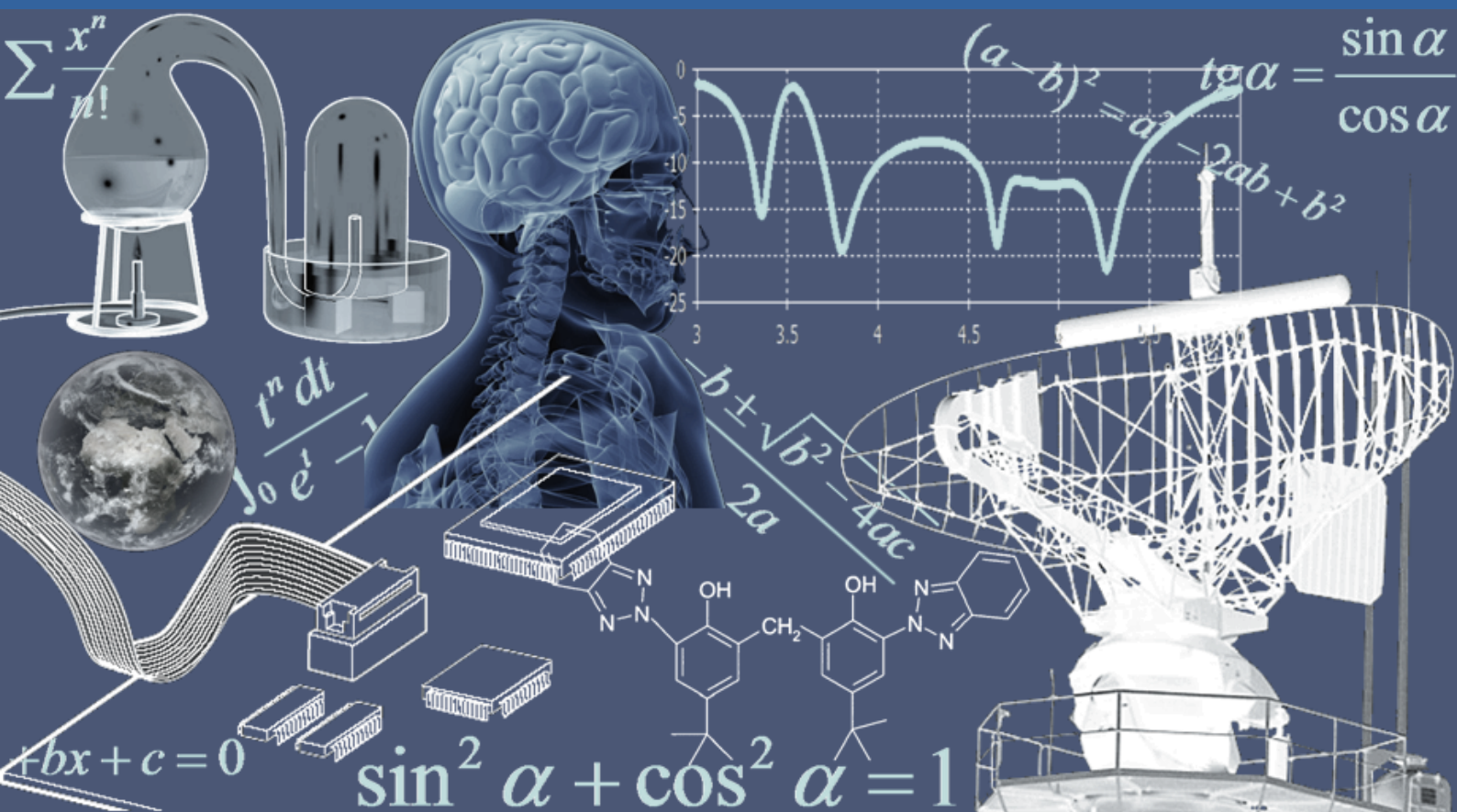


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Islamic Law and Neighborhood Building Principles: The Cases of Privacy and Avoidance of Harming

