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REVIEW

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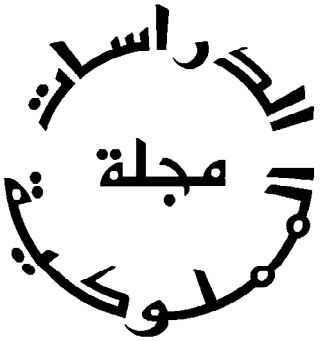

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Mamlūk Studies Review is an annual, Open Access, refereed journal devoted to the study of the Mamluk Sultanate of Egypt and Syria (648–922/1250–1517). The goals of *Mamlūk Studies Review* are to take stock of scholarship devoted to the Mamluk era, nurture communication within the field, and promote further research by encouraging the critical discussion of all aspects of this important medieval Islamic polity. The journal includes both articles and reviews of recent books.

Submissions of original work on any aspect of the field are welcome, although the editorial board will periodically issue volumes devoted to specific topics and themes. *Mamlūk Studies Review* also solicits edited texts and translations of shorter Arabic source materials (*waqf* deeds, letters, *fatawa* and the like), and encourages discussions of Mamluk era artifacts (pottery, coins, etc.) that place these resources in wider contexts. An article or book review in *Mamlūk Studies Review* makes its author a contributor to the scholarly literature and should add to a constructive dialogue.

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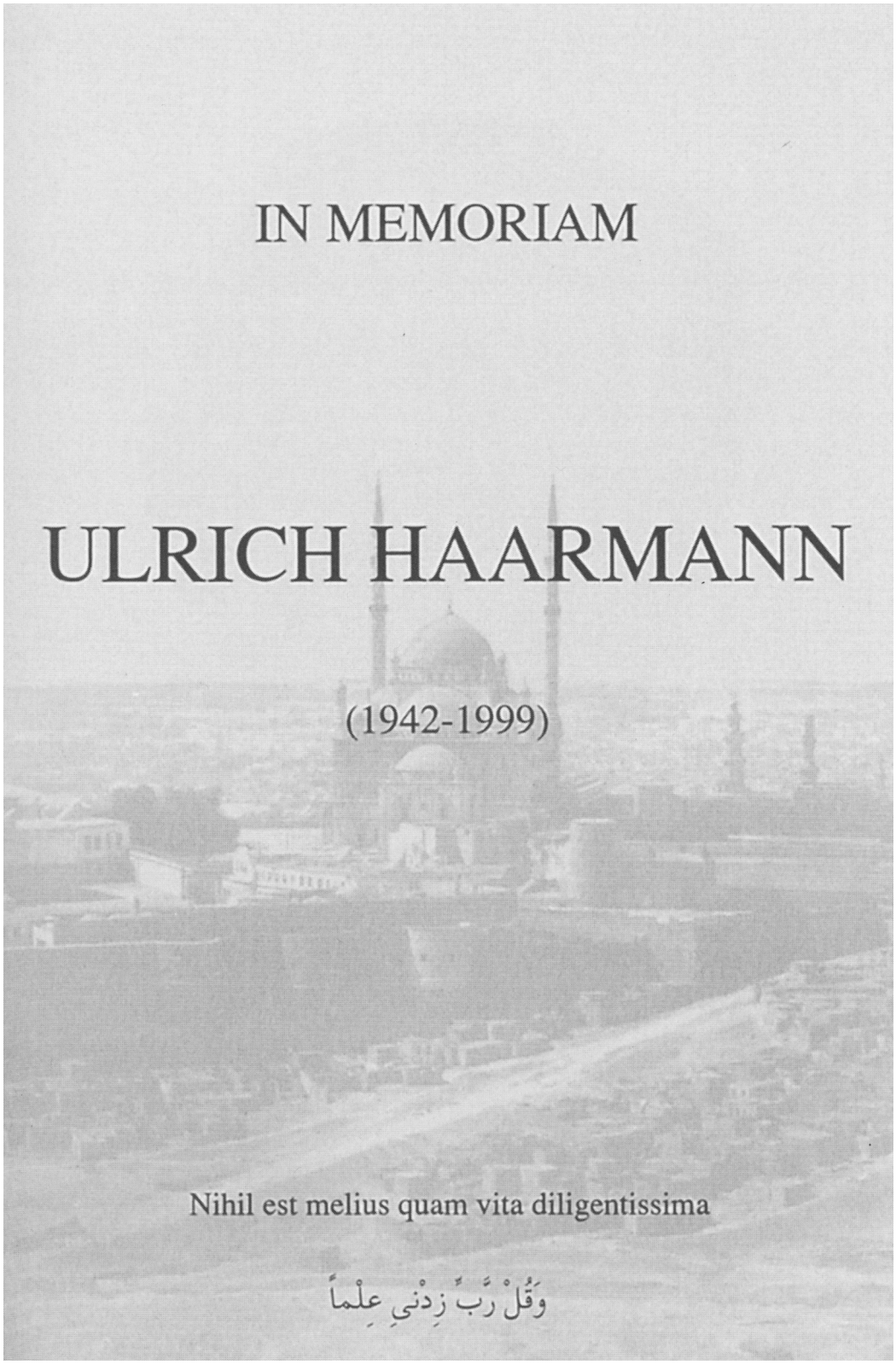


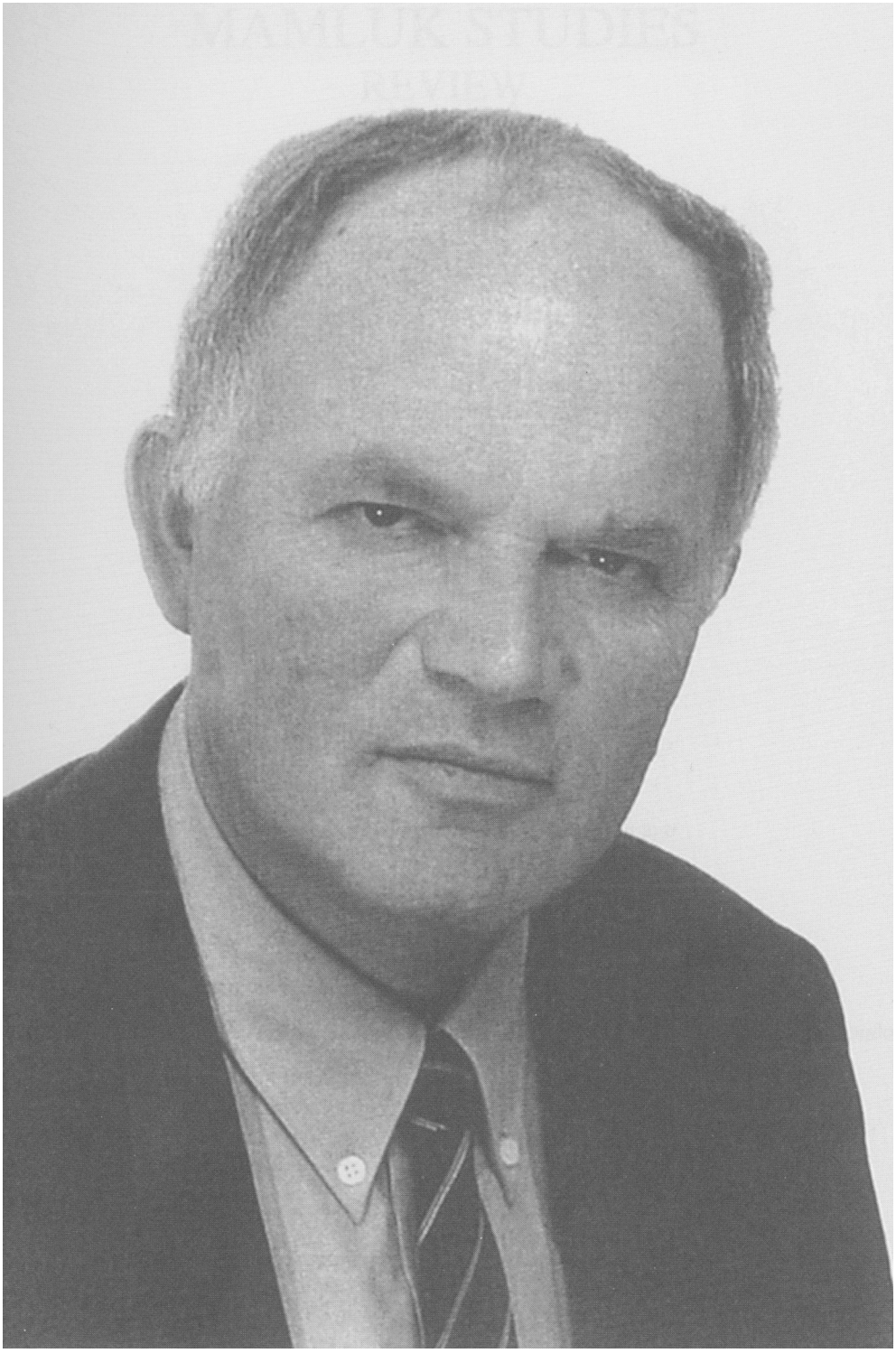
IN MEMORIAM

ULRICH HAARMANN

(1942-1999)

Nihil est melius quam vita diligentissima

وَقُلْ رَّبِّ زِدْنِي عِلْماً



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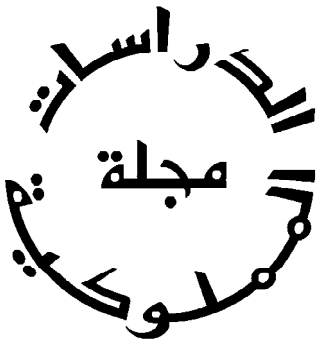

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W. W. Clifford
The University of Chicago

″Mediators and Wanderers″: Ulrich Haarmann and Mamluk Studies

The recent and untimely passing of Ulrich Haarmann, Director for Modern Oriental Studies at the University of Berlin, has not only deprived *Islamwissenschaft* of one of its greatest modern influences but the field of Mamluk Studies of one of its most important Continental exponents. For while the corpus of Haarmann′s scholarship was predictably wide-ranging in the time-honored Orientalist tradition, his reputation rested primarily on the bedrock of his published dissertation on early Mamluk historiography.[1] Indeed, his many subsequent contributions to the general study of Mamluk civilization may be said to have characterized the main thrust of his scholastic career. Haarmann felt that a ″deeper understanding″ of the general ″Mamluk phenomenon″ could be achieved by studying particularly the interrelationship of Mamluks and non-Mamluks. However, he believed that it was ″[e]qually critical″ to analyze the ″relationship between Mamluk fathers and their non-Mamluk descendants, the so-called *awlād al-nās*. . . .″[2] To that end, Haarmann insinuated in the late 1980s that one of his primary ambitions as an historian was to produce ultimately a ″comprehensive study of [the] military, economic, and cultural standing . . . from 1250 to 1517″ of this vital but little-understood stratum of medieval Syro-Egyptian society.[3] A culturally as well as ethnically hybridized group, the *awlād al-nās* fulfilled a crucial social function as ″mediators and wanderers between the foreign [Turco-Circassian] elite and the local Arabic-speaking population of Egypt and Syria.″[4]

That Haarmann, a philologist by training, should take such a keen interest in culture is unsurprising. Since the early nineteenth century, language and culture have been closely intertwined in the German *wissenschaftlich* tradition, especially in the works of such lights as Johann Gottfried von Herder, Wilhelm von Humboldt,

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[1]Ulrich Haarmann, *Quellenstudien zur frühen Mamlukenzeit*, Islamkundliche Untersuchungen 1, 2nd ed. (Freiburg im Breisgau, 1970).

[2]Haarmann, review of *The Age of the Crusades: the Near East from the Eleventh Century to 1517*, by Peter M. Holt and *The Middle East in the Middle Ages: The Early Mamluk Sultanate 1250–1382*, by Robert Irwin, *Journal of Semitic Studies* 32 (1987): 382–83.

[3]Haarmann, ″Arabic in Speech, Turkish in Lineage: Mamluks and Their Sons in the Intellectual Life of Fourteenth-Century Egypt and Syria,″ *Journal of Semitic Studies* 33 (1988): 104, n. 111.

[4]Haarmann, review of *The Age of the Crusades,* 383.

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Jacob Grimm, and Franz Bopp. Indeed, theoretical advances in historical linguistics have often foreshadowed the development of related ideas in social and cultural anthropology.[5] Thus, while Haarmann praised the philologist Helmut Ritter, best known perhaps for his association with *Bibliotheca Islamica*, as ″the most important German Orientalist of our century,″ he also acknowledged the singular achievement of Carl Heinrich Becker in introducing critical method into the study of Islamic history.[6] One-time Prussian Minister of Culture and a founding father of *Der Islam,* Becker argued that Islamic cultural systems were capable of producing dynamic socioeconomic change. His adaptation of the idea of ″cultural circles″—the grouping of related cultural traits derived from the *Kulturkreis* theory prominent in contemporary *mitteleuropäisch* ethnology and anthropogeography—seems to have been particularly revelatory to Haarmann, for whom *Sozialgeschichte* seems to have been largely the product of *Kultur* anyway. Certainly, his belief in a pre-logical concept like the *kollektiv Bewusstsein der Zeit* as a source of historical change invokes the same *Volksgeist* of the *Kulturkreis*—the fundamental psychic principle shaping the traits of the ″cultural circle.″[7] Indeed, Haarmann′s cataloging of the various traits of the *awlād al-nās* could be interpreted as an effort at decoding their *Weltanschauung,* another configurative concept of Austro-German culture-area theory.[8]

Empowered by the synergistic relationship between *Philiologie* and *Kulturgeschichte,* Haarmann came to notice in Mamluk historical texts how a relatively small, discrete social group—*awlād al-nās*—occupied a unique and strategic nexus in Mamluk civilization, bridging the cultural interstices between the alien-extracted *umarā*' (their own fathers) and the indigenous ulama (their colleague/competitors). The lack of meaningful scholarship about these people, he believed, was the outcome chiefly of an historiographical bottleneck created initially in the medieval period by ″non-Mamluk scholars″ attempting to communicate what they believed was the cultural irrelevance of the *nās* and *awlād al-nās*. Haarmann sought actively to counteract the ″bias″ he detected in this discursive, ulama-authored literature by drawing attention to the importance of more objective archival materials.[9]

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[5]Alan Barnard, *History and Theory in Anthropology* (Cambridge, 2000), 48.

