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The Politics of Insult: The Mamluk Sultanate's Response to Criminal Affronts

Authority, to be acknowledged, requires a recognized capacity for enforcement of its edicts. But from a broader perspective, the effective implementation of edicts rests on respect. In medieval Muslim societies, such respect accrued to the governing agents pledged to rule as custodians of *sharī'ah* and *sunnah*, law and orthodoxy. The members of the oligarchy that stood at the apex of authority in the Mamluk state regarded themselves as the legitimate upholders of the revealed law, guardians of accepted canons of belief, and guarantors of that public order requisite to the function of God's commonwealth among the faithful. God had seen fit to grant them alone the means to serve in this singular role.

God's endorsement of their custodianship rested on a venerable foundation of legal theory. The learned establishment (ulama) concurred that the ruler and his retainers served legitimately as God's adjutants in this life. Obedience of their commands was equivalent to obedience to God himself.¹ The scholars' rationale behind such a sweeping delegation of legitimacy derived from their association of the power to enforce with the need for order. Humankind was prone to endemic conflict, and only through its resolution could order be maintained. No practical legal system can tolerate anarchy, and no divine injunctions readily sanction it. The classical jurists thus reasoned that the ruler acted as a successor to the Prophet, standing as a bulwark against anarchy by upholding order. The *sharī'ah* was applied as a divine dispensation to assure the welfare of Muslim believers. Their welfare required stability, while anarchy was antithetical to it. The ruling authorities, despite their temporal flaws, accordingly warranted obedience since they were essential to stability and thus welfare.² The Mamluk oligarchy took seriously their obligations as custodians of *sharī'ah* and guarantors of order, not the least because their own origins as independent rulers stemmed from usurpation. Keenly aware

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¹ Khaled Abou El Fadl, *Religion and Violence in Islamic Law* (Cambridge, 2001), 15–16, discusses the analysis posed by Aziz al-Azmeh (*Muslim Kingship: Power and the Sacred in Muslim, Christian and Pagan Politics* [London, 1997], 123), who claims that commands from the legitimate ruler were to be obeyed as the equivalent of God's ordinances. Al-Azmeh relied on such theorists as al-Mawārdī and Ibn Jamā'ah.

² Abou El Fadl, *Religion and Violence*, 26: the legal system does not endorse anarchy; 27: the ruler succeeds the Prophet as upholder of order which is requisite to the function of the Islamic commonwealth. Order was essential to the welfare of Muslim believers.



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that the founders of their regime had deposed and executed a legitimate member of the preceding dynasty, the Mamluks sought to justify their coup by standing as a bulwark against chaos. The coterie of senior officers who made up this oligarchy, first of whom was the sultan, expected the jurists and scholars to provide the ideological justification for their exercise of power. The latter supplied the requisite principles as expressed by the classical expounders of the law. According to them, the ruler possessed the discretion (*takhyīr*) to determine criminal penalties according to the severity of the crime.³ More specifically, the ruler could decide the degree of heinousness of crimes committed via “banditry” (*muḥārabah*)—a term with a flexible definition, embracing a broad range of larceny and theft. Severity was measured according to stealth applied, value of commodities stolen, extent of injury inflicted, or number of lives taken.⁴ While the ruler was in theory not free to impose punishments arbitrarily, the imperatives of assuring order and preserving God’s commonwealth gave him a virtually free hand in practice—to the extent of his enforcement capacity and personal inclinations.

Mamluk sultans readily adopted the stance of severe but just arbiters of criminal litigation, particularly when attempting to solidify their reigns. Several chroniclers noted the discomfiture caused by al-Zāhir Barqūq in Ramaḍān 789/September–October 1387, when he announced his readiness to hear petitions twice a week from victims of crime at all social levels.⁵ The authors elaborated on the trepidation this proclamation stirred among political notables (*ahl al-dawlah*) who, by implication, were responsible for much of the criminal predation suffered by the masses. But one commentator, Ibn al-Ṣayrafī, went so far as to claim that this proclamation tempted “the lowest (*al-asāfil*) [in society] to assault the highest (*al-a‘ālī*).” Al-Maqrīzī subsequently mused over Barqūq’s stratagems that aimed cleverly at ameliorating the impression that he had acted for simple revenge. In Muḥarram 793/December 1390, the sultan imprisoned the amir Āqbughā al-Mārdīnī, former governor of Upper Egypt and a potential contender for the throne, on the grounds of his tyranny and oppression.⁶ Al-Maqrīzī noted that Barqūq had waited patiently until the amir’s cruelty necessitated his removal. The amir’s manifest criminality

³ *Ibid.*, 57: the ruler has discretion to decide the penalty appropriate to a crime’s severity.

⁴ *Ibid.*, 138: Mālik stated that the ruler had the discretion to determine the most effective way to deal with bandits; 208: the Maliki jurist al-Bājī argued that the ruler’s discretion to decide the penalty for banditry should not be open to whim; he should consult the jurists according to the circumstances of each case—therefore implying that the jurists should participate in criminal prosecution.

⁵ Aḥmad ibn ‘Alī al-Maqrīzī, *Kitāb al-Sulūk li-Ma‘rifat Duwal al-Mulūk*, vols. 1–2 ed. M. Muṣṭafā Ziyādah (Cairo, 1956–58), vols. 3–4 ed. Sa‘īd ‘Abd al-Fattāḥ ‘Āshūr (Cairo, 1970–73), 3:566, line 3: sultan holds court twice a week to hear injustice appeals; Nūr al-Dīn ibn al-Jawharī al-Ṣayrafī, *Nuḥḍat al-Nufūs wa-al-‘Abdān fī Tawārīkh al-Zamān*, ed. Ḥasan Ḥabashī (Cairo, 1970–73, 1994), 1:157, line 1: same issue.

⁶ Al-Maqrīzī, *Sulūk*, 3:734, line 3.



obscured any popular perception that the sultan was acting in his own self-interest. He struck down his rival when the latter's own acts merited reprisal in the cause of justice.

The Mamluk oligarchy often displayed its commitment to preserving public order by periodically demonstrating its rigorous enforcement of public morals. Restricting the movement of women outside the home was a reliable ritual imposed when natural crises such as plague signaled to many God's wrath over lapsed morals. Chroniclers on several occasions commented on edicts forbidding women to depart their dwellings even during festivals when they customarily went out to fulfill religious obligations.⁷ Elaborate instructions setting the appropriate length for gowns, sleeves, and veils often accompanied these edicts. Penalties for ignoring these edicts were potentially severe and might even warrant bisection—for both the female offender and the conveying mule driver foolish enough to have disobeyed the sultan's warning. Yet chroniclers noted that these strictures inevitably lapsed, and women resumed their previous penchant for public egress, until the next crisis necessitated a re-imposition of control over their movements.⁸

An illuminating example of an individual whose behavior embodied qualities sought by the ruler seeking to curb crime by intimidation may be seen in the appointment of one Dawlāt Khujā al-Zāhirī by Sultan Barsbāy to the Cairo prefecture of police in Ramaḍān 836/April–May 1433.⁹ Ibn Taghrībirdī discussed this individual's character at length, stressing his vulgarity and malice. Barsbāy had noticed his bellicosity when both were serving as line troopers during Barqūq's reign. Upon Barsbāy's own enthronement, he sent Dawlāt Khujā to inspect several provinces. When Dawlāt showed himself sufficiently formidable, the sultan made him inspector (*kāshif*) over all of Upper Egypt “where he devised diverse torments of criminal elements (*ahl al-fasād*) and highwaymen (*quṭṭā' al-ṭariq*). When he apprehended a criminal, he inflated him through his buttocks with a bellows so that his eyes popped out and his brain burst.” Ibn Taghrībirdī did not intend his gruesome depictions of Dawlāt's ferocity to obscure the amir's astuteness upon his appointment to the pre-

⁷ *Ibid.*, 3:751, line 5, Dhū al-Qa‘dah 793/October 1391: *nā'ib* cuts wide sleeves on women's gowns; 4:1209, line 11, Jumādā I 844/Sept.–Oct. 1440: women forbidden to go out; Ibn al-Ṣayrafī, *Nuzhah*, 1:334, line 11, Jumādā II 793/May–June 1391: on prohibition of women's free movement; Abū al-Mahāsīn Yūsuf Ibn Taghrībirdī, *Al-Nujūm al-Zāhirah fī Mulūk Miṣr wa-al-Qāhirah*, ed. Fahīm Muḥammad Shaltūt et al. (Cairo, 1970–72), 12:30, line 5, Ramaḍān 792/Aug.–Sep. 1390: *nā'ib al-ghaybah* restricts women's movements; *ibid.*, 15:94, line 9, Ramaḍān 841/Feb.–Mar. 1438: *muḥtasib* brutally limits women's movements; Ibn Iyās, *Badā'i' al-Zuhūr fī Waqā'i' al-Duhūr*, ed. Muḥammad Muṣṭafā et al. (Cairo/Wiesbaden, 1960–63), 3:67, line 11, Rajab 876/Dec. 1471–Jan. 1472: sultan proclaims clothing rules for women.

⁸ Al-Maqrīzī, *Sulūk*, 4:1033, line 13, Ramaḍān 841/Feb.–Mar. 1438: women again allowed to go out.

⁹ Ibn Taghrībirdī, *Nujūm*, 14:359, line 23: on appointment of Dawlāt Khujā as *walī*.



fecture of Cairo. Dawlāt initiated his tenure by releasing most hardened criminals from Cairo’s jails. His magnanimity was tempered by an ominous warning. After recording the names of all prisoners set free, the *wālī* informed them that any who were subsequently apprehended in thievery would be bisected—no exceptions, no chance for reincarceration. Ibn Taghrībirdī stated that Dawlāt inflicted a veritable reign of terror over Cairo’s criminal classes. He also noted wryly that his methods were brutally effective; theft came to a virtual standstill during his prefecture. Although Dawlāt’s savagery offended too many influential persons and led to his temporary dismissal, the sultan soon found his talents indispensable. In Ramaḍān 841/March 1438, he appointed him market inspector (*muḥtasib*), commissioning him to apply similar tactics under the guise of a different office.¹⁰ Ibn Taghrībirdī claimed that Barsbāy rejected a list of candidates submitted to him by his advisors, presumably as excessively humane. He then claimed “to know one who is not (a devout) Muslim, and does not fear God.” Barsbāy summoned Dawlāt, bestowed his robe of office, and urged him to enforce his duties rigorously. Dawlāt was enjoined to focus his special attention on regulating women’s public movements, even though his previous restrictions on them had forced his earlier dismissal. Rising alarm over successive plague epidemics apparently induced the ulama to sanction the sultan’s re-imposition of strict regulations over women’s dress and the circumstances under which they might leave their homes (primarily to purchase household supplies). Dawlāt enforced the sultan’s commands so severely that he was alleged to have denied mothers the right to visit their children’s gravesites upon interment.

