* [*amīn* in Arabic], is mentioned on many occasions. Such a person is also called, in an indistinct way, ‘syndic’ by the translator. First of all, the word *amīn* lacks meaning for those unfamiliar with Arabic lexicon. Its meaning would have to be interpreted by every individual reader from the context of the functions assigned to the personage. However, the juxtaposition of syndic (for *amīn* = faithful, fiduciary) and guild (for *ṣināʿa* = craft, trade) turns out to be understandable since intuitively syndic is associated with an individual designated in a corporation to guard over its interests. The question lies in whether syndic is a correct translation of *amīn*.

To clear up this question, we now address the analysis of the epigraphs of Ibn ʿAbdūn’s treatise that contain references to the *alamīn* (*amīn*). Before beginning research into this matter, it is pertinent to say, in spite of being obvious, that a priori the equality of the terms *amīn* and syndic cannot be taken for granted. They are only equal if the functions assigned to this person are identifiable with those functions normally held by a real syndic of a guild.

The first allusion to the *amīn* in the translation of Ibn ʿAbdūn’s treatise is:

§91: The standard of these measures will be in the possession of the *muh̄tasib* and of the *alamīn* or faithful verifier of the weighers and measurers’ guild, who is the most suitable person to preserve and verify them.³⁷

³⁷ Here the translator has included this footnote: «In Arabic “*amīn*”, a word still used in Morocco, to designate the “syndic of a guild»: cf. W. Marçais, *Arabic Texts of Tangier*, p. 223. However, the *Dictionary of the Spanish Language* offers a different meaning for the word *amīn*, namely: «In Morocco, a civil servant entrusted to collect the funds, to make payments, and to administer goods on account of the government.» Bear in mind that Spain exercised its protectorate for many years in the north of Morocco (and also in a strip in the south, now in the Sahara), and, therefore, the information of the Royal Spanish Academy is not of hearsay, of what others say, but first hand and experienced *in situ*. For the word *alamīn*, the aforementioned dictionary provides this equivalence: «Official who in ancient times verified the weights and measurements and appraised the supplies.» On the other hand, the assimilation of *amīn* with syndic of a guild given by the translator is not correct because there is an anachronism, since *amīn* in the context of Ibn ʿAbdūn’s treatise refers to a reality of the 11th or 12th century and the *amīn* of Morocco with which he compares it is much more recent, and it is already known that the meaning of words tend to evolve with the passing of time and with different geographical regions; therefore, there is no guarantee that they mean the same thing or that they obey to only one reality. What is more, from the philological point of view, the meaning of *amīn* was, in classic Arabic, ‘faithful or fiduciary’ [in Spanish *fiel*, or person who does not defraud the confidence entrusted to him, and to whom, consequently, certain public services have been assigned to be carried out with accuracy and legality]; and, by what is said further on in §91, this seems to be the meaning with which Ibn ʿAbdūn uses the word. For this interpretation we refer to F. Corriente, *Diccionario de arabismos y voces afines en iberorromance*, Madrid, Editorial Gredos, 1999, who defines the word *alamīn* or *amīn* as: «Inspector of weights and measures or of other activities: from the Andalusian *alamīn* < cl. *amīn* ‘trustworthy; secretary’. Of the same root, but as a modern Arabic expression, transmitted by more modern Mediterranean and/or European contacts, without an Andalusian phase, they are *lami* ‘certain Turkish authority in Palestine’ (pt.), *amim* (pt., only

This is the suggestion by Ibn ʿAbdūn: to finish with the proliferation of weights and measures that did not obey a defined standard, and which merchants were using to the detriment of consumers. To stop this, it was necessary to define and maintain standards. It was logical that these were guarded by the *muḥtasib*, or magistrate who guarded over the good functioning of the souks, and by the *alamín*, who was the faithful or fiduciary person (that is to say, in this case, a public inspector), or person responsible for verifying the weights and measures.³⁸ In this way the merchants would be prevented from using weights or measures that did not have a corresponding verification. If it is known that the *alamín* [*amīn*] was the faithful or fiduciary person who verified the weights and measurers in ancient times, the explanation of «or faithful verifier of the weighers and measures' guild» is not necessary; this phrase is rather an addition with the premeditated intention of inducing the association of two ideas: that of the *amīn* and that of a guild. On the other hand, in those times there were public weighers and measurers according to Ibn ʿAbdūn:

§215: The public weighers and measurers must be honest and advanced in age, because their craft supposes that they are trustworthy in points of integrity, religion, and piety. The axes of the scales must be lengthy and their pans must be light, as we have already said before.³⁹ The bars of the Roman balances will also have to be long, and the orifice in which the pivot of the indicator moves must be in the bar and not in the tab, because this system is closer than the others to the exact weight.

In this paragraph, Ibn ʿAbdūn, as it is seen, does not refer to the joining of the public weighers and measurers to a guild, neither does he specify their mission. Nevertheless, it is understood that they had to be government employees, or private professionals with a public function, to whom to turn to in order to verify the quantities of purchased goods or to carry out the measurement or the weighing when these services were requested of them.

The reading of Ibn ʿAbdūn gives the impression that his *amīn* is first of all an upright and irreproachable man, who does not have to be organically linked with the group on whose behalf he carries out a function. This impression is confirmed when Ibn ʿAbdūn speaks (§120) of «trustworthy syndic and who would not allow himself to be bribed,» whose mission was to monitor that, in the abattoir, beasts still suitable for the tillage were not sacrificed.⁴⁰

Morais) 'syndic or magistrate' and *amīn* (cs.) 'governmental administrator'.» And if we consult the *Encyclopédie de l'islam*, nouvelle édition, Paris, 1991, we find this: «*Amīn* = sûr, en qui on peut se fier. Comme substantif, celui à qui l'on a confié quelque chose, surveillant, administrateur.» Then some more technical meanings appear; in all, *amīn* designates the «titulaire de diverses fonctions 'de confiance'.»

³⁸ The *Dictionary of the Spanish Language* defines the term *alamín* (according to the transcription appearing in the previous note). Furthermore, in Spain, the post of '*fiel contraste*' [faithful verifier] existed (Chalmeta, *El "señor del zoco" en España: edades media y moderna, contribución al estudio de la historia del mercado*, 1973, p. 606); on the other hand, Tomás de Mercado [1569], *Suma de Tratos y Contratos*; Editora Nacional, Madrid, 1975, p. 168) alludes to some magistrates called '*fiel ejecutor*' [faithful executive or public inspector], whose assignment was to appraise the price of the most necessary articles.

³⁹ In §91, which is a paragraph previously analyzed and transcribed (though not on its entirety).

⁴⁰ Gabieli does not translate it into syndic, but into 'fiduciary': «a ciò deve vegliare un fiduciario non venale, che vada all'ammazzatoio ogni giorno.»

In §72, related to construction materials, the following is stated:

§72: In the possession of the *muhtasib*, or hung in the main mosque, there will have to be standards of the thickness of bricks, of the size of roof tiles, of the width and thickness of suspenders and of beams, as well as of the thickness of boards for flooring. These standards, made of hard wood, not susceptible to woodworm, will be hung on nails high on the wall of the main mosque and will be preserved carefully, in order to be able to come to them when it is believed that the mentioned materials are bigger or smaller than the standard, while other equal standards will be in the possession of the foremen for their work. This is one of the most important and essential things that have to be taken into account.