[6]Haarmann, ″L′orientalisme allemand,″ *MARS: Le Monde Arabe dans la Recherche Scientifique/The Arab World in Scientific Research/Al-ʻĀlam al-ʻArabī fī al-Baḥth al-ʻIlmī* 4 (1994): 75.

[7]Haarmann, ″Einleitung,″ in *Geschichte der arabischen Welt*, ed. Ulrich Haarmann (Munich, 1987), 10.

[8]Barnard, *History and Theory,* 50–51.

[9]Haarmann, ″Arabic in Speech,″ 81.

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The endowment deed *(waqfīyah),* for instance, was not only an important—and largely untapped—source for understanding the socioeconomic foundations of cultural institutions in fourteenth and fifteenth century Syro-Egypt but, because it was ″an intrinsically legal genre of writing″ allowed ″no space for manipulation by a scholar. . . .″ They served, moreover, as ″a precious correlate to the often biased reports on academic life and strife found in contemporary . . . literature.″ The deeds studied by Haarmann revealed in particular that while the madrasah, which provided state-sponsored stipends for sufis, served as a physical nexus ″between popular and academic religious life in the time of Barqūq,″ it also segregated members of *awlād al-nās* from participating directly in the cultural life within its precincts.[10] Haarmann drew attention as well to library inventories as portals into the contemporary intellectual and cultural life not only of ulama but also the Mamluks (and presumably their dependents), for whom ″[b]ook-collecting was an expensive yet widespread hobby.″ One such inventory, of the library of a fourteenth-century Jerusalem shaykh, demonstrated significant holdings in sufi-oriented materials but little interest in the very historical literature in which Haarmann himself detected so much bias against the *nās* and *awlād al-nās* .[11]

Despite Haarmann´s best pedagogical efforts, these non-Mamluk progeny have fallen by the scholastic wayside. Largely ignored by David Ayalon, except as military reservists, then ″underestimated″ by Ira Lapidus in terms of their social and cultural significance in Mamluk urban and court life, the *awlād al-nās* experienced not transparency but invisibility as subject matter during the crucial formative years of the field.[12] There has been subsequently little remediation. Even now, an extemporaneous cross-cutting of scholarship on Mamluk administrative, intellectual, socioeconomic, and military subjects reveals few traces of their historical passage. Haarmann´s study of the *awlād al-nās* stands, therefore, as the *ne plus ultra;* of sad necessity, it will remain incomplete. Still, his contributions to date, particularly the several published revisions of a seminal article that achieved final form only in 1998, provide vital insights into the sociocultural processes of this otherwise unheralded group.[13]

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[10]Haarmann, ″Mamluk Endowment Deeds as a Source for the History of Education in Late Medieval Egypt,″ *Al-Abḥāth* 28 (1980): 35–38.

[11]Haarmann, ″Arabic in Speech,″ 93; idem, ″The Library of a Fourteenth Century Jerusalem Scholar,″ *Der Islam* 61 (1984): 327–33.

[12]Haarmann, ″Arabic in Speech,″ 83, n. 5; 105, n. 114.

[13]The article began in 1977 as a conference paper [″Mamluks and *awlād al-nās* in the intellectual life of fourteenth century Egypt and Syria″] delivered at the Seventh Oxford-Pennsylvania History Symposium in Oxford. After two published revisions (1988 and 1995) it achieved its final incarnation as ″Joseph´s law—the careers and activities of Mamluk descendants before the Ottoman Conquest of Egypt,″ in *The Mamluks in Egyptian politics and society*, ed. Thomas Philipp and Ulrich

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Indeed, Haarmann's self-avowed goal was to detect the "patterning of . . . non-Mamluk cultural activities."[14] Whereas their Mamluk fathers had undergone a process of acculturation, these non-Mamluk offspring—the *awlād al-nās*—had had a kind of interculturative experience, wandering between the "two heterogeneous traditions" represented by the *umarā'* and ulama. Though not an anthropologist per se, Haarmann was nevertheless seeking to understand the cultural role of one of the chief carriers of social process in the "highly polarized" environment of late medieval Syro-Egypt. The *awlād al-nās* functioned primarily as interlocutors *(Dolmetschern)* between the bias of the Arabic-speaking ulama and the parochialism of the Turkish-speaking *umarā'*, their placement at the social "fulcrum" symbolized by the heraldic emblem of the pen-box. All cultures, of course, undergo a certain degree of internal differentiation. But the *awlād al-nās* appear to have been something more than just culturally different. Haarmann at times gives an impression almost of alienation. For a group trapped eternally between the "barracks" *(Kasernen)* and the "mosque colleges" *(Moscheehochschulen)* this is not altogether surprising. Haarmann did not believe, however, that the *awlād al-nās* were "caught helplessly" between the two cultural camps. He felt that despite the informality of their social status, they at least "recognized their potential of surviving and indeed thriving as *born* . . . mediators." Still, their *Mittlerstellung* could not have been a comfortable cultural space to inhabit.[15]

Overshadowing their medial position were of course the ulama, who flatly "declared culture and science their own proper domain." Because of such absolutist claims to communicative competence the ulama had little incentive to understand the culturally "other" in Mamluk society. Even the appearance of Arabic-Qibjaq glossaries and Turkish grammars in early fourteenth-century Syro-Egypt, which Haarmann considered an important potential breakthrough in intercultural *Kommunikation,* did little to stimulate ulama interest in the literary sources of the *Türkentum,* which in addition to their (con)fusion of *Faktum* and *Legende* were viewed as entirely too pagan to be incorporated into the "hallowed genre of Islamic writing." Any possible "intercultural perspective" the ulama might have developed naturally "was stifled by various self-imposed dogmatic restrictions."[16] These very same ulama, however, were not so shy about generating their own

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Haarmann, Cambridge Studies in Islamic Civilization (Cambridge, 1998): 55–84.

[14]Haarmann, "Arabic in Speech,":82.

[15]Ibid., 83; idem, "Väter und Söhne im Herrschaftssystem der Mamluken," *Berliner Wissenschaftliche Gesellschaft e.V-Jahrbuch* (1995): 222.

[16]Haarmann, "Alṭun Ḫān und Čingiz Ḫān bei den ägyptischen Mamluken," *Der Islam* 51 (1974): 1–36; idem, "Arabic in Speech," 84, 85.

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vehemently anti-Turkish propaganda, accelerating the historical development of ″the traditional stereotype of the Turkish barbarian . . . not only without culture but by their very nature . . . excluded from it.″[17] Neither were they above passing windy judgments even about the use of some of the Turks′ own military equipment. Ulama authors debated whether the preference shown by the Turks for the use of the standard, if foreign, Persian bow constituted unacceptable innovation. But, as this bow helped the Mamluks guarantee the integrity of the *ummah,* it finally passed muster by the ulama.[18]

Haarmann seems to suggest that neither the Mamluks nor their progeny, despite some genuine intellectual capacity, ever succeeded in engendering a more cosmopolitan sensitivity toward their cultural diversity. Language, both written and spoken, created not cultural unity but cultural apartheid within late medieval Syro-Egyptian society. The *awlād al-nās,* whose first language after all was Arabic rather than Turkish, seemed unable to convert their linguistic competence into communicative competence. Though ethnic hybrids themselves with ″unencumbered access . . . and membership rights in . . . the military and civil worlds,″ they failed to negotiate any hybridized cultural rules favoring their communicative equality. What cultural freedom they already enjoyed—to use ″exotic materials without restraint″ in their writings—they failed for the most part to exploit. The ″split identity″ exemplified by the Egyptian chronicler and *walad al-nās* Ibn Aybak al-Dawādārī was, Haarmann regretted, an all-too-rare demonstration of ″the latitudes of eccentricity and independence of mind which the *awlād al-nās* could enjoy . . . if only they were ready to use it.″ [19]

That the monologic ulama found the cultural aspirations of the *nās* and *awlād al-nās* so insubordinate reflects not so much chronic miscommunication or existential crisis as the contrived distortion of cultural politics. Yet, even in an atmosphere of ″petrified conservatism,″ those cultural politics occasionally folded back on themselves. Amidst the general subsidence of intellectual life in fifteenth century Syro-Egypt, Haarmann detected some subtle changes in the normal ″xenophobic″ discourse of the ulama. For instance, the alim Muhibb al-Dīn Muḥammad ibn Khalīl, better known as Abū Ḥāmid, came to manifest an ″ambivalent attitude″ in his political writings about the culturally ″other″ Turco-Circassians. While initially critical of their vanity, ignorance, and un-shari‘ah-like tendencies, he decided ultimately that the Mamluks were not total boors. It was instead the

[17]Haarmann, ″Ideology and History: Identity and Alterity: The Arab Image of the Turk from the ‘Abbasids to Modern Egypt,″ *International Journal of Middle East Studies* 20 (1988): 183.

[18]Haarmann, ″The late triumph of the Persian bow: critical voices on the Mamluk monopoly on weaponry,″ in *The Mamluks in Egyptian politics and society*, 185–86.

[19]Haarmann, ″Arabic in Speech,″ 101, 110–12.

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ulama who were actually ″intolerably self-righteous and pernicious.″ Ergo, Abū Ḥāmid′s famous epithet: ″ẓulm al-turk wa-lā ‘adl al-‘arab.″ His ″vacillation between denigration and adoration″ typified for Haarmann ″the profound instability″ which existed in relations between the *umarā*’ and ulama. The cultural dichotomy reflected in Abū Ḥāmid′s writings condemned him, like any *walad al-nās,* to the ″no-man′s land″ between the ″fortified trenches″ occupied by the *umarā*’*,* on the one hand, and the ulama, on the other.[20]

Such cultural ambivalence resided not only among contemporary Arab ulama but also among some of their Persian and Maghribi colleagues. The Shafi‘i jurist and theologian Faẓl Allāh ibn Rūzbihān Khunjī Iṣfahānī, for instance, though a foreign alim was nevertheless a ″sensitive″ observer of late Mamluk civilization. While not uncritical of all he saw, the erudite Khunjī clearly expressed at times ″pro-Mamluk sentiment,″ praising them not only for their physical defense of Islam but also its cultural support in what he considered to be its true ″homeland″ *(bayẓat al-Islām)*. In fact, Haarmann believed that Khunjī′s masterpiece, the *Tārīkh-i ‘Ālam Ārā-yi Amīnī,* was composed in part to resolve the author′s cultural ambivalence, his ″oscillating and contradictory judgments,″ about Mamluk civilization.[21] The legendary Maghribi alim, Ibn Khaldūn, viewed the Turkish elite of the Mashriq from his own historicist perspective as a natural stage in the development of Arabo-Islamic history, praising them for their combination of true belief and nomadic virtues.[22]

While the Mamluks themselves possessed a certain *Kollektivverhalten,* it is unclear what kind of *Kaste* their offspring formed. Indeed, Haarmann asked in 1988 ″[t]o what degree did [the *awlād al-nās*] form at all a clearly definable separate group . . . ?″[23] A decade later he concluded that because of their ″informal″ social status between two more traditional corporate groups, the *awlād al-nās* lacked any ″tangible collective identity . . . or resulting group solidarity.″[24] Yet, there are other instances when he thought of them as relatively ″well consolidated,″ a ″corporate body,″ even briefly a ″subsidiary″ *Militäraristokratie*.[25] In fact, they

[20]Haarmann, ″′Rather the Injustice of the Turks than the Righteousness of the Arabs′—Changing *‘Ulamā*’ Attitudes Towards Mamluk Rule in the Late Fifteenth Century,″ *Studia Islamica* 68 (1988).

[21]Haarmann, ″Yeomanly Arrogance and Righteous Rule: Faẓl Allāh ibn Rūzbihān Khunjī and the Mamluks of Egypt,″ in *Iran and Iranian Studies: Essays in Honor of Iraj Afshar*, ed. Kambiz Eslami (Princeton, 1998): 109–24.

[22]Haarmann, ″Ideology and History,″ 182.

[23]Haarmann, ″Arabic in Speech,” 104.

[24]Haarmann, ″Joseph′s law,″ 83.

[25]Ibid., 66, 77; idem, ″The Sons of Mamluks as Fief-holders in Late Medieval Egypt,″ in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi (Beirut, 1984), 143.

