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## Ibne Battuta: His Experiences as a Judge/Qadi in Medieval India

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**Abstract:** *Ibne Battuta is known for his extensive travels, accounts of which were published in the Rihla (lit. "Journey"). He visited most of the known Islamic world as well as many non-Muslim lands in thirty years. He is generally considered one of the greatest travellers of all time. During his journey, he met many religious scholars, jurists, Sufis, Judges/Qadat, chief justices and kings. He entered India on the day of the new moon of Muharran, the first day of the year 734 A. H., which was 12 September 1333 C.E. during the reign of Muhammad bin Tuglaq. He was appointed as judge/Qadi of the capital; Delhi city. He remained for six years as a judge of Delhi. Later on, he was also appointed as a chief judge of Al-Muhal Jazira of the Maldives. Although the role of Ibne Battuta as a judge in Delhi is not much action when he became a chief judge of the Maldives, he played a very active role in enforcing Islamic law, Islamic traditions and rule of law.*

**Key Words:** Ibne Battuta, Rihla, Delhi, Diwan-e-Mazalim, Siyasa Shariya, Muslim Dynasties, Medieval India

### Introduction

*Ibn Battuta* was born into a family of Islamic *Ibn Battuta* is generally considered one of the greatest travellers of all time (Hussain, 1975). During his stay in medieval India, he was appointed as a judge in the capital of India. He was also appointed as chief judge. During his judgeship, he enforced law without any fear and favour and he issued decrees even against the ministers and the high officials of the state. One the end he resigned from the judgeship due to non-acceptance of the influence of *vazirs*/ministers.

He met two ascetic pious men in Alexandria. One was Sheikh *Burhanuddin* who is supposed to have foretold the destiny of *Ibn Battuta* as a world traveller saying "It seems to me that you are fond of foreign travel. You will visit my brother *Fariduddin* in India, *Rukonuddin* in Sind and *Burhanuddin* in China. Convey my greetings to them". Another pious man, Sheikh *Murshidi* interpreted the meaning of a dream of *Ibn Battuta* that he was meant to be a world traveller (*Ibn e Battuta*, 1417 (H)).

### Arrival of Muslims in Hind (India)

Muslims entered India in great numbers when Muhammad bin Qasim conquered *Sindh* in 712 C.E. at the time of Walid bin Abdul Malik-I (the sixth *Umayyad* Caliph). However, relations can be traced between the Muslim state of *Madinah* and some Indian principalities, as a delegation from *Sarandip* (India) visited the second *Khalif*\*Umar bin Khattab in the early days of his reign. Many Muslim businessmen came to India due to its attractive coasts. The many Muslim expeditions came to areas of today's Baluchistan and *Sindh*, and they conquered *Makran* in 21 A.H. Muslims came from the north with Mahmud b. *Subaktageen* of *Chazni* occupied a major portion of Punjab in 1040 (Chandra, 2018), *Shahabuddin* Muhammad *Chori* captured the whole of Punjab and made it a part of his kingdom. *Qutbuddin Aibak*, the Commander of *Shahabuddin Chori* conquered Delhi in 1192 C.E. the Aibak declared himself as king of Delhi after the death of his royal master and laid down the foundation of the Slave Dynasty in 1206 C.E. Therefore Delhi Officially became the capital of the Muslim state in 1206 C.E. Five Dynasties ruled the Delhi from 1206 C.E. to 1526 C.E. The first dynasty was the Slave Dynasty. They ruled

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Delhi till 1290 C.E. The second Muslim dynasty was the *Khaljis* Dynasty, which took the power from the Slaves Dynasty. The third dynasty was the *Tuglaq* Dynasty who defeated the *Khaljis*, in 1320 C.E. The fourth dynasty was the *Sayyids* Dynasty who overpowered the *Thughluqs* in 1414 C.E. The fifth dynasty was the *Lodhis* Dynasty who defeated the *Sayyids* in 1454 C.E. and they were defeated by *Zaheeruddin Babar* in 1526 C.E. who laid down the foundations of the Mughal Empire and Muslim power reached its zenith in India (Munir, 2012).

