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# CONTINUITY AND CHANGE IN THE REALMS OF ISLAM

Studies in Honour of  
Professor Urbain Vermeulen

edited by  
K. D'HULSTER  
and  
J. VAN STEENBERGEN



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THE ROLE OF INTERPRETERS IN ALEXANDRIA  
IN THE LIGHT OF AN OATH (*QASĀMA*) TAKEN IN  
THE YEAR 822 A.H./1419 A.D.<sup>1</sup>

Frédéric BAUDEN  
Université de Liège

I. INTRODUCTION

On September 17th 1506, the Mamlūk ambassador Taghrībirdī set foot on the shore of the Lido in Venice. He had sailed the Mediterranean to resume negotiations with the Senate on behalf of the Sultan. His sojourn in the city of St. Mark made a great impression on the citizens and some of them left testimonies of his “idiosyncrasy”. Among his many appreciated qualities, these witnesses stressed the fact that he was a polyglot, able to speak seven languages<sup>2</sup>. Taghrībirdī was not the first interpreter sent as an ambassador to Europe by the Mamlūk sultans. He had been preceded by two dragomen: the first, Jānī Beg, went twice to Venice (in the summer of 1465 and between November of the same year and January 1466), while Ibn Maḥfūz visited Venice, Naples, Florence and Catalonia, between 1476 and 1496<sup>3</sup>. These interpreters impressed their interlocutors, while others, less conspicuous, but nonetheless important, did not draw so much attention. Of their colleagues who worked in the chancery, in the harbours, in the cities, almost nothing is known except the information provided by treaties concluded between European and Muslim countries, by relations of Western travelers or Muslim chronicles, and the scarce data supplied by treatises on taxes. Although

<sup>1</sup> In 1966, Prof. Dr. Urbain Vermeulen published an article on the question of translators and interpreters in the Mamlūk chancery of Cairo. In the appendix, he gave a translation of the relevant section on the knowledge of non-Arabic languages in al-Qalqa-shandī's *Ṣubḥ al-a'shā*. On the occasion of his sixty-fifth birthday, it is my pleasure to dedicate to him the following pages dealing with a document related to the same topic. A shorter version of this paper was read at the second conference of the International Society for Arabic Papyrology (ISAP), in Granada, March 24-27, 2004.

<sup>2</sup> On him, see more specifically J. WANSBROUGH, “A Mamluk Ambassador to Venice in 913/1507”, in *Bulletin of the School of Oriental and African Studies*, XXVI (1963): 503-530.

<sup>3</sup> M.P. PEDANI “Gli ultimi accordi tra i sultani mamelucchi d'Egitto e la Repubblica di Venezia”, in *Quaderni di Studi Arabi*, 12 (1994): 50.

they played a decisive role in the economy of the Mediterranean, not enough interest has been devoted to these interpreters<sup>4</sup>. Those who passed down into European languages words such as “dragoman”, “truchement”, deserve such a study. In this sense, this article aims at studying a document that enlightens the role of interpreters employed in the harbour city of Alexandria during the late Mamlūk period. The document had been briefly described as early as 1965 by Subhi Y. Labib, who already recognised it as “ein hochinteressantes Dokument”<sup>5</sup>, but since that date it has remained unpublished. In this article, a reading is provided together with a translation and diplomatic and historical commentaries. The data available about this profession in the Medieval Mediterranean are also reevaluated in the light of this witness.

## 2. DESCRIPTION

The document lies in a file (*busta*) of the *Procuratori di San Marco*, more precisely in the *Commissarie miste*. The *busta* contains 11 documents in Arabic, all originating from Mamlūk Egypt<sup>6</sup>. The documents were brought back to Venice by Lorenzo Dolfin, the nephew of the late Venetian consul in Alexandria, Biagio Dolfin, who had died of the plague during a stay in Cairo, in 1420. It seems that Lorenzo inadvertently took some documents that did not belong to his uncle and that should have remained in the consulate. Undoubtedly, his precipitation saved them from sinking into oblivion<sup>7</sup>.

<sup>4</sup> For a general introduction, see C.E. BOSWORTH, “Tardjumān”, in *Encyclopédie de l’Islam*, X (1998): 254-257. For a more specific study, see S. AL-DURŪBĪ, “Aṣnāf al-tarājima fī dīwān al-inshā’ al-mamlūkī”, in *Majalla Majma’ al-Lughā al-‘Arabiyya al-Urdunī*, 27 (2003): 11-43. See also *idem*, “Ḥarakat al-tarjama wa-l-ta’rīb fī dīwān al-inshā’ al-mamlūkī (al-bawā’ith wa-l-lughāt wa-l-mutarjamāt)”, in *Majalla Majma’ al-Lughā al-‘Arabiyya al-Urdunī*, 26 (2002): 11-72.

<sup>5</sup> S.Y. LABIB, *Handelsgeschichte Ägyptens im Spätmittelalter (1171-1517)* (Wiesbaden: Franz Steiner, 1965), pp. 502-3 (no. 10).

<sup>6</sup> These have been mentioned in a handlist recently published by F. BAUDEN, “The Mamluk Documents of the Venetian State Archives: Handlist”, in *Quaderni di Studi Arabi*, 20-21 (2002-2003): 147-156. The document which is the subject of the present study is discussed on p. 153 (no. XIII).

<sup>7</sup> For more details, see M.P. PEDANI, “The Mamluk Documents of the Venetian State Archives: Historical Survey”, in *Quaderni di Studi Arabi*, 20-21 (2002-2003): 133-146; F. BAUDEN, “L’achat d’esclaves et la rédemption des captifs à Alexandrie d’après deux documents arabes d’époque mamelouke conservés aux Archives de l’État à Venise (ASVe)”, in *Regards croisés sur le Moyen-Age arabe. Mélanges à la mémoire de Louis Pouzet s.j. (1928-2002)*, eds. A.-M. Eddé, E. Gannagé [*Mélanges de l’Université Saint-Joseph* 58] (Beirut, 2005): 269-325.

Our document consists of a sheet of Oriental laid paper measuring 33.2 by 16.5-16.8 cm. As with most of the other Mamlūk documents found in the same file, traces of folding in strips of about 2.5 to 3.5 cm are clearly visible. This indicates that the document was originally rolled up and later crushed, and not, as one might surmise, that it was folded as it appears now. Two tears (one horizontal between lines 1-2 and one vertical at the bottom) do not prevent reading. A stain of dampness is visible in the middle of the document, in the left margin. On the whole, it has been well preserved and the ends of the lines have not suffered with the passing of time, as is usually the case. The paper is characteristically Oriental in many aspects: no filigree is visible; its quality is poor (long fibres are still visible); its colour is yellowish; it had been lightly smoothed. Moreover, the chain lines are visible in groups of two (distance within the group: 0.9 cm; distance between groups: 4 cm) and the laid lines look large (20 of them = 4 cm). Studies on the typology of Oriental paper are progressively being developed, but our knowledge of the paper used by the Mamlūk chancery, in particular, is still lacking. This kind of paper could have been different from the paper produced for the copying of manuscripts, as G. Humbert has recently stressed<sup>8</sup>, because it (at least in the case of Egyptian chancery paper) was considered to be prestigious. Copies of treaties, for instance, sent to non-Muslim counterparts and written on Occidental paper would have been interpreted as an acknowledgement of weakness by the Mamlūk regime. Unsurprisingly, at a time when Occidental paper was progressively and increasingly being exported into Muslim countries, where it was used for the copying of religious texts and was even worthy, in some Muslims' minds, for use in Qurans, we notice that the Mamlūk chancery continued to use paper produced in Egypt or Syria. This is still the case, for instance, for a receipt related to the payment of the tribute for Cyprus by Venice dated 895/1490<sup>9</sup>. On the other hand, the Venetian community in Alexandria did use Occidental paper, even for documents written in Arabic, as is shown by some of those in Biagio Dolfin's archives<sup>10</sup>. Returning to the problem of the typology of Oriental paper, for the time being, we have no other choice but to compare it to the other kind of paper present in manuscripts, which are more numerous and for which

<sup>8</sup> G. HUMBERT, "Le manuscrit arabe et ses papiers", in *Revue des mondes musulmans et de la Méditerranée*, 99-100 (2002): 74-75.

<sup>9</sup> ASVe, *documenti Algeri, Egitto, Marocco, busta unica (Egitto)*, no. 2a (previously *Documenti nurchi, busta 15*). See BAUDEN, "The Mamluk Documents", 148-9 (no. II).

<sup>10</sup> See BAUDEN, "L'Achat", 271-272.

we have quite precise descriptions. The paper used for our document corresponds to a type identified in manuscripts clearly indicated as having been copied in Egypt, or presumed to have been copied in that country, within a period ranging from 1227 and 1434. There are, however, very few items for the beginning of the 15th c. It can be concluded that the paper was probably produced in Egypt, mainly during the 13th and 14th c. Its characteristics are identical to those of our document: chain lines in groups of two at a distance of 0.6 to 1.3 cm within the group and of 4.1 to 4.9 cm between two groups; large laid lines of which 20 cover 3 to 4.1 cm<sup>11</sup>. The text is written in dark brown ink. The width of the right margin runs from 4.2 to 5.7 cm. The verso is blank.

### 3. ANALYSIS<sup>12</sup>

On *Šafar* 29th, 822<sup>13</sup>/March 27th, 1419, 7 interpreters (six Muslims and one Jew) appeared before the majordomo of the Viceroy of Alexandria<sup>14</sup> and their witnesses. They swore that, from now on, they would not discuss with the merchants or anyone else the sale of the merchandise reaching the port, which was liable to taxes, unless they had informed the aforesaid majordomo prior to this. In the case where they did not honour their oath, they would be liable for a penalty to be imposed on them by the holder of authority.

<sup>11</sup> G. HUMBERT, "Papiers non filigranés utilisés au Proche-Orient jusqu'en 1450. Essai de typologie", in *Journal asiatique*, 286 (1998): 21.

<sup>12</sup> Labib, 502-503, gave the following summary: "Ein hochinteressantes Dokument, in dem festgestellt wird, daß die Muslim-Dolmetscher *Šams ad-Dīn Muḥ. ibn al-ʿAdīl*, *Taqī ad-Dīn Muḥ. ibn al-ʿAsiūfī*, *Šams ad-Dīn Muḥ. ibn ʿUtmān*, *Muḥ. ibn ʿUmar*, *Muḥammad ibn Ḥamza* und *Muḥ. ibn ʿAlī ibn Kandak* كاندك sowie der jüdische Dolmetscher *Mardūh ibn Šimwāl* vor dem Statthalter Alexandriens und seinem aus Gelehrten bestehenden Rat bei Gott geschworen hätten, daß die sämtliche in Alexandrien ankommende und in al-Ḥums (Zollgebäuden) lagernde Waren dem Gouverneur unverzüglich melden und vorher weder bei einem diesbezüglichen Kauf- noch Verkaufsgeschäft dolmetschen bzw. vermitteln würden. Wer diesen Schwur breche, werde bestraft werden. Datum 29. Šafar 826/11. Februar 1423." The document is again quoted on the basis of this partially erroneous reading in *idem*, "Al-Funduq: zāhira siyāsiyya, iqtisādiyya, qānūniyya", in *Miṣr wa-ʿālam al-baḥr al-mutawassiṭ*, ed. R. ʿAbbās (al-Qāhira-Bāris), 296, and in AL-DURŪBĪ, "Aṣnāf al-tarājima", p. 36.

