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Notes on Mamluk Madrasahs

The core of Ulrich Haarmann's diverse scholarly interests was his fascination with the literary sources for Mamluk history. His pioneering research on various forms of Mamluk literature—chronicles, travelogues, biographies, religious tracts, *furūsīyah* manuals, etc.—is indispensable for scholars.¹ Not so well known, however, is his occasional interest in documentary sources, most notably in two articles published in the eighties, one entitled "Mamluk Endowment Deeds as Sources for the History of Education in Late Medieval Egypt."² This article reflects the increasing interest given to the history of Mamluk institutions by scholars during the past two decades, using to some degree *waqfiyahs* as primary sources.³ In the present article I shall assemble some data on Mamluk madrasahs from two secondary sources that have been neglected and which help fill in some of the gaps left by *waqfiyahs*. One of these is al-Asyūṭī's fifteenth century *shurūṭ* manual devised for judges, witnesses, and notaries in preparing legal documents;⁴ the other is al-Nuwayrī's chronicle contained in his encyclopedia written in the early fourteenth century for the use of chancery clerks.⁵

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¹For his publications see Stephan Conermann, "Ulrich Haarmann, 1942–1999," *Mamlūk Studies Review* 4 (2000): 6–25.

²*Al-Abḥāth* 28 (1980): 31–47. The other is "The Library of a Fourteenth-Century Jerusalem Scholar," in *Palestine*, vol. 1, *Jerusalem*, The Third International Conference on Bilād al-Shām (Amman, 1983), 105–10; reprinted in *Der Islam* 61 (1984): 327–33.

³E.g., Muḥammad Muḥammad Amīn, *Al-Awqāf wa-al-Ḥayāh al-Itjimā'īyah fī Miṣr 648–923 H./1250–1517 M.* (Cairo, 1980); Kāmil Jamīl al-'Asalī, *Ma'āhid al-'Ilm fī Bayt al-Maqdis* (Amman, 1981); Leonor Fernandes, *The Evolution of a Sufi Institution in Mamluk Egypt: the Khanqah* (Berlin, 1988); Jonathan Berkey, *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education* (Princeton, 1989); Carl F. Petry, *Protectors or Praetorians? The Last Mamlūk Sultans and Egypt's Waning as a Great Power* (Albany, 1994).

⁴*Jawāhir al-'Uqūd wa-Mu'īn al-Quḍāh wa-al-Muwaqqi'īn wa-al-Shuhūd*, ed. Muḥammad Ḥāmid al-Fiḳī (Cairo, 1955).

⁵Aḥmad ibn 'Abd al-Wahhāb al-Nuwayrī, *Nihāyat al-Arab fī Funūn al-Adab* (Cairo, 1923–).



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AL-ASYŪṬĪ'S MODEL

In several publications I have used al-Asyūṭī's *Jawāhir* as a basis for comparing juristic formulations of how legal documents should be prepared with the actual practice of notaries and judges in late fourteenth-century Jerusalem.⁶ I have found that despite variations, documents consistently conform to juristic models. Although it would be interesting to compare and analyze any number of extant Mamluk *waqfiyahs* with al-Asyūṭī's models, such an exercise, I am convinced, would probably confirm my earlier conclusions. Instead, focusing on al-Asyūṭī's model for endowing a madrasah I shall summarize what he thought an ideal Mamluk college might be and, at the same time, draw attention to his descriptions of certain positions mentioned in such documents.

Himself a Shafi'i, al-Asyūṭī states at the outset that his model could serve for any of the legal schools.⁷ He devotes little space to the physical aspects of the building, satisfied with the general comment that "it is to be described and delineated in full . . . along with every place endowed for it."⁸ As we shall see, al-Asyūṭī also covers the possibility that the endower might choose to attach subsidiary educational facilities to the madrasah proper, namely a school for orphans and institutes for teaching the Quran and reciting hadith. He might also endow books for the madrasah. But the author's main interest lies in the personnel of the madrasah and its adjuncts: their duties, functions, and qualifications. These personnel are not discussed systematically but for our purposes can be divided into administrators, educational and devotional staff, and custodians.