The example of Dawlāt Khujā as police chief and market inspector may seem extreme, but he clearly manifested traits thought necessary for the effective curbing of violence and quelling of crime. Public outcry over the methods of such an individual might oblige his temporary dismissal. But he was invariably recalled when public alarm reached a critical stage that threatened the collapse of order. Such a calamity signaled the potential disintegration of society. The preservation of order was essential even if individual rights were compromised. But were the ruling authorities dedicated to upholding law and order solely on principle rather than self-interest? Their record on this issue was mixed.

The political system over which the Mamluk oligarchy presided accepted conspiracy and violence as normative to advancement. As a military caste whose origins in Egypt were steeped in supplanting rivals, the Mamluks eschewed a dynastic rationale for the political elite’s legitimacy. Prowess in the martial arts ranked as perhaps the most esteemed skill a recruit could offer to earn his status in the dominant caste. And since the training to which young recruits were subjected upon their arrival from Turkestan or Circassia emphasized factional loyalties cemented in barracks drill units, the potential for rivalry or outright sedition was omnipresent.

¹⁰ Ibn Taghrībirdī, *Nujūm*, 15:94, line 9: Dawlāt Khujā appointed *muḥtasib*.



All the way through the promotional ranks from line soldier, medial officers, senior amirs, to the sultan himself, a pervasive sense of competition and potential deposition pervaded the military caste. This deeply imbedded attitude combined with an ingrained belief in personal immunity from laws governing the civilian masses to produce a mentality that eagerly anticipated violence as an opportunity rather than a liability. The Mamluk military system that evolved in Egypt and Syria during the later Middle Ages has been the object of detailed scholarship for more than half a century, and it requires no elaboration here.¹¹ The issue relevant to this discussion centers on the tie between the Mamluks' proclivity for conspiracy and violence, and the propensity of this caste to exploit its advantage in criminal ways. That the ruling oligarchy routinely indulged in certain kinds of crime while simultaneously justifying its military monopoly to protect civilians from criminals is a paradox of the ruling elite's stance.

This paradox becomes explicable if the Mamluk commitment to order is seen as a collective necessity while its proclivity for violence is recognized as a path to individual advantage.¹² The military elite realized that their primary sources of income were rents from landed estates (*iqṭā's*), or taxes paid by commercially productive groups in urban centers. The regularized flow of revenue from these sources depended on the maintenance of order and stability. But as noted previously, the Mamluk procedure of advancement was highly individualized—pitting soldiers and officers against each other and even their own peers in endemic factional rivalry. Moreover, those who manifested aggressive traits and relished armed conflict were simply displaying the martial values most admired by the ruling caste. Persons who harbored a congenital aversion to conflict were unlikely to rise high in the Mamluk oligarchy. These people liked to fight.

And beyond the significance of personal inclinations, the Mamluk oligarchy discerned the substantial rewards to be gained by sponsoring, if not actually committing, profitable forms of crime. These officers were fully prepared to exploit the

¹¹ See David Ayalon, "Aspects of the Mamluk Phenomenon: A. The Importance of the Mamluk Institution; B. Ayyubids, Kurds and Turks," *Der Islam* 53 (1976): 196–225; 55 (1977): 1–32; idem, "Studies on the Structure of the Mamluk Army—I," *Bulletin of the School of Oriental and African Studies* 15 (1953): 203–28; Robert Irwin, *The Middle East in the Middle Ages: The Early Mamluk Sultanate 1250–1382* (London, 1986), 85–104; Carl Petry, *The Civilian Elite of Cairo in the Later Middle Ages* (Princeton, 1981), 15–33; idem, *Protectors or Praetorians? The Last Mamluk Sultans and Egypt's Waning as a Great Power* (Albany, 1994), 72–101; Linda Northrup, "The Bahri Mamluk Sultanate, 1250–1390," in *The Cambridge History of Egypt*, vol. 1, *Islamic Egypt, 640–1517*, ed. Carl Petry (Cambridge, 1998), 242–89; Jean-Claude Garcin, "The Regime of the Circassian Mamluks," in *Cambridge History of Egypt*, 290–317.

¹² Guido Ruggiero noted the tension between group aversion to violence and individual proclivity to commit it in the context of the Venetian nobility. See *Violence in Early Renaissance Venice* (New Brunswick, 1980), 65–66.



prerogatives of their military status to pursue the illegal activities they were sworn to suppress.¹³ This tendency was exacerbated by endemic cash shortfalls the ruling oligarchy encountered in the second half of the Mamluk period. As their demands for revenues relentlessly outdistanced the supply yielded from licit sources, the oligarchy turned increasingly to extra-legal means to make up the difference.¹⁴ Elaborate programs of confiscation concocted by the sultan himself were only the most notorious strategy in this process. The sultan's subordinate officers devised their own extortion schemes, striking deals with a wide range of gang leaders and Bedouin chiefs. And at the oligarchy's base, trainees and recruits (*julbān*) staged riots almost routinely to demand stipend or bonus payments that had fallen into arrears. All of these factors combined to create a pragmatic inducement to violence among the military elite. Its occurrence was always a latent possibility. What then were the selective categories of criminality that the elite was not prepared to tolerate? The answer is those that challenged its primacy or diminished its sources of income.

The ruling oligarchy assumed a stance of absolute supremacy in the political hierarchy. In return for their defense of order, the oligarchy expected all subordinate elements to acknowledge their hegemony. They were prepared to confront and subdue any individual or group that challenged this primacy, the essence of which was a monopoly over military force. Any acts they perceived as threatening or otherwise compromising their primacy were met with vigorous reprisal—while other obstreperous behavior confined to lower classes was often ignored.¹⁵ Al-Zāhir Barqūq, founder of the Circassian line of sultans, demonstrated an acumen for maintaining a balance between autocracy and magnanimity. While demanding submission from his subjects, Barqūq was solicitous of their interests and garnered widespread popular support. The historian al-Maqrīzī appreciated this acumen on the sultan's part, and gave him credit for much of his success among the masses as

¹³ Barbara Hanawalt discussed “fur-collar” crimes committed by persons high placed in the English military establishment in *Crime and Conflict in English Communities, 1300–1348* (Cambridge, 1979), 138–39. Hanawalt also described extortion and protection rackets overseen by English nobles (142–43), nobles and their household gangs (214), and nobles directing criminals responsible for the acts (215).

¹⁴ See Petry, *Protectors*, chapters 6 and 7, for analysis of confiscation schemes devised by Mamluk sultans to ward off insolvency.

¹⁵ Severe reprisals against regional crimes were meted out when the regime's reputation had been flaunted. Al-Maqrīzī (*Sulūk*, 2:383, line 9: Rajab 735/Feb.–Mar. 1335) observed that an individual, whose legacy of cruelty in Damascus qualified him for the inspectorship of the Delta, imposed draconian penalties on highwaymen who had discredited the government. The same author noted a similar appointment decades later (*Sulūk*, 3:352, line 2, Muḥarram 781/Apr.–May 1379) when tribal predation around Aswan exceeded tolerable limits. Al-Maqrīzī emphasized the negative consequences of the new governor's ferocity, since the tribes responded with increased raiding, to the extent that Aswan was temporarily isolated from Cairo's control.



a rejuvenator of the Mamluk oligarchy.¹⁶ The interdependence between defense of stability and demand for acknowledged primacy was hardly unique to the Mamluk Sultanate. Historians who have pondered crime in medieval and renaissance Europe have noted a widespread tendency for ruling classes to reserve their most ruthless reprisals for those who disputed their authority. Guido Ruggiero, for example, noted that the Council of Ten, organized in fourteenth-century Venice to prosecute criminals regarded as inimical to the interests of the commercial elite in that city, concentrated its attention on speech crimes that slandered the motives behind governmental policies.¹⁷ Overall, several commentators have observed that the steady rise of state control over crime in pre-modern Europe broadly paralleled a simultaneous intensification of the local regime's demand for recognition of primacy from its subjects.¹⁸

The ruling oligarchy of Cairo, and their civilian staff who administered the apparatus of government, therefore regarded as particularly odious crimes that: (a) compromised their control over society, (b) denigrated their status, (c) disrupted access to property, (d) alarmed custodians of religious belief, or (e) rattled moral sensibilities to the extent that order was threatened. The sources comment extensively on all of these categories. They are considered below seriatim to indicate the special characteristics of the threats they posed. The tension between formal principle and pragmatic interest is revealed in the rich roster of cases emerging in each category.

Civil disorder was the most brazen act of defiance the lower classes could carry out. Eruptions of mob violence starkly challenged the regime's ability to assert its authority. But despite their failure to prevent it, the regime could not let it pass unnoticed. Incidents of mob violence permeated the logs of all the chroniclers and were omnipresent in Ibn Ṭūlūn's reports on events in Damascus. This second city of the empire during the Sultanate's final decades appears to have been riven with clashes between rival gangs that had staked out their control over local districts. Although Cairo was no stranger to mob violence, the rate of cases mentioned involving civilians does not approach their frequency in Damascus. Whether this disparity

¹⁶ Al-Maqrīzī (*Sulūk*, 3:352, line 13, Muḥarram 781/Apr.–May 1379) claimed that Barqūq “was ever solicitous of the masses’ favor, defending their interests so that they admired him and fanatically supported him.”

¹⁷ Ruggiero (*Violence*, 131) observed that in Venice speech considered slanderous was condemned as a violation of communal honor and warranted the most vigorous repression.

¹⁸ See *Crime and the Law: The Social History of Crime in Western Europe since 1500*, ed. V. A. C. Gatrell, Bruce Lenman, and Geoffrey Parker (London, 1980), 18, for intense reprisals inflicted on those who challenge the established social order. Juridical sources focus on crimes regarded as such threats, while neglecting crimes regarded as inconsequential to this issue. E. Muir and G. Ruggiero (*History from Crime* [Baltimore, 1994], 227) note this focus of sources emphasizing crimes that confront the ruling authorities.



is due to more effective control by the police forces in Cairo or to innate differences between the propensity of social elements to commit mob violence in each city is an issue weighed subsequently.