<sup>13</sup> The date given by Labib in his brief summary (826/1423) is erroneous and constitutes an anachronism, as the governor of Alexandria, Ibn al-ʿAṭṭār, was revoked from this function in 824/1421. See A. ʿABD AL-RĀZIQ, "Les Gouverneurs d'Alexandrie au temps des Mamlūks", in *Annales islamologiques*, XVIII (1982): 146 (no. 63).

<sup>14</sup> Not before the governor of the city himself, as implied by Labib, 502-503.

Oriental laid paper. 33.2 x 16.5-16.8 cm.  
 Folded in strips of 2.5-3.5 cm. Recto only.  
 Right margin: 4.5-5.8 cm. Upper margin: 4 cm.  
 Dated: 29th Šafar 822 [27th March 1419].



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Procuratori di San Marco, Commissarie miste, busta 180, fascicolo IX, nr. 10.

## 4. TEXT

- (١) بسم الله الرحمن الرحيم وصلوته على سيدنا محمد واله  
 (٢) حضر عند شهوده في تاريخه من مجلس سيدنا الفقير الى الله تعالى  
 الجنب العالي الريسي  
 (٣) الناصري ناصر الدين ابي عبد الله محمد استادار سيدنا ومولانا العبد  
 الفقير الى الله  
 (٤) تعالى المقر الاشرف العالي المولوي الامامي العلامي الناصري ناصر الدين  
 صدر المدرسين  
 (٥) المدرسين [كذا] ابي عبد الله محمد العطار ملك الامرا نايب السلطنة  
 المعظمة بئغر الاسكندرية المحروس  
 (٦) اعز الله انصاره كل واحد من شمس الدين محمد بن العدل (و) تقي  
 الدين محمد بن الاسيوطي  
 (٧) وشمس الدين محمد بن عثمان ومحمد بن عمر ومحمد بن حمزة بن  
 محمد ومحمد بن علي بن كندك  
 (٨) فهم جماعة التراجمة المسلمون بالثغر المذكور فيه ومردوخ بن شموال  
 اليهودي  
 (٩) الترجمان ايضا واقسموا على انفسهم بالله تعالى جل ذكره وتقدس  
 اسماءه  
 (١٠) ثم بنعمته على مولانا السلطان الملك المويد خلد الله تعالى ملكه وثبت  
 قواعده  
 (١١) دولته انهم من تاريخه والى مستقبل من الزمن جميع البضايح التي  
 (١٢) ترد الى الثغر والتي بالخمسة السعيد لا يتحدثوا في بيعها مع احد  
 (١٣) من التجار ولا من الناس الا ان يعلموا بها الجنب المشار اليه فيه من غير  
 تهاون  
 (١٤) ولا تاخير وانهم متى والعياذ بالله تعالى ظهر عليهم او على احد منهم  
 الامر  
 (١٥) بخلاف ذلك كان عليه حنث اليمين ودرك القسامة الشريفة وما يوجه ولي  
 الامر



(١٦) بسبب ذلك وكتب هذه شاهدة عليهم لامر بقضا[ئ]ه بت[اريد]خ تاسع  
عشرين صفر سنة (١) ثنتين وعشرين (و) ثمانماية

شهدت عليهم بذلك	شهدت عليهم بذلك
كتبه عبد الرحمن بن محمد بن	كتبه محمد بن عبد الرحمن الخطيب
المخاطب <sup>١٥</sup>	
وعرفهم	وعرفهم

## 5. TRANSCRIPTION

- 1) *Bi-sm Allāh al-raḥmān al-raḥīm wa-ṣalātuhu 'alā sayyidinā Muḥammad wa-'ālihi*
- 2) *Ḥaḍara 'inda shuhūdihi fi tārikhihi min majlis sayyidinā al-faqīr 'ilā Allāh ta'ālā al-janāb al-'ālī al-rayyisī*
- 3) *al-nāṣirī Nāṣir al-dīn 'Abī 'Abd Allāh Muḥammad 'ustādār sayyidinā wa-mawlānā al-'abd al-faqīr ilā Allāh*
- 4) *ta'ālā al-maqarr al-'ashraf al-'ālī al-mawlawī al-'imāmī al-'allāmī al-nāṣirī Nāṣir al-dīn Ṣadr al-mudarrisīn*
- 5) *al-mudarrisīn [sic] 'Abī 'Abd Allāh Muḥammad al-'Aṭṭār malik al-'umarā' nā'ib al-salṭana al-mu'azzama bi-thaghr al-Iskandariyya al-maḥrūs*
- 6) *a'azza Allāh 'aṣṣārahū kull wāḥid min Shams al-dīn Muḥammad ibn al-'Adl <wa->Taqī al-dīn Muḥammad ibn al-Asyūṭī*
- 7) *wa-Shams al-dīn Muḥammad ibn 'Uthmān wa-Muḥammad ibn 'Umar wa-Muḥammad ibn Ḥamza ibn Muḥammad wa-Muḥammad ibn 'Alī ibn Kundak*
- 8) *fa-hum jamā'at al-tarājima al-muslimūn bi-l-thaghr al-madhkur fihi wa-Mardūkh ibn Shimwāl al-Yahūdī*
- 9) *al-tarjumān 'ayḍ<sup>an</sup> wa-aqsamū 'alā anfusihim bi-Allāh ta'ālā jalla dhikruhu wa-taqaddasat 'asmā'uhu*
- 10) *thumma bi-ni'matihi 'alā mawlānā al-Sulṭān al-Malik al-Mu'ayyad khallada Allāh ta'ālā mulkahu wa-thabbata qawā'id*
- 11) *dawlatihi 'annahum min tārikhihi wa-'ilā mustaqbal min al-zaman jamī' al-baḍā'i' allatī*

<sup>15</sup> A better reading than *al-Mukhāṭibī*, as proposed in the previous description I gave in my handlist (BAUDEN, "The Mamluk Documents", 153).

- 12) *tarid ilā al-thaghr wa-allatī bi-l-khums al-sa'īd lā yatahaddathū fī bay'ihā ma'a 'aḥad*  
 13) *min al-tujjār wa-lā min al-nās 'illā 'an yu'limū bi-hā al-janāb al-mushār 'ilayhi fīhi min ghayr tahāwun*  
 14) *wa-lā ta'khīr wa-'annahum matā wa-l-'iyādh bi-Allāh ta'ālā ḡahara 'alayhim 'aw 'alā 'aḥad minhum al-'amr*  
 15) *bi-khilāf dhālik kāna 'alayhi ḥinth al-yamīn wa-darak al-qasāma al-sharīfa wa-mā yūjibuhu walī al-'amr*  
 16) *bi-sabab dhālik wa-kutibat hādhihi shāhida 'alayhim li-'āmīr bi-qaḍā[i]hi bi-t[ārī]kh tāsi' 'ishrīn ṣafar sana thnatayn wa-'ishrīn <wa->thamānīmi'a*

*Shahidtu 'alayhim bi-dhālik*  
*Katabahu Muḥammad ibn 'Abd*  
*al-Raḥmān al-Khaṭīb*  
*wa-'arafahum*

*Shahidtu 'alayhim bi-dhālik*  
*Katabahu 'Abd al-Raḥmān ibn*  
*Muḥammad ibn al-Mukhāṭīb*  
*wa-'arafahum*

## 6. TEXTUAL NOTES

The text is composed of 16 lines without taking into account the three lines occupied by the attestations of both witnesses. The width of the right margin, which contains no written indication, varies from 4.5 cm (upper part) to 5.8 cm (lower part). The script, in black ink, may be described as cursive, but on the whole highly legible in comparison with other documents of the same nature and dated or datable to the same period. Some unusual ligatures may be observed: *'alif* linked to the following letter, particularly in the case of the article (other examples: l. 1, اله; l. 3, استادار; ll. 3 and 10, مولانا; l. 8, التراجمة; l. 13, ان); *idem* for the *wāw* (l. 4, المولوي; l. 8, مردوخ، المسلمون; l. 15, بوجبه); *idem* for the *dāl/dhāl* (ll. 1 and 2, سيدنا; l. 16, شاهدة، هذه، ذلك). Some words appear in a stereotyped form, such as اله (ll. 2, 11) and اله تعالى (ll. 2, 4, 10, 14), اله (ll. 3-5), الاسكندرية (l. 5)<sup>16</sup>. The typical abbreviation of the word بتاريخ can also be observed in l. 16<sup>17</sup>. Diacritics have been written in the great majority of the words. On the other hand, no vowel sign is visible.

In line 2, the title *al-rayyisī* is clearly written with a single *yā'* in the middle of the word, instead of two as in the more common orthography

<sup>16</sup> For this one, see more particularly BAUDEN, "L'Achat", p. 273.

<sup>17</sup> See, on this and other samples, W. DIEM, "Vier arabische Rechtsurkunden aus dem Ägypten des 14. und 15. Jahrhunderts", in *Der Islam*, 72 (1995): 198.

(the first one representing the support of the *hamza* and the second one the long vowel *ī*). Nevertheless, this form is attested and was accepted by lexicographers and was consequently used by the chancery<sup>18</sup>.

The document is not devoid of slips of the pen. The first one regards the word *al-maqarr* (line 4), for which a close look reveals a rectification of the *ductus*. At the beginning of the next line, the word *al-mudarrisīn* is repeated. Uncommonly, the redundant word has not been stricken through. Finally, on the same line, the name *Muḥammad* clearly appears as an addition because it was written by the copyist over the line, due to the lack of blank space, when he noticed his mistake. All these examples of the copyist's carelessness, when corrected, should have been attested as such through a gloss at the end of the document.