Ibn Battuta arrived at the Indus valley on the day of the new moon of Muharram, the first day of the year 734 A. H., that is 12 September 1333 C.E. during the reign of Muhammad bin *Tuglaq*.

### Discussion of Judiciary and Quzat of Different Cities by Ibn E Battuta

The family of Ibn e Battuta was the family of great Islamic Scholars and Judges. He had a keen interest to meet Judges/*Quzat*, Islamic Scholars/*Shuyukh*, and Sufis during his Journey and he explained the stories and habits of judges/*Qadis* and chief justices/*Qadi Qudat* of different cities and countries. He also wrote about the judiciary/*Qada* and judges/*Qudat* of different cities (Bently, 1993).

### Judiciary of King Nasir in Egypt

There was a *Diwan-e-Mazalim*. Muslim jurists described it as *Nazar fi al-Mazalim*. It is also known as *Siyasa Shariya*, meaning the administration of justice according to the *Shariah*. From the early period of the Muslim Empires, the cases were classified into three categories; civil, criminal and political. The former two were decided by the judges/*Qazis* and the latter two were always decided by the *Khalifa* himself. "Muslim jurists expounded the sphere of the Islamic legal system that was fixed and left the part that was flexible – changing with the times, according to the needs of the Muslim community, to the Imam (the head of the Islamic state). It is this function that the ruler carried out through a policy called the "*siyasa shar'iyah*" (Munir, 2012). King Nasir was sitting in this court himself along with his four chief justices on Monday and Thursday. The cases of the complainants were presented before the king and the king give his decision. There were four types of Islamic courts in Egypt in the reign of King Nasir and there were four Chief Justices, *Shafi*, *Maliki*, *Hanafi* and *Hanbali*. We can say that the king gives the autonomy to every sect of Islam to decide the disputes according to their *Fiqh* as non-Muslims were given

Judicial autonomy by Shariah to decide their disputes according to their religion (Ross, 2012).

*Shafi* Chief Justice was the highest in status and the appointment and dismissal of the judges of Egypt were administered by him. On the time of Ibn Battuta's arrival, the Qadi from *Shafiya* was Badruddin bin Jama'a and from *Malikiya* was *Taqiyuddin al-ikhnae* and from *Hanafiya*, *Shamsuddin Al-hariri* and from *Hanbaliya*, *Izuddin*. According to status, the chief justice of *Shafiya* was on the top, then *Malaki* then *Hanafi* and on the low was *Hanbali*. According to Ibn-e-Battuta, He occupied a position of dominant power or influence. He was not afraid of the matter of deen and Allah from anyone. Governors and ministers were afraid of him. Ibn Battuta said; it was narrated to me that king Nasir told his companions, he does not afraid of anyone from his judges and chief justices except *Shamsuddin Al-Hariri Al-Hanafi* (Ibn-e-Battuta, 1417-H). *Ibne Battuta* also talked about the *Qudat* of *Dmeshq*, according to him, the chief justice of *Shafiya* was Jalaluddin Muhammad bin *Abdurahman Al-qazwini*, the chief justice of *Malikiya* was *Sharfuddin bin Khateeb al-fayyum*, he was also big Sufi saint, the chief justice of *Hanafiya* was *Imaduddin Al-Hourani*, he was family judge, mostly wives brought their cases and whenever any husband heard that complaint against him is being heard by *Al-Hourani*, he himself accepted the justice before going to the front of *Al-Hourani* and chief justice of *Hanabila* was Imam Salih, *izzuddin bin Muslim* (Ibn-e-Battuta, 1417-H).

Ibne Battuta also talked about the *Qadi of Makkah* on his arrival to *Makkah*. According to him, the Qadi of Makkah was a religious scholar, righteous and a worshiper, *Najmuddin* Muhammad bin imam *Muhyuddin al-tabri*, he was giving much charity and has good morals. King Nasir always sent his charity and *Sadaqat* to this Imam and he distributed them among the needy people and used them for preaching the teaching of Islam in the days of Hajj and especially on the birthday of the Holy Prophet (SAW).