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probably did not constitute a corporate but rather a social group. Both recruited from birth, had limits to membership, internal structure, common purpose, and possessed a certain longevity. The principal difference lay, however, in perpetuity. The *umarā'* and ulama, because they spanned virtually the whole of Islamic history, are examples of corporate groups. The *awlād al-nās* appear by comparison to have been a much shorter-lived phenomenon, in short, a social group. Even Haarmann had trouble identifying and dating them securely.[26]

While the *awlād al-nās* shared little social solidarity with their ulama colleagues, they did enjoy a certain economic solidarity with their *umarā'* fathers. As internal distributions of *iqṭā'* to both the royal and non-royal *awlād al-nās* declined in the late fourteenth century, forcing a corresponding economic collapse of their social power, they relied more on their fathers' establishment of so-called family *awqāf* to support them. While this conversion of public, often *iqṭā',* land first into private property and then into tax-exempt charitable institutions deprived the military of much of its material base, it "fitted perfectly the needs of Mamluk fathers and their sons." It also had the effect at least in medieval Cairo of creating an unexpected but "important link" among the Mamluks, their non-Mamluk offspring, and local learned civilians. In the real estate business servicing this conversion of private estates into pious foundations, the *awlād al-nās* may have taken the opportunity to expand their definition of interlocutor to include "broker."[27]

How did the fathers of the *awlād al-nās* figure into their sons *Weltanshauung*? Haarmann believed that while they were probably more consciously affected by the ill-will *(Ressentiment)* of local civilians, many turned intentionally toward the civilian world, eager to eschew "a world smelling of horses, sweat and weaponry."[28] This was probably easier to do in Syria than Egypt, Haarmann thought, given the gravitational pull of the "parental Turkish heritage" exerted by the court in Cairo and the relatively more developed social power of the Syrian ulama.[29] Some went so far as to disavow their fathers' Hanafi "Turkish" *madhhab,* though they may have been drawn back together again by their mutual attraction to sufism.[30] Did disaffected *awlād al-nās* ever embrace the traditional Arabo-Islamic cultural beliefs in individual honor, freedom, and egalitarianism that contradicted the values of their fathers' slave/client subculture?

Sadly, Haarmann's coda to his own study of the *awlād al-nās* seems unnecessarily pessimistic—that "the 'culture' of the Mamluks will remain largely inaccessible

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[26]Haarmann, "Sons of Mamluks," 147; idem, "Joseph's law," 61.

[27]Haarmann, "Joseph's law," 71–76; idem, "Sons of Mamluks," 161.

[28]Haarmann, "Väter und Söhne," 224; idem, "Joseph's law," 78.

[29]Haarmann, "Arabic in Speech," 110.

[30]Haarmann, "Joseph's law," 78–79.

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and elusive to us" because of scholarly bias in the primary sources.[31] Perhaps. But Haarmann's thoughtful decoding of those "mediators and wanderers" has already suggested some deeper implications not only about the long-range intelligibility of that "culture" but about the constant value of his own scholarship. He makes us see, foremost, that the structure of Mamluk society was epiphenomenal, an unintended consequence of the intersubjective struggle in late medieval Syro-Egypt to define and redefine communicative competence among the *nās, awlād al-nās,* and ulama. Though confronted by both cultural options—e.g., exploiting "exotic materials"—and social circumscriptions—e.g., having Turkish mothers—the *awlād al-nās* were clearly not functionalist automata but rather interactionist strategizers. Haarmann was not perhaps as self-conscious a social theorist as, say, Ira Lapidus, but his instinctive interactionism stands up well against Lapidus's elaborated structural-functionalism. Haarmann's interest in interpreting cultural patterns rather than explaining social laws, his close collaboration of cultural anthropology and history, his focus on the dynamic process of negotiating cultural meaning rather than on the customary stasis of maintaining social structure all serve to mark his primary intellectual contribution as such.

[31]Haarmann, "Arabic in Speech," 85.

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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 *waqfīyah*s 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 *waqfīyah*s. 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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[1]For 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.

[3]E.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-Fiqī (Cairo, 1955).

[5]Aḥmad 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 *waqfīyah*s 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 *(nāẓir)*:

> 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]

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[6] E.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, Ribāṭs,* 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.

[7] Al-Asyūṭī, *Jawāhir,* 1:342, 343.

[8] Ibid., 342.

[9] Ibid., 343.

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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'īdūn)*, 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 *(mutawassiṭūn)*, 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

[10]Ibid., 345.
[11]Ibid., 343.
[12]Ibid., 344.

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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 *(takbīr)* 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-Asyūṭī´s model appoints a janitor *(qā'im)*.

Oddly enough, al-Asyūṭī 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.

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

[14]Al-Asyūṭī, *Jawāhir,* 1:344.

[15]*Al-Awqāf,* 227–28.

[16]Al-Asyūṭī, *Jawāhir,* 1:343, 345.

[17]Ibid., 344.

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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 *(taḥfīẓ),* 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.

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[18]Ibid., 345.
[19]Ibid., 346.
[20]Ibid.
[21]Ibid., 346–47.
[22]Ibid., 346.

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Quran Academy *(Dār lil-Qur'ān al-'Aẓīm)*

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) b*y 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-Ḥadīth 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 *Ṣaḥīḥ*s 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

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[23]Ibid., 347.

[24]Ibid., 348–49.

[25]See 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.

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his model *waqfīyah* for *khānqāh*s, 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 milieux 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 *waqfīyah* 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, *waqfīyah*s 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]

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[26]Cited in Little, ″Nature of *Khānqāhs,*″ 99.

[27]Al-Nuwayrī, *Nihāyah,* 32:73.

[28]Ibid.

[29]Ibid., 63.

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Here, then, is an explicit warning that *waqfīyah*s 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 jurisprudents 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 ʻUbādah, to advise the sultan to change the terms of the *waqfīyah* 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 Shujāʻ al-Dīn ʻAnbar 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 ʻAnbar was an extremely powerful individual in the Mamluk state, holding as he did controllership of three

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[30]Ibid.

[31]Ibid., 61–62.

[32]See 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).

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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 ʻUbādah 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 *WAQFĪYAH*: 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 *īwān*s (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.

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[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.

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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 ʻAbadānī mats.″[43]

The Madrasah

The *waqfīyah* 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 Shafiʻi *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-Asyūṭī′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]

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[40]Ibid., 64.

[41]See Aḥmad ibn ʻAlī al-Maqrīzī, *Al-Mawāʻiẓ wa-al-Iʻtibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Cairo, 1854), 2:380.

[42]Al-Nuwayrī, *Nihāyah,* 32:65.

[43]Ibid., 74, 66.

[44]Ibid., 60–61.

[45]Ibid., 66–67.

[46]Ibid., 67.

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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

[47]Ibid.
[48]Ibid., 64.
[49]Ibid., 68.
[50]Ibid., 72.

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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 imam*s* 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 *waqfīyah* 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 *waqfīyah*s 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 *waqfīyahs* 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 *waqfīyah*s. 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?

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

[52] Al-Nuwayrī, *Nihāyah,* 32:73–74.

[53] Ibid., 73–74.

[54] Ibid., 33:76.

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Awlād al-Nās as Founders of Pious Endowments: The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī of the Year 870/1465

We are indebted to Ulrich Haarmann for important insights into the fascinating world of the activities and careers of Mamluk descendants, who, according to their own Mamluk tradition, had access neither to the privledged status of the political and military elite nor to the economic resources of the country.[1] Unfortunately, Ulrich Haarmann died all too early and therefore his plan to write a comprehensive monograph on the *awlād al-nās* was not realized. In the first part of the following article, we give a short outline of Ulrich Haarmann´s theses on this topic within a broader Mamluk context. The *waqf* deed which forms the basis for this article was discovered by him to contribute valuable insights into certain activities of the *awlād al-nās*. For this reason, we have presented a complete edition of it.

I

The most striking feature of the Mamluk era in Egypt and Syria, a period which lasted some 250 years, is its unusual polarization of society. A predominantly Arab population was ruled by an elite of enfranchised military slaves, exclusively of Turko-Circassian stock, engaged in constant self-regeneration because of its self-imposed rules.[2] Membership in the Mamluk class was open only to those who

[1]Ulrich Haarmann, ″Sons of Mamluks as Fief-Holders in Late Medieval Egypt,″ in *Land Tenure and Social Transformation in the Middle East,* ed. Tarif Khalidi (Beirut, 1984), 141–68; idem, ″Arabic in Speech, Turkish in Lineage: Mamluks and their Sons in the Intellectual Life of Fourteenth-Century Egypt and Syria,″ *Journal of Semitic Studies* 33 (1988): 81–114; idem, ″Väter und Söhne im Herrschaftssystem der Mamluken,″ *Berliner Wissenschaftliche Gesellschaft e.V. -Jahrbuch* (1995): 211–27; and idem, ″Joseph´s Law—The Careers and Activities of Mamluk Descendants before the Ottoman Conquest of Egypt,″ in *The Mamluks in Egyptian Politics and Society,* Cambridge Studies in Islamic Civilization, ed. Thomas Philipp and Ulrich Haarmann (Cambridge, 1998), 174–87.

[2]Still the best introduction is David Ayalon, ″Aspects of the Mamluk Phenomenon,″ *Der Islam* 53 (1976): 196–225 and 54 (1977): 1–32. But see also Ulrich Haarmann, ″Der arabische Osten im

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were free-born non-Muslims of Turko-Circassian stock outside the Islamic sphere of power, who were then enslaved, brought to Egypt, converted to Islam, trained in chivalry, and finally manumitted. Only those fulfilling these criteria could belong to the ruling class and share the resulting political, military, and economic privileges. A substitute family grouped around a specific master *(ustādh)* constituted the smallest unit within this ruling Mamluk caste.[3] It bore the name of its *ustādh* and became extinct only upon the death of its last member. Mamluk ideals called for fierce and lifelong loyalty to the master, and staunch solidarity with the comrades grouped around the same foster-father. Loyalty and solidarity lent position and social stability to the individual Mamluk. The drawback of this pronounced esprit de corps was an internal rivalry between the various Mamluk ″families,″ a resulting general conflict within the ruling Mamluk caste, and especially the inevitable loss of power when the respective protector was overthrown or died.[4] But despite the tensions inherent in the system, the model of the Mamluk ″non-hereditary one-generation nobility″[5] actually seems to have promoted stability, perhaps in part due to its simplicity. At any rate, one can assume that the longevity of Mamluk rule over the autochthonous populations of Egypt and Syria may also—perhaps even primarily—be attributed to the Mamluk principle of constant self-renewal. On the other hand, a model of society which barred its own offspring from acceding to power did not prove to be viable in the long run. Every principle is, after all, based on the idea that no, or very few, exceptions from the rule are permissible. And it is exactly here that difficulties set in. A cursory glance at the list of rulers indicates that a dynastic line of succession existed during the entire era of Mamluk rule. Whereas only seven genuine Mamluks ruled in the years from 684/1250 until 784/1382, there were seventeen sons of Mamluk fathers. And even during the subsequent period, the Circassian era from an ethnic point of view, eight out of a total of twenty-four sultans were born in Egypt. One reason

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späten Mittelalter, 1250–1500,″ in *Geschichte der arabischen Welt,* ed. Ulrich Haarmann (Munich, 1994), 217–63, esp. 217–36; Linda S. Northrup, ″The Baḥrī Mamlūk Sultanate, 1250–1390,″ in *The Cambridge History of Egypt,* vol. 1, *Islamic Egypt: 640–1517,* ed. Carl F. Petry (Cambridge, 1998), 242–89; and Jean-Claude Garcin, ″The Regime of the Circassian Mamluks,″ in ibid., 290–317.

[3]David Ayalon, ″L′esclavage du Mamelouk,″ *Oriental Notes and Studies* 1 (1951): 1–66, and idem, ″The Mamluk Novice: On his Youthfulness and on his Original Religion,″ *Revue des études islamiques* 54 (1986): 1–8.

[4]On this, see D. S. Richards, ″Mamluk Amirs and their Families and Households,″ in Philipp and Haarmann, *Mamluks in Egyptian Politics,* 32–54, and Robert Irwin, ″Factions in Medieval Egypt,″ *Journal of the Royal Asiatic Society* (1986): 228–46.

[5]David Ayalon, ″Names, Titles and ′Nisbas′ of the Mamluks,″ *Israel Oriental Studies* 5 (1975): 193. See also idem, ″Mamluk Military Aristocracy: A Non-Hereditary Nobility,″ *Jerusalem Studies in Arabic and Islam* 10 (1987): 205–10.

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for this remarkable fact may have been that, as far as the line of succession was concerned, nomadic oligarchic traditions competed with hereditary monarchial ones well into the ninth/fifteenth century.[6] Only with the accession of al-Mu'ayyad Shaykh (r. 815–24/1412–21), after the interregnum of Caliph al-Musta'īn (812/1415), did the policy of enthroning a new ruler acquire its ultimate form. Upon the death of a sultan who had previously emerged as the victor from wrangling between the strongest amirs, his son was accepted as the nominal leader by a tacit agreement until the question of the genuine successor had been settled. The princes, who often were still young, usually moved back to second rank without much resistance. Of course, these young princes were ambitious as well, and relinquishing the prestigious sultan´s office must have been difficult for some of these *sīdī*s—as the sons of sultans and sultan´s Mamluks were called.[7] And the desire inherent in any father to pass on to his son the opportunities and sinecures he himself had enjoyed was, of course, a powerful motivation as well. In the ninth/fifteenth century two sultans abdicated during their own lifetime to stand aside for their sons´ benefit—an absolute novelty in Mamluk history. But there was a fixed pattern. When the time for finding the strongest amir had passed, the predecessor´s son resigned without further ado. Not only did the deposed *sīdī*s remain unmolested under the leadership of the new strong man, but they sometimes were also valued company for the new ruler and his offspring.

The question of Mamluk adherence to principle thus illustrates the system´s perviousness in the upper echelons. It also brings into focus a group which has been rather neglected in the few contemporary attempts at classifying the entire population, namely the sons and grandsons of the Mamluks.[8] Above all, the numerous

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[6]P. M. Holt, ″The Position and Power of the Mamlūk Sultan,″ *Bulletin of the School of Oriental and African Studies* 38 (1975): 237–49; idem, ″Succession in the Early Mamluk Sultanate,″ in *XXIII. Deutscher Orientalistentag: vom 16. bis 20. September 1985 in Würzburg: ausgewählte Vorträge*, Zeitschrift der Deutschen Morgenländischen Gesellschaft, supplement 7, ed. Einar von Schuler (Stuttgart, 1989): 144–48. On this important question, see also Amalia Levanoni, ″The Mamluk Conception of the Sultanate,″ *International Journal of Middle Eastern Studies* 26 (1994): 373–92, and now Henning Sievert, ″Das ägyptische Mamlukensultanat im 15. Jahrhundert nach dem ″Tārīḫ al-Malik al-Ašraf Qāytbāy´ von Abū Ḥāmid al-Qudsī,″ M.A. thesis, University of Kiel, 2001.