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ABSTRACT: Muslims believe that Islamic teachings involve guidelines and principles, which should be followed, to all needs of Islamic society, starting from spirituality needs, such as prayer, into economy and politics, including the relationship between human behaviors and the environment, particularly in the field of designing houses and buildings. In this regard, Muslim jurists have derived from the Holy Qur'an and the Prophetic traditions that have direct applications in the domestic sphere. There are many principles and guidelines that should be respected in the design of Muslim homes/neighborhood buildings. This article will follow and explore some of these principles focusing on two as an example; privacy and avoidance harming the right of others because of their significant effect on the neighborhood housing organization in the Islamic culture. The aim is to find out the importance of these principles and guidelines in achieving tranquility (*sakinah*) and peacefulness in homes, in addition to show how people can avoid violating the privacy of the others. All that will be analyzed in the light of the Islamic culture based on the Islamic law, especially the Maliki jurisprudence.

KEYWORDS: Islamic Law, Neighborhood Building, Privacy, Principles, Muslim Homes, and avoidance harming others.

1 INTRODUCTION

Muslim homes contain many values that reflect the traditional Islamic teachings pertaining to the natural world, beauty, and morals and reveal the effect of Islamic teachings on Muslim homes. We would like first to enumerate some of these values with regard to the issue of the Muslim homes design, with the aim to give an account of Islamic neighborhood buildings law.

The one is the spatial value of location - land. Islamic law encourages Muslims to choose the right place for homes. The Quran illustrates this point by stating: "there was for (the tribe of) Sabu' in their dwelling place a sign: two (fields of) gardens on the right and on the left. (They were told), "Eat from the provisions of your lord and be grateful to Him. A good land (have you), and a forgiving Lord" [1]. This verse mentions to the prominence of choosing the right place taken into consideration temperate climate, clean/fresh air, and the availability of the gardens (the idea of paradises) and livelihoods/source of income. According to Abd Al- Rahman bin Zaid, "the miracle of (tribe) Saba' city is that it had never seen insects such as mosquitoes, flea, lice, flies, or scorpion" [2]. In this context, Imam Ali stated: "housing is not desirable, but with three things: good air, plenty of water and fertile ground". He also emphasizes on suitable home and states, blessing of house is its good location, large yard and its neighbours"[3]. Another thing that should be also taken into account (in choosing the right place) is to recognize the direction of the sun and wind. The Quran illustrates this point by stating: "And mention, (O Muhammad), in the Book (the story of) Mary, when she withdrew from her family to a place toward the east" [3]. Imam Tabri in his interpretation to this verse said that "Mary made a place in the side of East, which is the place where the sun shines" [4].

The other is a spiritual value called orientation "Mecca Direction" (Qiblah). Respecting the direction of the Qiblah has a significant impact on the homebuilding even in the ancient times before Islam. In the Quran, "And We inspired to Moses and

his brother, "Settle your people in Egypt in houses and make your houses (facing) the Qiblah and establish prayer and give good tidings to the believers" [5]. According to Imam Ibn Kathir in his exegesis, "Allah order the Moses' believers to make their homes toward the Qibla, or Allah urges them to make their homes similar to Mosques toward the Qiblah to pray in secret because they were afraid the followers of Pharaoh" (p289) [6]. This value of respecting the Qiblah has a major role in determining the design of homes in different places in the Islamic world. For example, in the Central Asian region, the main rooms of traditional house such as sitting rooms and living rooms consistent on a Niche –*Mihrāb*- (in the direction of Mecca) in their western walls (p41) [7]. In addition, in Islamic popular culture, the feet should not be in the direction of the Qiblah, whether in sitting or sleeping, and also it is not allowed for Muslims to design the toilet in the direction of the Qiblah. This is indicated in several hadiths, such as "I am like father to you. When any of you goes to privy, he should not face or turn his back in the direction of the Qiblah" [8]. In another *Hadith*, the Prophet says: "when one of you stands in his prayer, he is in close conversation with his lord or his lord is between him and his Qiblah. Therefore no one should spit in the direction of his Qiblah", [Saḥīḥ Bukhārī, Kitāb Al-Salāh].