Mob violence was rarely indiscriminate; its outbursts reveal distinct perpetrators: organized criminal bands, rival gangs fighting for hegemony over local turf, or Mamluk recruits obstreperously defying commands to behave docilely from their officers—often following shortfalls in rations or delayed stipend payments. The regime’s responses to these diverse patterns of disruption corresponded in severity to the perceived challenge they posed. Repeated assaults by criminals represented coordinated action calculated to profit from civil unrest. The authorities’ reprisals against repeat offenders—when they succeeded in catching them—ranged from spectacular cruelty to resigned cooption. But indifference could not be an option in the face of defiance.

The eminent legal scholar Ibn Ḥajar, whose logs included only notorious criminal cases, reported a mass execution of repeat offenders profiting from riots in Damascus during Rajab 804/February–March 1402.¹⁹ The group was “suspended from hooks driven through their orifices” and left to expire slowly. Ibn Ḥajar was keenly aware of the shock value posed by this grisly mutilation. But he hardly condemned it, noting that these hardened thieves “had assailed the populace, murdering, strangling, and plundering. The amount of clothing (*qumāsh*) they had seized was beyond calculation.” Although the dry goods the authorities could locate were placed on display for victims to reclaim, Ibn Ḥajar also stated that this reprisal did not deter but in fact motivated the thieves’ comrades to even further predation. This ambiguous outcome of an extreme punishment was echoed by all the chroniclers uniformly. Yet the regime persisted with such measures throughout the later medieval period.²⁰

Gang warfare, as distinct from more random mob violence, was often described as a reaction to premeditated provocation. Depictions of incidents revealed evi-

¹⁹ Aḥmad ibn ‘Alī Ibn Ḥajar al-‘Asqalānī, *Inbā’ al-Ghumr bi-Abnā’ al-‘Umr*, ed. Ḥasan Ḥabashī (Cairo, 1969–72), 2:204.

²⁰ Nūr al-Dīn ibn al-Jawharī al-Ṣayrafī, *Inbā’ al-Ḥaṣr bi-Abnā’ al-‘Aṣr*, ed. Ḥasan Ḥabashī (Cairo, 1970), 425, line 10, Ramaḍān 876/Feb.–Mar. 1472: sultan orders mutilation of repeat offenders; Shams al-Dīn Ibn Ṭūlūn, *Mufākahat al-Khillān fī Hawādith al-Zamān*, ed. Muḥammad Muṣṭafā (Cairo, 1962, 1964), 1:257, line 23, Dhū al-Qa’dah 907/May–June 1502: four repeat criminals hanged publicly; *ibid.*, 1:374, line 2, Dhū al-Qa’dah 918/Jan.–Feb. 1513: five criminals denounced and bisected; Ibn Iyās, *Badā’i’*, 4:416, line 10, Dhū al-Qa’dah 920/Jan. 1514: *walī* bisects two grooms for allegations of theft after dark; Ibn Ṭūlūn, *Mufākahah*, 2:22, line 18, Jumādā II 922/July 1516: *nā’ib* of Damascus bisects four criminals for elaborate thievery operations; *ibid.*, 2:43, line 4, Ṣafar 923/Feb.–Mar. 1517: *nā’ib* executes entire criminal gang for rampaging in aftermath of Mamluk defeat; *ibid.*, 2:62, line 5, Jumādā I 923/May–June 1517: Ottoman sultan (*sūbāshī*) impales gang leader to curb mob action; *ibid.*, 2:100, line 11, Rabī’ I 926/Feb.–Mar. 1520: *nā’ib* builds five guard towers in Damascus to restrain criminals.



dence of long-standing, coordinated operational structures and hidden arms caches. As noted above, the overwhelming majority of such incidents were reported for Damascus.²¹ The quarters of al-Shāghūr, Maydān al-Ḥaṣā, and al-Qubaybah emerged as hotbeds of armed conflict, brigades of their residents rallying forth to seek revenge for a slight from a rival district. Violence was invariably directed against the symbol of governmental restriction: the *nā'ib* governor. In Jumādā II 890/June–July 1485, Ibn al-Ḥimṣī reported a massive riot that began with the murder of a Shāghūrī.²² The victim had himself instigated the incident by accosting an individual from another quarter with murderous intent. But the latter's son apprehended the Shāghūrī, who was then struck down by his intended victim. Ibn al-Ḥimṣī then stated that the residents of al-Shāghūr gathered to avenge the homicide of one of their own. After plundering the bowmakers' market (almost certainly not a coincidence since the regime had attempted to monopolize this weapon), the Shāghūrī brigade refused to disperse when confronted by a spokesman for the governor. Defying the *nā'ib*'s emblems displayed to demand surrender of weapons, the Shāghūrīs assumed “full battle gear” and marched against the governor's residence. Alarmed by this massive show of resistance, the *nā'ib* recalled companies deployed in the countryside to quell the Bedouin. When these units formed up in front of the *nā'ib*'s palace and charged the rebels, the Shāghūrīs retreated back to their district. However, the governor found himself incapable of further pursuit because the rebels broke down gates and bridges, barring access to their quarter. “The women perched on the roofs, casting stones from slingshots. Some of them were killed, some wounded. A devastating event that closed the markets.”

This kind of incident, reported so often by chroniclers of Damascene politics, exhibits several common features. First, the inhabitants of al-Shāghūr were well-organized militarily and heavily armed. Second, their ulterior aim was theft rather than vengeance. They stood ready to seize upon any provocation to raid markets, in particular those containing weapons that were otherwise off-limits to civilians. Third, these rioters regarded themselves as rebels defending their autonomy from the regime. When the authorities displayed the ritual emblems calling for their submission, the rioters openly defied them. Finally, the regime itself, in the person of

²¹ Of twenty-four incidents depicting gang actions that motivated the regime to respond, only two occurred in Cairo. The evidence indicates organized gang militias in several districts of Damascus. See in this context James Grehan, “Street Violence and Social Imagination in Late-Mamluk and Ottoman Damascus (ca. 1500–1800),” *International Journal of Middle East Studies* 35, no. 2 (May 2003): 215–36; Miura Toru, “Urban Society in Damascus as the Mamluk Era was Ending,” *Mamlūk Studies Review* 10, no. 1 (2006), in particular 176–89. Miura's discussion of gangs is the most informed on the subject to date.

²² Shihāb al-Dīn Ibn al-Ḥimṣī, *Hawādith al-Zamān wa-Wafayāt al-Shuyūkh wa-al-Aqrān*, ed. ‘Umar ‘Abd al-Salām Tadmūrī (Beirut, 1999), 1:300, line 15, Jumādā II 890/June–July 1485: riot in Shāghūr district of Damascus over murder plot.



the *nā'ib* governor, took whatever measures were necessary to put down the rebellion, even to the extent of recalling units sent on other military duties. But these measures could quash only the immediate incident, never its root cause. The rebels withdrew in the face of superior forces, yet blocked the regime's entrance into their district, regrouping to riot another day. The latent propensity continued unabated. Nonetheless, the regime did not contemplate passivity in the face of this endemic challenge.

While Cairo, as the seat of imperial power and the most heavily garrisoned city in the central Arab lands, did not endure the incessant conflicts of ward gangs that sapped Damascus, the capital suffered from near-endemic revolts by its own soldiers. These riots increased in frequency and intensity during the latter decades of the Mamluk Sultanate, fueled by heightened awareness on the troopers' part of their potential power to paralyze commerce until their demands were met and their discontent over delayed wages and short rations was allayed. But chroniclers aware of market forces discerned that many junior soldiers showed themselves quick studies who learned how to profit from their riots and matured into seasoned criminals. It was this transition from naive recruit to astute predator that the regime most feared and attacked most rigorously.

The perceptive historian Ibn Taghrībirdī described this ominous trend in the context of a sultanic proclamation forbidding recruit larceny.²³ “On Wednesday the twenty-third [of Ramaḍān 860/26 August 1456], the Mamluk recruits were ordered not to oppress the populace, traders, and merchants. But this proclamation had the force of a fiddler's bow or a fly's buzz. The recruits persisted with their seizure of the people's assets, their harshness causing prices to rise for all kinds of foodstuffs, clothing, cereals, and fodder. They initially went to the outskirts of Cairo and confiscated what they found of barley, hay, and clover, paying excessively low prices (for indeed they wanted to seize them without any payment). Those [cultivators] who suffered this abuse tended not to raise these commodities a second time unless compelled by dire need. Consequently, these crops became scarce. Even as their prices climbed, they were in short supply. The recruits then began to plunder storage magazines for summer melons and other produce. Ultimately, the recruits applied their tactics to cloth merchants and other retailers. Prices of many commodities thus rose in the wake of their assaults against prominent traders (*arbābihim*), producing a condition that adversely affected all the populace, elite and commons alike. This incident signaled the start of more sordid acts to follow.”

Ibn Taghrībirdī's summary of this event depicted the recruits' learning curve as they progressed from simple confiscators to sophisticated plunderers whose actions depressed Cairo's commerce as the ninth/fifteenth century drew on. The historian brusquely dismissed the sultan's proclamation as inconsequential, a fruitless ges-

²³ Ibn Taghrībirdī, *Nujūm*, 16:98, line 1, Ramaḍān 860/Aug.–Sep. 1456.



ture in the face of a rising tide of lawlessness. The regime recognized the portent of this trend and did not limit its responses to proclamations. Troop revolts, in particular those between recruits and veterans of former rulers, were vigorously repressed after admonitions to desist were met with derision. But the propensity to rebel could not be eradicated, especially as the recruits perceived its lucrative potential. Troop rioting thus had a foreboding future. Suffice it to note that it constituted a significant aspect of resistance to the regime's authority. The regime could not ignore these challenges to its primacy, and it doggedly sought to put down each incident. While the Sultanate could not eliminate the root causes of threats to its primacy, those posing these threats never succeeded in supplanting the regime itself.²⁴ Until the arrival of the Ottomans in 923/1517, the Mamluk Sultanate retained its position at the apex of the political structure in Egypt and Syria. An uneasy equilibrium between disruption and stability prevailed. What about the Sultanate's reaction to those who denigrated its status as an affront?

