

# An Essay on Islam and Cities

## İslam ve Şehir Üzerine Bir Deneme

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**ABSTRACT** Current debates on Islam and urbanism have focused on finding typologies that would represent an ideal Islamic city. This led to the revival of the "Islamic City Model" built on orientalist hypotheses. The article argues that to identify the distinctive historical effects of Islam on the city, it is necessary to move away from typologies and approach Islam conceptually. For that, the article first identifies the problems associated with the "Islamic City Model" and based on a post-colonial literature redefines early urban features shaped by Islam. Subsequently, approaching Islam as conceptual framework, it investigates Islamic rules that shaped early towns at two levels: human-human interaction at the neighborhood level and humans' relation with natural resources. Such a conceptual treatment of Islam will allow us to avoid the erroneous adoption of urban features that belong to the Muslim past but are not Islamic per se, while allowing Islam to provide a universal guideline for modern Muslim cities.

**Keywords:** Early Muslim towns; Islamic City Model; Fiqh and urban life in Islam; Muslim cities and orientalism

**ÖZ** İslam ve şehircilik üzerine olan güncel tartışmalar, mekanik bir yaklaşımla İslam şehirlerini temsil edecek tipolojiler bulmaya odaklanmıştır. Bu ise oryantalist hipotezler üzerine kurulu "İslami Şehir Modeli"nin yeniden canlanmasına sebep olmuştur. Makale, İslam'ın kentsel yaşam ve ilişkiler üzerindeki ayırt edici etkilerini sahici bir şekilde tespit edip inceleyebilmek için tipolojilerden uzaklaşıp, İslam'ı kavramsal bir yaklaşımla ele almanın gerekli olduğunu öne sürmektedir. Bu anlamda, ilk olarak "İslam Kenti Modeli" ve modelin problemleri ortaya konmuş, post-kolonyal literatür ışığında, erken Müslüman şehirlerde İslam'ın şekillendirdiği kentsel özellikler tanımlanmıştır. Takiben, kavramsal bir yaklaşım ile İslam fıkının genel bir çerçeve olarak erken şehirleri nasıl etkilediğine bakılmış ve iki düzeyde inceleme yapılmıştır: İnsan-insan etkileşimi ve insanın doğal kaynaklar ile ilişkisi. İslam'ın kavramsal ele alınışı Müslümanların geçmişine ait olan, ancak başlı başına İslam'a ait olmayan bazı kentsel özelliklerin hatalı bir şekilde benimsenmesinden kaçınmamızı sağlarken, İslam'ın modern şehirler için evrensel ama yerelleşmeye de açık bir çerçeve sağlamasına imkân verecektir.

**Anahtar Kelimeler:** Erken Müslüman şehirler; İslam Kenti Modeli; Fıkıh ve Şehir hayatı; İslam şehirleri ve oryantalizm

### EXTENDED ABSTRACT

In response to a rapid rate of urbanization and associated problems, many Muslim states have turned to the Islamic past to re-plan the contemporary city. The return to Islamic history, however, has been marked by a mechanical approach that sought a typology that would uniformly represent Islam's relationship to urban life. This typology was found in the notion of "Islamic City Model." The model however had various problems. Most notably, underscored by the orientalist othering of Islamic city and civilization, what the model prescribed as the 'Islamic city' was not solely shaped by Islam but by a variety of influences such as history, culture, climate and technology.

This essay aims to shift the discussions on Islam and urban life from this mechanical view to a more conceptual thinking of Islam. That is, instead of relying on a typologies and theoretical discussions, the essay suggests looking at the ways in which Islamic rules and principles worked as a general framework and guided urban relations and planning in early Muslim cities.

For that, the essay first reviews the orientalist construction of the Islamic City Model and problems associated with it. This is followed by identifying urban features of early Muslim towns that seem to be plausibly shaped by Islam. These features notably include spatial segregation based on one's relation to Umma, cellular patterns determined in large part by Islam's property law, autonomous and vibrant neighborhoods, and spatial organization based on gender segregation and visual insulation.

The essay then moves away from mechanical treatments of Islam to conceptual thinking of Islam. It investigates Islamic rules and principles that directly influenced urban development in early towns at two levels: human-human interaction at the neighborhood level and humans' relation with natural resources at the public level. While not extensive, this investigation is sufficient to illustrate how decision-making based on fiqh had direct effects on the urban relations and built forms.