### Justice by Muslim Rulers in India

Ibn e battuta talked about the judicial system of the Muslim Dynasties of Delhi, especially about the judicial system of *Shamsuddin Al-Tamash*, he was very strict about providing justice to the general public and he issued a *farman* that every victim person should wear a coloured dress as all people of India were wearing a white dress. Whenever he saw any victim person he took his case and decided. He was in favour of speed justice. He also put up two Statues of a lion made of marble on two minors and put up two chains of Iron and put up a grand bill in them. A victim comes in the

night and runs the bill, the king listens to the bill and comes for deciding the dispute. Rizya Sultana also took justice against his brother who was king by wearing the dress of the victims (David, [2010](#)).

### Muhammad Bin Tughlaq

When *Ibn e Battuta* entered Hind/India, *Tughlaqs* were ruling the country. Muhammad bin *Tughlaq* was king at that time. He was Sultan of Delhi from 1324 to 1351. He was the eldest son of *Ghiyas-ud-din Tughlaq*. He was born in *Kotla Tolay Khan* in Multan. *Ibn Battuta* praised him much and narrated many stories about the generosity and munificence of this King (Ross, [2012](#)).

According to him, The habit of the king of Hind 'Abu Mujahid Muhammad Shah was to honour the foreigners, to love them, to give the ministries and high posts of bureaucracy and most of his close people and his ministers, judges were foreigners and he issued a decree that the foreigners should be called in his country Honored persons and this becomes the name of the foreigner (David, [2010](#)).

He was very severe in enforcing Islamic law. He ordered his brother Mubarak Khan for sitting in *Mashor* with chief justice *Kamaluddin*. The purpose was to hear the complaints against governors, ministers, high bureaucracy and officials. Whenever any high official of the state denied giving the rights of others, the people of the brother of the king brought him in front of the chief justice and the brother of the king and they tried the matter and decided according to the Islamic law (Hussain, [1975](#)).

He was also severe for establishing the prayers in their time. He ordered them to offer prayer with *Jama'at* and he gave very severe punishment for not offering the prayers. He killed nine people in one day for not offering the prayer. He appointed a team of petroleum for checking the bazaar, if they found anyone at the time of prayer they punished him. He also ordered to examine knowledge of the people about the *Faraiz* of abolition, prayer and stipulation of Islam. He was asking questions from people if anyone had not given the correct answer, he was giving him punishment. Due to this, people started to learn these things even in the markets and they were also begun to write these things ((Ibn-e-Battuta, [1417-H](#)).

### Diwan e Mazalim of Muhammad Bin Tughlaq

*Ibne Battuta* narrated that king Muhammad bin Tuglaq was sitting every Monday and Thursday for looking at the *Mazalims*. There was no anyone between the king and the complainant except doorkeepers and no one prevented anyone who

wanted to complain before the king. There was a very good procedure for taking complaints from the people. He appointed four of his ministers for taking complaints and deciding. One of them set on the first gate and second of them on the second gate and third of them on the third gate and the fourth of them on the fourth gate. If anyone took the case and decided, it was good otherwise it went to *Sadrul Jahan* who was the chief justice of the slaves. If he decided the case otherwise it went to the king and the king decided himself. This procedure was adopted due to some people were so influential and no one can decide against them except the king. Sometimes king was busy deciding on these complaints till late at night (Andrew, [2008](#)).

King Muhammad bin Tuglaq was very strict in enforcing justice even if it goes against himself. Once upon a time, one *Hindu Brahman* filed a Murder case against the king himself in the court of *Qadi*. King came to the court of the *Qadi* and stood in front of the *Qadi*. The *Qadi* decided the case against the king and demanded from the king to praise the complaint. The king gave the compensation and made him happy (David, [2010](#)). Once a time, one slave boy filed a complaint against king Muhammad Tuglaq that he stroked him without any reason. The decision came against the king. The *Qadi* said either give compensation to the boy or *Qisas*. *Ibne Battuta* testified that he was an eye-witness of this episode, the boy came and the stick was given to him, he started to beat the king and he gave the 21 strict on the king. The king gave the sentence of death to his brother Alauddin for the crime of mutiny and the punishment of *Rajam* to the mother of Alauddin for the crime of fornication/ *Zina* (Ibn-e-Battuta, [1417-H](#)).