ADMINISTRATORS OF THE MADRASAH

The endower (*wāqif*), who for charitable purposes and an afterlife in paradise provides the inalienable funds for the institution, bears ultimate responsibility for administering it, but he can be, and often is, represented by a controller (*nāzir*):

The controller is in charge of the interests of the madrasah, its maintenance, and that of its endowments, along with obtaining its rents, revenues, and profits and disbursing them for legal expenses.⁹

⁶E.g., "Documents Related to the Estates of a Merchant and His Wife in Late Fourteenth-Century Jerusalem," *Mamlūk Studies Review* 2 (1998): 93–193; cf. idem, "The Nature of *Khānqāhs*, *Ribāts*, and *Zāwiyas* under the Mamlūks," in *Islamic Studies Presented to Charles J. Adams*, ed. Wael B. Hallaq and Donald P. Little (Leiden, 1991), 91–106.

⁷Al-Asyūṭī, *Jawāhir*, 1:342, 343.

⁸Ibid., 342.

⁹Ibid., 343.



In addition to the initial paper work, his duties begin with construction of the building, its maintenance, repair, and improvement, in which he may be assisted by a manager (*mutawallī*). In addition, the controller disburses an annual amount for furnishings and supplies, including carpets and mats, oil and lamps. He is expected to be present at the madrasah on class days in order to insure that the teachers, students, and functionaries perform their duties according to the stipulations of the *waqf*.¹⁰ He can also be assisted by a revenue collector (*jābī*).

TEACHERS, STUDENTS, AND DEVOTIONAL STAFF

Al-Asyūṭī's madrasah is staffed by a professor (*mudarris*) supported by ten teaching assistants (*mu'idūn*), and a factotum (*naqīb*) who distributes sections of the Quran to the students on class days. This staff is responsible for teaching fifty students (*faqīh*) who are divided into ten beginners (*mubtadi'ūn*), twenty intermediates (*mutawassitūn*), and twenty finalists (*muntahūn*).¹¹ Although al-Asyūṭī does not say so, these numbers should be regarded as examples since they obviously depend on the revenue from the endowment, and, as is well known, many Mamluk madrasahs had four professors, one for each school of jurisprudence. In any case, all of the students and the staff were to receive a salary or stipend as stipulated in the actual deed, to be determined, presumably, by the endower and disbursed by the controller.

The professor is to sit with his students in the qiblah section of the madrasah for one hundred of the customary class days of the spring and autumn, conducting lessons for the students in the applications (*furū'*) of *fiqh* and other sciences as stipulated by the endower. When the professor has completed his lessons, each of the ten teaching assistants presides over five students and repeats and discusses the lessons with them, causing them to understand what they find difficult.¹²

Once a year the finalists and intermediates are required to repeat what they have memorized to the professor, whilst the beginners are obliged to demonstrate their writing skills once a month. Unfortunately al-Asyūṭī says nothing further about the curriculum of the madrasah, but the fact that it is associated with a school of law and that the professor teaches applications of *fiqh* indicates that law continued

¹⁰Ibid., 345.

¹¹Ibid., 343.

¹²Ibid., 344.



to play a central role, similar, perhaps, to its importance in the Saljuq colleges researched by George Makdisi.¹³

Two persons are assigned to the madrasah to conduct prayers. Each of these imams is to lead assembled Muslims, including the staff and students of the madrasah, in the five daily prayers as well as special nighttime prayers in Ramaḍān. He should be assisted by the muezzin, who is responsible both for proclaiming the public invitation to the five daily prayers and performing them behind the imam and transmitting them to the worshippers. He pronounces the amen after supplicatory prayers and glorification of God (*tabbīr*) after the Ramaḍān prayers.¹⁴ Provision for public prayers in the madrasah supports Amīn's observation that Mamluk madrasahs took on many of the devotional activities of mosques.¹⁵