In this case it is evident that the responsibility did not fall on the shoulders of the *alamín* of a guild of builders, since the *alamín* is not even mentioned, nor the organization. It is logical that the foremen had to have these standards, but another set of standards might very well be guarded by the *alamín* of his guild (if it existed), instead of (or as well as) being on the wall of the main mosque. If the guild of builders had existed, Ibn [°]Abdūn would not have forgotten to name the *alamín* as a safekeeper of the standards. However the function of the *alamín* as being in charge of verifying weights and measures is independently of the existence of guilds. This is corroborated by what is said by Ibn [°]Abdūn a bit later (§92), where he mentions the *alamín* in his typical function of controlling weights and measures, and not as a syndic belonging to a guild:

§92: Regarding the standards of weights and measures, all well-calibrated and verified iron models must be in possession of the *alamín*. The standard measures of oil will have to carry the mark on the neck, which has to be narrow, because if the width of the neck is just a finger wider than normal, it is enough for the capacity to increase greatly. Everything has to be measured according to the ancient custom, and it would be well if it were possible to achieve that a standard measure of one *arroba* [standard measure of about 12.56 litres, or 22 British pints] of oil be equal to one *arroba* of weight [standard weight of about 11.5 kilograms, or 25 Castillian pounds], as it is in the case of the measure of wheat. When pouring the oil in the measure, it will be done little by little, because with the bubbling that takes place when pouring, the mark is soon reached; but if then it is left to rest a little, it will be seen that the measure is short.

On the typical function of the *alamín*, Ibn [°]Abdūn insists:

§95: The weights will have to be of glass or of iron, well made and verified, with a patently clear mark of the *alamín*. The merchants will not be allowed to use them of stone, because there is no way of verifying them. The weights of *arrate* [equal to 16 Castillian ounces] of the merchants and those smaller of all the measuring scales of the city, in all the professions, will have to be verified two or three times a year.

Let's focus our attention in the last phrase, which does not allude to the guilds, but to the professions. There the word guilds might have also been used instead of professions.

The non-existence of guilds is shown in the following paragraph:

§187: In the cattle fairs there must be a syndic [*amīn*] to make binding decisions for the parties if a difference between them emerges. In the same way, in every guild there must be a syndic.⁴¹

Now it is clear that Lévi-Provençal and García Gómez translate *amīn* as syndic instead of the correct translation as faithful person or fiduciary (public inspector). It is a question of an expert in the matter, who acts as an arbitrator to whose decision the litigants must comply with.⁴² Ibn ʿAbdūn considers the function of mediation to be important in smoothing the differences arising from the apparently abundant commercial deals among buyers and sellers. That is why he extends the institution of the arbitration in a general way to any profession. In order to attain this goal, he proposes that there be an *amīn* in every 'guild.' But notice that Ibn ʿAbdūn wants to establish a rapid form to solve mercantile conflicts through a mediator. Ibn ʿAbdūn calls him *amīn*. However, Lévi-Provençal and García Gómez unjustifiably translate this word as syndic, due to what García Gómez explains in his footnotes, to which we, in turn, commented on our note 37. Such a name should not cause any problem of interpretation if the function to be performed were perfectly defined; and, in effect, it is: it is a question of an arbitrator or mediator to dissolve conflicts. The question, and with it the confusion, arises at the moment when the translator chooses the word 'syndic' as equivalent to *amīn*; and then the trick of associating syndic with guild is complete: «In the same way, in every guild there must be a syndic,» that is the translation given. A question immediately appears: why does the translator give the name syndic to an arbitrator who must make peace in disputes arising between sellers and buyers? To answer this question, it is necessary to consider four things: 1) that the Arabic word *amīn* is translated without acceptable justification as syndic; 2) that this *amīn* is not a syndic, as far as a member of a professional entity to whom certain functions are entrusted that characterize its entity as a guild, but merely a mediator in the possible conflicts that might arise; that is to say, this person belongs more to the judicial field than to that of a guild; 3) that this *amīn* acts in the role assigned to him without the existence of the guilds, since in order to act as a mediator in conflicts arising in cattle fairs, and, by extension, in any class of profession, no guilds are required. The same thing happens with the highest judge and the auxiliary judge: they settle litigations that come up in the trade with absolute independence from whether the professions are corporately organized; and 4) that the tone of the principle is purely grammatical, characteristic of a desire more than of reality.

⁴¹ Gabrieli translates this way: «Nel mercato delle cavalcature va messo un fiduciario, al cui giudizio si deve ricorrere nelle contestazioni. Così per ogni mestiere ci deve essere un fiduciario.»