Some incidents are described primarily in terms of the insult they dealt to the regime; these incidents aroused the regime's consternation over its consequent embarrassment, but also frustration over its incapacity to mete out effective reprisal. Chagrin stemmed as much from this frustration as from any injury done to victims. Events evoking the impression of an affront were especially associated with Bedouin raiding, rural and urban banditry, or rioting by civilians and recruits. The potential for disruption of agriculture and commerce by Bedouin (*al-'urbān*) long predated the Mamluk period. Ever since the migration of tribes from the Arabian Peninsula into the Nile Valley following the conquest, ruling authorities in Egypt had encountered their sporadic plundering and, on occasion, open revolt. In light of the Mamluk Sultanate's own history of usurpation, however, its pledge of security for at least the settled portions of the realm ranked high in its own scale of legitimacy. Chroniclers were thus sensitive to those episodes of resistance tinged with brazen contempt on the perpetrators' part.

²⁴ Analysts of criminal violence in western Europe during the later Middle Ages reached parallel conclusions about the obsession of governments to proclaim their primacy of control over all subordinate elements. Of course, their success varied considerably. B. Hanawalt noted how much of English criminal law evolved as a mechanism of social control from the top (*Crime and Conflict*, 3, 63). Esther Cohen summarized the intent of criminal court proceedings in fourteenth-century Paris as primarily the preservation of order ("The Hundred Years' War and Crime in Paris," in *The Civilization of Crime: Violence in Town and Country since the Middle Ages*, ed. E. Johnson and E. H. Monkonen [Urbana, 1996], 121). Mary Perry's study of violent crime in sixteenth-century Seville discerned the authorities' incapacity to restrict arms bearing (*Crime and Society in Early Modern Seville* [Hanover, NH, 1980], 70). The regime resigned itself to using agents of law enforcement as a buffer between themselves and the instigators of violence. G. Ruggiero, in his analysis of crime in Venice, detected an elaborate process of control. The Venetian elites acknowledged that the root causes of violence were ineradicable. But they could be suppressed enough for the elites' primacy to be upheld. See *History from Crime*, 43–44, 82, 88, 121.



Al-Maqrīzī reported a spate of Bedouin raiding early in the Circassian period.²⁵ “During this month [Jumādā I 818/July–August 1415], repercussions from banditry increased throughout Egyptian territory, north and south. This was due to the Bedouin’s departure from obedience, and their assaults on travelers by land and the river. Many were killed. The troops were prevented from touring the districts and thus could not collect their crop yields. This [condition] resulted from the Bedouin’s lack of respect for the Sultanate, and the vigor of their boldness.” Ire over a “lack of respect” at the least paralleled the authorities’ consternation over interruptions in collection of rents from their rural estates. Reprisals that concluded with brutal executions of those offenders they could capture led at best to temporary respites. More often, they goaded the tribes to further predation. Yet the regime persisted with this reaction.

In Syria, where the Mamluk garrisons dealt with even more destructive raiding, reprisals were correspondingly savage. Ibn Ṭūlūn described a district inspector’s response as unusually barbaric.²⁶ “On Friday the fourteenth [of Rabī‘ II 893/28 March 1488], the *kāshif* of Ḥawrān apprehended a band known as Haytham, after the *nā’ib* governor had honored them, and written an edict (*marsūm*: of safe conduct) for them. They had showed this edict to the *kāshif*, but he paid it no heed. [Rather], he executed some thirty of them. He [then] slashed the wombs of many pregnant women, killed many youths, and seized their sheep and cattle. He inflicted on them acts not committed [even] during war. There is no power save in God, for indeed it was claimed that they [the band] were merchants of the Bedouin.” While Ibn Ṭūlūn’s rendition of this reprisal was intended to reveal the inspector’s excess, it underscores the authorities’ frustration over their perception of the affront posed by incessant Bedouin raiding.

A more personally-focused incident occurred late in the Sultanate, during the reign of Qānṣūh al-Ghawrī. The chronicler Ibn Iyās described the Sultan’s outrage over the theft of an Ottoman emissary’s diplomatic pouch by Bedouin near Cairo. The incident occurred in Jumādā II 920/August 1514, as relations between the Mamluk and Ottoman regimes were progressively worsening. Al-Ghawrī was keen to preserve Cairo’s neutral stance while simultaneously pursuing clandestine stratagems with the Safavid regime in Iran to curb Ottoman expansion.²⁷ Alarmed over the probable reaction by the Ottoman sultan Selim, already known for his irascible temper, al-Ghawrī was particularly piqued by the seizure of the pouch while the emissary slept at his encampment in al-Ṣāliḥīyah, just north of Cairo. The act signaled the regime’s failure to assure the safe passage of an important foreign dignitary at the doorstep of its own capital, the alleged bastion of its security. Al-

²⁵ Al-Maqrīzī, *Sulūk*, 4:319, line 3.

²⁶ Ibn Ṭūlūn, *Mufākahah*, 1:87, line 18.

²⁷ Ibn Iyās, *Badā’i’*, 4:385, line 3.



Ghawrī allegedly tore at his mustache upon learning of the theft, and dashed off an ultimatum to the regional *shaykh al-‘arab*, Aḥmad ibn Baqar, demanding immediate apprehension of the culprit and return of the pouch. If the emissary’s letter went missing, the shaykh’s life would be forfeit. Convinced apparently of the sultan’s readiness to inflict this penalty, Ibn al-Baqar captured the offender and restored the pouch, letter intact, the same day.

Vivid incidents of this kind figured prominently in the chroniclers’ reportage of Bedouin activity in Egypt and Syria. They emphasized bold raids or stealthy thefts in the vicinity of Cairo and Damascus to highlight the regime’s inability to prevent them, despite the ferocity of its reprisals. But the continuous occurrence of both raids and reprisals, as noted by narrative historians over some 250 years of the Mamluk era, also indicates the authorities’ profound need to make a dramatic show of response. Even if the Bedouin threat was irrepressible, it could not go unanswered. The Sultanate obviously felt obliged to mete out brutal punishments that involved torture and mutilation prior to execution. Such punishments seemingly gave the authorities a measure of satisfaction over the infliction of suffering, even if aware of their dubious efficacy. And the authorities seem to have believed that these reprisals genuinely bolstered their stance of primacy. By reacting ferociously to every provocation that defied this stance, the regime declared that Bedouin predation might embarrass but never supplant it.

Banditry that affected the ruling elite was regarded as an affront equivalent to Bedouin raids. While many accounts of larceny left both perpetrators and victims unnamed, accounts of larceny affecting notables and officials usually identified them, elaborated on articles stolen, and noted whether their assaulters were apprehended. That a majority of these bandits escaped with their loot caused the authorities their deepest chagrin. When perpetrators were caught, their execution was certain.²⁸

²⁸ For incidents of banditry aimed at officials, see Ibn al-Ṣayrafī, *Inbāʿ*, 438, line 8, Dhū al-Ḥijjah 876/May–June 1472: *raʿs nawbah* and *ḥājib al-ḥujjāb* incensed over robbery of latter’s wife by bandits, uncaptured; Ibn Iyās, *Badāʿiʿ*, 3:218, line 4, Jumādā I 890/May–June 1485: bandits pillage prominent visitors to Qarāfah cemetery; bandits not captured, victims stripped, veils taken, “disgusting event;” Ibn Ṭūlūn, *Mufākahah*, 1:161, line 15, Ṣafar 900/November 1494: bandits rob trousseau of eminent shaykh’s wife, no sign of forced entry, no arrests; Ibn Iyās, *Badāʿiʿ*, 3:319, line 1, Jumādā II 901/Feb.–Mar. 1496: *nāẓir al-khāṣṣ* of Cairo assaulted while visiting his own tomb; his valuables taken, no mention of capture; *ibid.*, 4:181, line 19, Ṣafar 916/May 1510: groom of senior amir arrested for pilfering his master’s gold inlay saddles and bridles, groom bisected; *ibid.*, 4:417, line 10, Dhū al-Qaʿdah 920/Dec. 1514–Jan. 1515: mass thievery during fireworks display hosted by sultan at al-Raydanīyah, sultan’s palanquin rifled, perpetrators not captured; *ibid.*, 5:273, line 15, Ramaḍān 924/Sep.–Oct. 1518: Ottoman soldier catches pickpocket in the act of pilfering four *aṣnāf* coins; thief bisected by viceroy as warning to those who assault the occupiers; Ibn Iyās finds the penalty unjust.



Ironically, the most unsettling insults to the regime were dealt by its own soldiery: the *julbān* or recruits only recently manumitted from cadet status. The impact of this cadre of troops as an endemic criminal class has been noted previously. Throughout the economic troubles of the Circassian period, these recruits took to menacing their own officers along with the fiscal officials. Perceiving these individuals as oppressors who withheld their stipends, the *julbān* frequently threatened them lethally.

In Rabi^c II 835/December 1431, Ibn Taghrībirdī described an assassination plot by recruits against Karīm al-Dīn ibn Kātib al-Munākh, currently serving as vizier and *ustādār* simultaneously, and thus responsible for paying troop stipends and overseeing their distribution.²⁹ The vizier, having picked up on the plot, managed to lock his house and escape. Missing their chance for homicide and robbery, the recruits rampaged through the neighborhood. Ibn Taghrībirdī wryly observed that Sultan Barsbāy, having ordered the *wālī* prefect to arrest the marauding soldiers, was taken aback when the prefect intended to bisect them. The sultan queried as to whether fellow Muslims should be treated in this way. The *wālī* brusquely disputed their status as true believers, whereupon Barsbāy mockingly threatened to arrest him. Whatever the prefect's fate, this incident disclosed the embarrassment felt over *julbān* criminality. It also provided a glimpse into the backbiting that erupted during arguments over appropriate responses.