In one particular case, the reading of a proper name posed a problem since the diacritics are not indicated. This occurs at the end of line 7 as follows: كندك. This does not seem to be an Arabic *ism*, but more probably a name of Turkish or Persian origin. It appears that the unpointed letter can be read either as *bā'*, *tā'*, *thā'*, *nūn* or *yā'*. A search through the major biographical dictionaries of the period considered gave no satisfying result for the solutions envisaged. However, a similar *ductus* has been identified for a town located on the route that leads from Tirmidh to Bukhārā<sup>19</sup>, but this solution must be disregarded as names of cities are not given to humans in Muslim onomastics. The more plausible interpretation would be to consider it as a Turkish name, meaning that the grandfather of this person was a Mamlūk<sup>20</sup>. Unfortunately, this name was not found in any source consulted for the Mamlūk period. Sauvaget<sup>21</sup> cites the following form: كنجك (interpreted as the transcription of *könçäk*), for a Mamlūk whose origin was Kh<sup>w</sup>ārizm, but it is too different from the one appearing in this document, even if we consider that the third consonant might have undergone a modification. I am more inclined to consider كندك as a variant of another Mamlūk name

<sup>18</sup> AL-QALQASHANDĪ, *Ṣubḥ al-a'shā fi ṣinō'at al-inshā'*, vols. I-XIV (Al-Qāhira, 1913-1920 (reprint 1963)), vol. VI: 14 (*wa-yuqāl fihī rayyis 'alū wazn qayyim. Qālahu al-Jawharī*).

<sup>19</sup> AL-IDRISĪ, *Nuzhat al-muṣhtāq fi ikhtirāq al-āfāq*, vols I-II (Bayrūt: 'Ālam al-Kutub, 1409/1989), vol. I: 492. Some mss. have the reading KYDK.

<sup>20</sup> The Mamlūk usually gave a Muslim name to his offspring. See J. SUBLET, *Le Voile du nom. Essai sur le nom propre arabe* (Paris: Presses Universitaires de France, 1991), p. 31.

<sup>21</sup> J. SAUVAGET, "Noms et surnoms de mamelouks", in *Journal asiatique*, 238 (1950): 55.

found in the chronicles and biographical dictionaries: كوندك<sup>22</sup>. It is not unrealistic to imagine that the *wāw* might have fallen in the pronunciation of the name, due to the phonetic rule in Arabic that requires the shortening of a long vowel followed by an unvocalized consonant. In this case, the arabicized form of the name would have been pronounced *Kundak*. In the end, this seems to me to be the most probable reading of the name in the document.

#### 7. TRANSLATION

- 1) In the Name of God, the Compassionate, the Merciful. Be His blessings upon our Lord Muḥammad and his family.
- 2) On the date [given below], there came before his witnesses before the court of our Lord, the Needy of God, the Exalted, the Most Honourable, the Great Chief
- 3) al-Nāṣirī Nāṣir al-dīn Abū 'Abd Allāh Muḥammad, Majordomo (*ustādār*) of our Lord and Master, the servant [of God], the Needy of God,
- 4) the Exalted, the Noblest and High Excellency, the Master, the Imam, the Erudite, al-Nāṣirī, Nāṣir al-dīn, the Leader of
- 5) the instructors, Abū 'Abd Allāh Muḥammad al-'Aṭṭār, Commander of the emirs, Viceroy in the protected place of Alexandria
- 6) — May God strengthen his helpers — each of the following: Shams al-dīn Muḥammad ibn al-'Adl, Taqī al-dīn Muḥammad ibn al-Asyūfī,
- 7) Shams al-dīn Muḥammad ibn 'Uthmān, Muḥammad ibn 'Umar, Muḥammad ibn Ḥamza ibn Muḥammad and Muḥammad ibn 'Alī ibn Kundak,
- 8) being the community of Muslim interpreters in the aforementioned place, as well as Mardūkh ibn Shimwāl al-Yahūdī,
- 9) also interpreter. They swore upon themselves by God the Exalted — Glorious is His invocation and sanctified are His names —

<sup>22</sup> For a person who died in 680/1281, see AL-MAQRIZI, *Al-Muqaffā al-kabīr*, M. Al-Ya'lāwī (taḥqīq), vols I-VIII (Bayrūt: Dār al-Gharb al-Islāmī, 1411/1991), vol. II: 335 (vocalized [by the editor?] كوندك). For other occurrences, see *ibid.*, VIII: 411; *Idem*, *al-Sulūk li-ma'rifaī duwal al-mulūk*, M.M. Ziyāda (taḥqīq), vols I-IV (Al-Qāhira: Lajnat al-Ta'lif wa-l-Tarjama wa-l-Nashr, 1941-58), vol. II: 723; IBN QĀDĪ SHUHBA, *Al-Tārīkh*, A. Darwīsh (taḥqīq), vols I-IV (Damas: Institut Francais de Damas, 1994), vol. III: 175, where it is vocalised (by the editor?) كوندك. He was the *nā'ib* of Baybars' son, Berke.

- 10) then by His favours upon our Master, the Sultan al-Malik al-Mu'ayyad — May God the Exalted perpetuate his rule and consolidate the supports
- 11) of his state — that from the date [of this document] and in the future they would not negotiate the selling of all merchandise
- 12) reaching the harbour which is liable to the auspicious quint with any
- 13) of the merchants nor anyone else unless they had informed the aforesaid Honourable about it without any neglect
- 14) and no delay. Whenever — God forbid! — the situation proved to be otherwise for them or one of them,
- 15) he would be a perjurer and liable for the penalty of the noble oath and what the holder of the authority would impose
- 16) because of that. This was written as a piece of evidence against them for those who would order its being judged upon, on the 29th of *Ṣafar* in the year 822 [27th March 1419].

I bore witness to that for them.  
Muḥammad ibn 'Abd al-Raḥmān  
al-Khaṭīb wrote it and  
acknowledged them.

I bore witness to that for them.  
'Abd al-Raḥmān ibn Muḥammad  
ibn al-Mukhātib wrote it and  
acknowledged them.

#### 8. DIPLOMATIC COMMENTARY

In its formulary, the document belongs to a category lately identified and called *qasāma* (oath), which constitutes a sub-category inside the classical form of oath in Islam (*yamīn*, pl. *aymān*; *qasam*, pl. *aqṣām*). Until very recently, the *qasāma* (pl. *qasā'im*) was believed to be, in the Mamlūk context at least, an order or a command. It is in this way that it was translated in documents from St. Catherine's Monastery in Sinai by Moritz and Ernst (*Befehl*)<sup>23</sup>. The *qasāma* has of course, at its origin, a more general meaning in the context of Islamic law. It is defined as a plural oath (*cojuratio*), more precisely "an accusatory accumulation of fifty oaths against an individual or a group where there existed a presumption of guilt in a homicide case, or it was a similar number of oaths

<sup>23</sup> B. MORITZ, *Beiträge zur Geschichte des Sinaiklosters im Mittelalter nach arabischen Quellen*, (Berlin: Königl. Akademie der Wissenschaften, 1918), p. 44, note 17; H. ERNST, *Die mamlukischen Sultansurkunden des Sinai-Klosters* (Wiesbaden: O. Harrassowitz, 1960), p. 313 (index, s. v. *qasāma*).

to establish an individual's or a group's innocence of such a deed<sup>24</sup>". However, it is clear that the documents from the Mamlūk period as well as the evidence found in the chronicles dealing with the same period of time prove that the *qasāma* had another meaning. The discovery of the Haram documents enabled Donald Richards to prove this, thanks to 11 documents of this type<sup>25</sup>. In an article published in 1990<sup>26</sup>, where he gave an edited version together with a translation of these rare documents dated between 705/1306 and 796/1394, he was able to demonstrate that the *qasāma* of that period was to be understood not as a simple command, as believed previously, but rather as a personal undertaking entered into at the insistence of the authorities. Most of the time, this undertaking consisted of the non-fulfilment of a reprehensible action<sup>27</sup>. Evidence provided by chronicles and biographical dictionaries shows however that this kind of oath was also used to compel social categories to accept a governmental decision<sup>28</sup>. In case of transgression, a penalty was specified, usually consisting of the payment of a sum of money to the Treasury. This is at least the case with most of the documents from the Haram, that mainly deal with individuals<sup>29</sup> and groups

<sup>24</sup> D.S. RICHARDS, "The Qasāma in Mamlūk Society: Some Documents from the Haram Collection", in *Annales islamologiques*, 25 (1990): 245. For an explanation of the collective meaning implied by the paradigm, see P. LARCHER, "Qasam et qasāma : un phénomène de lexicalisation paradigmaticque du schème grammatical en arabe classique", in *Arabica*, XLIX (2002): 110-116.

<sup>25</sup> Pending a better definition, they were classified as *ḥaḍara ishḥād-s*. See D.P. LITTLE, *A Catalogue of the Islamic Documents from Al-Ḥaram Aš-Šarīf in Jerusalem* (Beirut: Franz Steiner, 1984), p. 242 ("Unfortunately, the documents do not exist in sufficient numbers to enable us readily to determine whether this particular form was used for a specific purpose distinct from that of the first category of *ishḥādāt*. It is interesting, moreover, that al-Asyūṭī should state that this type of *ishḥād* is used for attestations given in a court, since only some —only two— of the Haram *ḥaḍara ishḥād-s* were given before a judge").

<sup>26</sup> RICHARDS, "The Qasāma".

<sup>27</sup> For instance, to refrain from drinking wine. In the examples traced by Richards, "The Qasāma", 246, a female singer was forbidden to appear and perform in public; an individual promised not to make further applications for an official position; a deputy judge undertook not to try further to gain an employment in the legal field. To these examples, the following case may be added: in 825/1422, a deputy judge was obliged to undertake never again to give a legal decision ("fa-'ahḍarahu al-'amīr wa-ḍarrabahu bi-ḥadratihī wa-kataba 'alayhī qasāma 'an lā yaḥkum"). See IBN ḤAJAR AL-'ASQALĀNĪ, *Inbā' al-ghumr bi-abnā' al-'umr*, Ḥ. Ḥabashī (taḥqīq wa-ta'liq), vols I-IV (al-Qāhira: al-Majlis al-'A'lā li-l-Shu'ūn al-Islāmiyya, 1415/1994 (reprint)), vol. III: 269.

<sup>28</sup> The instances quoted by Richards, "The Qasāma", 246, concern traders and merchants who were constrained to accept not to use gold coins in Cairo, and also money-changers who were compelled to comply with the maximum exchange rate between gold and silver coinage.

<sup>29</sup> Individuals are often headmen.

who were residents of villages which were *waqf*-lands of the Dome of the Rock or of the Sanctuary in Medina. These communities swore to undertake to cultivate the land for the benefit of the *waqf* concerned and to guarantee proper behaviour. In one particular example, the document deals with Jews who took the oath not to sell slaughtered animals to Muslims. Evidence is also provided by some documents from the St. Catherine Monastery, where the monks invoked the decrees and *qasā'im* in their possession in order to be protected from Bedouin attacks. Such *qasā'im* made by the Bedouins have been preserved from the late Mamlūk period, but the first reference to the term with the meaning it took afterwards can be found in a petition from the Fāṭimid period sent by the monks to the Cairene authorities<sup>30</sup>.