⁴² Here it is a question of an arbitrator who makes those of the professions agree with their clients, whereas in §44, *supra* transcribed (epigraph 4), the reference is to an arbitrator who dissolves differences between members of the same craft.

In the next paragraph there is also reference to a syndic and a guild, but it can be seen that now the function assigned to the syndic is that of policing, outside the practice of the profession:

§204: The sailors will not be allowed to cross any woman with a look of having a dishonest life, whereby it will be reported to the guild syndic of the guild. Prescribe also to them that nobody is allowed to enter with containers to buy wine from the Christians, and, if someone is caught, break the container and inform the syndic so that he may punish the sailor.

The way this paragraph is translated gives the impression that it refers to the syndic of the guild of the sailors. Constable mentions this passage,⁴³ where Ibn [°]Abdūn proposes the norm to be applied to the river administration, and gives the Arabic words that Ibn [°]Abdūn uses together with their translation; it turns out to be a 'superintendent of the river' (*amīn 'alā al-wādī*; we know that *amīn* = faithful person, public inspector; and *wādī* = river), «among whose obligations was that to take charge of the sailors.»⁴⁴ What is more, even Lévi-Provençal uses a terminology similar to that of Constable: «The policing of the port is the responsibility of an *amīn* of the river, who monitors not only the passengers, but also the navigators.»⁴⁵ However, when the French historian and his Spanish collaborator translate the text (as observed in the transcription of §204) they do not take into account that the *amīn* is of the river, with duties of policing the port, and they place him in the guild of the sailors. Such a guild has all the signs of having being invented off the cuff.

Notice that in all these paragraphs, the word guild could have been replaced by group, or by profession, without the meaning of their respective norms being altered. That is to say, guild is used meaning arts and crafts, and since it is not referred to as an organization to carry out professional purposes, it is not a question of guild *stricto sensu*.

Never in Ibn [°]Abdūn's text is a certain organization of the professions identified that would justify the use of the word guild. Neither can such an organization be seen in the books by Ibn [°]Umar, by Ibn [°]Abd al-Ra'uf nor by al-Saqaṭī (which are all known authors of *andalusíes ḥisba* handbooks).⁴⁶ In all the cases relating to the *amīn* it can be verified that the functions assigned to him are carried out perfectly without any need for guilds to exist. Neither is there sufficient basis to believe that the people who had to carry out these functions were assigned to what it is normally understood as a guild; and, still less, that

⁴³ O. R. Constable, *Comercio y comerciantes en la España musulmana. La reordenación comercial de la Península Ibérica del 900 al 1500*, Barcelona, Ediciones Omega, 1997, p. 140.

⁴⁴ Gabrieli had already given the same translation: «e debbono informarne il soprintendente del guado.»

⁴⁵ É. Lévi-Provençal and E. García Gómez, *Sevilla a comienzos del siglo XII: El tratado de Ibn [°]Abdūn*, Madrid, Moneda y Crédito, 1948, p. 22.

⁴⁶ Ibn [°]Umar, *Aḥkām al-sūq* [*Ordinances of the Souk*], Spanish translation by E. García Gómez in *Al-Andalus*, XXII/2, p. 253-316, Madrid and Granada, 1957; Ibn [°]Abd al-Ra'uf, *Risāla fī ādāb al-ḥisba wa-l-muḥtasib* [*Treatise of the Good Government of the Souk and of the Muḥtasib*], French translation by R. Arié under the title "Traduction annotée et commentée des traités de ḥisba d'Ibn al-Ra'uf et de [°]Umar al-Garsīfī", in *Hespéris-Tamuda*, I/1, pp. 5-38; I/2, p. 199-214; and I/3, pp. 349-364, Rabat, 1960; al-Saqaṭī, *Kitāb fī ādāb al-ḥisba* [*Book of the Good Government of the Souk*], translation into Spanish by P. Chalmeta in *Al-Andalus*, XXXII/1, p. 125-162; XXXII/2, p. 359-397; XXXIII/1, p. 143-196 and XXXIII/2, p. 367-434; Madrid and Granada, 1967 and 1968.