The essay's call for a conceptual focus on Islam is not limited for those who study Islam and urban life. It is a broader call that would cover any other inquiry seeking to define a uniquely Islamic perspective to an issue at hand, whether this regards women's rights, minorities, technology, or mental health. In other words, the essay stresses that something belonging to the past of Muslims does not make it Islamic per se. Islamic towns are a prime example; while significantly influenced by Islam, many other factors also shaped them. This historical mix calls for future interdisciplinary research to build a more coherent theory of urban form in Islamic cultures.

## AN ESSAY ON ISLAM AND URBAN LIFE<sup>1</sup>

While urban studies have seldom addressed the essential role played by religion in urbanization, the histories of religion and urbanization have always been intertwined, constructed in a reciprocal relationship.<sup>2</sup> While religious practices, values, and institutions influenced the formation of cities and urban behaviors, urbanization impacted sacred spaces, traditions, rituals, and procedures. Religion of Islam likewise has marked cities that it developed and inherited with distinct social, morphological, and spatial characteristics.

However, religion's reciprocal relationship with the city is not limited to history. In fact, in contemporary societies, religion's influence on cities and urban life has only grown along with ever-complex societal problems generated by macro processes such as globalization, transnational migration, and rapid urbanization. Today, cities are beds for material and socio-political growth (wealth creation, commerce, technology, citizenship, civil activism, education, etc. ) but also for new environmental risks, poverty, segregation, crime, and radicalism.

These developments have revived an interest in religion and urbanization. A rapid rate of urbanization and resulting urban, political, and environmental problems have been particularly apparent in the Islamic world. Muslim states and communities in response have started to seek new solutions for urban planning and management, and part of this response involved a quest to re-plan the contemporary city on historical Islamic patterns.

This urge to find culturally-rooted solutions has not been confined to Muslim states. Still, it reflects a global acknowledgment that sustainable living can learn a lot from traditional cultures and practices. As such, this new direction to rethink contemporary problems with the lens of religion may promise

<sup>1</sup> This essay is a product of the author's previous policy-oriented research and work prepared for SESRIC-OIC in 2019 on urban development in the Member Countries of Organization of Islamic Cooperation.

<sup>2</sup> Jörg Rüpke, *Urban Religion: A Historical Approach to Urban Growth and Religious Change*, De Gruyter, Berlin&Boston 2020.

many potentials, especially regarding such normative issues as public management of natural resources and poverty eradication. Nevertheless, in the case of Islam, such attempts, in general, have resulted in a mechanical view of religion, searching for a typology.

With that, I refer specifically to adopting the “Islamic City Model” as a typology to be used to rebuild contemporary cities and tackle urbanization problems. Prescribed as a typology by 20<sup>th</sup> century orientalist literature, the Islamic city model may seem like an attractive, ready-to-use tool; however, it has various problems. In addition to being underscored by the orientalist othering of Islamic city and civilization vis-à-vis the West, what the model prescribed to be distinctively Islamic has been shown by subsequent research to be rooted in many factors (local culture, history, climate, technology, and security) that were independent of Islam.

This essay aims to shift the discussions on Islam and urban life from mechanical views of religion and typologies of early Muslim towns to conceptual thinking of Islam as a general framework, which guided urban relations and planning in early Muslim cities and can help approach contemporary urban issues.

For that, I first review the orientalist construction of the Islamic City Model and review the problems associated with it. This is followed by identifying urban features of early Muslim towns that seem to be plausibly shaped by Islamic principles and values. These features notably include spatial segregation based on one’s relation to Umma, cellular patterns determined in large part by Islam’s property law, autonomous and vibrant neighborhoods, and spatial organization based on gender segregation and visual insulation.

I then shift the essay’s focus from typologies and theoretical discussions to conceptual thinking of Islam. The essay provides examples that illuminate how Islamic rules, particularly the *Maliki* school of law, influenced human-to-human interactions at the neighborhood level and humans’ relation with natural resources at the public level in early Muslim towns. This investigation, while not extensive, will be adequate to illustrate how Islam and *fiqh* provided a general framework guiding urban relations, environment, and behavior in the past and can continue to inspire solutions for contemporary urban issues.

The essay has two main contributions to the sociology of Islam literature and scholarship on Islam and urbanization. It contributes to the scholarly efforts that have critically examined orientalist literature on early Muslim towns and rebuilt Islam’s history of urbanization more carefully. The essay also contributes to the scholarship on and policy-making in contemporary urbanization by shifting the focus from mechanical treatments of Islam to conceptual thinking of Islam.