Furthermore, speaking in terms of the ethical values, the Islamic law sets up many rules that should be recognized in designing and building houses. The housing, in Islam, should have a minimum of specifications to achieve the main purpose of the house that is a protection of residents from the cold, hot, and the rigors of the external climate. In this sense, the Prophet Muhammad (PBUH) states in a *ḥadīth* reported by Anas ibn Malik: "The Messenger of Allah came out, and on seeing a high-domed building, he said: What is it? His companions replied to him: It belongs to so and so, one of the Ansar. He said: the Prophet says: nothing, but kept the matter in his mind. When its owner came and gave him a greeting among the people, he turned away from him. When he had done this several times, the man realized that he was the cause of the anger and the rebuff. So, he complained about it to his companions, saying: I swear by Allah that I cannot understand the Apostle of Allah. They said: He went out and saw your domed building. So, the man returned to it and demolished it, leveling it to the ground. One day the Apostle of Allah came out and did not see it. He asked: What has happened to the domed building? They replied: Its owner complained to us about your rebuff, and when we informed him about it, he demolished it. He said: Every building is a misfortune for its owner, except what cannot, except what cannot, meaning except that which is essential" [9].

The messenger of Allah Muhammad (PBUH) warned people from engaging very much in the buildings especially those are hyperbole. In a long *ḥadīth* that is narrated by Abu Huraira the messenger of Allah said in his answering when the angel Gabriel asked Him about the Hour 'When will the Hour be established? The prophet (PBUH) replied: 'the answerer has no better knowledge than the questioner. But I will inform you about its portents: when a slave gives birth to her master, and when the shepherds of black camels start boasting and competing with others in the construction of higher buildings" [10].

As we have seen, all these requirements/values should be taken into account in designing of Muslim homes, so these values have influenced deeply in planning homes and neighborhood.

After this brief outlook on some aesthetic and ethical values, we return to examine the main points of this paper that are the principles of planning Muslim homes.

Designing the buildings in Islamic law should respect the sanctity and privacy of inhabitants and not harm the property of other.

2 SANCTITY AND PRIVACY OF HOMES IN ISLAMIC LAW

Privacy is the most significant principle that shapes the life of every individual in Islam. Everyone has the right to be free in his privacy, so it is forbidden to be violated by anyone even if by the family members, of course, by certain conditions that we will explain later.

The greatest place that Islam considers to be maintaining this right is the home (*Bayet*). According to Professor Hicham Mortada, 'the *Shari'ah* scholar Yusuf Al-Qaradawi defines the home as, "the place in which an individual protects himself from the climatic elements and in which he finds freedom from the restrictions and pressures of society. It is a place of rest for the body and relaxation for the mind". Professor Hicham comments on this by his saying: 'this indeed explains why the prophet says that the house is the best place in the world. The Prophet considers owning a house as a contribution to, or a sign of, happiness. He (PBUH) says: "for happiness, a good wife, a good thing to ride (means transport) and a good house), and a good house" (p94) [11]. Therefore, for the sanctity of this principle, Islamic law prohibits accessing the houses of others without permission, and, meanwhile, it developed great regulations to show to what extent the privacy is very important in Islamic law. In this section, firstly, we will analyze the privacy of the house, and secondly, we will show how people can avoid violating the privacy of the others. Generally, based on Islamic law, the privacy can be divided to two categories: acoustical and visual.