these personages embodied the representation of the profession, since this is not even insinuated at any time by Ibn ʿAbdūn or by any of the aforementioned Muslim authors of the manuals of *ḥisba*. Since the economic system described by Ibn ʿAbdūn was unorganized and detrimental to consumers, it is evident that, with his treatise, Ibn ʿAbdūn wanted the public power to institutionalize some order with the main purpose of imposing quality control, the prevention of fraud, and the establishment of a rapid system to solve conflicts arising from mercantile activity; the case contemplated in §204, regarding a question of policing religious morality, the honest life of women, and consumption of wine, is exempted, and also that of §43 in reference to another religious obligation of the Muslims: that of prayer. In addition, in one specific case, a fixed location for the practice of the trade was proposed, and, in general, the figure of the *amīn* is imposed (never a syndic according to the translation into French by Lévi-Provençal and into Spanish by García Gómez) to resolve differences between members of a profession, or between parties who intervene in mercantile deals. This function supposes some professional relations, and transcends to the juridical sphere and relieves the *muḥtasib* and the auxiliary judge of an accumulation of litigations by claims, highly numerous in Seville, according to Ibn ʿAbdūn in §13. The last aspect remains clearer in the previously transcribed proposal by Ibn ʿAbdūn in §44. Furthermore, some of these functions are more typical of a bailiff or of a judicial agent. There is documented evidence of a task of this class assigned to an *amīn* in the middle of the 12th century to supervise the confiscation of goods.⁴⁷ Chalmeta documents a reflection by ʿAbd al-Raḥmān III about the claim of a spinner dealt with by his grandfather, when in his opinion he could not have done it, since for that there was already «the vigilance of the *amīn* of the thread souk.»⁴⁸ In other words, the *amīn* belonged to the souk, not to the profession.

In more ancient manuals of *ḥisba* the *amīn* also comes to light; however, no assignment different from the typical one of a ‘faithful person or fiduciary’ can be found in any of these manuals; that is to say, to the honest and reliable man designated for a delicate mission. In the manual of Cordovan Ibn ʿUmar, *Aḥkām al-sūq* [*Ordinances of the Souk*] from the 9th century, there are only two brief references in paragraphs 2 and 3 to the ‘man of greater trust’; one of them in charge of visiting the souk to verify the standard of all weights and measurements, and the other of monitoring that the coins in circulation were good, in order to prevent monetary devaluation. It can be appreciated that naming an *amīn* to go through all the shops of the souk is simpler than organizing the professions and putting a controller of weights and measures at their head. It does not state that he would be an officer belonging to each of the guilds, but that it was a question of a government employee going through the

⁴⁷ The caliph ʿAbd to al-Muʿmin ordered, at the end of 1147, the prosecution of those selling and consuming grape must, and, afterwards, in August, 1148, he sent a letter ordering the strict observation of the Koran, that those responsible for the sale and consumption of wine would be prosecuted, and, furthermore, that, in the legal trials, «the confiscation of goods had to be carried out with the legal supervision of an *amīn*» (A. González Moreno, “Invasiones norteafricanas y movimiento nacionalista en al-Andalus», in *Historia de Andalucía, Vol. II: Al-Andalus. De la desmembración del califato a la conquista cristiano-feudal*, Sevilla, Biblioteca de Ediciones Andaluzas, 1981, p. 175).