The essay’s call for a conceptual focus on Islam is not limited for those who study Islam and urban life. It is a broader call that would cover any other inquiry seeking to define a uniquely Islamic perspective to an issue at hand, whether this regards women’s rights, minorities, technology, or mental health. In other words, the essay stresses that something belonging to the past of Muslims does not make it Islamic per se. Islamic towns are a prime example; while significantly influenced by Islam, many other factors also shaped them. This historical mix calls for future interdisciplinary research to build a more coherent theory of urban form in Islamic cultures.

## ON THE EARLY MUSLIM CITIES: THE ISLAMIC CITY AND ITS CRITIQUES

Both Western and Islamic scholarship has historically viewed Islam as an urban religion.<sup>3</sup> This included even the orientalist scholarship of the early 20<sup>th</sup> cc. While depicting the Islamic city as the ‘inferior other’ of the European ones, this scholarship agreed nevertheless that Islam shared a ‘quality of urbanity’ with Judaism and Christianity.

Many attributed the urban qualities of Islam to the religion’s understanding of authority and organization, which stimulated social gathering and discouraged nomadism.<sup>4</sup> Others emphasized that Islamic duties and rituals required the settled way of urban life.<sup>5</sup>

Scholars also have agreed that Islam impacted cities’ social and spatial features in identifiable ways. Islam’s influence was evident both in cities constructed anew by Muslims,<sup>6</sup> and those Islam inherited through conquests. Under Muslim rulers, some towns developed simultaneously without government planning, such as Karbala and Mashhad. Some, however, were designed by rulers for politically inspired reasons, such as Baghdad, and some as garrison towns such as to Al-Kufa and Al- Basra in Iraq, Qairawan in Tunisia, and Fustat in Egypt.<sup>7</sup> A number of these militarily founded towns eventually morphed into what today would be considered as ‘metropolitans’ and became centers for international trade and migration.<sup>8</sup>

Starting with the Renaissance, a group of orientalist travelers and colonial administrators viewed Islam’s influence on urban life in extremity and imagined a monolithic model solely shaped by Islamic teachings. By the turn of the 20<sup>th</sup> century, the stereotype of the Islamic city as a monolithic, stagnant model was already well-evident in European academia.

Historians such as William and Georges Marçais, Roger Le Tourneau, Louis Massignon, and Robert Brunschvig formulated an Islamic urban model using North African cities. They then applied North African observations to all Arab-Islamic, Turkish, Iranian, and Andalusian territories,<sup>9</sup> resulting in the notion of the ‘Islamic City Model’.<sup>10</sup> The Islamic City Model was presumed to be solely shaped by Islamic teachings and thus was easily pictured to be uniform across *Dar-ul-Islam*, from Cordoba to Delhi. This presumably uniform model was also argued to be a ‘distinctive model of urbanity,’ which stood in contrast to European cities, a view broadly underscored by an orientalist ‘Islam versus West’ opposition.

By the 1960s, the Marçais brothers’ model became somewhat of a norm among orientalist scholars. Marçais brothers articulated the salient features of the Islamic city as follows: the presence of the

<sup>3</sup> Bilal Ahmad, “Urbanization and urban development in the Muslim World: From the Islamic city model to megacities”, *GeoJournal*, 1995, Volume: 37, No.1, p. 113-123; Walter Fischel, “The City in Islam”, *Middle Eastern Affairs*, 1956, No. 7, p. 227-232; Riaz Hassan, “Islam and Urbanization in the Medieval Middle East”, *Ekistics*, 1972, Volume: 33, No. 195, p. 108-112.

<sup>4</sup> Rabah Saoud, *Introduction to the Islamic City*, FSTC Limited, 2002; Farshid Shojaei & Mehran Paezesh, “Islamic City and Urbanism: An Obvious Example of Sustainable Architecture and City”, *Cumhuriyet Science Journal*, 2015, Volume: 36 No.6, p. 231-237.

<sup>5</sup> Hisham Mortada, “Urban sustainability in the Tradition of Islam”, *The Sustainable City II: Urban Regeneration and Sustainability*, WIT Press, Boston 2002, pp. 720-747.

<sup>6</sup> Hugh Kennedy, “Inherited Cities”, *The City in the Islamic World*, eds. Salma K. Jayyusi et. al, Volume: 2, Brill, 2008, p. 93-113.

<sup>7</sup> Jamal Akbar, “Khaṭṭa and the Territorial Structure of Early Muslim Towns”, *Muqarnas*, 1989, p. 22-32.