CUSTODIANS

Most prominent of those charged with the upkeep of the madrasah is the architect (*mi'mār*). He is responsible for building and maintaining the madrasah and those structures which constitute its endowment. Specifically he supervises the construction workers and purchases their supplies—both tools and materials such as wood, stone, stucco, dirt, etc.¹⁶ Next in importance is the doorkeeper (*bawwāb*), if only because he controls and limits access to the building:

. . . he prevents all from entering except students, salaried employees, and worshippers. He does not permit common folk and plebeians to sleep or settle in the madrasah or to engage in play, talk, or sport. Nor will he permit any common people or anyone else who is not employed by the *waqf* to use the ablution facilities. . . .¹⁷

Obviously, then, the madrasah was to be reserved for the exclusive use of the teachers and students, except for worshippers at times of prayer only, and it was the doorkeeper's duty to insure this character of the building. To keep it clean, swept, washed, and illuminated, al-Asyūfī's model appoints a janitor (*qā'im*).

Oddly enough, al-Asyūfī gives more detail regarding the personnel and activities of the adjunct educational institutions than he does about the college itself. Each of these facilities is to be closely administered and supervised by the controller of the madrasah.

¹³See *The Rise of Colleges: Institutions of Learning in Islam and the West* (Edinburgh, 1981).

¹⁴Al-Asyūfī, *Jawāhir*, 1:344.

¹⁵*Al-Awqāf*, 227–28.

¹⁶Al-Asyūfī, *Jawāhir*, 1:343, 345.

¹⁷*Ibid.*, 344.



SCHOOL FOR ORPHANS (*MAKTAB AYTĀM*)

If the endower provides for a school for orphans, it can be placed over the portal of the madrasah or elsewhere in the building. Here an unspecified number of poor and needy Muslim [orphan] boys who have not yet attained puberty are taught memorization of the Quran by a teacher (*mu'addib*), assisted by a tutor (*'ārif*). Classes are held six days a week, with Fridays and Tuesday and Thursday afternoons free.¹⁸ Al-Asyūṭī stipulates that the teacher is to be "a good and religious man, virtuous and chaste, who has memorized the Book of God and is of good fortune."¹⁹ As for methods of instruction, the Quran is to be taught by "inculcation (*talqīn*), memorization (*taḥfīz*), and repetition (*murāja'ah*), by repeating and correcting the verses until the boy knows and can repeat the verse himself."²⁰ But the curriculum of the school is not restricted to memorization of the Quran, for the students are also taught "to read and write, make excerpts from books, and perform ablutions and prayers in the school at the specified times."²¹ When students reach maturity, the controller replaces them with those who have not. A boy who completes memorization before puberty remains at the school until he has attained it. Both the staff and the students receive daily rations of bread in addition to salaries for the former and spending money for the latter, with special disbursements on religious holidays. Supplies such as pens, ink, inkwells, and tablets are to be provided to the orphans plus a full set of seasonal clothing:

Winter: a chemise, drawers, a cotton *jubbah*, a fur, a blue wool cap, and black Bulgarian leather sandals. Summer: a chemise, drawers, a white *jubbah* of beaten cotton, a cap, and yellow sandals.²²

Although there is no suggestion that the *maktab* might provide candidates for admission to the madrasah, this possibility should not be overlooked. By the same token, *maktab* graduates might be able to enrol in either of the two departments which the endower might establish at the madrasah.

¹⁸Ibid., 345.

¹⁹Ibid., 346.

²⁰Ibid.

²¹Ibid., 346–47.

²²Ibid., 346.