⁴⁸ P. Chalmeta, *El “señor del zoco” en España: edades media y moderna, contribución al estudio de la historia del mercado*, Madrid, Instituto Hispano-Árabe de Cultura, 1973, p. 375-376.

souk and other shops. In the book by Ibn ʿAbd al-Raʿūf, *Risāla fī ādāb al-ḥisba wa-l-muḥtasib* [Treatise of the Good Government of the Souk and of the Muḥtasib] from the 10th century, the *amīn*, or a very reliable person to whom an important mission is assigned, is mentioned once. In the paragraph (p. 205) about the butchers [ʿazzārīn], Ibn ʿAbd al-Raʿūf indicates that the slaughter of animals is to be entrusted to honourable and reliable persons; if such a person should not exist, then a ‘*prud-homme* [*amīn*]’ (or magistrate, according to the translator) is imposed who monitors them and teaches them the rules of slaughter. It can be deduced that, if nobody is sufficiently prepared, then the *muḥtasib* would be the one who would appoint an *amīn* or expert in the procedure of the slaughter; however, in the first instance, the butchers themselves had named the person responsible for the slaughter.

Although García Sanjuán believes that he has found himself in the presence of a ‘syndic’,⁴⁹ it is evident that, from these considerations by Ibn ʿAbd al-Raʿūf, it cannot be deduced that this *amīn* was the ‘syndic’ of a guild, since he neither plays any role of representation of the profession nor does he have any duty related to organizing the profession nor does he safeguard the economic interests of members. It is only a question of an expert in slaughter. For the rest, it would be completely absurd that in the 9th century Ibn ʿUmar only referred to the verifiers of weights and measures and one century later Ibn ʿAbd al-Raʿūf only mentioned the slaughterer if in their respective epochs the economic system were full of guilds. On the other hand, this recommendation by Ibn ʿAbd al-Raʿūf is very similar to that of Ibn ʿAbdūn (§120) when proposing: «Inside the souk no beast will be sacrificed, unless it is done in vats, taking the blood and the rubbish of the guts out of the souk.» And then he goes on to say: «The beasts will be slaughtered with a long knife, and all the knives used for slaughtering will be like this.» He recommends that beasts suitable for breeding and for the work of ploughing should not be sacrificed, except if they carry some defect, «and a reliable syndic has to look after this and he will not take bribes, and every day he will have to go to the slaughterhouse.» From what is mentioned above by Ibn ʿAbdūn, it is not possible to affirm that organizations of butchers or slaughterers existed. Here the ‘reliable syndic’ is neither someone of the profession, nor does he have anything to do with the way in which this may be organized, since he only has to supervise the observation of a norm: that the beasts to be slaughtered are not apt for breeding or for work. Monitoring compliance with the rules can be done with or without guilds; in the same way that the *amīn* who monitors the accuracy of weights and measures need not belong to a guild. Moreover, slaughter is important for Muslims, since, according to the Koran (2,168, among others), they cannot eat meat from an animal that has been killed without invoking God’s name, and, furthermore, it has to be very well bled, since the Koran (2,168) also prohibits the ingestion of blood. That is why Ibn ʿUmar refers in several paragraphs (50 and 52) to the good throat slitting of the sheep, Ibn ʿAbd al-Raʿūf dedicates several pages to this matter, and Ibn ʿAbdūn (§124) says:

⁴⁹ A. García Sanjuán, “La organización de los oficios en al-Andalus a través de los manuales de *ḥisba*”, in *Historia. Instituciones. Documentos*, Vol. 24, Sevilla, Publicaciones de la Universidad de Sevilla, 1997, p. 216.

«Sausages and meatballs have to be made with fresh meat, and not with the meat of a sick animal nor that of a beast which died without having its throat slit because this would be cheaper.»

For this reason, the authors of the manuals of *ḥisba* see to it that the beasts destined for human consumption be properly sacrificed. The slaughterer must be an expert in his profession and must know very well how to slit throats so that the animal is completely bled; and the knife has to be a long one, for that same purpose. Of lesser importance was whether the slaughterer was chosen by the butchers or was named by the *muḥtasib*; that which held more relevance was that he was a good throat-slitter. Finally, it is necessary to take into account that, in the manual of *ḥisba* by Ibn ʿAbd al-Raʿūf, the *amīn* named by the *muḥtasib* as the slaughterer was not a member of a guild; he was an expert master in the art of throat-slitting who transmitted his knowledge to others, regardless of whether the group of butchers were corporately organized or not.