<sup>8</sup> Ira Lapidus, “The Evolution of Muslim Urban”, *Comparative Studies in Society and History*, 1973, Volume: 15, No.1, p.21-50.

<sup>9</sup> Annalinda Neglia, “Some Historiographical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, eds. Salma K. Jayyusi et. al, Volume: 2, Brill, 2008, p. 1-46.

<sup>10</sup> See for example, William Marçais, “Tslamisme et la vie urbaine”, *Comptes-rendus des séances de l'Académie des Inscriptions et Belles-Lettres*, 1928, p.86-100; Robert Brunschvig, *Urbanisme Médiéval et Droit Musulman*, P. Geuthner, Paris 1947.

congregational Friday Mosque at the center; the *suq* (market) structure nearby the mosque; neighborhoods spatially divided based on ethnicity and religion; and the lack of municipal organization or an urban administrative body.<sup>11</sup> Adopting Marçais' spatial model, Brunschvig<sup>12</sup> defined the urban form of Islamic cities as "irrational" and without any plan<sup>13</sup> and similarly De Planhol<sup>14</sup> described the Islamic city as a place for irregularity and anarchy.<sup>15</sup>

Overall, until the 1960s, a uniform model defined the Islamic city as unchanging, stagnant, and chaotic in stark contrast to Western ones marked by regularity and discipline. This fits nicely with the broader dichotomic orientalist discourse depicting Islam as an eternally stagnant civilization as opposed to the progressive West.<sup>16</sup>

This model was adopted not only by Western orientalists but also Muslim scholars, who were also influenced by the works of Max Weber's<sup>17</sup> for whom "...Islam never overcame the divisiveness of Arab tribal and clan ties..."<sup>18</sup> and hence was not conducive for the development of urban communities (and secularism) in the Western sense.

This initial phase of scholarship on the cities of the Islamic world, which constructed a monolithic Islamic model, was subjected to revisions by the 1950s, starting a process of critical rethinking by taking geographical, social, historical, and economic factors into account. By the 1970s and 1980s, a new wave of scholarship, most notably including Abu-Lughod,<sup>19</sup> Alsayyad,<sup>20</sup> Lapidus,<sup>21</sup> Hodgson,<sup>22</sup> Levtzion,<sup>23</sup> Grabar,<sup>24</sup> thoroughly challenged the unified model drawn solely from Arabo-Islamic patterns as well as the orientalist framework that underscored it.

While an extensive review of these critiques exceeds the scope of this essay, most common criticisms are briefly reviewed to reveal the problems associated with the notion of the Islamic City.

For one, the critiques saw severe methodological problems concerning the construction of the Islamic Model. In a thorough review of the scholarship behind the model, Abu Lughod<sup>25</sup> demonstrated that the model was constructed by a few Western authorities, who simply drew upon one another, shedding doubt, as such, on the model's universality and reliability.

<sup>11</sup> Neglia, "Some Historical Notes on the Islamic City with Particular Reference to the Visual Representation of the Built City", 2008.

<sup>12</sup> Brunschvig, *Urbanisme Médiéval et Droit Musulman*, 1947.

<sup>13</sup> Ibid.

<sup>14</sup> Xavier De Planhol, *The World of Islam*, Cornell University Press, Ithaca 1959.

<sup>15</sup> Nezar Al-Sayyad, "The Study of Islamic Urbanism: An Historiographic Essay", *Built Environment*, 1978, Volume:22, No.2, p. 91-97.

<sup>16</sup> Urvi Mukhopadhyay, "Defining 'Islamic' Urbanity Through A Trans-Regional Frame", *Asian Review of World Histories*, 2015, Volume: 3, No.1, p.113-135.

<sup>17</sup> Neglia, *Particular Reference to the Visual Representation of the Built City*, 2008.

<sup>18</sup> Max Weber, "The City (Non-Legitimate Domination)", *Economy and Society: An Outline of Interpretive Sociology*, eds. Guenther Roth - Claus Wittich, University of California, 1978, p. 1244.

<sup>19</sup> Janet Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", *International Journal of Middle East Studies*, 1987, Volume: 19, No.2, p. 155-176.

<sup>20</sup> Al-Sayyad, "The Study of Islamic Urbanism: An Historiographic Essay", 1978.

<sup>21</sup> Lapidus, "The Evolution of Muslim Urban", 1973.

<sup>22</sup> Marshall G. S. Hodgson, *The Venture of Islam*, Volume: 2, University of Chicago Press, Chicago 1974.