These arguments were often heated because of the authorities' ambivalence regarding their fiscal officials' vulnerability. Compelled to implement the sultan's draconian reductions in stipend payments, such a figure as the vizier Karīm al-Dīn deflected the recruits' rage away from the autocrat. Yet if the *julbān* actually succeeded in murdering him, they would insult the regime and remove a skilled procurer of clandestine funds for the autocrat. The complexity of this dilemma resurfaced three years later, in Šafar 838/September 1434, when the *julbān* again raided Karīm al-Dīn's house in a sweep that included the home of the current *nāẓir al-jaysh*.³⁰ The sultan apparently held the vizier responsible for provoking the *julbān*, and consigned him in chains to the *wālī* prefect "until his wrath subsided." But the next day, he restored Karīm al-Dīn to his offices of *ustādār* and vizier, acknowledging his crucial role as a key player in the ruler's fiscal priorities. Throughout the later Mamluk period, the *julbān* would vent their anger over stipend cuts by attacking the sultan's agents they held accountable. The autocrat and his senior amirs had to

²⁹ Ibn Taghrībirdī, *Nujūm*, 14:356, line 1.

³⁰ Badr al-Dīn al-ʿAynī, *ʿIqd al-Jumān fī Tārīkh Ahl al-Zamān*, ed. ʿAbd al-Razzāq al-Ṭanṭawī al-Qarmūṭ (Cairo, 1989), 455, line 3.



balance their impulse to scapegoat their officials against their need to protect such adroit minions and uphold the regime's facade of dignity.³¹

The realities of *julbān* fury rendered this stratagem problematic. In Ṣafar 846/June 1442, al-ʿAynī described a massive riot by the recruits that threatened to overwhelm the regime's capacity to subdue them.³² The *julbān* climbed onto the roofs of their barracks, closing down the Citadel, and stoned anyone trying to enter or leave. They then managed to penetrate the arsenal, seizing 20,000 dinars worth of weapons. When Sultan Jaqmaq ordered his officers to confront them, they refused, claiming that they could not put down 2,000 armed rioters. An effective stand-off was settled only after two days of negotiation. Al-ʿAynī did not disclose whether the recruits received any back pay or delayed bonus money. But his depiction of the event, which nearly resulted in the *kātib al-sirr*'s death after he met with the *julbān* on the barracks roof, vividly indicated the regime's dilemma. They were forced to back away from an open clash with their recruits. In this instance, negotiation showed the only path to resolution. On-site bargaining may have reconciled this specific incident, but it cannot have enhanced the regime's prestige. For their part, the recruits may have sensed that their own future was tied to the regime's primacy, and therefore sullenly disbanded, albeit ready to riot again. Mutual recognition that undermining the primacy of the regime cut two ways—with the potential for denigration of the entire Mamluk corps if internecine strife exceeded certain limits—could have led both parties to call a truce. The murky expedient of a stand-off was resorted to when a decisive reprisal was not perceived as a viable option. For all their obstreperousness, the *julbān* recruits represented the future of the Mamluk elite, the reservoir from which new regime leaders and dominant factions would evolve. Mutual interdependence plus a stake in upholding caste supremacy, from which all members benefited, tempered the viability of violent suppression.

The ambiguities stemming from intra-caste violence were starkly exposed when control over property was compromised. Security of assets was a basic component of the regime's claim to legitimacy. Yet its own soldiers posed one of the most endemic threats to the security of property. The quandary imposed on the ruling authorities was not lost on contemporary chroniclers. Spoliation of markets during troop revolts outnumbered parallel rampages by civilian bandits in their reports of thievery that highlighted the authorities' discomfiture. The essence of the regime's

³¹ Ibn Taghrībirdī, *Nujūm*, 15:232, line 4, Muḥarram 842/June–July 1438: prominent fiscal official openly attacked by Ashrafi Mamluks during sultan's court review; al-ʿAynī, *Iqd*, 652, line 11, Shaʿbān 850/Oct.–Nov. 1446: *sulṭānī* Mamluks attempt to assassinate *ustadār*; Abū al-Maḥāsīn Yūsuf Ibn Taghrībirdī, *Ḥawādith al-Duhūr fī Madā al-Ayyām wa-al-Shuhūr*, ed. William Popper (Berkeley, 1930–31), 8:21, line 14: same incident; ʿAbd al-Bāsiṭ ibn Khalīl al-Malaṭī, “Rawḍ al-Bāsīm fī Ḥawādith al-ʿUmr wa-al-Tarājīm,” Vatican MS Arabo 729, fol. 186-b, line 14, Dhū al-Ḥijjah 872/June–July. 1468: *julbān* assault vizier and *ustadār*.

³² Al-ʿAynī, *Iqd*, 578, line 3.



predicament centered on agents of reprisal: upon whom could it rely to inflict penalty and reclaim property? Since the most persistent culprits were recruits, the sultan and senior amirs had little recourse but to summon line troops and veterans to curb them. Yet as noted above, assaults on recruits, particularly when sparked by grievances, weakened the solidarity that sustained the entire military system. Would trainees who felt betrayed by attacks from their superiors fight on their behalf in time of war? This quandary lurked in many of the chroniclers' depictions.

Rampages by recruits directed against markets and other large repositories of property became a fact of life in Cairo during the Sultanate's last decades. Ibn Taghrībirdī reported a ploy in Sha'bān 861/June–July 1457 that *julbān* recruits exploited to limit access to desirable produce items such as summer melons (*baṭṭikh ṣayfī*).³³ Initially offering sums in excess of what wholesalers could pay, recruits bought up the available supply and presumably hoarded it until re-sale at higher prices was feasible. Ibn Taghrībirdī chose the term “mockery” (*‘abath*) to describe this scheme, implying the recruits' disdain for the commoners' welfare. That it occurred during the reign of Īnāl, known for his nepotism and placidity, was not happenstance. Even during more forceful administrations, *julbān* assaults on property increased in frequency and severity. Several years later, the same historian detailed a riot by recruits stemming from the breach of an arrangement over horse sales.³⁴ In Jumādā II 868/February 1464, a band of “low-ranking” recruits set upon merchants in the horse market whom they believed were violating a covert agreement to sell mounts to them at prices they could afford, rather than to amirs or manumitted soldiers (*jund*) who bid more. The recruits, angered over losing out on the better stock, attacked the horse merchants with daggers. They were joined by other brigades from the barracks and began pillaging the cloth market. Ibn Taghrībirdī claimed that the recruits dared to assault notables riding horses, forcing them off and confiscating their mounts. When reports of these excesses reached Sultan Khushqadam, they “troubled him” (*shaqqa ‘alayhi*). He invited anyone abused by recruits to ascend the Citadel and inform him personally, presumably for compensation. Ibn Taghrībirdī mentioned no direct reprisal against the offending recruits, however; only a proclamation which the historian admitted did produce a “timely benefit.”

But only temporarily. Raids on markets launched to protest wages and rations the recruits found stingy continued to escalate. Despite the high marks accorded him overall by historians, Sultan Qāyṭbāy never dealt conclusively with these revolts. They exploded in epidemic proportions during the tenure of his ultimate successor, Qānṣūh al-Ghawrī. Perhaps the most devastating of these occurred at the height of al-Ghawrī's powers, during Muḥarram 916/April 1510.³⁵ Ibn Iyās dwelled at length

³³ Ibn Taghrībirdī, *Hawādith*, 8:301, line 6.

³⁴ *Ibid.*, 8:457, line 11.

³⁵ Ibn Iyās, *Badā'i'*, 4:177, line 8.



on the circumstances behind this event. Recruits in the Citadel barracks had requested a bonus payment of 100 dinars per man (expected as their reward for training in anticipation of likely confrontations with Bedouin at home or the Ottomans abroad). When al-Ghawrī refused, and his supply master failed to deliver delayed meat rations, the recruits forced the *atābak* Qurqmās and several other officers to repeat their demands to the sultan in person. Upon his adamant rejection and threat of abdication, the recruits descended upon several of Cairo's busiest markets (in the Ṭulūn, Taḥt al-Rabʿ, and Bustiyīn districts) in a fury of pillage that lasted two days. They went so far as to confront the armaments officer, Dawlāt Bāy, at his home in al-Azbakīyah with a demand that he assume the sultanate (an ultimatum he flatly declined, instead joining al-Ghawrī in the Citadel). At the height of the riot, the recruits were joined by grooms and black slaves, indicating the propensity for indentured persons lower down the social ladder to seize upon the recruits' initiative to pillage items otherwise unavailable to them. This riot effectively shut down commerce in Cairo, since merchants in remaining markets bolted their gates and waited for eventual intervention. Ultimately, when the senior amirs rallied troops from their own companies and veterans, the *julbān* realized that they faced certain defeat and disbanded.

Now the regime faced the demands for reparations from outraged merchants. Ibn Iyās tallied the figure for despoiled shops, with damage claims totaling twenty thousand dinars. The amirs organized searches in the recruits' barracks to recover some of the stolen goods for return to their owners. Nonetheless, the sultan's accountants were called upon to make up the differences from his own resources. Whether al-Ghawrī and his personal enforcer, Zaynī Barakat ibn Mūsá, actually compensated the merchants in full Ibn Iyās did not say. He left the impression of smoldering dissatisfaction among all concerned parties (since no mention was made of al-Ghawrī acceding to the recruits' initial bonus request that sparked the disaster). The potential for incidents of this magnitude remained a reality, exercising a depressing effect over commerce in the capital (and other cities of the empire) up to the Ottoman conquest and beyond. The regime's inability to curb troop raids on property reveals limits on both its capacity and will to enforce order. Shows of reprisal were mandatory, but effective solutions may have proven unobtainable. Various interest groups in Cairo, Damascus, and Aleppo thus began to adopt their own measures of security. Jewish merchants in the Zuwaylah district of Cairo who suffered heavy property losses during riots in Dhū al-Ḥijjah 902/July–August 1497 anticipated subsequent problems. When raids by occupying Janissaries were rumored twenty-four years later, they moved their goods elsewhere and barricaded entrances to their quarter.³⁶ Other marketers reacted in similar ways.

³⁶Ibid., 3:375, line 9; 5:374, line 4.



The preceding remarks should not obscure assaults on property committed by persons outside the military hierarchy. Later discussions will analyze acts of larceny at the hands of individuals and gangs from both the civilian and military sectors. But in the context of culpability and reprisal, historians who weighed the damage in stolen goods and lost confidence clearly held the regime's recruits responsible for the worst ravages. To them, the most heinous criminality linked to theft was part and parcel of the recruits' legacy. The historians readily acknowledged the regime's difficulties as it contemplated responses to the outrages of its wayward cadets. They still made clear their skepticism over long-term efficacy.