QURAN ACADEMY (*DĀR LIL-QUR'ĀN AL-'AZĪM*)

This academy is designed to train experts in the seven recitations of the Holy Book. The students practice daily under the supervision of a shaykh and give recitals every day after supplications for divine rewards for the endower, his family, and the Muslim dead in general. The pious and virtuous shaykh should have memorized the Quran and be "proficient in delivering the seven recitations in the manner in which Gabriel recited to the Prophet."²³ He might have ten students, all of whom have already memorized the Quran and now embark on advanced study of Quranic sciences and recitations under his supervision. When the students successfully complete their studies, they are awarded a license (*ijāzah*) by the shaykh and are promoted to the position of reciter (*muqri'*) in the academy. There they serve for as long as funds are available for their stipends from the endowment and for the new students who replace them. Thus, al-Asyūṭī states, the devotional and educational activities of the academy will be perpetuated. Funds are to be provided for a janitor (*qā'im*).

CENTER FOR PROPHETIC TRADITION (*DĀR AL-HADĪTH AL-SHARĪF AL-NABAWĪ*)

Unlike the madrasah, the Orphan School, and the Quran Academy, the Hadith Center was apparently designed for strictly devotional, as opposed to educational, purposes. Thus there was no teaching staff, only hadith reciters; al-Asyūṭī gives twenty as an example; they sit seven days a week, either in the center itself if there is a special chamber or on seats in the madrasah, reciting traditions to those Muslims who had gathered there. These readings were to be performed

correctly and precisely, without solecisms or alterations, from noble works such as the *Ṣaḥīḥs* of al-Bukhārī and Muslim, al-Baghawī's *Al-Maṣābīḥ*, al-Nawawī's *Al-Adhkār*, and other books transmitted from virtuous scholars as well as eloquent and excellent exhortations.²⁴

Some Mamluk madrasahs did contain several of these elements. Quite common, moreover, were institutions that combined Sufi devotional practices with the educational activities of madrasahs and the prayers and sermons of the mosque. These institutions have been studied from several points of view.²⁵ Moreover, in

²³Ibid., 347.

²⁴Ibid., 348–49.

²⁵See Amīn, *Al-Awqāf*, 238–40; Fernandes, *Evolution*, 33–46; Berkey, *Transmission*, 44–94; Th. Emil Homerin, "Saving Muslim Souls: The *Khānqāh* and the Sufi Duty in Mamluk Lands," *Mamlūk Studies Review* 3 (1999): 59–84.



his model *waqfiyah* for *khānqāhs*, al-Asyūṭī provides for the possibility that the four schools of jurisprudence might be taught there as well as “grammar, linguistics, exegesis, Arabic, prosody, hadith, and other sciences that it is legally permissible to study.”²⁶ In this respect it is to be stressed that al-Asyūṭī did not intend to describe any specific institution but merely to provide models covering eventualities. Nevertheless, they do give insight into the desired nature and milieu of education in Mamluk madrasahs.

AL-NUWAYRĪ'S CHRONICLE

Almost two-thirds of al-Nuwayrī's comprehensive encyclopedia for chancery clerks and scribes is devoted to regional annals of Muslim territories. The long section on Egypt begins with the Tulunids and ends in 731/1331. Al-Nuwayrī is important for us because he held positions in the bureaucracy that enabled him to gain and record first-hand information about the administration of royal endowments. Furthermore, he was not reluctant to judge what he observed with a critical eye. Thus in 703/1303–4 he relates that he became “an administrator in the Bureau of Royal Crown Property of Egypt and elsewhere,” and took up residence in the newly opened Madrasah Nāṣirīyah.²⁷ There, as an official in this bureau, he observed how the *waqf* for the madrasah was administered by virtue of his access to its endowment deeds. This experience he used as the basis of his account of the madrasah in the *Nihāyah*.²⁸ This institution had a checkered history as we shall see from al-Nuwayrī himself. Significantly, for the study of endowment deeds as sources for institutional history, al-Nuwayrī states that he decided to summarize the *waqfiyah* for the Madrasah-Turbah of al-Nāṣir Muḥammad faithfully, “in spite of its length and deviation from the chronological order [of the annal],” because, he says,

in similar cases, after an extended passage of time, *waqfiyahs* have been concealed so that knowledge of the endowments and stipulations fades. Furthermore, after bandying these deeds and stipulations about among themselves the supervisors and administrators appropriate the endowments and change the disbursements contrary to the stipulations of the *waqf*, using custom as a pretext. Thus the endower's intentions are abandoned in favor of the administrators' opinions and “customary expenses.”²⁹

²⁶Cited in Little, “Nature of *Khānqāhs*,” 99.