Quite surprisingly, the formulary of the *qasāma*, as understood through the documents of the Ḥaram and the one under study here, is not listed in manuals (known as *shurūḥ* works), meant for the notaries and magistrates' clerks, as is the *Jawāhir al-'uqūd*<sup>31</sup>. The *qasāma*, in its classical meaning, is dealt with by the author (b. 813/1410-11), who gives several samples of formula to use in various situations<sup>32</sup>. The only parallel that can be made regarding the introductory formulas is: *ḥadara* ... Thus, it is not unwarranted to analyse the formula as represented by the documents of the Mamlūk period. In the following lines, a comparison of the different parts of the *qasāma* will be provided. Reference to the Ḥaram documents will be made through their numbering as provided in Richards' article already quoted, preceded by the letter H, while I shall refer to the document under study here by the following abbreviation: CM180/10.

All the documents begin with the usual invocation of God (*basmala*) used alone, with the exception of CM180/10 where the invocation of God's blessing on the Prophet and his family (*taṣliya*) has been added at some distance.

All the documents but one start with the word *ḥadara* (to attend), which appears to be the required verb for this kind of document. As

<sup>30</sup> D.S. RICHARDS, "A Fāṭimid Petition and "Scroll Decree" from Sinai", in *Israel Oriental Studies*, III (1973):140-158.

<sup>31</sup> AL-ASYŪTĪ, *Jawāhir al-'uqūd wa-muṭn al-qudāt wa-l-muwaqqi'īn wa-l-shuhūd*, M. 'A. Al-Sa'danī (ḥaqqaqahā wa-kharraja ahādīthahā), vols I-II (Bayrūt: Dār al-Kutub al-'Umiyya, 1417/1996).

<sup>32</sup> *Ibid.*, II: 224-252. In fact, it appears in the chapter dealing with the claim of blood money.

mentioned above, this is also the case for the *qasāma* when interpreted as a collective oath. The document, which is an exception (H/II), rather adopts the pattern of the formal declaration as it starts with the verb *'aqarra*. Nevertheless, the rest of the document respects the general formula, which will be highlighted at the end of the commentary.

Those who attend must do so in the presence of their witnesses. This is expressed by the formula *'ilā shuhūdihi* or *'inda shuhūdihi* (H/III, CM180/10). This formula is followed by the mention of the date through the elliptical expression *yawm tārikhihi* (lacking in H/II, H/XI; CM180/10 gives a variant: *fī tārikhihi*), and is not in full letters, given that this will occur at the end of the document.

In some cases, at this point, the official before whom the oath takes place is mentioned. In the instances provided by the evidence, this can be either the judge, as in H/VI where his court is referred to (*bi-majlis al-hukm*)<sup>33</sup> in accordance with the juridical literature<sup>34</sup>, or the court of an inspectorate, as in H/XI where the court of the inspector of the Noble *Waqfs* is specified (*'ilā majlis al-naẓar al-sa'īd 'alā al-awqāf al-sharīfa*), or the court of the governor's representative, his majordomo, in Alexandria, as in CM180/10 (*min majlis...*). It can be seen that various prepositions are used to introduce the name of the court (*bi-*, *'ilā*, *min*).

The names of the oath-takers are then listed, generally preceded by the words *kull wāhid min*, if they are several, which is almost the rule. This is not observed, however, with H/I, where four persons swore. In one case (H/V), only one man is called to make an oath<sup>35</sup>. Names are provided following the usual prescriptions: given name, name of the father and grandfather, and if possible the *nisba*.

In all the Ḥaram documents, the oath is preceded by a sworn declaration (*'ishhād 'alā nafsihil'alayhi*), generally strengthened by the expression of willingness (*tā'i'*, *ṭaw'an*), free will (*mukhtār*), soundness in mind and body and full legal competence (*fī ṣiḥḥa minhu wa-salāma wa-jawāz 'amr*). In some cases, other guaranties may be added: absence of compulsion, duress or constraint (H/VII: *min ghayr ijbār wa-lā 'ikrāh*; H/IX: *ghayr mukrahīn wa-lā mujbarīn wa-lā maghṣūbīn*). As already noticed by Richards<sup>36</sup>, these guaranties were purely formal, given

<sup>33</sup> In H/V, one finds an indirect reference to the judge in the formula of attestation before witnesses, *i.e.* later on in the document.

<sup>34</sup> If the oath takes place before a judge, his name or his court should be specified. See RICHARDS, "The Qasāma", 250.

<sup>35</sup> In the case of H/VIII, only one man seems to be concerned, but other names, of headmen from the same village, are listed further and they swore to the same effect.

<sup>36</sup> RICHARDS, "The Qasāma", 250.



that the oath was always made on the request of the authorities. In other words, those people had no choice to act otherwise. Two documents, the oldest (H/I, dated 705/1306) and the most recent (CM180/10, dated 822/1419) ones, seem to follow a more pragmatic pattern in that they do not take the trouble to use these terms.

The sworn declaration introduces the oath (*qasam*) through the particle *'anna* : *'annahum 'aqsamū*<sup>37</sup>. The interesting feature in the *qasāma* of the Mamlūk period is that the oath is not only sworn by God, but also by the *qasāma* of the Lord Sultan (*bi-l-qasāma al-sharīfa*)<sup>38</sup>. Richards wondered how it was possible to explain an oath taken by God and then by the *qasāma*, given that the latter is itself an oath. To explain this, he found some evidence in only one of the 11 documents of the Ḥaram. In Ḥ/VII, the most recent of them (dated 796/1394), the expression is more complete: "then by His blessings upon the Lord the Sultan" (*thumma bi-ni'matihi 'alā mawlānā al-Sulṭān*). Thus, to swear by the *qasāma* implied the pronouncement of a formula involving God's favour to the Sultan. Furthermore, he interpreted this expression as meaning that if the oath was not to be fulfilled, it would have been looked upon "as a denial of the Sultan's position and as a sort of disloyalty"<sup>39</sup>. His interpretation is now upheld by the evidence provided by CM180/10, where the same words appear.

Both documents also share another feature: the oath is located in time, *i.e.* it will be valid from now on and in the future, with no fixed limit (Ḥ/VII: *min yawm tārikhihi wa-mā ba'dahu*; CM180/10: *min tārikhihi wa-'ilā mustaqbal min al-zaman*). Oaths could relate to actions that happened in the past as well as those that could occur in the future. Al-Asyūṭī explains the various categories of oaths for undertakings affecting future actions<sup>40</sup>. As for the *qasāma*, as demonstrated by the documents of the Mamlūk period, it is not always easy to find out whether the oath was requested by the authorities to prevent future reprehensible actions or to avoid a blameworthy action being perpetrated again. Surely, both cases could be covered. In fact, the drinking of wine was undoubtedly regarded as an action that happened in the past and had to be avoided. This must also have been the case when the monks of the

<sup>37</sup> In four of the Ḥaram documents (H/VIII-XI), no oath is taken, rather an undertaking.

<sup>38</sup> For al-Shāfi'ī, an oath taken by anything else than God is reprehensible (*makrūh*). See AL-ASYŪṬĪ, 2: 256-7.

<sup>39</sup> RICHARDS, "The Qasāma", 249.

<sup>40</sup> AL-ASYŪṬĪ, 2: 255-6.

St. Catherine monastery intimidated the Bedouins with *qasā'im* they had sworn in order to protect the monks and to deliver any wrongdoer<sup>41</sup>. In the case of other documents, it is hard to understand whether past actions are involved, as for instance in H/V, where the oath-taker undertakes to produce his brother before the judge whenever he requires him. On the other hand, it is true that the oath does not always relate to a reprehensible action. In H/VI, the headmen of a *waqf*-village swore that, for the last four years, they had not received their dues from the *dīwān*.

The undertaking, negative or affirmative, comes after the particle '*anna*' and the temporal limit, if any. Generally, the tense used is the *mudāri'* and the mood either the indicative or, more surprisingly, the subjunctive, but the use of the past tense is also attested. Sometimes, two tenses are combined<sup>42</sup>:

– Cases with the past tense:

- H/V: '*annahu ḡamina*;  
 H/VI: '*annahu lam yuṣraf*<sup>43</sup>;  
 H/XI: '*annahumā ltazamā*<sup>44</sup>.

– Cases with the indicative:

- H/I: '*annahum yaslukūna... wa-lā yukhālif[u?/a?] ... wa-lā yuqīm[u?/a?] ... wa-lā yu'dhī[ya?] ... wa-yu'ammirūna... wa-lā yashhar[u?/a?]*;  
 H/III: '*annahumā yaslukāni... wa-'annahum lā yukhālifāni... wa-lā yakhrujūna... wa-lā yata'addawna... wa-lā yada'ūna*;  
 H/VI: '*anna... lā yu'ṭawna*.

– Cases with the subjunctive:

- H/II: '*annahum lā yaṣrū... wa-lā yu'āwinū... wa-'an lā yakhrujū... wa-lā yataṭarraḡū*;  
 H/IV: '*annahum lā yuqīmū... wa-'annahum lā yamshū... wa-'an yaslukū*;  
 H/VI: '*annahum... 'innamā yadhbaḡū... wa-lā yadhbaḡū... wa-lā yabi'ū*;  
 H/XI: '*... wa-lā yuqīmū*;  
 CM180/10: '*annahum... lā yataḡaddathū*.

The use of the past tense and of the indicative mood is logical in that the undertaking is seen by the subject as already fulfilled or to be fulfilled in the future<sup>45</sup>. The negative particle, if necessary, will be in both

<sup>41</sup> RICHARDS, "The Qasāma", 250.

<sup>42</sup> Only the unequivocal examples are provided here.

<sup>43</sup> See also the cases with the subjunctive.

<sup>44</sup> See also the cases with the subjunctive.

<sup>45</sup> "On doit signaler, à toutes les époques, la même alternance *ʾā* ou *ʾi* + subjonctif / *ʾā* + subordonnée nominale ou verbale à l'indicatif ou à l'accompli, après une principale contenant soit un serment, soit un espoir [...]. Cette alternance s'explique par l'état

cases *lā*, which gives to the verb a future connotation<sup>46</sup>. In this situation, the use of the subjunctive is anomalous. It might reveal that some clerks felt that *lā* corresponded to a negative future, assimilating it to the negative particle of the future (*lan*), which is followed by the subjunctive<sup>47</sup>. It is difficult to say whether this form reflected the spoken usage or not. Anyway, it can be noticed that there exist other instances of the clerks' absentmindedness, particularly with the passage of the dual to the plural in H/III.