Ibn Iyās, commenting on conditions in Cairo following the Ottoman occupation, saw few signs of improvement. He expressed his contempt for the behavior of the former officer in al-Ghawrī's service who had betrayed his cause to the Ottomans at Marj Dābiq and was rewarded for his treason with the viceroyship of Egypt. In Jumādā I 924/May–June 1518, he described the viceroy's brutal execution of a prayer caller (muezzin) for his theft of a medicinal herb.³⁷ Cultivation of this herb, *khiyār shanbar* (purging cassia), had been placed under the viceroy's control. When the prayer caller was arrested for cutting off two branches of the plant, he was turned over to the *wālī* prefect—who subsequently brought him before the viceroy. Because the muezzin violated the latter's prohibition, he ordered his bisection. The muezzin was led to the execution site with the basket containing the pilfered branches hanging from his neck. Ibn Iyās stated that the value of the stolen herb did not exceed four *aṣṇāf*, bitterly musing over the disparity between a petty loss and severe punishment (the prayer caller left behind “children, a wife, and mother”). He went on to denounce the viceroy for personal immorality (drunkenness) and a disdain for equitable rule. Yet this incident amply demonstrated the issue of affront, the continuity of readiness on the regime's part to mete out reprisal—especially following theft by civilians outside its hierarchy.³⁸ Acts that alarmed custodians of

³⁷ *Ibid.*, 5:254, line 21.

³⁸ Analyses of assaults on property in other societies reveal similar patterns of reprisal. V. Gatrell and G. Parker noted that, in later medieval Europe, commercial classes increasingly demanded rigorous deterrents against theft due to the heightened production of commodities. See *Crime and the Law*, 38; J. Given discerned a tie between a demand for prosecution of theft and the rise of trade in medieval England. See *Society and Homicide in Thirteenth-Century England* (Stanford, 1977), 111–12. He also noted the development of “entrepreneurial banditry” as a skilled craft unimaginable without a growing urban setting; B. Hanawalt discussed a link between organized thievery and economic depression, a parallel with the situation in fifteenth–sixteenth-century Egypt. See *Crime and Conflict*, 238; P. Huang found the most consistent expectation of the courts in Qing China focused on protection of property against thieves. See *Civil Justice in China; Representation and Practice in the Qing* (Stanford, 1996), 15; T. Gurr also concluded that the classes benefitting from “early capitalism” in western Europe were the most ardent advocates of tougher and more consistent laws, enforcement, and punishment for property offenses. See “Development and Decay: Their Impact on Public Order in Western History,” in *History and Crime: Implications for Criminal Justice Policy*,



religious observance and accepted canons of belief posed dilemmas no less complex.

Events that riled the religious establishment in Cairo or Damascus enough to compel the regime to intervene involved disputes over Christian activism or allegations of aberrant views laid against prominent Muslims. Behavior by Christians in Egypt regarded as excessively assertive frequently stemmed from their attempts to restore churches, or complaints over religious services that impinged on Muslim sensibilities. Incidents that incited vigorous opposition from Muslim clerics sufficient to draw in the regime were clearly regarded as criminal acts, in that they entailed investigations to ascertain the veracity of the claim and subsequent imposition of a penalty. For example, al-Maqrīzī reported a petition by a delegation of Christians from the Delta province of Gharbiyah, submitted in the distant past (755/1354–55, no month given).³⁹ The delegation had requested the sultan to allow their restoration of a church, once titled al-Nahrīriyah, they claimed had been illegally converted to a mosque (*masjid*). Al-Maqrīzī did not provide details on why their suit was dismissed (possibly too remote for survival of background data). But he did state that the petitioners were evicted from the sultan's presence after being flogged, treatment usually reserved for convicts rather than failed litigants in a civil hearing. The delegates may have pressed their case belligerently, or a counter accusation from unnamed defenders of the mosque may have claimed they overstepped communal limits.

A case with known circumstances occurred a quarter century later in Jumādā I 780/August–September 1378.⁴⁰ Notorious enough for two historians to discuss, the incident focused on a claim by an unnamed Sufi esteemed for his piety, who complained of noise from hand bells (*nawāqīs*) rung at the church of Abū Numrus in Jiza province so loudly that they disrupted the Friday *khutbah* in an adjacent mosque. The Sufi alleged that the bells were sounded deliberately to drown out the Muslim sermon. The sultan, al-Ashraf Sha‘bān, found the Sufi's protest unsubstantiated. Undaunted, the Sufi proceeded to the Hijaz, from where he returned with documents certifying that he had sojourned at the Prophet's tomb pleading with God's

ed. J. Inciardi (Beverly Hills, 1980), 34; M. Perry observed a sophisticated underworld active in sixteenth-century Seville, many of whose members were out-of-service soldiers more closely paralleling the status of unemployed Mamluks than anywhere else in Europe; see *Crime and Society*, 24. Finally, G. Ruggiero identified the Venetian social category of “important people” as those having the status of property or office holders without formal membership in the nobility. As the category most vulnerable to theft, they made the most consistent demands for protection against property crime. By contrast, the nobility were, as individuals, among the most violent elements in Venetian society, since they regarded themselves as personally beyond prosecution, similar to the Mamluk elite. See *Violence*, 59–61, 65, 84, 148.

³⁹ Al-Maqrīzī, *Sulūk*, 2:918, line 5.

⁴⁰ *Ibid.*, 3:340, line 12; Ibn Ḥajar, *Inbāʾ*, 1:177, line 1.



messenger for an endorsement of the church's demolition. Appealing to the *atābak* and future sultan, Barqūq, the Sufi persuaded him to send the current *muḥtasib* to investigate his allegations. Upon his return the market inspector confirmed the Sufi's accusation, adding that the church's congregation had lavished money on its expansion. It was on these latter grounds, as concrete violations of *sharī'ah*, that the *atābak* ordered the church demolished. Following the *muḥtasib*'s report, Barqūq had summoned the Jacobite patriarch (to whose rite the church presumably belonged) and rebuked him for transgressing established law limiting churches to existing proportions. This case is interesting because the criminal offense that achieved the demolition had nothing formally to do with the disruptive bell ringing. Irritating as it may have been, the music emanating from Christian services did not constitute as clear a violation as did the church's enlargement. The persistent Sufi got his way, but only via indirect means.

Disputes erupting over allegations of blasphemy by Muslims were potentially more explosive than reactions to Christian activism because of the dissension the former caused within the majority community. Sultans and their adjutants often found the outcome problematic regardless of how they ruled, since partisans on both sides of a case had taken obdurate stands. When sultans or grand amirs convened councils of judges to review allegations, the qadis themselves often deadlocked over a decision. Yet the authorities, as ultimate agents of enforcement, were bound to demand a decision and impose the appropriate censure. And individuals who had already attracted a devoted following before their alleged deviance was brought to the authorities' attention posed risks of widespread disorder if they were arrested summarily. Al-Sakhāwī described a manumitted black slave from Damascus called Mubārak who was accused of corrupting the faith in Ramaḍān 899/June–July 1494.⁴¹ Having previously established himself as a revered person (*mu'taqad*) in Syria with a large following, this Mubārak arrived in Cairo with a reputation for rabble rousing. Making the rounds of venerated tombs in the Egyptian capital, he was denounced for preaching blasphemous views at such strongholds of orthodoxy as the Azhar. A group of senior ulama demanded his arrest, but Sultan Qāyṭbāy and his advisors were reluctant to imprison or execute him after their interrogation. They considered the revered Mubārak more incendiary as a potential martyr than as a public nuisance. However annoying his pronouncements may have been to the clerics, removing or eliminating him was more likely to inflame the masses and incite a riot.

Alleged blasphemers did not routinely escape unscathed, however. Persons who recklessly transgressed conventions of accepted conduct were convicted more often than popular preachers. Ibn Iyās discussed several incidents of such deviance

⁴¹ Muḥammad ibn 'Abd al-Raḥmān al-Sakhāwī, "Al-Dhayl al-Tāmm 'alā Duwal al-Islām," Dār al-Kutub al-Waẓīfah (Tunis) MS 6856, fol. 245, line 30.



during Qānṣūh al-Ghawrī's reign. In Sha'bān 911/December 1505–January 1506, a dervish from Upper Egypt behaved in ways that brought capital charges of atheism (*zandaqah*) and sorcery (*suhūr*) against him.⁴² Denounced for performing his ablutions with milk and other untoward acts “contrary to the *sharī'ah*,” he was turned over by the sultan to the chief Maliki qadi for questioning. After the judge found him guilty of unbelief, he was beheaded outside the Ṣāliḥīyah Madrasah, seat of the highest judicial tribunal in Cairo. This dervish's execution seems to have presented al-Ghawrī with few risks since the chronicler reported no mob of advocates who might riot in his defense.

A more complex case decided less to the sultan's liking occurred two years later in Jumādā I 913/September–October 1507.⁴³ The defendant in this incident was no fringe mendicant but a prominent Hanafi *khaṭīb*. Accused of making “impertinent remarks” about the prophet Abraham in his sermons, the *khaṭīb* was interrogated by a senior judge—who concluded that his statements did not warrant punishment for *kufr*. Al-Ghawrī thought otherwise. Partisan to the prophet Abraham, al-Ghawrī asserted that the *khaṭīb*'s comments indeed merited his execution. The sultan convened the four senior qadis and other eminent clerics to review the offensive statements. After a stormy debate, the council rejected al-Ghawrī's call for the *khaṭīb*'s beheading. According to precedents set by similar events in the past, if the accused sincerely retracted his depiction of Abraham, he should not pay the ultimate price. The council sentenced the *khaṭīb* to a jail term pending his recantation. Ibn Iyās stated that the council reached this verdict despite the sultan's demand for an execution. This case revealed tensions that often surfaced between clerical authorities charged with determining the veracity of blasphemy charges and the regime pledged to back their decisions, even if they disagreed. Incidents that the regime had presented on its own initiative were particularly galling when the ulama ruled contrary to its wishes—often to assert their own primacy in matters of religion. But regardless of whose agenda was favored, such cases were unlikely to go unprosecuted. Even if the defendant's stature mitigated against a conviction for deviance—whatever his guilt or innocence—both the regime and clerics felt obliged to subject him to a criminal investigation. The legitimacy of both groups rested on principles that required them to conduct a formal procedure. Events that shocked moral sensibilities imposed similar expectations on them.