²⁷Al-Nuwayrī, *Nihāyah*, 32:73.

²⁸Ibid.

²⁹Ibid., 63.



Here, then, is an explicit warning that *waqfiyahs* in general contain only the intentions of the endower without guarantee that they will be observed. This is true, al-Nuwayrī states, even during the endower's lifetime, even, moreover, if he be the sultan:

I was confirmed in the decision [to reproduce the terms of the endowment] by what happened in this blessed [Nāṣirīyah] madrasah from the very beginning, despite the endower's remaining alive, despite ample reason to scrutinize it, despite the appointment of chief judges, notable ulama and distinguished jurists to teach there. All this notwithstanding, the stipulation of the endower was violated in many respects, and the salaries fell short of the endower's provisions, even though there was a surplus of funds. . . .³⁰

Before examining the infractions we shall look at al-Nuwayrī's version of the history of the madrasah and its endowment deed. As is well known, the original tomb-college complex had been endowed and partially constructed by the sultan Kitbughā during his short reign (694–96/1294–96). After his deposition, work ceased until 698/1298–99, when al-Nāṣir returned to power. With the advice of chief qadi Zayn al-Dīn ibn Makhlūf, controller of royal properties, the sultan bought the building and endowed it with a monthly income of 18,000 dirhams from rents in Cairo and environs alone. According to al-Nuwayrī, only two days before al-Nāṣir's departure for Syria in 698 to meet the Ilkhan Ghāzān in battle, this same Ibn Makhlūf had himself, and his descendants, appointed as controllers of the *waqf* and as professors of Maliki jurisprudence in the madrasah. But this audacious action in the judge's favor emboldened one of his assistants in the Crown Property Bureau, Shams al-Dīn ibn 'Ubādah, to advise the sultan to change the terms of the *waqfiyah* in such a way that it would not exclude the sultan and his freed eunuchs from the benefits of the endowment. This the sultan did and replaced Ibn Makhlūf as controller by al-Nāṣir's freed eunuch, al-Ṭawāshī al-Amīr Shujā' al-Dīn 'Anbar al-Lālā al-Khāzindār, and other Qalawunid freed eunuchs after him.³¹ This is not the place to discuss the role of eunuchs in Mamluk endowed institutions;³² suffice it to say for the time being that 'Anbar was an extremely powerful individual in the Mamluk state, holding as he did controllership of three

³⁰Ibid.

³¹Ibid., 61–62.

³²See Shaun Marmon, *Eunuchs and Sacred Boundaries in Islamic Society* (New York, 1995); David Ayalon, *Eunuchs, Caliphs and Sultans: A Study of Power Relationships* (Jerusalem, 1999).



other endowments along with Command of the Prophet's Eunuchs, Bridle of the Royal Harem, and an Amirate of Ten Eunuchs of his own.³³ When al-Nuwayrī asked Ibn 'Ubādah why he had arranged for the eunuch to replace Ibn Makhlūf as controller of the Madrasah Nāṣirīyah, he replied that he wanted only to requite the qadi for excluding him from the offices of the *waqf*.³⁴ In any case, this act of spite had adverse consequences, as will be seen below.