6. Conclusions

From our studies, we conclude that there were no guilds in Ibn ʿAbdūn's epoch. Romero holds the same opinion, stating that from everything mentioned by Ibn ʿAbdūn, «it does not follow that such professions, or at least some of them, were corporately organized.»⁵⁰ It is our opinion that the *ishbīlī* intended there to be an organization directed by the public authorities to monitor the souks, to prevent fraud, to carry out quality control of the products, and to mediate in conflicts. The latent idea in Ibn ʿAbdūn's mind, and in those of the other authors of the manuals of *ḥisba*, was not to organize the professions but the souks, for consumer protection against the producers. On this matter, there is yet more indirect proof of the non-existence of guilds in that epoch. It is found in §131 of Ibn ʿAbdūn's treatise, where he recommends that clients be compensated for the powder and residues left by drugs by means of «a tare of compensation, set according to the opinion of the merchants and in agreement with the buyer.» Notice that he makes no mention of either an *amīn* or a guild. The agreement had to be established directly between merchants and buyers themselves on an individual basis. It would have been absurd to propose such a norm if there had been a pharmacists' guild. Even if the sale of drugs had not been specialized and the drugs were sold by shopkeepers in general, the norm would have been completely different if the retailers had been organized in guilds.

As a colophon, it is probably relevant to transcribe a few of Chalmeta's words (1991: 108-109) about Islamic cities (in general):⁵¹

⁵⁰ V. Romero, *Los gremios de Sevilla*, Sevilla, Padilla Libros Editores & Libreros, 2001, p. 28.

⁵¹ P. Chalmeta, "Organización artesano-comercial de la ciudad musulmana", in *Simposio Internacional sobre la Ciudad Islámica: ponencias y comunicaciones*, Zaragoza, Institución Fernando el Católico, 1991, p. 108-109. We are grateful to Dr. Bramon who has provided us with this information.

Speaking in socio-economic and political terms, the Moslem organizations (*sinf, rifa, firqa, tãifa*) constitute authentic corporations or not? Massignon and his followers wanted to make guilds of them.⁵² However, these so-called guilds do not emerge until the 14th century, with the appearance of the Ottomans. There were none in al-Andalus, not even a small trace of them can be found in the documents of Geniza, and Le Tourneau never managed to see them in Fez.⁵³ Likewise, the *alamines* should not be considered heads of guilds, but merely as people responsible for the profession facing the public authorities, appointed for fiscal purposes to better control their colleagues. Therefore, given the silence of the sources, one is forced to follow the observations of Baer,⁵⁴ Cahen,⁵⁵ Goitein,⁵⁶ Raymond,⁵⁷ and Stern,⁵⁸ to conclude the non-existence of corporate organizations of craftsmen in the Muslim world before the 15th century, and then their existence only in the Ottoman territory thereafter.

The historians mentioned by Chalmeta studied work situations in diverse periods of time outside the al-Andalus area. Nevertheless, Chalmeta specifies very clearly that in al-Andalus there were never any guilds.

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⁵² L. Massignon, "Le corps de metier et la cité islamique", in *Revue Internationale de Sociologie*, Vol. 28, 1920.

⁵³ R. Le Tourneau, *Fès avant le protectorat*, Casablanca, Société marocaine de librairie et d'édition, 1949.

⁵⁴ G. Baer, *Egyptian Guilds in Modern Times*, Jerusalem, 1965. (Note by Chalmeta).

⁵⁵ C. Cahen, "Les corporations professionnelles...", in *The Islamic City*, Oxford, 1970. (Note by Chalmeta).

⁵⁶ S. D. Goitein, *A Mediterranean Society...*, U.C.A., 1967. (Note by Chalmeta).

⁵⁷ A. Raymond, *Artisans et commerçants...*, Damasco, 1973. (Note by Chalmeta).

⁵⁸ S. Stern, "The constitution of the Islamic city", in *The Islamic City*, Oxford, 1970. (Note by Chalmeta).