Acts provoking hostile responses from turbulent sectors of the populace required rapid responses from the authorities to head off riots that might ignite city-wide conflagrations. While immediate reprisals were necessary, the volatility inherent in such acts presented the authorities with difficult choices. Their underlying goals were curbing further disorder and maintaining security. Their success at achieving

⁴² Ibn Iyās, *Badā'i'*, 4:87, line 1.

⁴³ *Ibid.*, 4:120, line 11.



them varied according to incident. Acts regarded as morally corrupt or threatening to sectarian identities were especially inflammatory. They were sufficiently notorious to warrant recording by historians long after they occurred. In Rajab 727/ May–June 1327, al-Maqrīzī discussed an incident of sexual assault alleged against a European (*fīranjī*) merchant in the port of Alexandria.⁴⁴ The merchant was apprehended in the act of soliciting a “beardless youth” to commit indecency. The intervener was an adult Muslim who charged the European with impermissible behavior. The merchant responded by striking his accoster in the face with his shoe, whereupon a mob set upon him. The European’s community immediately rose in his defense. A pitched battle with drawn weapons threatened to erupt between the two factions, until the commandant of the Alexandria garrison interceded. The Muslims insisted that the merchant had committed acts meriting his execution. Yet al-Maqrīzī simply concluded the incident by stating that he was taken before a judge for questioning. But he also noted that the resultant tension necessitated closing gates and markets—a temporary stalling of the commerce basic to Alexandria’s economy. Whether the European was actually terminated for this allegation (a response that might provoke a more serious reaction from the foreign mercantile community) remains unknown from al-Maqrīzī’s depiction.

The chronicler Ibn al-Ṣayrafī described at length an incident with more damaging potential due to its incitement of sectarian conflict. In Shawwāl 876/March–April 1472, he detailed a case of attempted conversion of Christian children.⁴⁵ A Maghribī (otherwise unnamed) residing at a mosque in the Jiza district acquired renown for evocative preaching. Too evocative for local Christians, it would seem, since some of their children fell under the Maghribī’s spell and converted to Islam. Their enraged parents fell upon the preacher, throttled him until his tongue came out, cut it off (perhaps a symbolic means of punishing the offending vehicle of speech), and then began to disembowel him. After failing to find a pit into which they might cast him, they were arrested by the Jiza inspector (*kāshif*).

At this stage, Ibn al-Ṣayrafī’s narrative becomes alert to the nuances of communal rivalries confronting the authorities. When the *kāshif* conveyed the Christians to the Cairo prefect (*wālī*), the latter decided that a senior officer should take charge of them. He therefore consigned the Christians to the *amīr akhūr al-kabīr* (grand officer of the horse), a member of the sultan’s advisory council. But even he hesitated before ordering the Christians’ execution, despite their brutal murder publicly witnessed. The amir elected to bring the offenders, who numbered six, before Sultan Qāyṭbāy himself. As the final arbiter of criminal cases, the sovereign opted for imprisonment. Seemingly convinced that the Maghribī had overstepped accepted boundaries of communal autonomy by actively proselytizing to minors and thus

⁴⁴ Al-Maqrīzī, *Sulūk*, 2:284, line 7.

⁴⁵ Ibn al-Ṣayrafī, *Inbāʾ*, 424, line 5.



unduly provoking their parents, Qāyṭbāy ruled the Christians' behavior justifiable homicide. But his decision was not met with equanimity by his co-religionists. A mob gathered at the base of the Citadel, seized the Christians from their Mamluk guards and stoned five of them to death. Only one of them converted to Islam on the spot to save himself and was spared. Ibn al-Ṣayrafī reported Qāyṭbāy's wrath upon learning of the mob's vigilantism. He caused the *wālī* to proclaim an edict forbidding ordinary subjects to take the law into their own hands, or to "seize the Mamluks' bridles." But he took no further action. Indeed, the caution and reluctance over assuming responsibility for the fate of these Christians at progressive stages of the ruling oligarchy underscores the regime's unease over the explosiveness of a case that put Christians and Muslims at odds. None of the officers charged with apprehending the Christians displayed any sympathy for the Maghribī who had sparked the incident. Charismatics who deliberately aggravated adherents of a rival faith were the true culprits in their eyes, responsible for unleashing forces that compromised their authority.

Although hesitant to prosecute members of their caste, the ruling oligarchy could not ignore assaults committed by Mamluks who wantonly disregarded public morality. Yet neither could they allow the masses free rein to take revenge. Ibn Ṭūlūn noted the arrest of an officer described as a European from Tripoli in Ramaḍān 906/March–April 1501.⁴⁶ This individual was accused of several murders for theft, concealment of his victims, raping women after stealing their jewelry, and casually eating after his debauchery. While the *nā'ib* governor of Damascus ordered the Mamluk's dismemberment, the masses got to him first. After stabbing the Mamluk multiple times, they dragged him to the gallows district and set him on fire. Infuriated by this mob action, the *nā'ib* ordered his troops to ride the offenders down indiscriminately. Those who survived were detained and fined. He also ordered the markets temporarily closed.

Incidents of this kind were not unique to Damascus. Cairo often witnessed similar events at the hands of soldiers. Ibn Taghrībirdī mentioned their plundering and "gross atrocities" against women attending Friday prayers at the Ibn al-ʿĀṣ mosque in Fuṣṭāṭ during Ramaḍān 863/July 1459.⁴⁷ Yet chroniclers provided more lurid descriptions of shocking behavior, especially during unsettled transitions within the regime itself. Ibn Iyās, who looked askance at the deportment of Qāyṭbāy's son, al-Nāṣir Muḥammad, held up the depravity of a recently promoted recruit as an example of troop excess unhindered by a lax sovereign. In Shaʿbān 903/March–April 1498, while riding a spirited horse, this recruit encountered a funeral procession. His mount bucked in alarm, throwing off his rider. Angered by the pallbearers, the recruit threatened them and they ran off, abandoning the corpse. Venting his ire

⁴⁶ Ibn Ṭūlūn, *Mufākahah*, 1:235, line 10.

⁴⁷ Ibn Taghrībirdī, *Nujūm*, 16:135, line 5.



further, the recruit struck at the body several times with his dagger until he calmed down and departed. The body was left lying where it had fallen, unburied to the end of the day. Ibn Iyās mentioned no punishment of a single recruit for this incident. But he elaborated on more devastating cases involving whole units of soldiers, particularly during the early stages of the Ottoman occupation. In Muḥarram 924/February 1519, Ibn Iyās stated that the outrages committed by the Ottoman soldiery had become unbearable. Arrogantly ignoring time limits placed on plundering, they stripped several districts of wood and metal furnishings for use as tinder and tools in the Citadel barracks.⁴⁸

Damaging as such pillage was, it was endured as the inevitable consequence of defeat. But the personal debaucheries of the occupiers were intolerable. The Ottomans were alleged to convene mass orgies in their barracks, enlivened with copious draughts of beer (*būzah*). Their assaults victimized both women and young boys. They went on drunken rampages through the town, seizing the turbans of passers-by and showering them with insults. Eventually, groups of notables petitioned the Ottoman “emperor”’s (*khandakar*) own head qadi, who now presided over the four chief justices, for redress. Upon hearing their complaints, he approached the most senior Mamluk officer remaining from the previous government, Qāyṭbāy al-Dawādār (no relation to the eminent sultan). The two ascended to the governor Khayrbak (referred to as the *malik al-umarāʾ*) and demanded an audience. The Ottoman judge accosted the governor as follows: “Pay heed to the Muslims’ condition, for if you do not, Cairo (*Miṣr*) will be ruined totally. The state of affairs has gravely worsened, and if the *khandakar* were to learn of the situation, he would order our necks cut (i.e., decapitated). He would say: ‘How have you dared to conceal from me Cairo’s state, and to neglect the condition of the Muslims so that these events have occurred?’”

The governor’s response conveyed, as a microcosm, the essence of his dilemma and political savvy. Apparently indifferent to the complaints of his civilian subjects (recall that Khayrbak was the renegade who betrayed Qānṣūh al-Ghawrī at the battle of Marj Dābiq), he could not dismiss an accusation from his patron’s justice minister. Nor could he afford to alienate the Ottoman troops on whom he relied for his own survival (the indigenous Mamluks loathed him as a traitor). Thus, Khayrbak responded with a review of both the Janissary (*al-Inkishāriyah*) and the Sipahi (*al-Isbahanīyah*) units, interrogating them as to who were guilty of these acts. But Ibn Iyās mentioned no further reprisals. Rather, he noted that the governor confined women and youths to their houses for ten days, and named the shrines of al-Sayyidah al-Nafīṣah, al-Ḥusayn, and the commercial district of Bayn al-Qaṣrayn as off-limits (possibly to the Ottomans, although this is unclear from the text). All

⁴⁸ Ibn Iyās, *Badāʾiʿ*, 5:233, line 2.



shops were to close after sundown. Khayrbak thereby sought to cool off the situation without personally penalizing those guilty of perpetrating it.

An incident at the hands of the occupiers even more repellent occurred four years later, and it disclosed Khayrbak's long memory over a slight. Ibn Iyās, in *Jumādā I* 928/March–April 1522, described a clash between Janissaries and Mamluks over the former's abuse of a Christian.⁴⁹ The Janissaries had impaled this Christian (cause not mentioned) and left him to expire. Passing by him subsequently, in the company of several Mamluks who served Qāyṭbāy al-Dawādār, the Janissaries refused him a draft of water. Appalled by their callousness, the Mamluks sought to relieve the Christian's pitiable state. After taking him down, they pulled out his stake and let him drink. Affronted, the Janissaries disputed the Mamluks' mercy. One of the latter stabbed a Janissary. The Mamluks then retreated to Qāyṭbāy's house, pursued by the Janissaries who threatened to set its gate on fire when the *bawwāb* barred their access. As word of the dispute spread, a full riot between Janissaries and Mamluks ensued. The *wālī* prefect sent his adjutant to re-impale the Christian, "who still breathed." The governor Khayrbak was informed of the incident the following day. Harboring his resentment of Qāyṭbāy, he demanded that he turn over the Mamluks involved. Qāyṭbāy sent his brother to remonstrate with him, but Khayrbak was adamant. The governor sent out an edict warning anyone who hid a guilty Mamluk in his house would be hanged "without recourse." But whoever intercepted a Mamluk who set off the riot would receive 100 dinars and a velvet caftan.