2.1 VISUAL PRIVACY AND ACOUSTICAL PRIVACY IN ISLAMIC LAW

In Islamic law, it is forbidden to spy on the homes because the basic principle is the prohibition on eavesdropping and spying on homes. Additionally, because personal secrets are respectable, it cannot be violated only in some cases. In the Quran: "O you/ye believe, avoid much assumption. Indeed, some assumption is sin. And do not spy" [12]. The sentence of 'do not spy' provides the prohibition for spying, which includes all forms of privacy facilities: visually and acoustically because these lead to abusing people, and violating their dignity and their freedom without right. Moreover, there is a set of *ahādīth* that have strict warning to those who spy on Muslims and look for the sins of people. In the Prophetic tradition, Abu Huraira reported that the Prophet says: 'beware of suspicion...and do not look for the others' faults, and do not spy' [13]. To explain this Hadith, Imam Al-Nawawi reported that 'Ulama said: 'spying is the hearing to people news, and infiltration (*tahasus*) is looking for others' faults. It is said that *tahasus* is the inspection about the insider matters and asking to know the missing news and cases' [14]. In our standpoint, this is one of the preservation of the human rights in Islam, and it increases the attention to the individual freedom that s/he enjoyed by inside his/her home with family and children. Hence, to devote this principle inside society, it is forbidden in Islamic law to look into homes through the holes of doors, windows, and walls. Islamic law exaggerates in this respect to the extent that the owner has the right to put out the eye of traitor viewer. Abu Huraira reported that the Prophet said, "If someone peeps into the homes of people without their consent, it is permissible for them to put out his eyes [15]. In another *ḥadīth* that is narrated by Sahl Ibn Sa'd "a man peeped through a hole of door into the inside of homes of Prophet, and it was in the hand of the Prophet an iron comb, which He was scratching his head. The Prophet says: "if I had known you were looking, I would have pierced your eye with it, because ask permission is made to avoid peep (sight)" [16].

Islamic law respects privacy of homes and protects them from violation by anyone. However, depending on a vital *Fiqh* rule in the Maliki *Fiqh*, which is "doing (to commit) the lowest damage (*Mafsada*) to push the highest one is allowed legally" (p52) [17]. There are some cases in which *Al-Muhtasib*, a supervisor of bazaars and trade, is allowed to enter the homes without permission. The first one is to save someone from killing if a confident person tells that. In this case, it is impermissible for *Al-Muhtasib* to spy and enter homes without permission [18]. The second case is if there is a bad fussy such as the fussy of vintage (alcohol) from home, or if a home became a nest of prostitution [19]. Spying in those cases is legally, first, to push damages and, second, to bring the benefit for the owner of the home (by rescued him from corruption) and also for the society. In regard to avoiding the privacy violence, Islamic law sets up a group of regulations and rules of accessing houses.

2.2 ACCESS REGULATION IN ISLAMIC LAW

There are many verses in the Quran and the Prophetic traditions that explain how people should behave if they want to enter the homes, either their own homes or others'. In the Quran Allah says: "O you, who have believe! Do not enter the houses other than your own, until you have asked permission is given to you by their owner; if you do not find anyone in the house, do not enter until permission is given to you; if you are asked to go back, go back: that makes for greater purity for yourselves, and Allah knows well all that you do"[20]. According to Sheikh Wahbah al-Zuhayli, a Syrian Islamic scholar specializing in Islamic law, "the reason for the revelation of this verse is that a woman from helpers (*Al-Anṣār*) came to Prophet and said "O Messenger of Allah, I am in my house on the case that I do not like anyone to see me on that case, but it is still a man from my family enters, and I am on that case, what can I do? Came down this verse to explain the way how a person should behave to avoid such as cases"(188) [21]. Based on this verse that can be considered as cornerstone in respecting the privacy of people and the sanctity of homes, Muslim scholars have spoken in detail about the concept of permission in terms of its meaning, forms, and numbers. Imam Al-Qurtubi said: "permission is the familiarity (*Istinās*). According to the Maliki jurist, Ibn Wahb, "Malik Ibn Anas said: familiarity, I think, and Allah known best, is permission" (188) [22], and in this way, it was read by Ibn Abbas and said: 'it means permission'. The roots of the permission form are in the Prophet' saying that was narrated by a man from Bani Aamir who asked permission to the prophet (PBUH) in his home, and he, instead of saying "peace be upon you shall enter", said another word. The prophet said to a servant, go to this person and teach him the permission. Say to him: "Say peace be upon you shall enter." Then the man heard Him and said "peace be upon you shall enter," then the Prophet authorized him and entered" [23]. In another *ḥadīth*, Safwan ibn Umayyad said: "I entered to the Prophet (PBUH) and did not say Salam (safe) nor ask permission. The prophet said to him 'go back say hello shall enter" [24]. In our point of view, we think the permission does not have a specific way to follow but everything that can indicate permission depending on the temporal and spatial circumstance. For examples, now the homes have the bells and the doors are locked, so knocking the bell can replace the permission by words. Al-Qurtubi said 'if the permission is by the voice, it should be raised until be heard by the owner of the house but if it is by knock, it is without inconvenience' (pp194), [25]. As a summary to this point is when a person, who knocks the bells, is asked by the owner, he should give full information that indicates him such as his name. In a *ḥadīth*, Jabir says: "I came to the Prophet in order to consult him regarding my father's debt. When I knocked on the door, he asked, "Who is that?" I replied, "I" He said, "I, I?" He repeated it as if he disliked it" [26].