<sup>23</sup> Nehemia Levtzion, "Towards Comparative Study of Islamization", *Conversion to Islam*, ed. Nehemia Levtzion, Holmes and Meiers, London & New York 1979, p. 1-23.

<sup>24</sup> Oleg Grabar, "Reflexions on the Study of Islamic Art", *Muqarnas*, No. 1, 1983, p. 1-14.

<sup>25</sup> Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", 1987.

Another methodological issue Abu Lughod<sup>26</sup> highlighted regards the sample of the model, which included only a small number of cases and exclusively driven from North Africa<sup>27</sup> yet still treated as a universal prototype. Alsayyad<sup>28</sup> also criticized the dominance of the Arabo-Islamic data and associated this view with Orientalism.<sup>29</sup>

Others have more broadly challenged the idea that designated an “Arabic core” to the Islamic civilization. Hodgson<sup>30</sup>, for example, emphasized the need to rethink Islamic civilization and culture in a framework of trans-regionality and multiculturalism, while Levtzion’s volume<sup>31</sup> questioned ‘the stereotypical centrality of Mecca as the center of Islamic society and culture’.<sup>32</sup> Along parallel lines, Grabar<sup>33</sup> problematized the concept of “Islamic” when dealing with numerous historical and cultural traditions from Asia to Africa.<sup>34</sup>

This line of research more broadly emphasized the need to thoroughly consider the role of geopolitical and cultural influences in the formation of cities in the Islamic world.<sup>35</sup> Contemporary scholarship further enforces this point. For instance, Hakim<sup>36</sup> brings to attention how the camel as the primary means of transportation in the Middle East had a significant impact on the street system and urban form of the Islamic city. On a similar note, other scholars have shown the effects of climate on how alleys and houses were built.<sup>37</sup>

This body of research together raises essential questions about the patterns found among cities of *Dar-ul-Islam*. As mentioned above, the early Muslim towns were profoundly influenced by local factors independently of Islamic principles, ranging from local culture, history, climate, and technology. As such, the presence of common patterns among Muslim cities does not necessarily represent a universal religious influence; instead, many of them seem to be rooted in common responses to shared historical and environmental circumstances.

There is more. Islamic urban life flourished not only through the construction and planning of new cities but also through the inheritance of pre-Islamic cities. Kennedy argues that ‘...the inherited cities formed an essential foundation to the urbanism of the early Muslim world...’<sup>38</sup> This means Muslim communities inherited geomorphological, cultural and built features of the conquered and inherited towns.<sup>39</sup>

A closer look into inherited cities reveals, very crucially, that many features of the Islamic City model cited to be uniquely Islamic and used to counterpose Islamic cities against European cities had their roots in pre-Islamic urban patterns and order.

<sup>26</sup> Ibid.

<sup>27</sup> Also see, Ahmad, “Urbanization and Urban Development in the Muslim World: From the Islamic City Model to Megacities”, 1995.

<sup>28</sup> Al-Sayyad, “The Study of Islamic Urbanism: An Historiographic Essay”, 1978.

<sup>29</sup> Mukhopadhyay, “Defining ‘Islamic’ Urbanity Through A Trans-Regional Frame”, 2015.

<sup>30</sup> Hodgson, *The Venture of Islam*, 1974.

<sup>31</sup> Levtzion, *Towards Comparative Study of Islamization*, 1979, p.

<sup>32</sup> Mukhopadhyay, “Defining ‘Islamic’ Urbanity Through A Trans-Regional Frame”, 2015, p. 122.

<sup>33</sup> Grabar, “Reflexions on the Study of Islamic Art”, 1983.

<sup>34</sup> Neglia, Particular Reference to the Visual Representation of the Built City, 2008.

<sup>35</sup> Mukhopadhyay, “Defining ‘Islamic’ Urbanity Through A Trans-Regional Frame”, 2015.

<sup>36</sup> Besim Hakim, “Law, and the City”, *The City in the Islamic World*, eds. Salma K. Jayyusi et. al, Volume: 2, Brill, 2008, p. 71-93.

<sup>37</sup> Hamed Hayaty - Fatemeh Monikhi, “Investigating the Characteristics and Principles of Islamic Cities Based on Islamic Literatures. *International Journal of Humanities and Cultural Studies*, 2016, p. 933-954.

<sup>38</sup> Kennedy, “Inherited cities”, 2008, p. 113.