On the tenth of Ramaḍān/3 August, the governor descended to the Maydān to witness the punishment of two Mamluks arrested by the *wālī*, and the doorman who had denied the Janissaries access: bisection for all three. Khayrbak forced Qāyṭbāy to witness the mutilation of his own officers and servant, "since he despised him intensely." The Citadel commandant and one other officer stood up and interceded for the *bawwāb*, noting that he had children and an aged father. But Khayrbak "did not relent from his cruelty." As for Qāyṭbāy, the governor succeeded in tarnishing his prestige permanently, thus eclipsing his career. Ibn Iyās stated that Qāyṭbāy attempted to mollify the Janissary wounded by his Mamluk with a compensation of 100 dinars and a silk robe lined with squirrel fur to replace his robe slashed during the dispute. Ibn Iyās depicted this episode as "one of the most cruel and odious events."

Yet his anger cannot conceal Khayrbak's ultimate victory over a popular opponent surviving from their mutual careers under al-Ghawrī. Qāyṭbāy's diminution left Khayrbak in unfettered control over Cairo. His unswerving support of the occupiers cemented his own position with no meaningful opposition until his own death. Khayrbak triumphed because he understood the political necessity of maintaining

⁴⁹Ibid., 5:445, line 19.



the support of his Ottoman troops, while Qāyrbāy met defeat as a remnant of the old, defeated order. His presence had been a nagging reminder of personal betrayal. Khayrbak's response to the Ottomans' barbarity in Cairo overall was to act belatedly when confronted by the *khandakar*'s representative. Otherwise, he remained aloof to moral outrages inflicted on the commons.

Civilians who violated moral sensibilities could be dealt with more summarily. Ibn Iyās mentioned a tomb robber in Shawwāl 903/May–June 1498, who stole the deceased's shrouds, presumably for resale.⁵⁰ The sultan, Qāyrbāy's minimally admired successor al-Nāṣir Muḥammad, ordered the thief's face flayed while he was still alive. His skin was left hanging down to his chest, the facial bones exposed. The thief was conveyed in this state to the Bāb al-Naṣr where he was hanged. Cairo's gravediggers were then warned to respect the shrouds of the deceased. Many of the sensational murders minutely recorded for their shock value by the chroniclers could be considered here as gruesome examples of moral depravity. Since these cases warrant analysis in the context of their complex motives, they are relegated to a separate discussion of homicide.

But one case of extraordinary fraud does indicate a degree of creativity so nefarious that it bemused as well as shocked. This incident was sufficiently famous that it was remembered and recorded a century after it occurred. Al-Maqrīzī discussed at length the antics of a charlatan who duped many into believing he had discovered a tomb containing several Companions of the Prophet. The incident happened in Rabī' II 744/August–September 1343, in the Lūq district outside Cairo.⁵¹ Al-Maqrīzī described the site as a rubbish heap known as the Dung Hill (*Kawm al-Zibl*). He claimed that “people of iniquity, the worst riff-raff” repaired to it. While digging into the site, remains of previous structures—some containing fragments of documents—were uncovered. One of the excavators, named Shu‘ayb, whom al-Maqrīzī condemned as “a devil among the masses,” claimed that he received visions while asleep confirming that these ruins sat on top of a sepulcher where the Companions were interred. He went further, proclaiming that his dreams empowered him to cure the crippled and restore sight to the blind. His fellow ruffians eagerly heeded his words and began digging down two fathoms until they reached the remains of a mosque. This discovery evoked wild rejoicing among the mob and their uproar attracted wider notice in the vicinity. By dawn, some one thousand persons had gathered, all digging away at the rubbish heap. Shu‘ayb announced that the excavated ruins indeed belonged to the Prophet's Companions. His powers of persuasion were acute, it would seem, since notables of both the military and civil elites now visited the site. Al-Maqrīzī observed that women were especially taken in by Shu‘ayb's therapeutic promises, stating that the sultan's mother came herself.

⁵⁰ Ibid., 3:391, line 8.

⁵¹ Al-Maqrīzī, *Sulūk*, 2:649, line 6.



Shu‘ayb would conduct cure seekers personally into the now-vast pit, from whence they emerged shouting, amid cries of “God is Most Great!” that their maladies were remedied, their sight regained. All, of course, willingly paid the dinars or dirhams Shu‘ayb and his comrades charged for this treatment.

As the notoriety of the alleged Companions’ tomb spread, several amirs and qadis became alarmed over the presence of such a throng now attending the site night and day. They urged the *wālī* prefect to inspect the *kawm*, their missive noting reports that the ruffians had exhumed cadavers from legitimate graves to be passed off as the Companions’ remains. When the prefect arrived at the hill, the mob greeted him with howls of “vile denunciations,” their protest so intense that his soldiers shot arrows to disperse them. Shu‘ayb and his cohort fled, leaving the *wālī*’s contingent to excavate until they reached bedrock and a sewer. No verifiable indications of a tomb were discovered and the huge pit was filled in. The mob eventually lost interest in the site and calm was restored. Nonetheless, Shu‘ayb and his fellow charlatans made off with a trove of money and apparel.

A case involving individuals at the opposite end of the social spectrum took place just after al-Maqrīzī’s lifetime, as observed by his disciple, Ibn Taghrībirdī. He reported a case following a stalled Nile flood in Shawwāl 866/June–July 1462, in which the son of a respected jurist was implicated in a sex scandal.⁵² As was customary during crises affecting Egypt’s sole source of water, the sultan (Khushqadam) enjoined the magistrates to demand abstinence of the populace “from sin” (*al-ma‘asin*). The *wālī* prefect duly rode out to Būlāq, a quarter apparently known for its looseness, to carry out his orders. After arresting revelers there, he crossed over to an island that had emerged as a result of the low level of the river. A crowd had assembled there, and the prefect rounded up a large number of men and women, seemingly engaged in unchaperoned activities. These he placed on donkeys and paraded from Būlāq to Cairo. Among them was a son of the chief qadi Shams al-Dīn al-Qāyātī. The son had attempted to mask his face in order to conceal his identity while mounted ignominiously on the donkey. His humiliation greatly incensed the juristic establishment, and a delegation confronted the prefect with a complaint of inappropriate arrest. The famous shaykh and hadith scholar Amīn al-Dīn al-Āqsarā’ī took his denunciation of the *wālī* to the sultan himself. But the pious Khushqadam replied that he had so ordered the prefect personally. The jurists refused to desist, and again accused the prefect of defaming the scion of an esteemed family. The *wālī* responded: “Why does the son of al-Qāyātī sit with his [ad-hoc] harem among commoners (*al-‘awāmm*), exposed to onlookers?” Although he did release the son, the damage to his family’s reputation had been done. The jurists remained agitated (*fī harj marj*). The sultan saw no reason to budge from his stance of probity. He granted the prefect a splendid robe and congratulated him for

⁵² Ibn Taghrībirdī, *Ḥawādith*, 8:424, line 9.



his resolute enforcement of public decency. A second proclamation was read out, forbidding attendance at diversions (*muftarajāt*). All subjects were to shun “moral defilements” (*al-qadhūrāt*). “Thus was the stature of the *wālī* augmented, and everyone held his tongue about him.”

This incident disclosed contention when a sweep to ensnare revelers whose behavior was deemed insulting to God unexpectedly trapped the offspring of a prominent family who had pledged to uphold morality. Quite prepared to endorse these sweeps when limited to commoners, the juristic elite, cream of the ulama, were acutely embarrassed when one of their own was exposed. They uniformly closed ranks to denounce the prefect and defend Ibn al-Qāyātī’s honor (and that of his father). Sultan Khushqadam refused to relent in this instance and threw his promotion of the *wālī* in their faces. The readiness of the sovereign, whose status as legal arbiter granted him jurisdiction over even the chief qadis, to oppose them, while simultaneously winking at his recruits’ excesses in other circumstances, suggests something of the paradox clearly evident in the regime’s application of criminal justice.

All the preceding events, despite their diversity, highlight common trends that impelled the authorities to act, but often compromised their capacity to resolve. All either posed a challenge to the authorities’ powers of control over subordinate elements, or aroused significant sectors of society by adversely affecting property rights or defying accepted canons of faith and moral conduct. Disturbances threatening public order or violating property rights repeatedly involved members of the ruling elite, notably its young recruits only recently promoted from cadet status. These troops precipitated many of the most turbulent episodes disrupting order and trade in the Sultanate’s major cities, seats of its most influential social groups and wealthiest stores of capital assets. The authorities could not allow the disruptive criminality so ubiquitously associated with their own recruits to go unchecked. Yet neither could they take definitive steps to crush the cadres from whose ranks their successors would be drawn. Every senior amir, as well as the sultan, had invested substantial sums training the soldiers on whose loyalty his political future—and often physical survival—depended. These events therefore provided intriguing insights into the dilemmas faced by the authorities as they sought to contain the violence endemic to their troops within manageable limits.

It is worth noting that these troops were virtually absent from disputes over canons of belief, and only marginally visible in affronts to public morality—at least until the Ottoman occupation. These crimes occurred, in the main, within the civilian sectors of society. But the authorities rarely found themselves freer to assert themselves decisively, or to act without regard for the sensibilities and biases of competing factions. Nonetheless, however complicated the circumstances of crimes



affecting religion or morality, the authorities could not ignore them.⁵³ Their claims to primacy over preservation of order, and the foundations of their legitimacy as defenders of a Sunni Muslim polity and arbiters of its criminal suits, demanded their intimate involvement. The civilian sectors of society, whose numeric advantage was overwhelming and whose assets, taxed or confiscated, were essential to the ruling elite's support, submitted to that elite's political supremacy in return for the latter's enforcement of judgments emanating from the legists and clerics who served as custodians of faith and definers of morality. This symbiosis was visible in every salient case stemming from conflicts over religion and probity. It was this interdependence that shaped the context of authority over criminal matters in the Mamluk Sultanate. We can discern the disparate aspects of this context repeatedly as we analyze the several categories of crime reported by the narrative sources. Their authors were uniformly sensitive to them.

⁵³ Claude Gauvard noted that the French monarchy in the later Middle Ages was expected by the clergy to intervene in morals cases, depicted by the clergy as God's punishment for sin. Even though such crimes were interpreted as divine retribution, the king was required to protect his subjects from them. See "Fear of Crime in Late Medieval France," in *Medieval Crime and Social Control*, ed. B. Hanawalt and D. Wallace (Minneapolis, 1999), 3.