Additionally, with regard to the number of asking permission, the holy Quran does not say anything about the number of permission, but the Prophetic traditions limited it in three times. Consequently, after that if a person is not given permission to enter, he has to leave. In a *ḥadīth*, Abu Saïd Al-Khudri said that Abu Musa said, "I asked permission to enter upon 'Umar three times, but I was not given the permission, so I returned." (When 'Umar came to know about it, he said to Abu Musa, "Why did you not enter?". Abu Musa replied, "I asked permission three times, and I was not given it, so I returned, for Allah's Apostle said, "If anyone of you asks the permission to enter thrice, and the permission is not given, then he should return" [27].

However, if a person is sure that his permission is not heard, he can repeat it until it is heard. But if he doubts that it cannot be heard, the most scholars see that it is prohibited, for permission, to be repeated more than three times (190), [28]. The reason for asking permission no more than three times is that speech, mostly, if repeated three times will be heard and understood. Thus, the Prophet was if he greets people, he greets three times, and if he spoke a word, he repeated it three times (192), [29]. In addition, asking permission more than three times may disturb the owner of house, and he may be hurt by this insistence to cut off what he was busy doing. Therefore, it was wisely better off to leave after asking permission three times.

In a related context, According to Islamic law, there are three times during a day when the children are prohibited from entering their parents' rooms without asking permission because these times are usually when the couple takes off their clothes. The children have to ask permission before the *Fajr* (dawn/ late-night) prayer, the end of sleeping time when parents take off night clothes and wear daytime clothes, secondly, the nap time in the after-noon prayer, and finally, after the evening (*'iḥa*) prayer. The holy Quran says: "O ye who believe! Let The children among you, who have not attained adulthood, should obtain permission (for visiting you) at three times (on three occasions): (one) before the morning Salah, and (secondly) at noon when you put off your clothes, and (thirdly) after the 'Isha' prayer. These are the three times of your privacy. Before or after these times, there is no sin on you or on them as you keep coming to each other frequently" [30]. There are two arguments about this divine order; some scholars see this order as non-obligatory but it is better for children to ask permission. However, most scholars consider this order as an obligatory for parents to educate and teach their children to ask permission if they want to enter their parents' rooms during these times (p48) [31]. The urban growth in Islamic society, after the Prophet (PBUH), raised many issues that refer to privacy, which do not have provisions. The professor Saïd Ennahid sum-ups this point by stating: "the prescriptions found in the Quran and the Traditions of the Prophet were only meant to provide the spirit of the law that needed to be elaborated on through Islamic jurisprudence. In other words, the Quran and the Sunna (the normative behavior of the Prophet) did not outline the specifics of how space was to be regulated and negotiated in Islamic society. In the course of Islamic history, Muslim judges and jurists were faced with numerous grievances for which there were no provisions in the primary sources of the *shari'a* (the Quran and the Sunna). Urban growth and the need for more and more valuable building space were a direct cause for many cases of litigation among urbanites (p121), [32]. In this context, the Maliki jurists divided the issues of privacy into three elements that could cause visual or acoustical violation to home privacy: height and high projections, windows, and entrance doors. According to Ennahid, "Islamic law forbids one to open his door or window facing his neighbour's house, thus forcing the latter to make extra arrangements to secure his privacy. The entrance door of a house has to deviate at least one metre from the facing entrance door of one's neighbour so as not to have direct view of the latter's corridor. If a window must be opened for lighting and/or ventilation, it has to be placed above the line of vision to prevent any indiscreet view into the neighbors' house", [33].