In all the documents, the undertaking is reinforced by a proviso in case of non-fulfilment. This takes the form of a conditional clause, where the protasis is introduced by the conditional particle *matā* ("whenever"), or 'in (H/V). In some cases (H/II, VII, CM180/10), the conditional particle is immediately followed by a sentence with an optative value: *wa-l-'iyādh bi-Allāh* ("God forbid"). This conditional sentence expresses what will be the consequences if the oath-takers, or one of them in the case of a group, act against their undertaking. The protasis usually contains the words *khilāf* or *fasād*: *ḡahara 'alayhim al-'amr bi-khilāf dhālik* (CM180/10, H/VI), *i'tamadū khilāf dhālik* (H/III, VII), *taḡaqqāqa 'anhum fasād* (H/II), *jarā minhum fasād* (H/IV). In one case, one finds: *fa'alū shay'<sup>an</sup> mimmā nuḡū 'anhu* (H/I). In other instances, the protasis expresses directly the possible obstruction: failure to produce someone (H/V: *'ajaza 'an 'iḡḡārihi*; H/VIII, X: *'ajazū 'an 'iḡḡārihi*; H/XI: *lam yaḡḡurūhu*). The consequence, in the majority of the cases, is provided for in the apodosis, in the following terms:

- mention of the perjury and of the penalty: CM180/10 (*kāna 'alayhi ḡinth*<sup>48</sup> *al-yamīn wa-darak al-qasāma al-sharīfa*, "he will be a perjurer and liable for the penalty of the Noble *qasāma*"), H/I (*kāna 'alā man yaf'al dhālik ḡinth al-yamīn wa-darak al-qasāma al-sharīfa*), H/II (*kāna 'alayhim ḡinth al-yamīn wa-darak al-qasāma al-sharīfa*), H/III (*kāna 'alayhim darak al-qasāma al-sharīfa*), H/VII (*kānū taḡt al-darak wa-l-qasāma al-sharīfa al-sultāniyya*), H/

psychologique du sujet parlant qui considère ou non son serment, son espérance comme suivis d'effet". R. BLACHÈRE; M. GAUDEPROY-DEMOMBYNES, *Grammaire de l'arabe classique (morphologie et syntaxe)* (Paris: Maisonneuve & Larose, 1975), pp. 440-1. See also H. FLEISCH, *Traité de philologie arabe*. Vol. II: *Pronoms, morphologie verbale, particules* (Beyrouth: Dar El-Machreq, 1979), p. 182 (note 3).

<sup>46</sup> BLACHÈRE, *ibid.* and FLEISCH, p. 185.

<sup>47</sup> This is corroborated by the switch from 'anna to 'an in H/II and IV.

<sup>48</sup> On the meaning of this word, see more particularly N. CALDER, "ḡinth, Birt, Tabarrur, Tahannuth: An Inquiry into the Arabic Vocabulary of Vows", *Bulletin of the School of Oriental and African Studies*, LI (1988): 214-239.

VIII (*kāna taḥt darakihi*), H/XI (*kāna 'alayhim al-darak wa-l-ta'dīb*);

- the oath-takers attest that they will fulfil their obligations: H/V (*kāna qā'im<sup>an</sup> bi-mā yuṭlab minhu bi-hi*), H/VI (*kānū qā'imīn bi-mā yajib 'alayhim*), H/X (*kānū qā'imīn bi-mā yuṭlab minhu*).

The penalty was sometimes specified, typically as an amount of money preceded by a formula (*kāna 'alayhim bi-tarīqī'alā sabīl al-nadhr*): H/I (500 dirhams to pay to the receivers of the Treasury), H/II (2000 dirhams), H/III-IV (1000 dirhams), H/VII (10000 dirhams). The beneficiary of the penalty is the Treasury, although in the document which concerns Jews exclusively (H/VII), it is expected that the money will be devoted to the repair of the Muslims' waterway which runs into the Ḥaram of Jerusalem. In CM180/10, the penalty is also indicated, but no amount has been specified, rather a general statement of what the holder of the authority will decide (*mā yūjibuhu walī al-'amr bi-sabab dhālik*).

The documents end with a formula of attestation giving the date: *shuhida 'alayhim bi-tārīkh*. CM180/10 provides a variant: it is attested that the document (*hādhihi*) has been written as a piece of evidence (*shāhidat<sup>an</sup>*), a piece that could be used against the oath-takers by anyone called to judge upon the non-fulfilment (*'āmir bi-qaḍā'ihī*). This part might help to elucidate a problem raised by Richards. He wondered whether the word *qasāma* might not refer only to the oath, but might also designate the witnessed record itself<sup>49</sup>. Furthermore, he wondered whether references to *qasā'im* in the chronicles and documents from the St. Catherine monastery were to be identified with the records discovered in the Ḥaram of Jerusalem. The absence of any reference to this appellation in the documents of the Ḥaram themselves made him hesitate as to whether this hypothesis was valid or not. The peculiarity of the Ḥaram documents lies in the fact that, on the verso of most of them, the clerk wrote a short note summarising the content of the deed in order to identify it quickly once classified. Usually, the word *hujja* (legal deed) appears in this circumstance (H/I-IV, VIII-X<sup>50</sup>), which seems to imply that no technical word was used to describe it. With CM180/10, there could be a reference to the name of the deed through the word *hādhihi*. Unfortunately, this does not represent definitive proof that reference is

<sup>49</sup> RICHARDS, "The Qasāma", 248.

<sup>50</sup> In the case of record H/VII, the word *mahḍar* (report) was used.

made here to the technical word (*qasāma*), as the clerk could have in mind the more generic term of *ḥujja*. However, I am inclined to believe that the evidence provided by the chronicles supports Richards' hypothesis.

As with any deed in Islam, it had to be certified by two witnesses, although in one case (H/I) four attestations are found at the end.

To conclude this part, the formula of the *qasāma* may be summarised into the following components:

- 1) Invocation (*basmala*);
- 2) Attestation of presence (*ḥaḍara*)
  - before their witnesses,
  - names of the oath-takers;
- 3) Oath
  - sworn declaration (*'ishhād*),
  - willingness, soundness,
  - oath (*'aqsama*) by God and the noble *qasāma*,
  - undertaking;
- 4) Proviso in case of non-fulfilment, in the form of a conditional clause introduced by *matā'l'in*;
- 5) Date;
- 6) Testimonies.

## 9. HISTORICAL NOTES

Before going further into the analysis and the meaning of the document in its historical context, it is necessary to try to identify the persons mentioned in it (eleven in total). Different social categories are represented here: the officers with the governor of Alexandria and his major-domo; the oath-takers who are in this case all interpreters (six Muslims and one Jew); and finally the two witnesses. The chronicles could not pass in silence over the highest-ranking official, the governor and, indeed, his name appears in a great many sources. His complete name was Nāṣir al-dīn Abū 'Abd Allāh<sup>51</sup> Muḥammad ibn Aḥmad ibn 'Umar ibn Yūsuf ibn 'Abd Allāh ibn 'Abd al-Raḥmān ibn Ibrāhīm ibn Muḥammad ibn Abī Bakr al-Tanūkhī al-Ḥamawī, but he was better known (*shuhra*) as Ibn al-'Aṭṭār<sup>52</sup>. As his *nisba* indicates, he was born and grew up in the

<sup>51</sup> His *kunya* does not appear but in the document.

<sup>52</sup> The evidence provided by the document shows that it could also be more simply al-'Aṭṭār. His biography will be found in the following sources: AL-MAQRIZI, *Al-Sulūk*, 4:702 (see also p. 477, 518, 547, 565 and 573); IBN ḤAJAR AL-'ASQALĀNĪ, *Imbā' al-*

town of Ḥamāh (Northern Syria), in 774/1373. His father, Shihāb al-dīn Aḥmad, who is said to have been among the notables (*a'yān*) of the city, first served as a majordomo of several emirs until he started consorting with the governor. Shihāb al-dīn Aḥmad followed the governor when, later on, the latter was appointed *nā'ib* of al-Karak. There, he made the acquaintance of Barqūq, the former sultan who was jailed in the fortress. The benefit he could have derived from this relationship was never capitalised upon, because he died before Barqūq returned to power. The sultan's benevolence thus fell upon his son, Nāṣir al-dīn Muḥammad, who obtained an appointment (*'imra*) before being promoted to the post of steward (*ḥājib*), still in Ḥamāh. Nāṣir al-dīn Muḥammad's rise up the social scale continued when he was promoted to *dawādār* of various emirs among whom was Qānībāy, the governor of Damascus, the place where he followed his master. What gave a decisive impetus to Nāṣir al-dīn Muḥammad's career was his parental affiliation with the secretary of the Chancery (*kātib al-sirr*), Nāṣir al-dīn Muḥammad Ibn al-Bārizī (d. 823/1420), also a member of a prominent family of Ḥamāh, who had gained important functions in the administrative system thanks to his links with Shaykh, before the latter became sultan. With Shaykh's accession to power, in 815/1412, and after joining him in Cairo, Ibn al-Bārizī gained the post of *muwaqqi'*, before obtaining, shortly afterwards, the one of secretary of the Chancery, a position that he held until his death<sup>53</sup>.

In addition to this, Ibn al-Bārizī held a number of offices such as *nāzir al-awqāf*, *khaṣīb* and *khāzin al-kutub* of al-Mu'ayyad Shaykh's mosque, al-Mu'ayyadiyya. He enjoyed a powerful status, particularly through his friendship with the sultan, who is said to have spent some nights in his house with a view over the Nile, in Imbāba. Ibn al-Bārizī had chosen as wives for his two sons, Kamāl al-dīn Muḥammad and Shihāb al-dīn Aḥmad, Ibn al-'Aṭṭār's sisters, Fāṭima and Sāra<sup>54</sup>, which means that Ibn al-'Aṭṭār was his son-in-law. His step-father decided to call him to Cairo

*ghumr*, 3: 359-360 (see also p. 241); IBN TAḤRĪBIRDĪ, *Al-Nujūm al-zāhira fī mulūk Miṣr wa-l-Qāhira*, I. Ṭarkhān (taḥqīq), vols I-XVI (al-Qāhira: al-Hay'a al-Miṣriyya li-l-Ta'līf wa-l-Naṣr, 1391/1971), vol. XV: 131 (see also vol. XIV, J. al-Shayyāl; F.M. Shaltūt (taḥqīq), (1392/1972), p. 172); AL-SAKHĀMĪ, *Al-Ḍaw' al-lāmi' li-ahl al-qarn al-tāsi'*, vols I-VII (al-Qāhira: Dār al-Kitāb al-Islāmī, n.d. (reprint)), vol. VII: 32-33 (see also vol VI: 223). See also 'ABD AL-RĀZIQ, 146 (no. 63).