[7]The short reigns of the *sīdī*s during the Circassian era have been analyzed by Agata Rome, ″Die kurze Regierungszeit der mamlukischen Sultanssöhne in der tscherkessischen Phase (784/1382–922/1517),″ M.A. thesis (Lizentiatsarbeit), University of Basel, 1995.

[8]For example, one could consult Aḥmad ibn 'Alī al-Maqrīzī (d. 845/1412), *Ighāthat al-Ummah bi-Kashf al-ghummah* (Beirut, 1980); Tāj al-Dīn 'Abd al-Wahhāb ibn 'Alī al-Subkī (d. 771/1370), *Mu'īd al-Ni'am wa-Mubīd al-Niqam,* ed. David W. Myhrman (London, 1908); or Abū Ḥāmid al-Qudsī (d. 888/1483), ″Badhl al-Nasā'iḥ al-Sharqīyah fī mā 'alá al-Sulṭān wa-Wulāt al-Umūr wa-Sā'ir al-Ra'īyah,″ Berlin Ahlwardt MS 5618. We are presently preparing Abū Ḥāmid al-Qudsī´s

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progeny of the Mamluk serving class, as distinct from the protégés of the ruler and his Mamluks, are of sociohistorical importance in their own right. We know from the contemporary chronicles and additional prosopographic sources that these Mamluk offspring not only participated in numerous social functions, but also developed a distinct collective identity. For example, they were called by a collective name: *awlād al-nās*. This term not only signified the second generation of Mamluk sons but also the grand- and even the great-grandsons. The name points to common roots as a specific feature. They were united in their being ″sons of the nobles,″ i.e., the Turko-Circassian elite. The *awlād al-nās* represented the opportunities and limits of development in Mamluk society. They were connected to the realm of the state, the army, and the economy dominated by the Mamluks through their fathers without really belonging to them. Characteristically, they usually had Arab names.[9] Their place of birth made the *awlād al-nās* Egyptians without the local populace accepting these second generation (and thus second class) ″Turks″ as their own. Many Mamluk sons, who often had an Egyptian mother and spoke Arabic as well as Turkish, assumed the role of mediators between the two worlds. Yet, psychologically and socially their situation was not enviable. Their ambitions were strictly circumscribed from the outset. On the one hand, religious scholars and other segments of the population resented them as a visible manifestation of ″Turkish″ domination. On the other hand, they were refused access to the highest offices of the state by the Mamluks. But even in this the Mamluks were inconsistent, because the highest offices of state were held by the sons of amirs in the middle of the eighth/fourteenth century under Sultan Ḥasan (r. 748–52/1347–51).[10] Even during the subsequent systematic ″re-Mamlukization″ of the army and state leadership there were still two *awlād al-nās* amongst the nine imprisoned amirs of highest rank when Sultan Barqūq (r. 784–91/1382–89) was overthrown in 791/1388–89.[11] At this time their share in the middle and lower ranks rose to a quarter and more than a half respectively.[12] Certain high offices, such as the commandant of Cairo or the administrator of the ruler′s tournament grounds, were

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text for publication. On its author, see Ulrich Haarmann, ″The Writer as an Individual in Medieval Muslim Society,″ in *Individual and Society in the Mediterranean Muslim World: Issues and Sources,* ed. Randi Deguilhem (Aix-en-Provence, 1998), 77–87, and idem, ″Al-Maqrīzī, the Master, and Abū Ḥāmid al-Qudsī, the Disciple—Whose Historical Writing Can Claim More Topicality and Modernity?,″ in *The Historiography of Islamic Egypt (c. 950–1800)*, The Medieval Mediterranean, vol. 31, ed. Hugh Kennedy (Leiden, 2001), 149–65.

[9]Ayalon, ″Names, Titles and ′Nisbas′,″ 229–31. For those *awlād al-nās* who had Turkish names, see Haarmann, ″Arabic in Speech,″ 103, n. 109.

[10]Haarmann, ″″Sons of Mamluks,″ 145.

[11]Haarmann, ″Der arabische Osten,″ 227.

[12]Haarmann, ″Sons of Mamluks,″ 145, n. 5.

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apparently accessible to Mamluk progeny.[13] Moreover, just like retired officers or their widows, they had access to the institution of pension fiefs (*al-rizqah al-mabrūrah*),[14] and frequently seem to have accumulated substantial real estate in rural areas, as we shall see.

Generally speaking, any of the *awlād al-nās* could enter a military career. This was because the Mamluk army not only included especially privileged sultan´s Mamluks who upheld the system and the less-esteemed amir´s Mamluks, who were dispersed over the whole empire, but also the so-called *ḥalqah*[15]as its third armed force. This honorary legion commanded by sultans´ sons consisted of cavalrymen of highly diverse origins including Mamluk offspring, free Kurdish and Mongol warriors, Bedouins, Turkmen tribal chiefs in Syria, and meritorious civilians.[16] Until 854/1450 the *ḥalqah* absorbed the Mamluks´ sons.[17] Afterwards this force lost some of its military prowess because of the infiltration of non-military elements and thus some of its social prestige, especially since its members could buy out of participation in military missions.

The mediating role of the *awlād al-nās* became particularly clear in the religious and scientific life of the period.[18] The military career of a Mamluk son was usually accompanied by religious activities. They were the cultural interlocutors between barracks and madrasahs, polo fields and sufi convents, between officers and scholars. The two groups were mutually dependent on each other and needed to collaborate for the welfare of the Islamic community, according to the belief of contemporary theologians. But not everyone pursued this double track. Many sons of Turkish mothers remained attached to the court and were content with the restricted military career open to them and the culture maintained in the citadel and in the private homes of the amirs. Still others pursued a purely academic career and were successful as calligraphers, traditionists, legal scholars, historians, or even poets.

The case that Ulrich Haarmann discussed in his study on Mamluk descendants[19] and that we would like to present here has less to do with this intellectual world and deals only indirectly with the internal affairs of military careers. It concerns the material affairs of the *awlād al-nās* and their position in the Mamluk economy.

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[13]Ibid., 143.

[14]On the *rizqah al-mabrūrah,* see Nicolas Michel, ″Les rizaq iḥbāsiyya, terres agricoles en mainmorte dans l´Egypte mamelouke et ottomane,″ *Annales islamologiques* 30 (1996): 105–98, esp. 119.

[15]See David Ayalon, ″Studies on the Structure of the Mamluk Army II,″ *Bulletin of the School of Oriental and African Studies* 15 (1953): 448–76, esp. 448–59.

[16]Haarmann, ″Sons of Mamluks,″ 142.

[17]Haarmann, ″Joseph´s Law,″ 62–70.

[18]Haarmann, ″Arabic in Speech,″ 106–114 and idem, ″Joseph´s Law,″ 77–83.

[19]Haarmann, ″Joseph´s Law,″ 74–76.

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Documents that have recently come to light have given fresh impetus to research into the social and economic history of the Mamluk empire.[20] Apart from the documents thus far known to us from the Monastery of St. Catherine in the Sinai[21] or the archives of the Temple Mount in Jerusalem,[22] we are indebted to our Egyptian colleague Muḥammad Muḥammad Amīn for the collection, compilation, and cataloguing of the various documents from Islamic, especially Mamluk, times that were kept in Cairo in diverse places, relocated again and again, and relabeled (or lost) in the process.[23] These comprise private documents, which were issued and witnessed or certified before a notary or a judge, as opposed to the public documents issued by the state chancellery. Hence they include not only business documents but also endowment deeds.[24] Among the roughly 900 documents from Cairo surviving from Mamluk times are those dealing with 200 proceedings involving Mamluk sons and grandsons and even granddaughters.[25] They represent a surprisingly close-knit network of the different Mamluk groups of society. Franchisers and franchised cofound an endowment, civilians and military personnel do business together, and elsewhere Mamluks sell property to amirs´ daughters and vice versa.[26]

As an example Ulrich Haarmann chose a document from the second half of the ninth/fifteenth century that concerns the properties of a certain Yaḥyá ibn Ṭūghān al-Ḥasanī.[27] Yaḥyá ibn Ṭūghān was a Mamluk´s son, as his name suggests.

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[20]See the summarizing articles by Donald P. Little, ″The Significance of the Ḥaram Documents for the Study of Medieval Islamic History,″ *Der Islam* 57 (1980): 189–219; idem, ″Documents as a Source for Mamluk History,″ *Mamlūk Studies Review* 1 (1997): 1–14; also Carl F. Petry, ″A Geniza for Mamluk Studies? Charitable Trust *(Waqf)* Documents as a Source for Economic and Social History, *MSR* 2 (1998): 51–72.

[21]See Kenneth W. Clark, *Checklist of Manuscripts in St. Catherine´s Monastery* (Baltimore, 1955); A. S. Atiya, *The Arabic Manuscripts of Mount Sinai* (Washington, 1952).

[22]See Donald P. Little, *A Catalogue of the Islamic Documents from al-Ḥaram aš-Šarīf,* Beiruter Texte und Studien, vol. 29 (Beirut, 1984).

[23]Muḥammad Muḥammad Amīn, *Fihrist Wathā´iq al-Qāhirah ḥattá Nihāyat ´Aṣr Salāṭīn al-Mamālīk (239–922 AH/853–1516 AD)* (Cairo, 1981). On this book, see the important review by Ulrich Haarmann, *Die Welt des Islam* 27 (1987): 127–30.

[24]On the differences between private and official documents, see Rudolf Vesely, ″Die Hauptprobleme der Diplomatik arabischer Privaturkunden aus dem spätmittelalterlichen Ägypten,″ *Archiv Orientalni* 40 (1972): 312–43.

[25]On women as administrators of *waqf* properties, see Carl F. Petry, ″Custodians of Property in Later Medieval Egypt,″ in *Woman in Middle Eastern History: Shifting Boundaries in Sex and Gender*, ed. Nikki R. Keddie and Beth Baron (New Haven, 1991), 122–42.

[26]Haarmann, ″Joseph´s Law,″ 73–74.

[27]Haarmann, ″Joseph´s Law,″ 70–77 with minor errors. We find this *waqf* deed in Amīn´s catalogue as no. 428, Amīn, *Fihrist*, 133–34. Its registration number at the Ministry of Pious Foundations in

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This Yaḥyá is not mentioned in chronicles and biographical works, but his father appears to have been the sultan´s correspondence secretary *(dawādār)* Ṭūghān al-Ḥasanī ″al-Majnūn,″ who enjoyed high social status, as indicated by the fact that he could buy his own mamluks.[28] Yaḥyá served as a soldier in the *ḥalqah*[29] and drew his pay from this position. Generally speaking, Mamluk officers, members of the *ḥalqah,* and certain non-military state employees were paid by military benefices *(iqṭā‘),* i.e., by allocation of the tax revenue of a certain district.[30] Such tax fiefs were measured out according to the services of the beneficiary. In keeping with the Mamluk principle of perpetually renewing the elite upholding the state through the recruitment of new mamluks from the steppe, they were non-hereditary in principle. But this principle frequently conflicted with the predictable desire of the individual amir to retain freely disposable property secure against seizure. Legal loopholes were developed to avoid this obligation to sell, which provided the notaries and the qadis of the time with a very lucrative practice.[31] For example, it was tolerated that a Mamluk return his *iqṭā‘* voluntarily to the fief office and then purchase it as unentailed private property *(milk)* which then could be sold, bequeathed, or transferred into an endowment.[32]

The man in question, Yaḥyá ibn Ṭūghān, also held rural property and as such was representative of the affluence to which a member of the second generation could attain due to the munificence of his father, even in the second half of the ninth/fifteenth century. As mentioned above, the reputation of the *ḥalqah* had already diminished by this time. This situation was also reflected in the distribution of fiefs to the Mamluk sons. While the share of the *awlād al-nās* in the total tax revenue of Egypt had been a substantial 13.67% in the year 777/1376, it had decreased a generation later to 2.5% and finally amounted to a negligible 0.15% in 885/1480.[33] This process of the gradual ″de-fiefing″ of Mamluk progeny, however, is certainly not the equivalent of pauperizing this group, but only means that many of the *awlād al-nās* had managed to transfer their *iqṭā‘* estates into private ownership or endowments—ultimately by illegal means.

Cairo is 571 jīm.

[28]Haarmann, ″Joseph´s Law,″ 74, n. 6.

[29]Waqf no. 428 (Amīn) = 571 jīm (Ministry of Pious Foundations), line 3.

[30]On the development of the Mamluk *iqṭā‘* see Sato Tsugitaka, *State and Rural Society in Medieval Islam: Sultans, Muqta‘s, and Fallahun,* Islamic History and Civilization, Studies and Texts, vol. 17 (Leiden, 1997).

[31]Haarmann, ″Joseph´s Law,″ 71.

[32]Ibid.

[33]Haarmann, ″Sons of Mamluks,″ 161.

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Yaḥyá´s ″property″ consisted of areas in the district of Barshans in the province of Manūfīyah, north of Cairo,[34] and in Shinrāqá in the province of Gharbīyah, still further to the north.[35] During the fourteenth century, the first piece of land was a fiefdom of the *sīdī* Amir Ḥājj, the son of Sultan al-Ashraf Sha'bān (r. 764–78/1363–77), whereas the second was used by unnamed military forces until we rediscover it in the land registry as *iqṭā'* of the *ḥalqah* in 802/1400.[36] It is this ″property,″ the size of which is always expressed in terms of a proportion of the district´s collectively owned and administered cultivated land (*ḥissah*),[37] that was deeded by Yaḥyá completely to his relatives and offspring, as we can see from his endowment deed *(waqfīyah)* from the year 870/1465.[38]

As an aside, let us mention that such *waqfīyah*s, which constitute the most detailed and important sources of Egypt´s and Syria´s socioeconomic history in the ninth/fifteenth century, have only very gradually been taken note of by historians.[39] Few have been edited, still fewer translated and analyzed.[40]

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[34]Waqf no. 428 (Amīn) = 571 jīm (Ministry of Pious Foundations), line 6.