CONTENTS OF THE REVISED *WAQFIYAH*: PHYSICAL FEATURES OF THE TOMB-COLLEGE

As was the case with many Mamluk endowments the building contained both a domed mausoleum (*qubbah*), presumably intended for the founder, and a madrasah proper. The madrasah, again according to Mamluk custom, contained four *īwāns* (recessed chambers), each being reserved for the study of jurisprudence according to each of the four dominant legal schools, as well as Quranic exegesis and recitation. It is noteworthy that the choice *īwān*—the *qiblī* (southern)—was designated for the Malikis, perhaps because of Ibn Makhlūf's influence. This unusual primacy given his school was reinforced when the document was certified by the chief Hanafi judge, stating that "the magistrate (*ḥākim*) to whom supervision would revert should be a Maliki."³⁵ Al-Nuwayrī claims that, perhaps inadvertently, when the madrasah opened the Hanafis and Hanbalis were each mistakenly installed in the *īwān* designated for the other, but this was later rectified.³⁶ The madrasah was divided into two stories that provided living accommodations for the teaching staff, the students, and imams so that they could "devote themselves to study of 'the noble science [*fiqh*?]'.³⁷ It should be remembered, moreover, that al-Nuwayrī himself resided there for a time as an administrator of the endowment. The deed also mentions the use of the building by non-residents and its availability for prayers and other religious duties.³⁸

THE *QUBBAH*

The tomb in the middle of the domed chamber was separate and isolated, being reserved for burials. When the building was opened in 703/1303, al-Nāṣir had the body of his mother moved there and later buried a daughter in the same place.³⁹ He himself was buried in the complex next door established by his father Qalāwūn.

³³ Al-Nuwayrī, *Nihāyah*, 33:75.

³⁴ *Ibid.*, 32:62.

³⁵ *Ibid.*, 69.

³⁶ *Ibid.*, 61.

³⁷ *Ibid.*, 66.

³⁸ *Ibid.*, 64.

³⁹ *Ibid.*, 74.



Besides tombs the *qubbah* contained space for prayers and teaching. For these purposes an imam was to be appointed to lead Muslims in prayer five times a day and a shaykh to teach Prophetic tradition. In addition there were to be twenty-five Quran readers who took turns in reciting and in praying for the endower, his family, and Muslims in general.⁴⁰ Four freed eunuchs of the sultan or his father were to be assigned to the *qubbah* for unspecified duties. Judging, however, from the example of those eunuchs appointed to the tomb chamber in the Qalāwūn complex, their constant attendance there served as a reminder of the gravitas (*nāmūs*) of the deceased sultan and of the decorum which was to be maintained in the burial chamber.⁴¹ A doorkeeper limited access to the *qubbah* and the madrasah. Two special janitors (*qā'im*) and three caretakers (*farrāsh*) were to be responsible for cleaning and furnishing the chamber, its court, ambulatory, and water basin.⁴² The endower instructed that "the necessary carpets, inlaid candlesticks, brass basins, and other implements be provided," such as lamps, water utensils, spittoons, and "red and white 'Abadānī mats."⁴³

THE MADRASAH

The *waqfiyah* actually names the four scholars who were to serve as professors in the madrasah, three of whom were chief qadis, the only exception being the Shafi'i *mudarris*.⁴⁴ These four are designated to teach the applications of *fiqh* at convenient times between sunrise and sunset. Preceding these lessons, each class is to recite passages from the Quran and, following the lessons, conduct prayers for the endower.⁴⁵ The controller is to appoint an unspecified number of teaching assistants who are charged, as in al-Asyūfī's model,

to examine their students and to provide explanations and corrections to those who need them, encouraging them to work without stint in extra repetition and explication. . . .⁴⁶

⁴⁰Ibid., 64.

⁴¹See Aḥmad ibn 'Alī al-Maqrīzī, *Al-Mawā'iz wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Cairo, 1854), 2:380.

⁴²Al-Nuwayrī, *Nihāyah*, 32:65.

⁴³Ibid., 74, 66.

⁴⁴Ibid., 60–61.

⁴⁵Ibid., 66–67.

⁴⁶Ibid., 67.