<sup>39</sup> Saoud, *Introduction to the Islamic City*, 2002; Paul Hamdan, “The Pattern of Medieval Urbanism in the Arab World”, *Geography*, Volume: 47, No. 2, p. 121-134.

One such feature regards the disorganized internal structure of the Islamic city that was attributed to the lack of an urban administration body (such as municipal organizations).<sup>40</sup> However, contemporary research has shown that the unplanned internal structure was not unique to Muslims but was found in other predominantly traditional societies.<sup>41</sup> Second, the segregation between the Islamic and the non-Islamic communities depicted as a uniquely Islamic urban pattern was subsequently proved to be a pre-modern pattern and present even in the European Christian medieval towns.<sup>42</sup>

Furthermore, Marçais's model featuring a congregational mosque with a nearby marketplace (bazaar or suq), which is used to describe Islamic City even today, was also found in medieval European cities when the church was a temporal power:

'...Medieval European cities were also defined by the presence of the cathedral and the marketplace in front of it. Thus far, therefore, we have only a very modestly etched idea of the Islamic city, one which poorly distinguishes it from cities in other religious/ cultural contexts and one which has as yet no topography.'<sup>43</sup>

In response to these critiques, orientalists would have responded by stressing that the structure described by Marçais and his peers as the Islamic City (a concentration of mosque and the markets in the heart of the city, enclosed quarters, the statistical predominance of dwellings with a central courtyard) were found as a common feature of various Islamic cities from Marrakesh to Herat.<sup>44</sup> However, the crucial point is that these structures are not essentially Muslim; some predate Islam, some are responses to common natural constraints or shared cultural characteristics.

The review of the critical reevaluation of Islamic cities so far aims to demonstrate that '...there is no "Muslim" city of the kind Orientalists have wished to identify.'<sup>45</sup> However, as Neglia warns us,<sup>46</sup> this should not lead us into a sort of nihilism or to the assumption that Islam has not influenced the cities it ruled. Instead, the argument here should imply that early Muslim towns were products of many factors, including Islam. The task is to identify the influences that can uniquely be attributed to the Islamic religion.

In the next section, the essay will briefly undertake this task and describe some features of early Muslim cities that have been reported by critical scholars to be shaped by Islamic principles and law. These features notably include spatial segregation based on one's relation to Umma, cellular patterns determined in large part by Islam's property law, autonomous and vibrant neighborhoods, and spatial organization based on gender segregation and visual insulation.

Following this, the essay will expand its discussions beyond theoretical and typological issues to the examination of how Islamic law interacted with urban behavior and relations. These discussions will be built on human-to-human interactions at the neighborhood level as well as humans' interactions with the national resources and environment. Broadly, these discussions will try to show how Islamic law

<sup>40</sup> Ahmad, "Urbanization and Urban Development in the Muslim World: From the Islamic City Model to Megacities"; Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", 1987.

<sup>41</sup> Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", p. 162.

<sup>42</sup> Mukhopadhyay, "Defining 'Islamic' Urbanity Through A Trans-Regional Frame", 2015.

<sup>43</sup> Abu-Lughod, *The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance*, 1987, p. 156.

<sup>44</sup> Neglia, *Particular Reference to the Visual Representation of the Built City*, 2008.

<sup>45</sup> *Ibid*, p.156.

<sup>46</sup> *Ibid*.

provided a general but tangible framework for the development, management, and building of early towns.

## RETHINKING EARLY MUSLIM TOWNS

A vocal critique of the Islamic city Model, Abu Lughod<sup>47</sup> identified certain Islamic elements that discernibly influenced the social and spatial features of the early Muslim towns.

According to Abu Lughod,<sup>48</sup> one virtual channel through which Islam shaped early towns was its juridical distinctions. The juridical distinctions were made based on the separation between believers versus non-believers and became one of the core factors that laid the foundations for spatial segregation.

Nevertheless, spatial segregation did not operate within a logic of oppressive, centralized governance. On the contrary, the state left essential functions to social units, which in turn empowered them. Spatial segregation also proved advantageous for religious and ethnic communities allowing them to pursue economic and political functions. Finally, others have argued that despite spatial segregation, the judicial system enabled the city to be assimilated economically and socially while ensuring equality among different components of the population.<sup>49</sup>

One consequence of the spatial segregation based on one's relation to Umma was the strengthening of the neighborhoods. One reason for that is the state did not concern itself with day-to-day maintenance and encouraged sub-state functional units, including the residential neighborhood. Another reason was related to the separation of commercial versus residential areas - underscored by the separation of public versus private spheres, which was rooted in gender segregation. This separation left to the residential areas a large measure of autonomy; neighborhoods handled many of their internal functions including security and the defense of neighborhoods.