[35]Ibid., line 12.

[36]Haarmann, ″Joseph´s Law,″ 74–75.

[37]Waqf no. 428 (Amīn) = 571 jīm (Ministry of Pious Foundations), line 5.

[38]Ibid., line 65.

[39]See the introductory articles by Ulrich Haarmann, ″Mamluk Endowment Deeds as a Source for the History of Education in Late Medieval Egypt,″ *Al-Abḥāth* 28 (1980): 31–47, and Sylvie Denoix, ″Pour une exploitation d´un ensemble d´un corpus: Les waqfs mamelouke du Caire,″ in *Le waqf dans l´espace islamique: Outil de pouvoir socio-politique,* ed. Randi Deguilhem (Damascus, 1995), 29–44. It suffices to mention some of the pioneering secondary works: Muḥammad Muḥammad Amīn, *Al-Awqāf wa-al-Ḥayāh al-Ijtimā'īyah fī Miṣr 648–923 H./1250–1517 A.D.: Dirāsah Tārīkhīyah Wathā'iqīyah* (Cairo, 1980); Carl F. Petry, *Protectors or Praetorians? The Last Mamlūk Sultans and Egypt´s Waning as a Great Power* (Albany, 1994); Doris Behrens-Abouseif, *Egypt´s Adjustment to Ottoman Rule: Institutions, Waqf and Architecture in Cairo, 16th and 17th Centuries,* Islamic History and Civilization: Studies and Texts, vol. 7 (Leiden, 1994); Annette Kaiser, *Islamische Stiftungen in Wirtschaft und Gesellschaft Syriens vom 16. bis 18. Jahrhundert,* Islamwissenschaftliche Quellen und Texte aus deutschen Bibliotheken, vol. 8 (Berlin, 1999).

[40]See Ulrich Haarmann´s lists: Haarmann, ″Endowment Deeds,″ 31–32, and idem, review of Amīn, *Fihrist,* 130. One could add Muḥammad Muḥammad Amīn, ″Wathīqat Waqf al-Sulṭān Qāytbāy,″ *Al-Majallah al-Tārīkhīyah al-Miṣrīyah* 22 (1975): 343–90; idem, ″Wathā'iq Waqf al-Sulṭān al-Nāṣir Muḥammad Ibn Qalāwūn,″ in Badr al-Dīn al-Ḥasan ibn 'Umar Ibn Ḥabīb al-Ḥalabī, *Tadhkirat al-Nabīh fī Ayyām al-Manṣūr wa-Banīh*, ed. Muḥammad Muḥammad Amīn (Cairo, 1976–86), 2: 330–448; idem, ″Maṣārif Awqāf al-Sulṭān al-Malik al-Nāṣir Ḥasan Ibn Muḥammad Ibn Qalāwūn,″ in ibid., 3:340–449; idem, *Wathīqat Waqf al-Sulṭān al-Nāṣir Muḥammad Qalāwūn* (Cairo, 1982); Christl Hein, ″Die Stiftungs- und Kaufurkunden des Amīrs Miṭqāl al-Ānūkī,″ in *Die Restaurierung der Madrasa des Amīrs Sābiq ad-Dīn al-Ānūkī und die Sanierung des Darb Qirmiz in Kairo* (Mainz, 1980), 145–74; Felicitas Jaritz, ″Auszüge aus der Stiftungsurkunde des Sultans Barqūq,″ in Ṣāliḥ Lam'ī Muṣṭafá, *Madrasa, Ḫānqāh und Mausoleum des Barqūq in Kairo*

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The ultimate purpose of an endowment principally established ″for eternity″ and whose conditions could not be altered was to perform an act pleasing to God.[41] There was a distinction between a charitable endowment *(waqf khayrī),* which could provide for the building and maintenance of mosques, Quran schools, caravanserais, and drinking fountains, and a family endowment *(waqf ahlī or dhurrī),* which was established for the benefit of one´s own children and grandchildren or other relatives. Family endowments were very popular because they could ensure an income for one´s own progeny under the pretense of an altruistic act, hold one´s property together, or evade the inheritance laws of the Quran. In view of these rather secular purposes of the family endowment, the institution was quite controversial among the religious scholars. It was nonetheless commonplace in everyday life.[42] This was so because private property was totally unprotected against seizure by the state. Yet the immunity of endowments provided a certain safeguard against wide-spread confiscation. In addition, properties once deeded could be exchanged for less valuable real estate with high profits. This was often formally safeguarded by designating one´s own offspring ″poor″ and ″needy″ or by assigning a small part of the endowment income to a charity. One consequence of this practice was that the amount of land available for military fiefs was reduced to one-third its former size within a period of one hundred years.

As already mentioned, we have access to Yaḥyá ibn Ṭūghān´s complete *waqf* deed. With regard to form and content it fully complies with the usual legal stipulations for a family endowment. Following the invocation[43] and after having

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(Glückstadt, 1982), 117–77; Ahmed M. El-Masry, *Die Bauten von Ḥādim Sulaimān Pascha (1468–1548) nach seinen Urkunden im Ministerium für Fromme Stiftungen in Kairo,* Islamwissenschaftliche Quellen und Texte aus deutschen Bibliotheken, vol. 6 (Berlin, 1991); Jean-Claude Garcin & Mustafa Anouar Taher, ″Les waqfs d´une *madrasa* du Caire au XVe siècle: Les propriétés urbaines de Ǧawhar al-Lālā,″ in Deguilhem, *Le waqf dans l´espace islamique,* 151–86. Miriam Hoexter provides an overview of recent secondary publications in ″*Waqf* Studies in the Twentieth Century: The State of the Art,″ *Journal of Economic and Social History of the Orient* 41 (1998): 474–95.

[41]See J. N. D. Anderson, ″The Religious Element in Waqf Endowments,″ *Journal of the Royal Central Asian Society* 38 (1951): 292–99. On the legal status of *waqf* endowments see J. Kresmárik, ″Das Waḳfrecht vom Standpunkt des Šarī‘atrechtes nach der hanefitischen Rechtsschule: Ein Beitrag zum Studium des islamischen Rechtes,″ *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 45 (1891): 511–76; G. Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West* (Edinburgh, 1981), 35–71; Rudolph Peters, ″Waḳf,″ *The Encyclopaedia of Islam*, 2nd ed., 11:59–63 and Heffening, ″Waḳf,″ *The Encyclopaedia of Islam*, 1st ed., 4:1096–1103.

[42]Taqī al-Dīn ‘Alī ibn ‘Abd al-Kāfī al-Subkī (d. 756/1355) is the author of a treatise about the abuse of family endowments. See his ″Al-Qawl al-Mū‘ib fī al-Qaḍā’ al-Mūjib,″ Gotha MS 979.

[43]Waqf no. 428 (Amīn) = 571 jīm (Ministry of Pious Foundations), line 1.

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presented the evidence of witnesses,[44] the *wāqif,* who is classified as honorable,[45] provides information about the size of the endowment. Above all, this includes a detailed description of the boundaries of the district of Yaḥyá´s *ḥissah*,[46] whose precisely-assessed yields[47] were primarily intended to benefit his own relatives. According to the decree of a judge this was a regular *waqf* conforming to the shari'ah, which could not be sold, transferred, given away, or exchanged.[48] The first part of the document closes with a commonly used quotation from the Quran by stating that the endowment conditions could not be altered until the day that God inherits ″the earth and whoever is upon it″ because He is ″the best of heirs.″ (Quran 19:41 and 21:89).[49] It is only then that the real conditions of the deed are stated. The revenue accruing from the properties donated by Yaḥyá ibn Ṭūghān were to be paid out in decreasing proportions to his offspring, his sister, his half-sister, his mother, the surviving grandmother on his mother´s side, and finally his wives and his stepmother.[50] Yaḥyá made especially elaborate provisions for his burial place. Quran readings were to be performed at that site every Friday, while recitals at his son´s home were deemed sufficient on weekdays.[51] In accordance with common practice, revenues accruing from the endowed property were to be transferred in a descending line to the children and grandchildren of the donor and their offspring and to his near relatives. Should there be no surviving heirs, the revenues from the *waqf* passed to charitable institutions in the cities of Mecca and Medina, the holy places of Islam.[52] Yaḥyá ibn Ṭūghān reserved for himself the right to monitor the observance of the deed´s provisions during his lifetime.[53] Upon his death this responsibility was to be passed on to Mamluk amirs whom he mentioned by name as first, second, and third choices. The first amir was a certain Kumushbughá ibn 'Abd Allāh al-Timrāzī.[54] As fourth potential executor he appointed the chief eunuch of the sultan´s palace *(zimām al-ādur al-sharīfah),*[55] an expert in administration, who would have ensured that the provisions of the

[44]Ibid., line 4.
[45]Ibid., lines 4–5.
[46]Ibid., lines 10–11 and 16–17.
[47]Ibid., lines 5–6 and 11–12.
[48]Ibid., lines 20–21.
[49]Ibid., lines 21–22.
[50]Ibid., lines 24–29.
[51]Ibid., lines 31–34.
[52]Ibid., lines 35–48.
[53]Ibid., lines 48–49.
[54]Ibid., lines 51–53.
[55]Ibid., line 55.

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endowment were not infringed upon in favor of someone else's offspring. In closing, the document details the usual obligatory reservations,[56] a penalty clause,[57] the judge's decision, and the witnesses' signatures.[58]

Transforming private property into a foundation was a commonplace custom at the level of Mamluk sons in the time of Yaḥyá ibn Ṭūghān. Amirs and sultans, but above all their wives, daughters, sons, and grandsons systematically turned their property into endowments at the end of the ninth/fifteenth century.[59] The office of foundation administrator was well paid, even though it was a matter of intense discussion as to whether it was permissible for the donor (or the donor's offspring) and the administrator to be one and the same person. A genuine shadow economy developed around the institution of foundations, especially since the property of the deceased was no longer protected against official seizure.[60] When the fiscal coffers were empty in 896/1491, the otherwise pious Sultan Qāytbāy (r. 872–901/1468–96) decreed that the country's *waqf* institutions had to pay the equivalent of five months' income to the state.[61] Hundreds of documents on exchange transactions *(istibdāl)*[62] are preserved from the late Mamluk period concerning the exchange of otherwise non-negotiable *waqf* properties with other (probably) less valuable real estate with the blessing of documents clerks.[63] Increasingly, the sultans transformed their rapidly growing income from confiscations and other forced measures into endowments. The same applied to royal real estate. These revenues could then be put to use for the maintenance of their own clientele without any public body interfering. Thus, a private business sector of considerable scale evolved.[64]

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[56]Ibid., lines 56–57.

[57]Ibid., lines 61–62.

[58]On the diplomatics of Mamluk *waqf* deeds, see Vesely, "Hauptprobleme," and Stephan Conermann, "Anmerkungen zu einer mamlūkenzeitlichen *waqf*-Urkunde aus dem 9./15. Jahrhundert," in *Studien zur Geschichte und Kultur der Mamlūkenzeit in Gedenken an Ulrich Haarmann (1942–1999)*, Asien und Afrika: Beiträge des Zentrums für Asiatische und Afrikanische Studien (ZAAS) der Christian-Albrechts-Universität zu Kiel, vol. 5, ed. Stephan Conermann and Anja Pistor-Hatam (forthcoming).

[59]Haarmann, "Joseph's Law," 71–72.

[60]Petry, *Protectors,* 166–72 and 196–210. In this respect, Lucian Reinfandt's nearly finished dissertation, "Stiftungsstrategien im späten Mamlukensultanat: Die Urkunden der Sultane al-Ašraf Īnāl und al-Mu'ayyad Aḥmad Ibn Īnāl," will give new impetus.

[61]Haarmann, "Der arabische Osten," 251.

[62]On *istibdāl* see 'Abd al-Laṭīf Ibrāhīm 'Alī, "Min Wathā'iq al-'Arabīyah fī al-'Uṣūr al-Wusṭá.: Wathā'iq Istibdāl," *Majallat Kullīyat al-Ādāb, Jāmi'at al-Qāhirah* 25 (1963): 1–38.

[63]Haarmann, "Der arabische Osten," 251.

[64]Petry, *Protectors,* chapter 7.

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The other documents to which we have access—two collections of papers concerning exchanges and sales—give us information about the subsequent fate of the *waqf* of Yaḥyá ibn Ṭūghān.[65] Twenty years after the original grant of 870/1465 the son of the donor, Muḥammad al-Sibā'ī, and the primary executor, Kumushbughá ibn 'Abd Allāh al-Timrāzī, sold parts of these properties to two civilians. One share was then sold to a Mamluk daughter on behalf of and probably by order of her father in 890/1485. The other part was subsequently sold to a Mamluk son, Ibrāhīm ibn Khushqadam, in 891/1486, and then transferred to a sultan´s guard, i.e., a Mamluk, three years later. He in his turn, together with his wife, once again transformed the endowed property into a foundation in 898/1493.

Diverse acts of sale, endowment, and exchange thus complement each other and serve as a blueprint for the understanding of Mamluk land and capital policies, especially in the Circassian period. The transitory ownership of land illustrates the ready availability of real estate, even though some of it should actually have remained non-negotiable as *waqf* indefinitely. Contrary to strict shari'ah regulations it was, as already mentioned, common to release endowed property from its *waqf* stricture. In view of the shortage of freely disposable land only this kept the Egyptian property market afloat in the ninth/fifteenth century.