### Ibne Battuta as Judge/Qazi of Dilhi

*Ibne Battuta* became a *Qadi* of Delhi City, the capital of the *Tughluq* dynasty in the reign of Muhammad bin *Tughlaq* and remained a *Qadi* for about 6 years. His salary was 12000/ dinar a year which is equivalent to 12000 bound a year today. He was also given *Jagir* and state residence free of charge. He was not so active in doing his job in Delhi even though he was given two assistants there (Ahmed, 1941). The reason was that he was on the *Madhab* of Imam *Malik* and the Muslim of India was on the *Madhab* of *Abi Hanifah*. Although *Ibne battuta* respected and gave honour to the profession of the *Qada* he did not played an active role of *Qadi* in Delhi due to some reasons. When he became the *Qadi* in the Maldives he played a very active role even though he issued orders against the governors and high officials of the province (Ibn-e-Battuta, [1417-H](#)).

When Ibne Battuta entered Delhi, the king was on an expedition and he came after some months. On the arrival of the king, the people of Delhi went out of the city for welcoming the king and Ibne Battuta also went with them. He met the king and the king welcomed Ibne Battuta and became happy with the arrival of Ibne Battuta to India and said to him, 'I will give you much more and when the people of your country will listen about you they will also come to India'. His first meeting with the king was very nice and the king addressed him with beautiful speech and conversation (Ibn-e-Battuta, [1417-H](#)).

After half a month, king Muhammad *Tuglaq* invited the Ibne Battuta and his companions for dinner. At the dinner, the king addressed them with good words and praised them. He said your elders are in the place of my father, others are in the place of my brothers and your youngers are in the place of my sons. The king also determined the monthly salary of every one of us.

On the other day, *Khudawanzada Giyasuddin* and *Qutbul Malik* governor of *Sindh* came and said, the king says; among them who is suitable for ministry, accountancy, *governorship*, judiciary, teaching and scholarship we gave him that one. *Ibne battuta* narrated that every one of us remained silent because they came for taking wealth and money after getting these things they want to go back to their countries. After some minutes, *Ameer Bakht Sayyed Tajuddin* spoke that ministry is my inheritance and accountancy is my profession. *Hibatullah ibn-ul-Falaki* also spoke same *Ameer Bakht*. Then *Khudawanzada* asked me 'what do you say o my lord'. I said ministry and accountancy are not my professions while judiciary and scholarship are my professions and the profession of my forefathers. I also said that governor ship as you know the non-Arabs not accepted authority except with swords. They narrated these words to the king and the king liked my words and invited me for the dinner with him (Ibn-e-Battuta, [1417-H](#)).

The king invited us on another day for appointment and determination of our salary, *Ameer Bakht* was appointed *Vazir* and his salary was determined as 40,000/ Dinar per Annum, equivalent benefit from land, 40,000/ Dinar on the spot was given, one Equipped hours and one suit. After him, *Hibatullah Al-Falaki* was called and appointed as doorkeeper of the post and his salary was determined as 24000/ Dinar per Annum, equivalent benefit from land, 24000/ given on the spot, one equipped horse and one suit was given to him. After him, I was called and appointed as judge of Delhi city and my salary was determined as 12000/ Dinar per Annum, equivalent

benefit from land, 12000/ Dinar was given on spot, one equipped horse and one suit (David, [2010](#)).

The king said to me do not consider the *Qaza* of Delhi a small profession but it is a very big and important profession. The king understood Arabic but could not speak it correctly and I understood his talk but could not speak well Persian. I said to the king I am a follower of the *madhab Imam Malik* and the Indian Muslims are followers of Imam *Abi Hanifa*. I do not know the language of the people well. He said; I have appointed two assistants *Bahauddin Al-Multani* and *Kamaluddin Al-Bajnori*. They will consult with you and you will sign and execute the agreement/contracts. You are in the place of my son. I said no but your slave and servant. He said in the Arabic language "but you are our *Seyyed* and *Makhdoom*" by the way of humblest (Andrew, [2008](#)).

### Additional Charge as Administrator of Qutab Maqbara

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Ibn battuta was given the additional charge of looking after the *Qutab Maqbara*. Qutbuddin was the last king of the *Khilji* Dynasty and King Muhammad *Tuglaq* respected him much more because he was a direct servant of him in Delhi. The king Muhammad whenever enters his *Maqbara* respects him more and even takes his chapel and put it on his head.