<sup>53</sup> See G. WIET, "Les Secrétaires de la chancellerie (*Kutāb-el-Sirr*) en Égypte sous les Mamlouks Circassiens (784-922/1382-1517)", in *Mélanges René Basset. Études nord-africaines et orientales*, Tome I (Paris: Ernest Leroux, 1923), pp. 286-288.

<sup>54</sup> Sāra was married to Kamāl al-dīn Muḥammad after the death of his brother.

and, being an influential person who benefited from the favours of the sultan, he finally succeeded in obtaining an important position for his step-parent<sup>55</sup>. Indeed, on *Ḍū l-Hijja* 15th 821/January 13th 1419, Ibn al-'Aṭṭār was given the title of *nā'ib al-Iskandariyya*, governor of Alexandria, a position that he was to leave two years later, *Muharram* 16th<sup>56</sup> 824/January 21st 1421, precisely one week after al-Mu'ayyad's death. His position was in fact revoked by Sultan Ṭaṭar and there is no doubt that Ibn al-'Aṭṭār suffered, in this case, from severance of patronage. Ibn al-Bārīzī, of course, had died three months earlier, but he had been replaced by his son, Kamāl al-dīn Muḥammad, whose appointment, however, was annulled ten days after Ibn al-'Aṭṭār's revocation<sup>57</sup>. Clearly, he suffered the consequences of the sultan's death. He then spent the following years at home, probably in Cairo, unemployed<sup>58</sup>. Finally, during the reign of Baybars, he obtained a new position as *nāzir al-Quds wa-l-Khalīl* (Inspector of Jerusalem and Hebron), which he held until his death in 828/1425, in Hebron. Of Ibn al-'Aṭṭār's governorship, nothing is known, except that he acted as a good person and that the Alexandrine population loved him<sup>59</sup>.

It can thus be concluded that Ibn al-'Aṭṭār was not an officer of Mamlūk origin, but a true Arab from Ḥamāh, as his long genealogy implies, with a civilian background. Nevertheless, like his father, he succeeded in making his way up in the army, first as a *dawādār*, then as a steward<sup>60</sup>. Finally, he held office (governor of Alexandria), as an emir of ten, a position usually given to Mamlūk emirs. This was a rare phenomenon for the considered period. Nonetheless, this position was a major source of political intrigue for highest level officers in Cairo, who

<sup>55</sup> Nepotism, venality of the offices, and patronage played a major role in the career of both persons, as it was customary at that time. On this and the Banū al-Bārīzī, see more particularly B. MARTEL-THOUMIAN, *Les Civils et l'administration dans l'état militaire mamlūk (IX<sup>e</sup>/XV<sup>e</sup> siècle)* (Damas: Institut Français de Damas, 1991), pp. 249-266. To the sources mentioned there, one may add the following one, recently published, of a contemporary witness who was associated with him: AL-MAQRIZI, *Durar al-'uqūd al-farīda fī tarājīm al-a'yān al-muḥīda*, M. Al-Jalīlī (taḥqīq wa-ta'līq), vols I-IV (Bayrūt: Dār al-Gharb al-Islāmī, 2002), vol. III: 115-117 (no. 1000).

<sup>56</sup> For al-Ṣayrafī, this happened the next day. See AL-ṢAYRAFI, *Nuzhat al-nufūs wa-l-abdān fī tawārīkh al-zamān*, Ḥ. Ḥabashī (taḥqīq wa-ta'līq), vols I-II (al-Qāhira: Maṭba'a Dār al-Kutub, 1970-1973), vol. II: 497.

<sup>57</sup> Kamāl al-dīn Ibn al-Bārīzī regained this office on two occasions. See WIET, 288-289, 299-300, 303; MARTEL-THOUMIAN, 251-252.

<sup>58</sup> IBN TAQRIBDĪ, 15: 131 (*ta'aṭṭala fī dārihi sinīn*).

<sup>59</sup> AL-SAKHĀWĪ, 7: 32 (*ḥasunat siratuhu fihā wa-'aḥabbahu 'ahtuhā*).

<sup>60</sup> Several similar cases have been traced back for the same period. See MARTEL-THOUMIAN, 68.

wanted to secure this post for members of their household. This factor, added to the lowering of the title linked to the position (normally reserved for an emir of forty), provoked its decline in the late Mamlūk period<sup>61</sup>.

The case of Ibn al-'Aṭṭār is a perfect example of this evolution, leaving aside his efficiency<sup>62</sup>. Thanks to his civilian background, he received a good education, which means that he was also a man of letters. In fact, al-Maqrīzī describes him as one of the persons he used to be associated with for his knowledge in various sciences. He also defines him as a pleasant and knowledgeable man, especially in history and poetry<sup>63</sup>. On this basis, it is easier to interpret and understand the various epithets (*'alqāb*) added to his name in the document. According to the chancery rule, as reported by al-Qalqashandī, all the following epithets were intended for scholars (*'ulamā'*): *al-'imāmī*<sup>64</sup>, *al-'allāmī*<sup>65</sup>, *ṣadr al-mudarrisīn*<sup>66</sup>, while *al-'ashraf* corresponded to his title (*al-maḡarr*).

With the exception of the governor of Alexandria, it has been impossible to trace back the other persons mentioned in the document. This is the case even for the governor's majordomo, who never appears in the sources in association with his master and for whom the names are too general to allow adequate identification. Nonetheless, one of his titles (*al-rayyisī*) implies that the majordomo was also not a Mamlūk, but an Arab with a civilian background and probably, like his master, an educated man<sup>67</sup>.

Proceeding with the analysis of the contents of the document and its significance for the role of the interpreters in Mamlūk Egypt, it can be said that it represents a rare witness to the activities of this social category about which few data are available. As already stressed in the introduction, the role played by interpreters, who worked in the chancery and who were involved in negotiations with other powers, like the Mon-

<sup>61</sup> 'ABD AL-RĀZIQ, 159-160.

<sup>62</sup> MARTEL-THOUMIAN, 68.

<sup>63</sup> AL-MAQRĪZĪ, *Al-Sulūk*, 4: 702 (*kāna min khayr man ṣaḥibū* : "he was among the best men I was associated with"). Ibn al-'Aṭṭār's son, Shihāb al-dīn Aḥmad, became a renowned poet and he composed many books. See AL-SAKHĀWĪ, 2: 82-83 (no. 243).

<sup>64</sup> AL-QALQASHANDĪ, 6: 9-10 (*wa-yutba' 'aydun fī 'alqāb 'akābir al-'ulamā'* : "and it is also used after the epithets [reserved to] the greatest scholars").

<sup>65</sup> *Ibid.*, 2) (*min 'alqāb 'akābir al-'ulamā'* : "among the epithets [reserved to] the greatest scholars").

<sup>66</sup> *Ibid.*, 57 (*min 'alqāb al-'ulamā'* : "among the epithets [reserved to] the scholars").

<sup>67</sup> *Ibid.*, 14 (*wa-huwa min 'alqāb 'arbāb al-'aqlām min al-'ulamā' wa-l-kuttāb* : "and it is one of the epithets [reserved to] the men of the pen [civil officers] as the scholars and the secretaries").



gols and the European states, is clearly known. The case of Taghrībirdī is probably one of the most well known and, in this particular case, historians owe a lot to the Arabic documents preserved in the Venetian archives and to the contemporary Venetian reports without which our knowledge of this interpreter would not be so complete. But regarding interpreters involved in commercial activities, the data are primarily limited to what has been preserved by economical texts, and treaties concluded by the Mamlūk government with the European states.

From the Muslim point of view, the most indicative text for this purpose is a treatise on the taxation system in Egypt, written at the end of the Ayyūbid period: *al-Minhāj fi 'ilm kharāj Miṣr*<sup>68</sup>. For the Egyptian fiscal system, foreign trade involving non-Muslim merchants was designated in a general manner as *khums* (quint), but this did not mean that the customs duties these merchants, named *khumsīyyūn*, had to pay were equal to one fifth<sup>69</sup>: their percentage could vary according to the nature of the goods imported, and therefore could be lower, higher or equal to one fifth<sup>70</sup>. Besides the customs duties, al-Makhzūmī also mentions an interpretership tax (*rasm al-tarjama*)<sup>71</sup> in Alexandria, Damietta and probably Tinnīs too<sup>72</sup>. He also reports that, in Damietta, an up-to-date record was kept whereby all the taxes requested from the *khumsī* boats were written down and, among these, was the interpretership tax<sup>73</sup>. Such

<sup>68</sup> The most relevant part for our purpose has been edited, translated and analysed by C. CAHEN, "Douanes et commerce dans les ports méditerranéens de l'Égypte médiévale d'après le *Minhāj d'al-Makhzūmī*", *Journal of the Economic and Social History of the Orient*, VII (1964): 217-314. The Arabic text was later partly published: AL-MAKHZŪMĪ, *al-Munioqā min Kitāb al-Minhāj fi 'ilm kharāj Miṣr*, Cl. Cahen (taḥqīq); Y. Rāghib (murāja'a) (Al-Qāhira: IFAO, 1986).

<sup>69</sup> CAHEN, 235. For IBN MAMMĀTĪ, *Kitāb Qawānīn al-dawāwīn*, A.S. 'Alīyya (jam' wa-taḥqīq) (al-Qāhira: al-Jam'iyya al-Zirā'iyya al-Malakiyya, 1943), p. 326, the *khums* corresponds to the duties requested from the *Rūm* (i.e. non-Muslim merchants originating from the *dār al-ḥarb*) in line with the treaties concluded with them (*mā ṣūliḥū 'alayhi*). See also a general discussion of the *khums* on the basis of these sources in H. RABIE, *The Financial System of Egypt. A.H. 564-741/A.D. 1169-1341* (London: Oxford University Press, 1972), pp. 90-93.

<sup>70</sup> In Tinnīs, in the Delta, the *khums* represented 35% *ad valorem* of the imported merchandise, except for mastic, which was taxed at 20%, and precious metals, silk and tissues taxed at 10%. See CAHEN, 244. In Alexandria, the situation appeared more complicated, as all the complex taxes were gathered together under two general concepts (the *qūf* and the *'arṣa*), corresponding to a fixed total of 19% of the value of the merchandise, regardless of its nature. In this case, the taxes levied corresponded roughly to one fifth less one percent. *Ibid.*, 245.

<sup>71</sup> *Ibid.*, 248, 286 (= AL-MAKHZŪMĪ, 13).

<sup>72</sup> *Ibid.*, 245 (not mentioned explicitly for Tinnīs in the text, but Cahen thought it could have been included in other taxes there).