3 AVOIDANCE OF HARMING TO THE PUBLIC AND NEIGHBOURS' RIGHTS

In the ancient times, cities or houses, especially in the Islamic medieval period, were subject to the jurisprudential system that solves its problems and were subject to general jurisprudential rules that can be summarized in the four rules:

- Prevention detriments and bringing interests: (*Daf' Al-Madar, wa jalb Al-Maṣāliḥ*)
- Respecting the public interest when it is a conflict with the personal interest: (*taqdīm al-maṣliḥ al-'āma 'ala al-maṣliḥ al-khāsa*)
- Doing the least of harm: (*irtikāb akhaf al-dḥararayn*)
- Arbitration to the custom: (*taḥkīm al-'urf*)

Based on these rules (*al-qawā'id al-feqhiyya*), Islamic jurists have derived the most of provisions of the built-environment and houses. In addition to the previous rules, the significant quoted that jurists depended on is the Prophet's maxim "*la ḍarar wala ḍirār*" (p402), [34]. This concept, which is also a Prophetic declaration, is explained by the respected scholar Malik Ibn Anas (d.179/795) as 'there would be neither harming nor reciprocating harm, or there is neither injury nor return of injury" [35]. According to B. Hakim, this Hadith 'is interpreted in the *fiqh* as "no person or party to be harmed for another to benefit".

Another interpretation of this saying is communicated by Isa ben Mousa ben al-Imam al-Tutaily (d.386/996) who said that Mohammad ben Abd Al-Selam Al-khocheni of Cordoba commented on the “*la ḍarar wala ḍirār*” by saying, “no infringement, whether profitable or not. The Dharar is the act of one who wrongs someone else with no profit to himself, and the *ḍarar* is the act of one who wrongs someone else for his own profit” [36].

In his definition to harm, B. Hakim stipulates, “the essence is that one should exercise one’s full rights in what is rightfully his providing the decision/ action will not generate harm to others. Likewise, others should exercise their full rights in what is rightfully their providing their decision/ action will not harm others” [37].

In the light of this rule, the Islamic Jurists treated many problems that related to the built-environment. They divided the issue of harm into two categories: harm to the public rights and harm to neighbor’s rights.

3.1 HARM TO THE PUBLIC RIGHTS

3.1.1 THE CASE OF PUBLIC PATHWAY (*TARĪQ*)

With regard to the harming issue, the vital thing that occupies an important place in Sharīa is the public pathway or Public right-of-way what is known in *Fiqh ‘Tarīq Al-Muslimīn’*. This interest was manifested through the action of the prophet in Prophet Medina and through His saying. In Prophetic Medina, all sub roads were connected between the buildings through the main street because it is considered the heart of the humanitarian and economic activities. In this context, the Prophet urges Muslims to evacuate the roads from anything that can face commuters and impede their circulation or expose them to any degree of harming. Abu al-Walid said, I asked Ibn ‘Umar about the gravel (broken stones) spread pins the mosque. He replied: One night the rain fell and the earth was moistened. A man was bringing the gravel in his cloth and spreading it beneath him. When the Apostle of Allah finished his prayer, he said: “How fine it is” [38]. In addition, the Prophet prohibits narrowing the *Tarīq* by buildings because this may lead to diminish the economic activities. Sahl Ibn Mu’adh ibn Anas al-Juhai said in his narration, “I fought along with the Prophet (PBUH) in such and such battles. The people occupied much space and encroached on the road. The Prophet (PUBH) sent an announcer to announce among the people: Those who occupy much space or encroach on the road will not be credited with jihad” [39].