Above all, we are shown a less stratified society in which not all real estate transactions ended up in the hands of the powerful Mamluk elite. Rather, one gains the impression that Mamluk descendants were important mediators, brokers, and quite frequently also fronts in such transactions. The *awlād al-nās* represented a mobile intermediary group between the ruling Mamluk caste and the local elite. Together with the eunuchs[66] they form a group of extreme importance for the understanding of Egypto-Syrian society during Mamluk times. Their role as mediators calls into question the notion of a rigid social dichotomy. The Mamluk principle was compromised at several levels so that Mamluk sons not only had the opportunity to share power with Mamluks on an individual basis, but can even be perceived as a distinct group in their own right. In conclusion it is to be hoped that Mamluk progeny and their hybrid culture will continue to be of interest, especially since the extant material offers ample scope for further research.

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[65]One can find these documents in Amīn´s catalogue as no. 389 and no. 525. Amīn, *Fihrist,* 113–14 and 146–47. The registration numbers of the Ministry of Pious Foundation in Cairo are 493 jīm and 665 jīm. We are preparing these documents for publication. Stephan Conermann and Souad Saghbini, ″Mamlūkensöhne *(awlād an-nās)* als Stifter und Landbesitzer: Ein Fall aus dem 9./15. Jahrhundert,″ in Conermann and Pistor-Hatam, eds., *Studien zur Geschichte und Kultur der Mamlukenzeit.*

[66]On the role of eunuchs, David Ayalon´s ″The Eunuchs in the Mamluk Sultanate″ remains authoritative. See *Studies in Memory of Gaston Wiet,* ed. M. Rosen-Ayalon (Jerusalem, 1977), 267–95.

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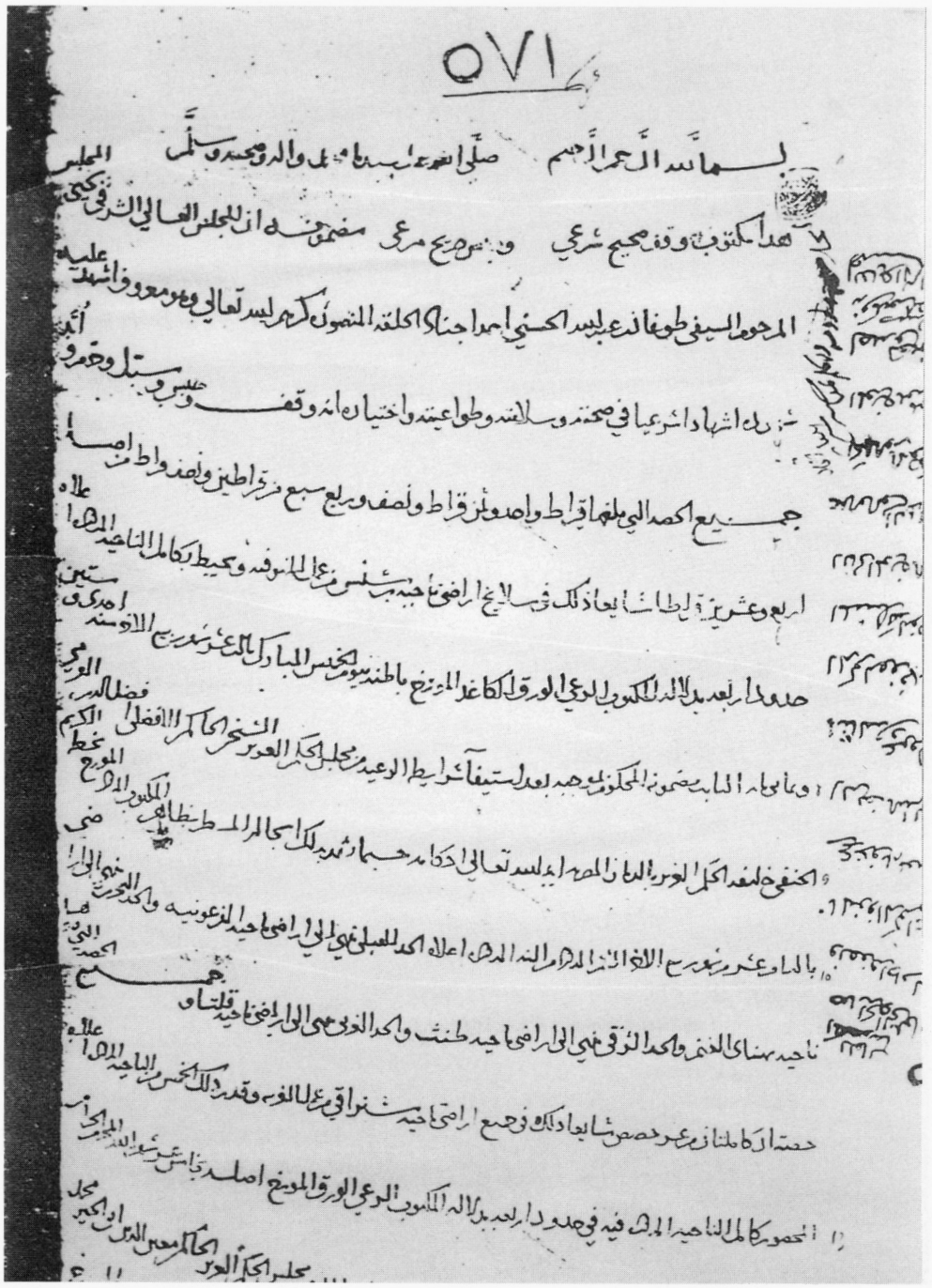

Figure 1. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī

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Figure 3. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī, continued

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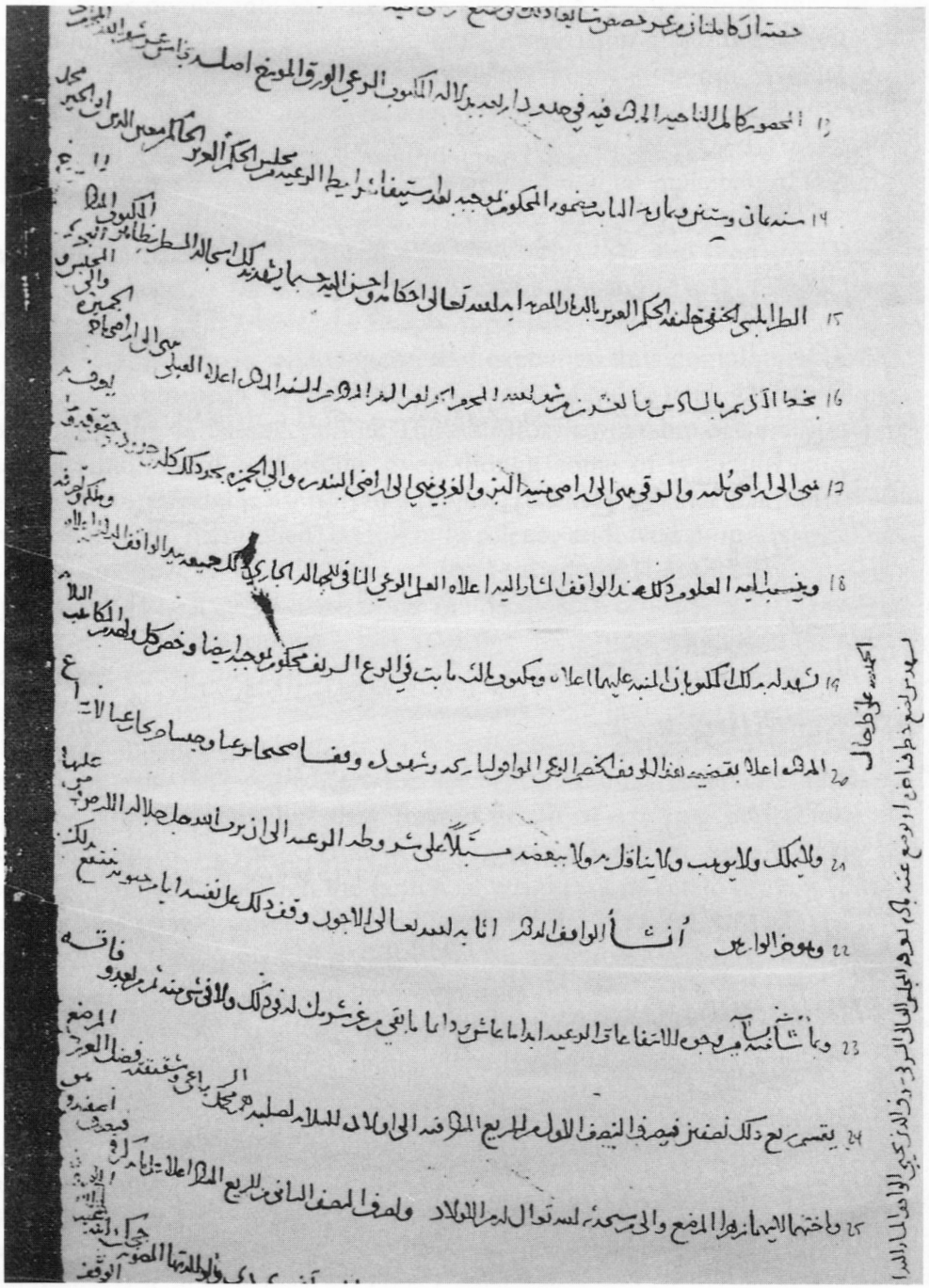

Figure 2. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī, continued

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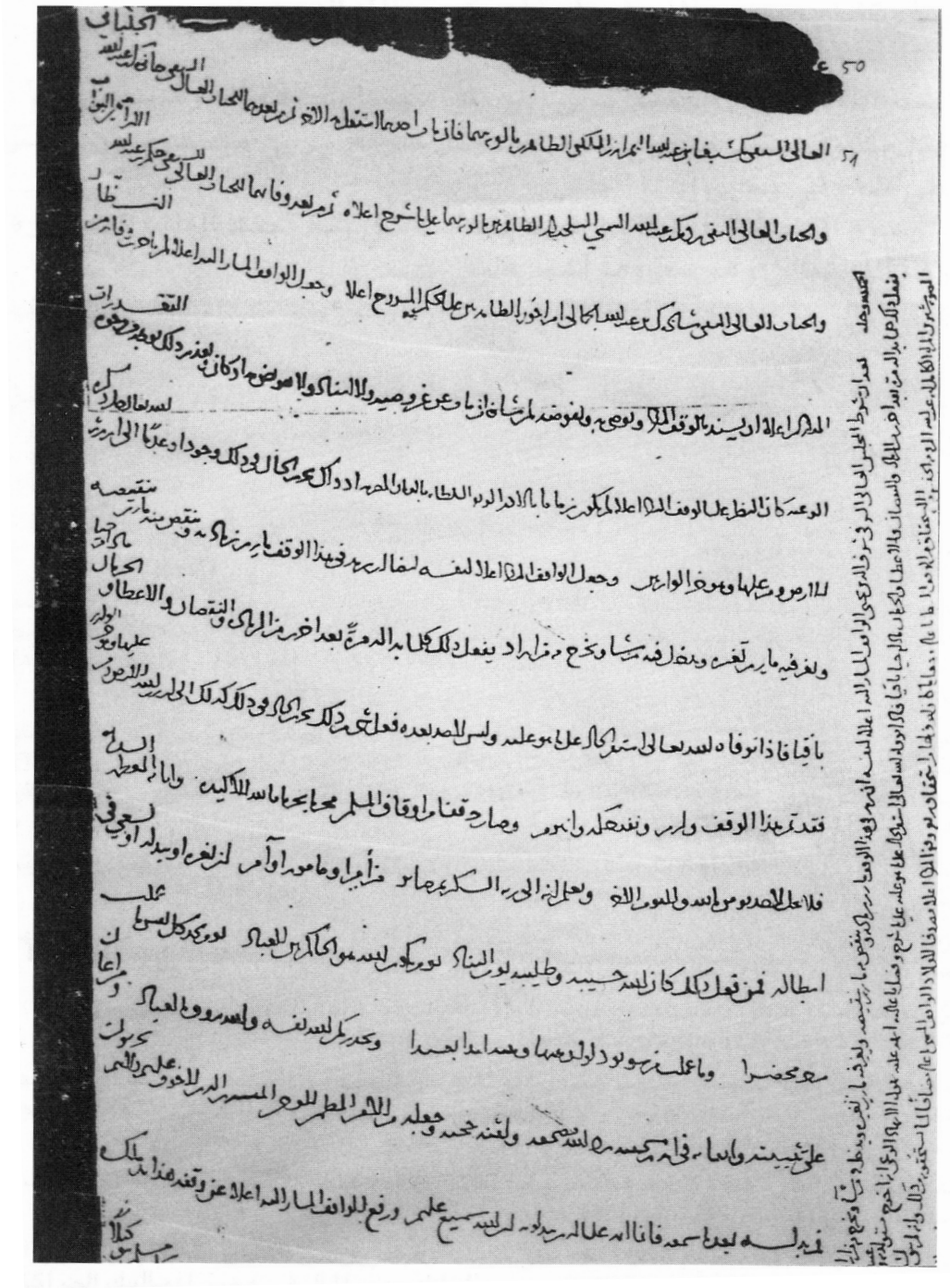