### Judge at Peninsulas of Maldives (Jazirah Muhal)

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Ibne Battuta became a *qazi* in Maldives at *Jazira Muhal*. People of Maldives were on *Mazhab Malik* the same *Mazhab* of Ibne Battuta. He was a powerful and strict Judge in the Maldives. Even he did not fear the governor and the king of the *Jazera* for issuing decrees. In the Maldives, he played an active role as a *qadi*. According to him, he tried his best to enforce Islamic law during his period of *qadi*. In the end, he resigned from *qada* due to interference between Ministers and the king (Andrew, [2008](#)).

### Order for Cutting the Hand of Thief

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When Ibne Battuta was a judge/*qadi* in Maldives, he ordered to cut the hand of the thief, he saw some present people at the scene fell into trance. Ibne Battuta analyzed that the inhabitant of the Maldives is nice people, having *Iman* and Sincere intention, their food is *Halal*, their prayers are accepted, and when anyone saw a human he said Allah is my creator, Muhammad is my Prophet, I am an illiterate and poor man, their bodies are very weak and they have no power for fighting and their weapon is *dua* only. They believe that

if any person causes them any harm and pain then Allah will take them back from him and inflict them with urgent misfortune (Bently, 1993).

### There Was No Jail

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Ibne Battuta narrated that there is no jail or jail system in the peninsulas of Maldives. The offenders and criminals are locked up in the house of wood/timber and they appointed anyone for looking after these locked-up offenders and criminals.

### Ibne Battuta as Family Judge

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Ibn Battuta was deciding cases of women and tried his best to teach and train the women in Islamic traditions but he did not succeed fully in his goal. He narrated that women of Maldives do not cover their heads even the queen of the Maldives, they make their hair on one side of the head. They do not wear whole dress except one towel which covers from naval to the feet and their other body remains uncovered. Ibne Battuta said I tried my best to abolish this habit of the women and I ordered them to cover the whole body but I did not succeed in this regard. Yet no one entered my court except with a covered body (Ibn-e-Battuta, 1417-H).

Ibne Battuta said, that marriage in Maldives is very easy and the conduct of the women/wives is good and nice. When anyone comes to any *Jazira* of Maldives, he marries and whenever he wants to go he pronounces *Talaq* and leaves the wife. This is a kind of *Muta*. The women of the Maldives never go outside the Maldives. I did not see nice women like them in the whole world. Therefore Ibne Battuta married three women and pronounced *talaq* when he left the Maldives (David, 2010).

### Marriage with the Daughter of Wazeer Suliman

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*Vazir* Suliman offered to Ibne Battuta for marriage to his daughter, initially he did not accept but later on he accepted. People gathered in the palace for the contract of *Nikah* but *Vazir* Suliman became late. He was called twice but he did not come later he make sorry and said his daughter is sick today. Another *vazir* said Ibne Battuta, his daughter denied and if you want I can make your *nikah* with Stepdaughter of the Queen. He accepted and the *Nikah* was made ((Ibn-e-Battuta, 1417-H).

### To Abolish Un-Islamic Traditions

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Ibn Battuta tried his best to enforce Shariah in the peninsulas of Maldives. At that time *Qadi* was taking 10 % of the property of the deceased person when he was

dividing it among the legal heirs, Ibn Battuta pointed out that this is not lawful under Islamic law and *Qadi* can take only remuneration agreed by legal heirs (Ross, 2012).

### Enforcement of Shariah

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When he was appointed as *qadi*, he tried to enforce all Islamic Traditions and abolished all non-Islamic traditions. Divorced women were living in the house of his Ex Husband till they married another person even if it take years, Ibn battuta ordered women to come out of the house of ex-husband and he beat some people who were not following his order. He said there were not many cases as in our country (Ibn-e-Battuta, 1417-H). He ordered to offer prayers on the time in the Masjid with *jama't*. He forced the people to follow his order and appointed some people on *Gusht*/petroleum during the time of prayer and ordered them to punish every person who is late and did not come for prayer. He also forced *Ulama* and made them regular and punctual for *Azan* and *Jama't*. He sent copies of his orders to All *Jazaer* of Maldives.