Overall, the neighborhood became a building block of the city during medieval and even later times. Neglia suggests that the vibrancy of self-governed neighborhoods in the early Muslim towns can be thought of as the equivalent of modern civil society institutions.<sup>50</sup> One should keep in mind, however, while neighborhoods functioned as spaces for collective identity and civil solidarity, at times, they also become hubs for crime, political dissent, and gangs.

Another important element Islam bared upon early Muslim towns was spatial organizing encouraging gender segregation and privacy. Spatial organizing, importantly, was not centered simply around distance/ proximity but included visual insulation. Gender segregation impacted the built environment, the layout of the houses, the height of walls, the placement of windows, and the architecture of semi-private spaces.

Finally, Abu Lughod<sup>51</sup> proposes that Islam's property laws and system of rights, which governed rights and obligations of property owners and the state, seem to be at least partially responsible for the cellular patterns found in the early Muslim towns. These laws, overall, resulted in a constant reproduction of a pattern of space. The highest importance was given to pre-existing

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<sup>47</sup> Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", 1987, p. 156.

<sup>48</sup> Ibid.

<sup>49</sup> Saoud, *Introduction to the Islamic City*, 2002.

<sup>50</sup> Ibid.

<sup>51</sup> Abu-Lughod, "The Islamic City-Historic Myth, Islamic Essence, and Contemporary Relevance", 1987.

rights, of collective or individual users; this was followed by rights and obligations of nearby neighbors and then distant ones; last, there were the rights of larger administrative units. Under such access to entrances took priority over main roads or the reservation of land for public purposes.

So far, the essay has presented the Orientalist construction of the Islamic city model and reviewed its problems. This critical review mainly suggests, that as opposed to what orientalist literature claimed, the early Muslim towns were shaped not only by Islam but many other factors that were independent of religion. That said, Islam was still a crucial factor in shaping urban patterns. Following Abu Lughod some of these features are briefly presented.

In the next section, the essay will shift its focus from typologies and theoretical discussions to historical examples where Islam and Islamic law acted as a general framework informing urban relations environment and behavior.

Such a shift seems to be necessary for at least two reasons in the context of recent efforts seeking to tap into Islam and the Islamic past to find alternative answers for urban problems. For one, as discussed in the previous section, the morphological and lay-out features of early Muslim towns were not determined solely by Islam but by an amalgamation of influences from history, technology, climate, and culture. As such, a fixation on typologies of early Muslim towns may result in the erroneous espousal of certain urban features that, although belonging to Islam's past, do not belong to Islam per se.

Second, if Islam is to be a guideline for today's urban issues and problems, a more helpful approach would be focusing on Islamic principles, concepts, and rules as a general framework. Such a framework would provide universal and general parameters for contemporary Muslim states and communities while implementing these guidelines can be vernacularized depending on a given terrain's physical and cultural needs, hence resulting in customized solutions rooted in shared Islamic principles.

## ■ A GENERAL FRAMEWORK: ISLAMIC CONCEPTS AND URBAN LIFE

This section investigates Islamic rules and principles that directly influenced urban development in early towns at two levels: human-human interaction at the neighborhood level and humans' relation with natural resources at the public level. This investigation is not extensive but hopefully sufficient to illustrate how decision-making based on *fiqh* had direct effects on the urban relations and built forms. By illustrating these historical urban practices rooted in Islam, this section also aims to inspire contemporary inquiries while deepening our understanding of how Islam conceptually dealt with urban problems in the past.

Hakim's study<sup>52</sup> at the neighborhood level decision-making looking at *Maliki fiqh* in North Africa provides a valuable example of how Islamic values and principles influenced early Muslim towns and how they can inspire contemporary behavior and solutions. Hakim notes that '...as the legal differences about the building are minor, discussions based on the Maliki *fiqh* in North Africa would largely hold for other regions of the Muslim world'.

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<sup>52</sup> Hakim, *Law and the City*, p. 71-93.

Hakim's focus on neighborhood decision-making provides a crucial analytical angle because all building decisions at the neighborhood level '...involved the relationships and interdependence of people and more specifically neighbors; such activity was, therefore, the concern of Islamic law'.<sup>53</sup> In other words, neighborhood-level inquiries provide a historical space to observe how Islamic rules and values interacted with urban production processes and the resulting built forms.