Figure 5. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī, continued

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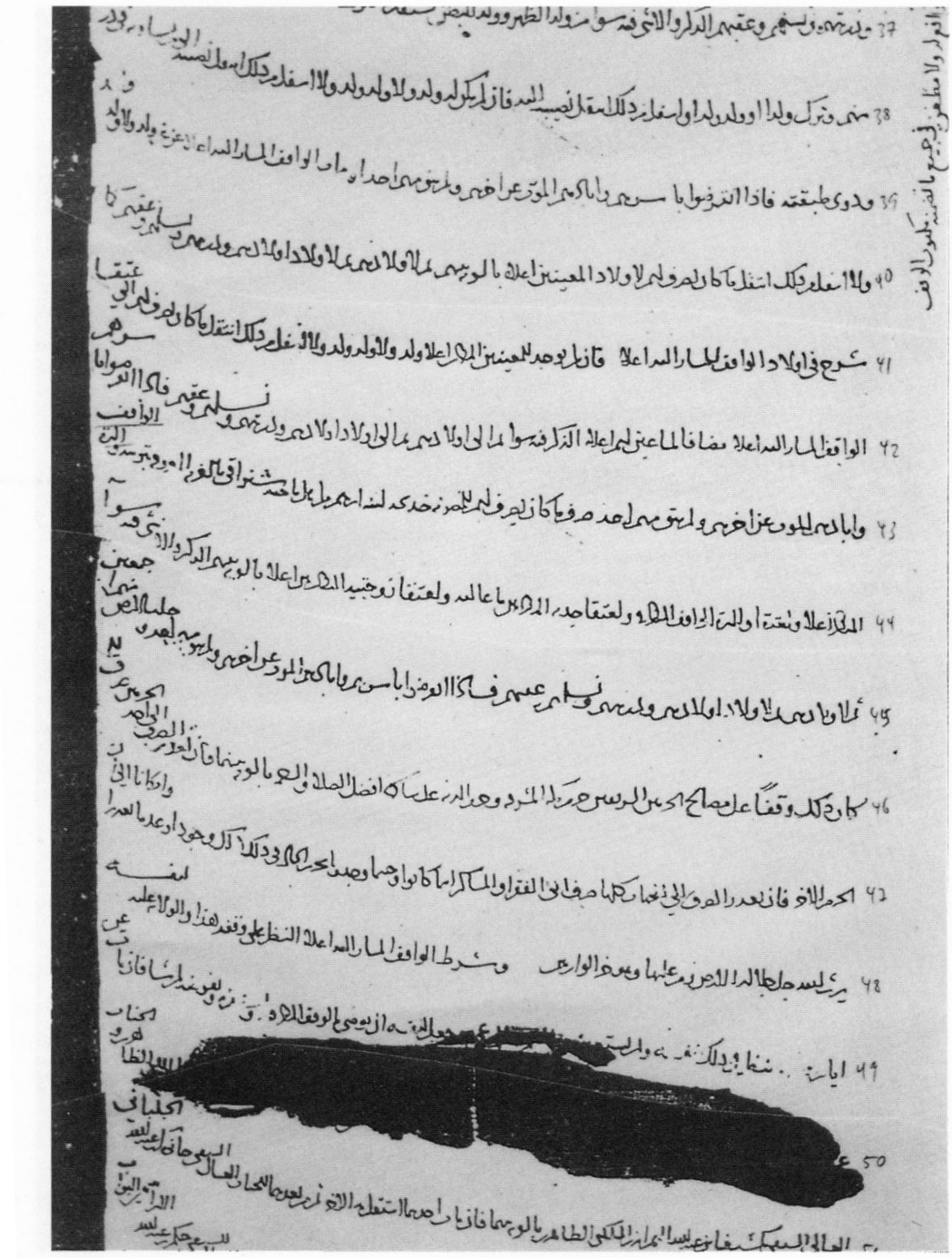

Figure 4. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī, continued

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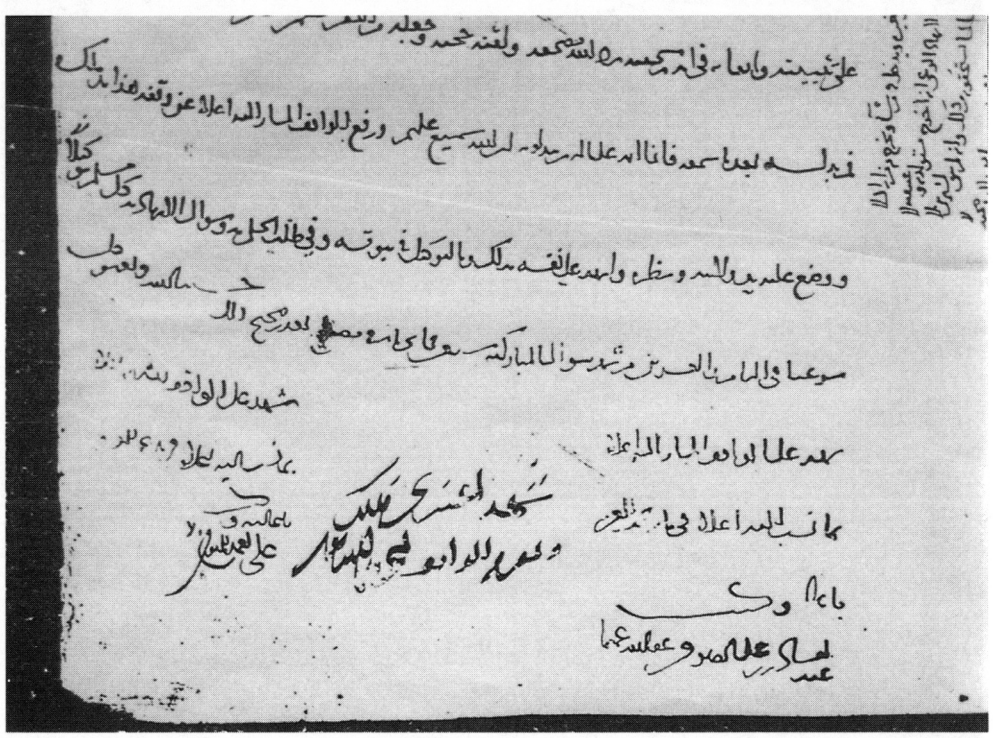

Figure 6. The *Waqfīyah* of Yaḥyá ibn Ṭūghān al-Ḥasanī, continued

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وثيقة وقف يحيى بن السيفى طوغان بن عبد اللّه الحسنى[1]

١. بسم اللّه الرحمن الرحيم[2] صلى اللّه على سيدنا محمد وآله وصحبه وسلم[3]
٢. هذا مكتوب وقف صحيح شرعي وحبس صريح مرعي مضمونه أن المجلس العالي[4] الشرفي يحيى [بن] المجلس
٣. المرحوم السيفي طوغا ابن عبد اللّه الحسني أحد أجناد الحلقةالمنصورة[5] كثرهم اللّه تعالى وهو معروف أشهد عليه
٤. شهوده إشهادا شرعيا في صحته وسلامته وطواعيته واختياره[6] أنه وقف وحبس وسبل وحرم وأبد[7]
٥. جميع الحصة التي مبلغها قيراط[8] واحد وثمن قيراط ونصف وربع سبع من قيراطين ونصف قيراط من أصل

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[1] هذه الوثيقة محفوظة تحت الرقم٥٧١ ج، مسلسل ٤٢٨، تاريخ ٢٨ شوال ٨٧٠ هـ بقسم المحفوظات والوثائق (الدفترخانة) بوزارة الأوقاف بالقاهرة. محمد محمد أمين، فهرست وثائق القاهرة حتى نهاية عصر سلاطين المماليك (٢٣٩-٩٢٢ ه/٨٥٣-١٥١٦ م) (القاهرة، ١٩٨١)، ١٣٣.

[2] كان من عادة كتاب الوثائق في العصور الوسطى البدء بالوثيقة بالبسملة. احمد بن علي القلقشندي، صبح الأعشى في صناعة الإنشا (القاهرة، ١٣٣١-١٣٣٨\١٩١٣-١٩١٩)، ٢:٢١٩-٢٢٨؛ عبد اللطيف إبراهيم، "التوثيقات الشرعية والإشهادية في ظهر وثيقة الغوري،" مجلة كلية الآداب، جامعة القاهرة ١٩، جزء ١ (١٩٥٧): ٣٦٢.

[3] التصلية تكون عادة في بداية الكتب للتبرك والتيمن، وهي من توابع البسملة. إبراهيم، "التوثيقات الشرعية،" ٣٦١-٣٦٢؛ القلقشندي، صبح، ٦:٢٢٧.

[4] عن الألقاب الفخرية الوراثة في هذه الوثيقة، أنظر القلقشندي، صبح، ٦:١١٥ وما يليها؛ حسن الباشا، الألقاب الإسلامية في التاريخ والآثار (القاهرة، ١٩٥٧)، ٨٩ وما يليها.

[5] عن أجناد الحلقة أنظر: القلقشندي، صبح، ٤:١٦؛
David Ayalon, "Ḥalḳa," *Encyclopaedia of Islam,* 2nd ed., 3:99.

[6] صيغة قانونية اصطلح عليها كتاب الوثائق في العصور الوسطى للدلالة على صحة التصرف. عبد اللطيف إبراهيم، "وثيقة وقف مسرور بن عبد اللّه الشبلى الجمدار،" مجلة كلية الآداب، جامعة القاهرة ٢١، جزء ٢ (١٩٥٩): ١٦٠ تعليق ٧.

[7] ألفاظ الوقف صريحة وكناية، فالصريحة ثلاثة وقف، حبس، سبل؛ والكناية ثلاثة أيضا تصدق، حرم وأبد. أمين، فهرست، ٤٢٦ حـ١.

[8] القيراط كوحدة مساحة يشكل واحد على أربعة وعشرين من الفدان. عماد بدر الدين ابو غازي، "دراسة ديبلوماتية في وثائق البيع من املاك بيت المال في عصر المماليك الجراكسة مع تحقيق ونشر بعض الوثائق الجديدة من أرشيفات القاهرة،" رسالة دكتوراه، جامعة القاهرة، ١٩٩٨، جـ٢ ق ٤، ٧٠٨؛
Walter Hinz, *Islamische Masse und Gewichte* (Leiden and Cologne, 1970), 66.

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٦. أربع وعشرين قيراطا شايعاً ذلك في سلايخ[١٠] أراضي ناحية بر شنص[١١] من عمل المنوفية.[١٢] ويحيط بكامل الناحية[١٣] المذكورة أعلاه
٧. حدود أربعة بدلالة المكتوب الشرعي[١٤] الورق الكاغد[١٥] المؤرخ باطنه بيوم الخميس المبارك ثالث عشر شهر ربيع الآخر سنة إحدى وستين
٨. وثماني مائة الثابت مضمونه المحكوم بموجبه بعد استيفاء شرايطه الشرعية من مجلس الحكم العزيز الشيخي الحاكمي الأفضلي فضل الدين القرمي[١٦]
٩. الحنفي خليفة الحكم العزيز بالديار المصرية أيد اللّه تعالى أحكامه حسبما يشهد بذلك إسجاله المسطر بظاهر المكتوب المذكور المؤرخ بخطه الكريم
١٠. بالثامن عشر من شهر ربيع الآخر الشهر المذكور من السنة المذكورة

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[٩] الملكية الشائعة وسط بين الملكية المفرزة والملكية المشتركة، فالحصة في الشيوع شائعة في كل المال ولا تتركز في جانب منه بالذات، والشيء المملوك في الشيوع لا يملكه الشركاء مجتمعين، بل يملك كل شريك أو مشتاع حصة فيه. والمالك في الشيوع له أن يتصرف في حصته الشائعة بكافة أنواع التصرفات القانونية ومنها البيع دون حاجة إلى موافقة باقي المشتاعين. أنظر عبد اللطيف إبراهيم، "وثيقة بيع،" مجلة كلية الآداب، جامعة القاهرة ١٩، جزء ٢ (١٩٥٧): ١٧١–١٧٢ تعليق ٢٥.

[١٠] السلايخ هي الأراضي التي لا تسقى والتي ليس فيها شجر. أنظر المنجد في اللغة والأدب والعلوم، طبعة ١٩ (بيروت، ١٣٧١\١٩٦٨) وبطرس البستاني، كتاب محيط المحيط (بيروت، ١٢٨٦\١٨٧٠)، مادة "سلخ."

[١١] بر شنس من عمل المنوفية وهي بيرشمس محمد رمزي، القاموس الجغرافي في البلاد المصرية من عهد قدماء المصريين إلى سنة ١٩٤٥ (القاهرة، ١٩٥٣–١٩٥٤)، ٢:٢١٥؛ الاسعد بن المهذب أبي مليح ابن مماتي، كتاب قوانين الدواوين (القاهرة، ١٩٤٣)، ١٠٣؛ شرف الدين يحيى ابن الجيعان، التحفة السنية بأسماء البلاد المصرية (القاهرة، ١٩٧٤)، ١١٥.

[١٢] المنوفية عرفت بهذا الإسم من أيام العهد الفاطمي ونسبت إلى منوف التي كانت قاعدة لها. رمزي، القاموس الجغرافي، ٢:١٥.

[١٣] لا بد من ذكر الحدود الأربعة للعقار الموقوف، ولكننا نلاحظ هنا أن كاتب الوثيقة يذكر الحدود الأربعة للناحية وليس للعقار الموقوف والسبب في ذلك أنه عقار مشاع إبراهيم، "وثيقة وقف مسرور،" ١٦٣–١٦٤.

[١٤] المقصود بالكتاب الشرعي عقد البيع المؤرخ بيوم الخميس١٣ شهر ربيع الآخر سنة ٨٦١ هـ والذي يثبت أن الواقف يملك الموقوف، وأنه جار في يده وله حق التصرف فيه، كما أن هذا المكتوب دليل خطي ثابت. ويظهر أن الواقف كان عليه تقديم المستندات التي تثبت ملكيته للموقوف. إبراهيم، "وثيقة بيع،" ١٧٧–١٧٨؛ نفس المؤلف، "التوثيقات الشرعية،" ٣٨٦–٣٩١؛ نفس المؤلف، "وثيقة وقف مسرور،" ١٦١ حـ٨.