### Controversy between Ibn Battuta and Minister/Wazeer Abdullah Bin Muhammad Hazrami

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Due to some issues, a controversy started between Ibne battuta and *vazir* Abdullah. The main reason was the marriage with his Stepdaughter and he was afraid about her property and wealth and second was the prevention of *qadies* from taking 10% out of the property of the deceased. It was the habit of Ibn Battuta during the discharging the function of the judge to send a written notice to the parties of the dispute. Whenever he sends a written notice to any party, the party hurries to his court. If any party after getting the written notice not come to his court, he punishes him. In routine work, he sent a written notice to *vazir* Abdullah which made the *vazir* angry and he has hidden the enmity. He sent a lawyer on his behalf of him and talked about him in Ugly words. The habit of the people was to honour him like they give honour to *vazir* *Jamaluddin*. Ibne battuta ordered to announce among the people that if anyone honoured Abdullah like they honor the great *vazir*, he will be punished. By this action of Ibne Battuta, the enmity enhanced between them ((Ibn-e-Battuta, 1417-H).

### Resign of Ibn Battuta from Qada and its Reason

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The wife of the slave of the king complained to the *vazir* that his husband commits fornication with the *londi* of the king. The *vazir* sent witnesses and they found both



of them on one bed. They locked up both of them. When I woke up in the morning I knew the news and I went to the palace and set on my court. I did not talk to anyone. Some special people came and said the *vazir* asked do they need anything, I replied no, they want to talk about slaves and *lonidi*. And my habit was that if there is any dispute, I decide it. When I felt Loneliness I came home. Some people of the *vazir* came and talked about the case and said to decide according to Islamic law. I told them this case will be decided in the palace of the king. I came back to the palace and people gathered. They brought the slave and the *lonidi*. I freed the woman and locked up the slave. The *vazir* sent some people for demanding to free the slave but I denied it and talked in strict words. I ordered them to beat the slave and put the rope in his neck and proclaim in the whole city (Ibn-e-Battuta, 1417-H).

They went to a great *vazir* and they gave all information about which happened. He became very angry and he gathered ministers, generals and high officials. They called me. I went there and did not honour them as I was giving them before. I said to all present people, be witness that I have resigned from the judgeship due to my weaknesses. The *vazir* talked with me and I answered him with very strict answers. While the conversation was going on, the Azan of *maghrab* came. He went to his home while saying that I am king and I called him for showing anger but he started to show anger toward us. Ibn-e-Battuta narrated that they were afraid of me due to the king of Delhi (Hussain, 1976). This controversy was the reason for the resignation of the Ibn-e-battuta from the judgeship.

## Conclusion

Ibne battuta was Moroccan. He is known due to his extensive journey. He was belonging to a family of great Islamic Scholars and Judges. He visited most of the Islamic world of his time and much non-Islamic land. He had a very keen interest to meet religious scholars, Muslim jurists, Sufi saints, judges and kings. He came to India on 12 September 1333 C.E. He was appointed as qazi/judge of the Delhi and at his appointment, the king of the Delhi said to him; do not consider the *Qaza* of the Delhi as a small profession but it is a very big and important profession. He remained the Judge of the capital city; Delhi all about six years. While discharging his functions as judge, he used to send a written notice to the parties of the dispute. Whenever he sends a written notice to any party, the party hurries to his court. If anyone among the parties after getting the written notice, not turns up to his court, he used to punish him. The habit of the people was to honour him like they give honour to *vazir Jamaluddin*. During his stay in the Maldives, he was appointed as chief judge and he discharged his duties very actively. He tried his best to enforce Islamic law and traditions. He pronounced decrees without any fear and favour. He issued decrees even against *vazirs*, ministers and high officials of the state. Due to controversy between *vazir* and him, he resigned from the judgeship.

He talked about the judicial system of the Muslim Dynasties of Delhi, especially the judicial system of *Shamsuddin Al-tamash*. According to him, King *Al-tamash* was very strict about providing justice to the general public and he issued a *furman* that every victim person should wear a coloured dress as all people of India were wearing white dresses. Whenever he saw any victim person he used to take his case and decide expeditiously. He was in favour of speed justice.

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