A *naqīb* is also to be appointed, as in al-Asyūṭī's model, plus a *dā'ī*, presumably one who conducts invocational prayers for the founder and others. For ritual devotions an imam is to be appointed to lead the five daily prayers and to "perform the duties of the imamate according to madrasah custom."⁴⁷ No less than eight muezzins are to be installed in the madrasah and the *qubbah*, with two chiefs "familiar with the timing of prayer, responsible not only for the calls to prayer but also assisting in their performance, glorification of God, and commemoration of the dead."⁴⁸ A librarian (*shāhid*) is to be placed in charge of books to insure that they circulate for study only inside the building. In addition to the doorkeeper, who is to deny access to suspicious characters and curiosity seekers, a wheel-driver (*sawwāq*) is to oversee the waterworks for the building, and the controller is to disburse funds for, among other things, Nile water to fill the cisterns.⁴⁹

FINANCES

Whereas al-Asyūṭī's model does not itemize any financial details of a model madrasah, al-Nuwayrī provides full details for the Nāṣirīyah Madrasah. There is no need to reproduce his list of all the properties in Egypt and Syria along with their revenues for the benefit of the institution. But it is noteworthy that al-Nuwayrī points out an error in the delineation of its resources: the property in question was not endowed in toto but

was among the property inherited by the sultan al-Nāṣir from his father Qalāwūn and other family members, amounting to approximately eighteen shares of the total value. This amount alone was available to the endowment, and the clerk's inclusion of all this property (*khān*) was an error and oversight. . . .⁵⁰

But al-Nuwayrī's chief criticisms of the financial aspects of the *waqf* are directed toward the misappropriation of funds intended for the personnel of the building. The financial arrangements stipulated by the endowment deed are somewhat complicated in that some are specified for individuals such as professors and imams and others for groups of unspecified number such as teaching assistants and students. Nevertheless, comparison of al-Nuwayrī's figures with those for the *khānqāh* established in 717/1316 by al-Malik al-Nāṣir shows some degree of correspondence in spite of generally higher salaries in the madrasah. Thus, although

⁴⁷Ibid.

⁴⁸Ibid., 64.

⁴⁹Ibid., 68.

⁵⁰Ibid., 72.



the four professors in the madrasah and the chief Sufi in the *khānqāh* were to be paid two hundred dirhams a month, there was a discrepancy of sixty dirhams for the imams and nineteen for the custodians.⁵¹ But the important point for our purposes is that the first controller of the madrasah *waqf*, al-Ṭawāshī Shujā‘ al-Dīn, deliberately violated the provisions of the deed and the actual income of the endowments. Thus al-Nuwayrī, sometime after he took up residence in the madrasah in 703, discovered that the income exceeded the expenditures by “a substantial amount.”⁵² Al-Nuwayrī claims that he made it his business as administrator to correct the situation so that a hiatus of three months in which there were no expenditures was no longer in effect. But the finances were not regularized until Shujā‘ al-Dīn died in 724/1324 and was replaced by the viceroy al-Amīr Sayf al-Dīn Arghūn, who made the *waqfiyah* public and applied its provisions.⁵³ At this time it became clear that the former had paid only half of the salaries and stipends due to the teaching assistants and students and had appropriated three months’ disbursements for himself. This practice the new controller abandoned and by distributing the income as stipulated in the deed increased the number of students and doubled their stipends.⁵⁴

CONCLUSION

At the risk of belaboring an obvious point, I hope I have shown that as commendable as the increasing use of documents in general and *waqfiyahs* in particular for Mamluk history may be, it is clear that they cannot be used autonomously, at face value. On the basis of al-Nuwayrī’s first-hand experience I have suggested that *waqfiyahs* expressed only pious intentions that could easily be subverted in practice, whether intentionally or not. Unfortunately, such frank, authoritative disclosures are rare in Mamluk historiography. Not so clear, however, is the influence exerted by the *shurūṭ* manuals on the drafting and formulation of *waqfiyahs*. In other words, how far did jurisprudential standards for legal, legitimate endowments, such as those embodied in al-Asyūṭī’s model, impinge on the drafting of actual documents, regardless of the possibilities and intentions of application?

⁵¹Al-Nuwayrī, *Nihāyah*, 32:64–65; Fernandes, *Evolution*, 64–65.

⁵²Al-Nuwayrī, *Nihāyah*, 32:73–74.

⁵³*Ibid.*, 73–74.

⁵⁴*Ibid.*, 33:76.