The interest thing in this *ḥadīth* is that Prophet connected between narrowing road and *Al-Jihād* to show to Muslims the value of the public *Tarīq* in people life. These guidelines have had the significant impact on the treatment of Maliki jurists and judges with the public *Tarīq*. Therefore, all jurists agreed to prevent the narrowing public roads by anything, and they linked between the amounts of capacity of the streets and the quality of its usages. Henceforth, they stated a great rule that was the base in disparity in roads of the ancient cities to width and narrow; it is “the width and height of streets is limited by the border and greatest thing that passes their roads such as camel with its greatest bearings (p171)” [40]. Based on these standards, they distinguished between three types of the streets and indefinites the amounts of its capacity. The pedestrian way has to be made seven cubits in its width, so if it is less than seven, it has to increase from the property of people until reach seven. Abu Huraira reported Allah’s Apostle (May peace be upon him) as saying: When you disagree about a path, its breadth should be made seven cubits” [41]. The width of the road of cattle and cows is twenty cubits, and finally, the width of the road of chamber (*Makhda’*) is four cubits (p171), [42].

Based on these divisions, we think the width and highest of public *Tarīq* differ from area to another because of its usages, so we can say that, nowadays, the road has to be wider in order to be enough to its usages and cars. In this context, Imam Malik prevent dividing the yard (courtyard) and *Mrah*, which is nowadays called the gardens or green spaces inside Urban area/ cities, that is in front of homes and on side of ways. It is because “people in general benefit from it, and perhaps the road may be filled by people and animals, so people either by their animals or by their feet can use it to be comfortable” (p163) [43], and also scholars prevent building in it shops [44]. Concerning the role of avoiding harm to the road, jurists also treat the issue of drainage of waters that go out to road due to its big role in harming.

3.1.2 THE CASE OF DRAINAGES WATERS

To prevent anything that leads to harm the public *Tarīq*, Maliki *Fiqh* organized the drainage of water in the cities through procedural measures, which prevent people to take out the wastewater of homes to the public street. When the Imam Suhnoun was asked “is it permissible for a man to open a hole in the road of Muslimīn to take out his water? He said: no, (p98)” [45]. Islamic law also prevents the drainage of water that leads to harm the walls of neighbors’ homes. In this context, they distinguish between the water that is not allowed to take out to public road and the rainwater that is allowed to take out to the road even if it leads to harm the public *Tarīq* because its harming is unavoidable. However, it orders people to make gutters for the disposal of the rainwater (p99), [46]. According to H. Mortada that S. Al-Hathloul said: “many traditional scholars

prohibited appropriating a part of the street for the benefit of the house even if no harm was created" (p112), [47]. Therefore, "the prohibition against taking advantage of public spaces by private individual interests aims not only to protect present public rights on these spaces, but also future users" [48].

3.2 HARM TO THE NEIGHBORING HOUSE RIGHTS

Apart from the social obligations that Muslims have toward their neighbors, Islamic law set up a set of principles that should be applied to the neighborhood to avoid harming others. In this context, jurists divided this type of harm (*darar*) to two categories: existing harm and new harm. Concerning the first category, they distinguished between the oldest activities that were there before the buildings that; Islamic jurists consensually agree to its remaining. Quite to the contrary, if these activities happened after the buildings and the owners of houses do not complain until a long time, the juries have to prevent them if there is an extreme harm such as smoke of public bathes or offensive odour (p48), [49]. Jurists mainly limited causing harm to neighboring houses in three types: smoke, offensive odour, and noise.