Some rules reported by Hakim that were documented in the literature of the Maliki School of law that directly relate to urban life and building include the following:

- Avoiding harm to others and oneself.
- Accepting the concept of interdependence.
- Respecting the privacy of the private domain of others, particularly avoiding the creation of direct visual corridors.
  - Respecting the rights of original or earlier usage.
  - Respecting the property of others.
  - Neighbors have the right of pre-emption of an adjacent property.
  - Seven cubits as the minimum width of public through-streets (to allow two fully loaded camels to pass).
- Avoiding placing the sources of unpleasant smells and noisy activities adjacent to or near mosques.

A prime example of how this Islamic legal framework impacted the built environment in neighborhoods can be found in house construction. Islam obliges to respect the earlier rights of usage. One consequence of this obligation was the requirement to consider existing windows on neighbors' walls when a new house was being constructed. The new owner '...had the responsibility to avoid creating a direct visual corridor from the existing window into his private domain; in effect, he had to pre-empt problems that could arise from having visual access to his house'.<sup>54</sup>

Hakim also reports that certain Islamic rules operated as a 'self-regulating mechanism'.<sup>55</sup> For example, the treatment of exterior facades and elevations of buildings was strongly shaped by the sayings of the Prophet. By tradition, house owners tried to allow for beauty without arrogance, and this is attributed to two sayings of the Prophet as reported by Muslim: "No person with an atom of arrogance in his heart will enter paradise" and 2) A man said: "A person likes to wear good clothes and shoes"; the Prophet answered: "God is beautiful and He loves beauty."

While Hakim focused on human-to-human interactions, other scholars looked at the Islamic law's interaction with natural resources in early Muslim towns. Mortada surveying verdicts ruled on lawsuits in early Muslim cities, examined how key Islamic principles influenced and shaped the use and preservation of natural elements in early towns.<sup>56</sup>

Based on these verdicts, Mortada<sup>57</sup> documents that it was prohibited for an owner to modify the house in a way that would prevent sunlight and natural air from reaching neighbors. This socio-spatial practice was based on the Islamic principle that everyone had a right to natural elements.

<sup>53</sup> Ibid, p. 75.

<sup>54</sup> Ibid, p. 83.

<sup>55</sup> Ibid, p. 78.

<sup>56</sup> Mortada, *Urban sustainability in the Tradition of Islam*, 2002, p. 721-722.

<sup>57</sup> Ibid.

Similarly, Islamic law prohibited the disturbance of neighbors by the generation of smoke, excessive smell, excessive noise, and extreme heat. This resulted in locating manufacturing to the peripheries of the city.

Mohamad, on the other hand, points out how the result of the Islamic rule of “inducing no harm to others while utilizing natural resources” shapes dealing with natural resources as well as the poor and the deprived.<sup>58</sup> The rule, more specifically, results in the dejection of private ownership and monopolization of natural resources such as ‘...pasture, woodland, wildlife, certain minerals, and especially water.’<sup>59</sup> Along similar lines, stresses that by requiring public management of such resources, the rule also ensures equal access to everyone as well as equal access to monetary benefit such resources may generate. Mohamad also documents that in early Muslim towns, the surplus of income was set aside to meet the socio-religious needs of the poor.<sup>60</sup>

In this section, the essay provided some examples to illuminate how Islamic law, both through obligations and as a self-regulation, interacted with urban relations and built form and functioned therefore as a general framework. Such a treatment of Islam would prevent efforts to think contemporary urban problems through an Islamic lens from falling into the trap of presumed typologies.

## CONCLUDING REMARKS

This essay aims to help scholars and policymakers to reimagine contemporary urban life and cities along Islamic lines by moving away from theoretical and typological issues and towards conceptual thinking of Islam as a general framework. The essay provided brief but illustrative examples to demonstrate how scholars can think of Islam as a general framework rather than a mechanical typology. The issue of Islam and urban planning, however, begs further questions. One research direction would be surveying verdicts in early Muslim towns on urban issues across the Muslim world to identify common patterns and responses and inquire whether traditional solutions can provide alternative and more sustainable solutions for contemporary problems, especially those related to poverty, equality, and environmental protection.

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<sup>58</sup> Jamila Mohamad, “Building Heaven on Earth: Islamic Value in Urban Development”, *Jurnal Usuluddin*, 1998, No.8, p. 121-134.

<sup>59</sup> *Ibid*, p. 133.

<sup>60</sup> *Ibid*, p. 719.

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