<sup>73</sup> *Ibid.*, 310 (= AL-MAKHZŪMĪ, 57).

an interpretership tax must have also been applied in the other harbours. Whether this tax was included in the *khums* duties or not is difficult to ascertain on the unique basis of this rather elliptical text. This is also true for the rate of this tax, which was called *turcimannia* by the Frankish merchants, on the basis of the Arabic name (*tarjama*), or *mursuruf*<sup>74</sup>. One may calculate the percentage held back for this purpose thanks to a treaty concluded between the Hāfṣid prince and Pisa in 1397: a clause provided for the remuneration of the dragomen to be fixed at half a percent of the value of the merchandise<sup>75</sup>. As the European states always tried to gain the same privileges their rivals managed to negotiate with a Muslim power and to secure the same advantages in the whole Mediterranean area, a fairly clear idea of the rate of the interpretership tax in Egypt at the same time may be inferred from this testimony.

However, how and when taxes in general were levied can be deduced, thanks to al-Makhzūmī's text and the later testimonies of foreign merchants. At the arrival of a European boat in the harbour of Alexandria<sup>76</sup>, the merchandise was unloaded and brought to the shore where it was stored in bonded warehouses<sup>77</sup>. Weighed, measured, evaluated *ad valorem* according to the current daily price by the agents of the customs in a place called *ḍiwān al-qabbān* (the weigh-house), goods were then proposed for sale in two ways: either by auction (*bi-l-ḥalqa*), or through the intermediary of a broker (*simsār*) with the help of an interpreter (*tarjumān*)<sup>78</sup>. It is difficult to say when the Frankish merchant had the quint (*khums*) imposed on his goods according to their value (*ad valorem*). For Cahen, the taxes were levied, or at least calculated, at the time of sale, and surely not prior to this, although al-Makhzūmī's trea-

<sup>74</sup> M. AMARI, *I Diplomi arabi del R. Archivio Fiorentino* (Firenze: Tipografia di Felice Le Monnier, 1863), pp. 203-204; L. DE MAS LATRIE, *Traité de paix et de commerce et documents divers concernant les relations des Chrétiens avec les Arabes de l'Afrique septentrionale au Moyen Âge. Introduction historique* (Paris: Henri Pion, 1865), pp. 192-194.

<sup>75</sup> AMARI, 129; DE MAS LATRIE, 200.

<sup>76</sup> Al-Makhzūmī provides also details for Damietta and Tinnīs.

<sup>77</sup> Thirty, according to Emmanuel Piloti. They were located along the walls that separated the harbour zone from the city. Piloti specifically indicates that these warehouses were in the hands of the Christian merchants, but that they could not carry their goods into their fondaco until their value had been evaluated. See P.-H. DOPP, *Traité d'Emmanuel Piloti sur le passage en Terre Sainte (1420)* (Louvain-Paris: Éditions E. Nauwelaets; Béatrice-Nauwelaerts, 1958), p. 181; W. HEYD, *Histoire du commerce du Levant au Moyen-Âge*, vols I-II, (Leipzig: Otto Harrassowitz, 1886), vol. II: 451. At the time of al-Makhzūmī, merchandise was stored in a place called a *dār mālik* or *mānak*. See CAHEN, 236-237.

<sup>78</sup> See also HEYD, 2: 451; DE MAS LATRIE, 192-194; LABIB, 256.

tise seems to indicate the contrary for Tinnīs and Damietta. Cahen rejected this possibility on the basis of the fact that nowhere were taxes paid before the sale<sup>79</sup>. This may have been the case at the end of the Ayyūbid period. However, during the Mamlūk period, it appears that merchants were requested to pay the taxes before they could sell their goods. Evidence is provided by the repeated complaints presented to the sultan by the envoys and consuls of the European states. In 1418, the Venetian consul, Fantin Viaro, complained to his government that, among other forms of extortion, the merchants were forced to pay taxes on merchandise imported before being sold<sup>80</sup>. The following year, the year in which the document under study here was redacted, part of the imposts were once more requested upon the arrival of the galleys<sup>81</sup>. Clearly, the way the customs officers behaved, individually or on the authorities' instigation, was not appreciated by the Frankish merchants, and their governments tried to secure the rights of their citizens abroad by obtaining new privileges through treaties. Even though, most of the time, they succeeded in gaining these privileges, still the merchants' new rights were often trespassed upon. A treaty concluded between the King of Aragon, Alfonso V, and Barsbāy in *Ramaḍān* 7th 833/May 30th 1430 shows that the request of payment of the taxes before the sale of merchandise was still being applied at that time: clause no. 7 of the treaty specified that, from that time onwards, merchants could no longer be compelled to pay the customs duties before the effective sale of the goods<sup>82</sup>. Consequently, it is not surprising to read the report of a merchant active in Alexandria between 1420-38, Emmanuel Piloti, who managed to dig a hole in the wall that separated the *fondaco* that he ran from the adjoining warehouses of the harbour, where the goods were stocked pending their evaluation. In this way, he eluded the payment of the taxes (called *commerquio*)<sup>83</sup>.

The role of the interpreters in the harbours is evident: their role, together with the brokers, was to help the non-Muslim merchants from the *dār al-ḥarb*, to sell their merchandise. In fact, the tax levied in their favour proves that the vast majority of these merchants did not speak Ara-

<sup>79</sup> CAHEN, 250.

<sup>80</sup> E. ASHTOR, *Levant Trade in the Later Middle Ages* (Princeton, New Jersey: Princeton University Press, 1983), p. 251.

<sup>81</sup> *Ibid.*, 251-252.

<sup>82</sup> See M. A. ALARCÓN Y SANTÓN; R. E. Y. T. P. GARCÍA DE LINARES, *Los Documentos árabes diplomáticos del Archivo de la Corona de Aragón* (Madrid: Imprenta de Estanislao Maestre, 1940), p. 373 (Arabic text) and 381 (translation).

<sup>83</sup> DOPP, 181.

bic<sup>34</sup>. On the other hand, the dragomen's role was more complex than it seems, as is implied by a piece of information provided by al-Makhzūmī: when the boat was granted permission to weigh anchor, the imposts (*mukūs*) levied on the merchandise she brought were written down in special registers (*sirāḥāt al-marākib*). The entries were authenticated by the usual signatures requested in that case, among which were those of the interpreters and, more importantly, the specification of the taxes relating to these signatures<sup>35</sup>.

The treaties concluded between the European states and the Mamlūk regime bring us more information on the interpreters and their roles in the ports of the Mediterranean Sea. They usually deal with the interpreters' rights and duties. The only almost contemporary treaty relevant to our purpose is the one concluded between Alfonso V, King of Aragon, and Barsbāy, in 833/1430. Several clauses are devoted to the interpreters and they throw some light on their profession. In the treaty, it is implied that interpreters, among other categories, were to be allowed to buy merchandise unrestrainedly from Aragon and to sell and buy the goods at their best convenience<sup>36</sup>. Furthermore, the consul would be allowed to hire an interpreter, chosen by him from among the interpreters working at the customs, whatever his religion (Muslim, Jew or Christian), for the selling and the buying of merchandise inside and outside the fondaco and also for the conclusion of sales contracts between merchants<sup>37</sup>. Mer-

<sup>34</sup> CAHEN, 238.

<sup>35</sup> *Ibid.*, 301 (= AL-MAKHZŪMĪ, 57: *sirāḥāt al-marākib 'inda ṣudūrihā ba'da ta'līq mā yajib 'alayhā min al-mukūs ihābi'* 'alayhā al-khuṭū' al-jārī bi-hā al-'āda wa-khuṭū' al-tarājima 'ākhirahā bi-ta'līq mā wajaba 'alayhā).

<sup>36</sup> 'Anna mawlānā al-sulṭān wa-lā mawlānā mallik al-umarā' wa-lā al-nāzir bi-l-dīwān wa-lā 'ahad min al-mubāshirīn lā yamtani' 'ahad min al-dallālin wa-lā min al-samāsira wa-lā min al-tarājim wa-lā min al-murākibīn wa-lā 'ahad min al-ḥaqq fī shirā' baḍā'i' mamlaka 'Arakūn wa-'an yabī'ū wa-yasharū 'alā ḥasbi khuyārihim min ghayr ta'wīq ("that neither our Lord the Sultan, nor our Lord the Viceroy, nor the customs chief-officer, nor any of the commissioners will prejudice the rights of any of the auctioneers, brokers, interpreters, sailors or anyone else to buy goods [imported] from the Kingdom of Aragon or to sell and buy, as they wish, without any impediment.) See ALARCÓN Y SANTÓN; GARCÍA DE LINARES, 375-376 (Arabic text) and 386 (translation). See also LABIB, 205.

<sup>37</sup> 'Anna al-qunṣul yumkin min 'iqāmo man yakhtāruhu min tarājim dīwān al-qabbān min 'ayy idā'ā kāna mustliman kāna 'aw yahūdīyyan 'aw naṣrāniyyan bi-sabab al-bay' wa-l-shirā' dākhil al-funduq wa-khārijahu wa-min al-tahadduth fī al-baḍā'i' wa-l-matājir bayn al-tujjār fī jamī' al-matājir alladhina yakhtārunahā al-tujjār li-l-bay' ("that the consul will have the possibility to appoint whoever he chooses among the interpreters of the weigh-house, whatever his confession be either Muslim, or Jew, or Christian, in order to sell and buy inside and outside the fondaco, and to enter into negotiation with the merchants about all the merchandise and goods they elect for sale"). See ALARCÓN Y SANTÓN; GARCÍA DE LINARES, 376 (Arabic text) and 387-388 (translation). See also LABIB, 205-206.

chants of Aragon would also be permitted to conclude sale contracts through an interpreter of their choice, an interpreter who would be authorised to sell and buy their goods in the *fondaco* of his choice, without any interference from the authorities<sup>88</sup>. Of course, such clauses were also included in the treaties concluded with other European states because everyone was eager to benefit from the same privileges gained by the others. This is clearly perceptible in another treaty concluded between Florence and Qāytbāy, and dated to 1496, which makes explicit the Florentines' request not to have to pay the *turcimannia* tax twice, a privilege the Venetians had already been granted. Seemingly, merchandise taken back by the merchants sometimes had the interpretership tax imposed upon it twice. This also happened when the interpreter was replaced by another one, from which Amari deduced that dragomen were probably tied to an inspector and that, when the latter was replaced by another, interpreters changed too<sup>89</sup>.