3.2.1 CAUSING HARM BY SMOKE

Speaking about the issue of smoke, Islamic law "ensures not only the entry of natural air to houses but also its quality. It prohibits the spoiling of that air by smoke from other houses, and it considers causing a nuisance to neighbors by smoke as an act of damage", (p114) [50]. Muslim Scholars consider any kind of smoke harmful, so they prevented establishing all sources of smoke such as public bathes, bakeries, mills, tanneries and blacksmithing within the neighborhood. In one of many events that are included in B. Hakim's book, "a man complained to a judge (*Al-Qādi*) that his neighbor created another source of fire to increase the heating capacity of his oven and used the existing chimney to evacuate the smoke from both fires. *Al-Qādi* ordered the man to remove his additional source of fire" (p31) [51].

3.2.2 CAUSING HARM BY EXCESSIVE SMELL

Based on the Prophet's saying "regarding the prohibition of persons who eat garlic and onion and who emanate a distinct odour while attending a mosque, Maliki *Fiqh* considers any source, which create offensive odour or excessive smell harmful, so it should not be allowed to be offend neighbors" (p32) [52]. According to H. Mortada, "Ibn Rami mentioned particularly that this *ḥadīth* was followed in most jurists' ruling regarding the removal of garbage, effluent and sources of unpleasant smells to neighbors" (114) [53].

3.2.3 CAUSING HARM BY NOISE

Additionally, Islamic law considers the principle of quietness as the main component for establishing the buildings, so it is prohibited violating this principle by anything. *Fuqaha*, in turn, treat the issue of noise and disallow any source of noise that caused harm to neighbors; so they conclude that any source of noise has to be prevented. In this context, H. Mortada reported many traditional cases that show how Muslim jurists deal with the issue of noise. In one of the cases, *Al-Qādi* Ibn Rafi'a preferred to prevent people from building the stables next their houses because the movement of the animals during the day and night caused noise to neighbors which disturbed them from sleeping (p114) [54].

4 CONCLUSION

Without doubt, that the Islamic dwelling design is a reflection of a set of Islamic values. The Islamic cities are evidence on the Islamic civilization that had been extended for centuries. Researchers in the Islamic neighborhood building principles and guidelines can reach a conclusion that the Islamic-built environment is based on two things: strength and beauty. The strength is reflected in the perfection and master of the building because this also is taken from the Islamic teachings such as 'Allah bless or mercy a person who do Job and master it'. In addition, the Islamic buildings are characterized by beauty either inside, such as courtyard, fountain, and strength of walls that help to save the privacy of the inhabitants, or outside. The beauty of outside appears in its harmony with culture, identity, and in its arrangement according to the time and location.

However, unfortunately, in the contemporary time, all these concepts have changed. In our point of view, there are two factors that led to the change of these concepts. One of the most impacts that help destroy the identity of Islamic buildings is globalization. As we know, the aim of the globalization is to make the world as one "village" and to remove all things that reflect the culture and identity in all fields, art, poetry, buildings. Since it brought new concepts, people, especially in Islamic countries, were impressed by them; and they started to translate them into their practice. Those who want to remove all

traditional things claim that it is one of the obstacles to development and modernity. In this context, the building, in turn, were influenced by these new concepts toward modernity.

Another factor that may also be considered as a main factor is the shortage of enough real estate. This factor, we think, is a direct reason of disappearing of the Islamic guidelines from the Islamic built-environment. In Islamic countries, the demographic growth has increased very fast because of the rate birth, which is very high. For instance, in our neighborhood, we do not know many young children are there. For this reason, people start to struggle to find a safe place to live. In this context, the major companies, which monopolizes the properties, starts to distribute them without realizing or concerning these Islamic Principles. Their goal is to earn much money and to inhabit more inhabitants. In the middle of modernity, demographic growth, lack of property and monopolization of the real estate by the companies, the Islamic neighborhood building principles and guidelines lost.

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