Other treaties concluded between the Hafṣid princes of Tunis and Pisa throw some light on these issues. As early as 1313, a treaty contained clauses regarding merchandise sold by auction, which would have been warranted by customs, while private sales concluded through interpreters would have been warranted by the latter<sup>90</sup>. From 1397 onwards, a new clause was introduced stating that interpreters were to be considered as associated in their work (meaning probably that they formed a corporation responsible for the dereliction of duty of one of its members), and that the Pisan merchants could not employ a private interpreter<sup>91</sup>. This last clause looks somewhat odd in comparison with the situation in Alexandria, as the treaty with the kingdom of Aragon previously quoted shows. Obviously, interpreters could be engaged by a consul or by a community of merchants. Rarely, these could be Venetians<sup>92</sup>,

<sup>88</sup> 'Anna jamī' al-tujjār min ra'yya malik 'Arakūn 'an yumkinū min 'amal al-mubāya'āt fi l-bay' wa-l-shirā' ma'a 'ayy tarjumān 'aw simsār ikhtārū wa-'anna lā 'aḥad min mawlānā malik al-'umūrā' wa-lā al-nāzīr wa-lā 'aḥad min al-mubāshirīn wa-lā 'aḥad min al-mutaṣṣarifīn lā yamna' 'aḥad min al-tarājīm wa-lā al-samāsīr min bay' jamī' baḍā'i'ihim wa-matājirihim fi jamī' al-fanādiq alladhīn yakhtārūnahā ("that all the merchants who are the subjects of the King of Aragon will be permitted to conclude contracts of sale and purchase with the help of any interpreter or broker they elect, and that neither the Viceroy, nor the [customs] chief-officer, nor any of the commissioners or employees will forbid any of the interpreters or brokers to sell any of their merchandise or goods in any of the *fondacos* they choose). See ALARCÓN Y SANTÓN; GARCÍA DE LIMARES, 375 (Arabic text) and 385 (translation).

<sup>89</sup> AMARI, 203-204, 442. See also LABIB, 208.

<sup>90</sup> AMARI, 93. The same clause is reiterated in the treaty of 1353 (*ibid.*, 105).

<sup>91</sup> *Ibid.*, 129. The clause is reiterated in the treaties of 1414 (*ibid.*, 143) and 1421 (*ibid.*, 158).

<sup>92</sup> In a document dated 1448 and drawn up by a Venetian notary active in Alexandria.

but most of them clearly were Egyptians. In a translation of an *amān* (safe-conduct) and a *marsūm* (decree) dated 1418 and preserved in Venice, the name of the interpreter and, in this particular case, translator, an *Abraim* (Ibrāhīm, probably a Jew) appears<sup>93</sup>, and in another document of the same year, the name of an *Obeit* ('Ubayd), unambiguously identified as a Jew, is mentioned<sup>94</sup>. Both of them, obviously, had been hired as interpreters by the Venetian consul or community.

Turning back to the interpretation of the document, and in the light of all these elements, it may be considered that the oath was meant to compel interpreters to refrain from acting reprehensibly, whether they had acted in that way in the past or not. Before proceeding further, let us summarise its implications: seven interpreters swore that they would not enter into negotiations with merchants or anyone else about the sale of the merchandise, imported into Alexandria and liable to taxation, prior to their informing immediately the Viceroy's majordomo. Given that the *khums* had to be collected on the merchandise, the goods are clearly indicated as being those exclusively imported by the Rūm, i.e. the non-Muslim merchants coming from Europe. The document would imply that the aforementioned interpreters acted, or could have acted reprehensibly. In other words, it would seem that they acted, or could have acted in a way contrary to the one that they were compelled to swear about: not informing the authorities (the Viceroy's majordomo) of the commodities they were called to negotiate upon with the merchants. In doing so, they would have prejudiced the interests of the authorities, most likely the Viceroy. The question is: in what way? The sale and the nature of the prejudice must have been financial: the Viceroy was deeply concerned by the customs incomes, not only in terms of professional scrupulousness, but presumably more for his own benefit. Indeed, Ibn al-'Aṭṭār was not only Viceroy: he was more than ever *mutadarrik*

the witnesses are Ser Iohannes Rizio and Ser Dominicus whose status was "*trucimanus dominorum Venetorum Alexandriae*". See F. Rossi, *Servodio Peccator. Notaio in Venezia e Alessandria d'Egitto (1444-1449)* (Venezia: Il Comitato editore, 1983), pp. 36-37. The most eloquent example of the knowledge of Arabic by Europeans for the considered period is Lorenzo Capello, who is presented as an exception. Capello was the Venetian ambassador to Barsbāy in 1422, and his knowledge of Arabic is praised in the following words: "*de la lingua araba peritissimo et molto esperto*", in the Italian translation of the *amān* granted to the Venetians. See PEDANI, "The Mamluk Documents", 138.

<sup>93</sup> ASVe, *Procuratori di San Marco, Commissarie miste, busta 180, fasc. IX, no. 1*. See BAUDEN, "The Mamluk Documents", 150 (no. IV).

<sup>94</sup> ASVe, *Procuratori di San Marco, Commissarie miste, busta 181, fasc. XXIII, note e appunti and fasc. XV, d*. Quoted by PEDANI, "The Mamluk Documents", 138, note 16.

*damān al-Iskandariyya*<sup>95</sup>, which means that the government let him out on contract the collection of customs revenues and that, in exchange, he guaranteed to the government a fixed amount for the customs income each year. Thus, he had good reasons to insure that the customs revenues were superior to the guarantee he agreed to give, and in this sense interpreters played a major role in informing his steward of possible sales.

The merchants were always eager to avoid paying customs duties, as demonstrated by Piloti<sup>96</sup>, partly because they were sometimes constrained to pay the imposts twice on the same commodities. It has also already been stressed that the merchants tried to gain privileges such as the advantage of paying the customs duties after the sale. This privilege was not maintained in 1418 or again in 1419<sup>97</sup>. And one will remember the clause included in the treaty concluded between the King of Aragon and the Mamlūk sultan: "that the consul will have the possibility to appoint whoever he chooses among the interpreters of the weigh-house, whatever his confession be, either Muslim, or Jew, or Christian, in order [...] to enter into negotiation (*al-tahadduth*) with the merchants about all the merchandise and goods they elect for sale". The same words were used in the document under study.

Be that as it may, this oath was surely used as a means of social control, as had already been presumed by Richards with regard to the other examples of the *Haram* in Jerusalem and of the Monastery of St. Catherine in the Sinai<sup>98</sup>. Oaths of this genre (*qasāma*), from the Fāṭimid period onwards, played the role of social coercion in some categories of the Muslim society. Although entered into at the request of the authorities, these oaths bound the protagonists who were compelled to respect their vow due to the presence of their witnesses. In this respect, the *qasāma* bears comparison with the use made of oaths in Medieval Europe, as shown by the following early example dated 1111, dealing with the money-brokers and dealers in spices, and found inscribed under the porch of the cathedral of San Martino (Lucca, Italy):

"To preserve its memory and to maintain the justice of the court of the Church of St. Martin, we shall write down the oath which was sworn by all [money] changers and dealers in spices of this court, in the time of Bishop Rangerio — so that all men can exchange, sell, and buy with

<sup>95</sup> AL-SAYRAFI, 2: 486 (under the year 824/1421).

<sup>96</sup> See p. 57.

<sup>97</sup> ASHTOR, 251-252.

<sup>98</sup> RICHARDS, "The Qasāma", 251.

confidence. All changers and dealers in spices swore that from that moment forward they would commit no theft nor trick nor falsification within the court of St. Martin nor in those houses in which men are given hospitality<sup>99</sup>.

To conclude, we have seen that in Egypt, at least from the end of the Ayyūbid period, the interpreters<sup>100</sup>:

- constituted a profession, most probably hierarchically organised;
- helped the non-Muslim merchants to sell their merchandise with the involvement of brokers (*simsār*, pl. *samāsira*) whenever the auction was not used;
- were paid thanks to a specific tax of interpretership called *rasm al-tarjama*;
- countersigned, against payment, the registers compiled when the boats left the harbour
- were sworn in.

Progressively, during the Mamlūk period, those fulfilling this role saw their rights, as well as their duties, increase:

- interpretership tax was sometimes requested twice on the same goods, although this tendency was fought against by the merchants;
- they had authorisation to buy and sell goods;
- they had authorisation to work for a consul, for merchants;
- they received warrants of sales concluded by their intermediary.

With the passing of time and thanks to the increasing advantages, interpreters became more and more powerful and wealthy. Undoubtedly, many of them added commercial activity to their skills, as shown by a rare example mentioned in a biographical dictionary<sup>101</sup>.

The situation prevailing at the beginning of the 15th c. was to change completely one century later. The discovery of other routes to India, the Ottoman conquest, the decline of trade in the Levant; all this contributed to the decline of Alexandria. Commercial activities developed in new ports, like Izmir, on the eve of the 17th c. In these Ottoman ports, the job

<sup>99</sup> R.S. LOPEZ; I.W. RAYMOND, *Medieval Trade in the Mediterranean World. Illustrative Documents Translated with Introduction and Notes* (New York: Columbia University Press, 1955), pp. 418-419.

<sup>100</sup> See also DE MAS LATRIE, 189-190.

<sup>101</sup> Jamāl al-dīn 'Abd al-Rahmān ibn 'Uthmān al-Sikandarī *al-tarjumān al-lājir* (d. 849/1445). See AL-SAKHĀWĪ, 4: 93. He also mentions (*ibid.*, 10: 182) a Mūsā ibn Shāhīn al-Shujā'ī, who was known as Ibn al-Tarjumān, because of his father's profession.



of interpreter was seen as a visible profession, affording previously non-existent privileges to the person who fulfilled this function. In this role, for instance, the dragoman of a consul could be exempted from duty, be under the authority, for legal matters, of Istanbul, and so be less at the mercy of the local jurisdiction<sup>102</sup>. In fact, this position was highly sought after by non-Muslims, and mostly by Jews. However, the European nations trusted local dragomen less and less and began to instruct boys, either by sending them to the Levant, or by teaching them languages in their own country. These "jeunes de langue<sup>103</sup>", as they were called, formed an elite in which many Orientalists had their origins.

<sup>102</sup> See D. GOFFMAN, *Izmir and the Levantine World, 1550-1650* (Seattle-London: University of Washington Press, 1990), p. 86. See also the testimony of Antoine Galland, in 1678: A. GALLAND, *Le Voyage à Smyrne: un manuscrit d'Antoine Galland (1678) contenant Smyrne ancienne & moderne & des extraits du Voyage fait en Levant*, F. Baudou (textes présentés, établis & annotés par) (Paris: Chandeigne (Magellane), 2000), p. 128.

<sup>103</sup> On these, see F. LUCCHETTA "La scuola dei 'giovani di lingua' veneti nei secoli XVI e XVII", *Quaderni di Studi Arabi*, 7 (1989): 19-40; *Eadem*, "Lo studio delle lingue orientali nella scuola per dragomanni di Venezia alla fine del XVII secolo", *Quaderni di Studi Arabi*, 5-6 (1987-88): 479-498; *Istanbul et les langues orientales. Actes du colloque organisé par l'IFEA et l'INALCO à l'occasion du bicentenaire de l'École des Langues Orientales*, F. Hitzel (ed.) [*Varia Turcica*, XXXI] (Paris-Montréal: L'Harmattan, 1997).

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