[١٥] أنظر القلقشندي، صبح، ٢:٤٦٥، ٤٧٦؛
. Adolf Grohmann, *Allgemeine Einführung in die Arabischen Papyri* (Vienna, 1924), 58

[١٦] محمود بن عمر بن منصور، أفضل الدين بن السراج القرمي الأصل القاهري الحنفي، توفي سنة ٨٦٥ هـ\١٤٦٠ م؛ شمس الدين محمد بن عبد الرحمن السخاوي، الضوء اللامع لأهل القرن التاسع (القاهرة، ١٣٥٣–١٣٥٥)، ١٠:١٤٢–١٤٣، رقم ٥٧٠؛ أبو المحاسن يوسف ابن تغري

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أعلاه. الحد القبلي ينتهي إلى أراضي ناحية الفرعونية[١٧] والحد البحري ينتهي إلى أراضي
١١. ناحية بهناى الغنم[١٨] والحد الشرقي ينتهي إلى أراضي ناحية طنت[١٩] والحد الغربي ينتهي إلى أراضي ناحية قلتا.[٢٠] وجميع الحصة التي قدرها
١٢. حصتان كاملتان من عشر حصص شايعا ذلك من جميع ناحية شنراقي[٢١] من عمل الغربية[٢٢] وقدر ذلك الخمس من الناحية المذكورة أعلاه
١٣. المحصور كامل الناحية المذكورة فيه في حدود أربعة بدلالة المكتوب الشرعي[٢٣] الورق المؤرخ أصله بخامس عشر شهر اللّه المحرم الحرام
١٤. سنة ثمان وستين وثمان ماية الثابت مضمونه المحكوم بموجبه بعد استيفاء شرايطه الشرعية من مجلس الحكم العزيز الحاكمي معين الدين أبي الخير محمد
١٥. الطرابلسي[٢٤] الحنفي خليفة الحكم العزيز بالديار المصرية أيد اللّه تعالى أحكامه وأحسن إليه حسبما يشهد بذلك إسجاله المسطر بظاهر المكتوب المذكور المؤرخ
١٦. بخطه الكريم بالسادس والعشرين من شهر اللّه المحرم الحرام الشهر المذكور من السنة المذكورة اعلاه. القبلي ينتهي إلى أراضي ناحية الجميزة[٢٥]

بردي، النجوم الزاهرة في ملوك مصر والقاهرة (القاهرة، ١٩٦٨)، ١٦:٣١٤.

[١٧] الفرعونية من القرى القديمة من أعمال المنوفية رمزي، القاموس الجغرافي، ٢:١٥٨؛ ابن الجيعان، التحفة السنية، ١٠٢؛ ابن مماتي، قوانين الدواوين، ٩٤.

[١٨] بهناى الغنم من أعمال المنوفية وهي بهناى رمزي، القاموس الجغرافي، ٢:٢١٥؛ ابن الجيعان، التحفة السنية، ٣٦، ١٠٤؛ ابن مماتي، قوانين الدواوين، ١١٥.

[١٩] طنت من قرى مصر. ياقوت، معجم البلدان، ٣:٥٥٠؛ ابن مماتي، قوانين الدواوين، ١٦٢؛ ابن الجيعان، التحفة السنية، ١٠٧.

[٢٠] قلتا من القرى القديمة من أعمال المنوفية وهي قلتى الكبرى رمزي، القاموس الجغرافي، ٢:١٦٥؛ ابن الجيعان، التحفة السنية، ١٠٨؛ ابن مماتي، قوانين الدواوين، ١٦٩.

[٢١] شنراقي قرية قديمة من أعمال الغربية وهي شنراق. رمزي، القاموس الجغرافي، ٢:٨؛ ابن الجيعان، التحفة السنية، ٨٤؛ ابن مماتي، قوانين الدواوين، ١٥٦.

[٢٢] الغربية عرفت بهذا الإسم في العهد الفاطمي وأطلق عليها الغربية لوقوعها غربي فرع النيل الشرقي. رمزي، القاموس الجغرافي، ٢:٨.

[٢٣] المقصود عقد البيع؛ أنظر الحاشية رقم ١٢.

[٢٤] محمد بن عبد الرحيم بن محمد بن أحمد بن أبي بكر بن صديق، معين الدين أبو الخير الطرابلسي القاهري الحنفي، توفي سنة ٨٧٣\١٤٦٨، السخاوي، الضوء، ٨:٥٢، رقم ٦٠.

[٢٥] الجميزة قرية قديمة اسمها الأصلي أبشيش من أعمال الغربية رمزي، القاموس الجغرافي، ٢:٤؛ ياقوت، معجم البلدان، ١:٩٢؛ ابن الجيعان، التحفة السنية، ٨٤؛ ابن مماتي، قوانين الدواوين، ٩٣.

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وإلى المخلس[٢٦] والبحري
١٧. ينتهي إلى أراضي (...) والشرقي ينتهي إلى أراضي منية البز[٢٧] والغربي ينتهي إلى أراضي البندرة[٢٨] وإلى الجميزة بحد ذلك كله وحدوده وحقوقه وما يعرف به
١٨. وينسب إليه المعلوم ذلك عند الواقف المشار إليه أعلاه العلم الشرعي النافي للجهالة الجاري ذلك جميعه بيد الواقف المذكور أعلاه وملكه وتصرفه
١٩. يشهد له بذلك المكتوبان المنبه عليهما أعلاه ومكتوب ثالث ثابت في الشرع الشريف محكوم بموجبه أيضا وخصم كل واحد من المكاتيب الثلاث
٢٠. المذكورة أعلاه بقضية هذا الوقف الخصم الشرعي[٢٩] الموافق لتاريخه وشهوده وقفا صحيحا شرعيا وحبسا صريحا مرعيا لا يباع
٢١. ولا يملك ولا يوهب ولا يناقل به ولا ببعضه مسبلا على شروطه الشرعية إلى أن يرث اللّه جل جلاله الأرض ومن عليها.[٣٠]
٢٢.وهو خير الوارثين.[٣١] أنشأ الواقف المذكور أثابه اللّه تعالى الأجور وقف ذلك على نفسه أيام حيوته ينتفع بذلك
٢٣. وبما شاء منه سائر وجوه الانتفاعات الشرعية أبدا ما عاش ودايما ما بقي من غير شريك له في ذلك ولا في شيء منه ثم من بعد وفاته
٢٤. يقسم ريع ذلك نصفين: فيصرف النصف الأول من الريع المذكور فيه إلى أولاده الثلاثة لصلبه هم محمد السباعي وشقيقه فضل العزيز المرضع
٢٥. وأختهما لأبيهما زهرا المرضع وإلى من سيحدثه اللّه تعالى له من الأولاد. ويصرف النصف الثاني من الريع المذكور أعلاه على ما يذكر فيه . فيصرف النصف وهو
٢٦. الربع من الريع المذكور لوالدة الواقف المشار إليه أعلاه يعني الست

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[٢٦] المخلس اسمها الأصلي منية المخلص من أعمال الغربية وهي ميت المخلص رمزي، القاموس الجغرافي، ٢:٦٤؛ ابن الجيعان، التحفة السنية، ٩٤.

[٢٧] منية البز قرية قديمة من أعمال الغربية وهي ميت البز. رمزي، القاموس الجغرافي، ٢:٦٣؛ ابن الجيعان، التحفة السنية، ٩٣؛ ابن مماتي، قوانين الدواوين، ١٨٦.

[٢٨] البندرة قرية قديمة من أعمال الغربية. رمزي، القاموس الجغرافي، ٢:٤٠؛ ابن الجيعان، التحفة السنية، ٦٥؛ ابن مماتي، قوانين الدواوين، ٩٣، ١٨٦.

[٢٩] الخصم الشرعي: نوع من التأشير على وثائق الملكية بما يفيد التصرف في هذه الأملاك أو في بعضها، وكان هذا التأشير يتم على هوامش الوثائق وفي نفس تحرير الوثيقة الجديدة، وبتوقيع نفس الشهود، فيرد في نهاية هذه التأشيرات عبارة "... الموافق لتاريخه وشهوده ..." أمين، فهرست، ٣٣٨ حـ ٣.

[٣٠] مأخوذة من القرآن سورة ١٩، آية ٤٠.

[٣١] مأخوذة من القرآن سورة ٢١، آية ٨٩.

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المصونة فاطمة ابنة المرحوم تغري بردي ولوالدتها المصونة ججك ابنة عبد اللّه (...)

٢٧. بعد (...) الست خوند كزل وللمصونة شيرين ابنة عبداللّه زوجة الواقف المذكور أعلاه ومستولدته بالسوية بينهن ويصرف ربعه وهو الثمن من ريع الوقف

٢٨. المذكور [أعلاه] لزوجة الواقف الثانية هي المصونة حليمة ابنة المرحوم الحاج محمد المعروف ببطين، ومما فضل بعد ذلك وهو الثمن من ريع الوقف المذكور

٢٩. (...) فيه منه لشهيرة والدة ابنته زهرا المذكورة أعلاه كل من الفلوس الجدد[٣٢] أوما يقوم مقامها من [الدراهم] ألفا درهم نصف ذلك ألف درهم ويصرف منه

٣٠. (...) وعرف منه في ثمن ما عد ونسب (...) الصريح

٣١. المعروفة (...) المرحوم يلبغا اليحياوي مايتا راون نصف ذلكماية راون، ويصرف منه في جامكية[٣٣] مقري يقرأ كل يوم جزئين من القرآن العظيم

٣٢.في سكن ذرية الواقف المشار إليه أعلاه خلا يوم الجمعة فإن قراءته تكون بتربة الواقف المذكور في كل شهر من شهور الأهلة ماية درهم النصف من ذلك خمسون درهما فلوسا

٣٣. جدد أو ما يقوم مقامها من النقود ويصرف منه من جامكية قيم بالتربة التي مدفن فيها الواقف المذكور في كل شهر من شهور الأهلة ستون درهما النصف ثلثون درهما

٣٤. فلوسا جدد أو ما يقوم مقامها من النقود ويصرف بقية الريع المذكور أعلاه في ثمن خبز بر وصدقة وغير ذلك على ما يراه الناظر[٣٤] على الوقف

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[٣٢] لعله يقصد الفلوس الجدد التي ضربها السلطان الناصر حسن بن قلاوون في عصر المماليك البحرية أو لعل المقصود الفلوس الجدد التي ضربها السلطان الظاهر جقمق في عصر المماليك الجراكسة. عبد اللطيف إبراهيم، "وثيقة الأمير آخور كبير قراقجا الحسني،" مجلة كلية الآداب، جامعة القاهرة ١٨، جزء ٢ (١٩٥٦): ٢٣٩–٢٤٠، تعليق ٦٧؛ أبو غازي، "دراسة ديبلوماتية،" جزء ٢ ق ٤، ٧٠٧–٧٠٨.

[٣٣] الجامكية جمع جوامك أو جامكيات، كلمة فارسية معناها الراتب بشكل عام ورد ذكرها كثيرا في العصر المملوكي.
Reinhart Dozy, *Supplément aux dictionnaires arabes* (Leiden, 1881), 1:169;
Francis John Steingass, *Persian-English Dictionary* (London, 1892), 1:351.

[٣٤] الناظر على الوقف هو المتولي عليه، وأطلق عليه الناظر لأنه ينظر في الأموال ومصاريفها. والنظر أو الولاية على الوقف لا يجوز لخائن أو عاجز ولا بد من أهليته وأمانته وعدله وكفايته. القلقشندي، صبح، ٥:٤٦٥؛ عبد اللطيف إبراهيم، "نصان جديدان من وثيقة

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المشروح فيه
٣٥. ويؤدي إليه إجهاده، فإن مات أحد من المعينين المذكورين أعلاه انتقل ما كان يصرف [إليه] إلى أولاد الواقف المشار إليه أعلاه مضافا لما يصرف لهم،
٣٦. فإذا مات أحد من الأولاد المذكورين أعلاه انتقل نصيبه إلى من بقي منهم ثم من بعدهم إلى أولادهم ثم إلى أولاد أولادهم ثم إلى أولاد أولاد أولادهم ثم
٣٧. وذريتهم ونسلهم[٣٥] وعقبهم[٣٦] الذكر والأنثى فيه سواء من ولد الظهر وولد البطن، يستقل به الواحد عند انفراده ويشترك فيه الاثنان فما فوقهما، على أن من مات
٣٨. منهم وترك ولدا أو ولد ولد او أسفل من ذلك انتقل نصيبه إليه، فإن لم يكن له ولد ولا ولد ولد ولا أسفل من ذلك انتقل نصيبه إلى من يساويه في درجته
٣٩. وذوي طبقته. فإذا انقرضوا بأسرهم وأبادهم الموت عن آخرهم ولم يبق منهم أحد أو مات الواقف المشار إليه أعلاه عن غير ولد ولا ولد ولد
٤٠. ولا أسفل من ذلك انتقل ما كان يصرف لهم لأولاد المعينين أعلاه بالسوية بينهم، ثم لأولادهم ثم لأولاد أولادهم وذريتهم ونسلهم وعقبهم كما
٤١. شرح في أولاد الواقف المشار إليه أعلاه. فإن لم يوجد للمعينين المذكورين أعلاه ولد ولا ولد ولد ولا أسفل من ذلك انتقل ما كان يصرف لهم إلى عتقاء
٤٢. الواقف المشار إليه أعلاه مضافا لما عين لهم أعلاه الذكر فيه سواء ثم إلى أولادهم ثم إلى أولاد أولادهم وذريتهم ونسلهم وعقبهم فإذا انقرضوا بأسرهم
٤٣. وأبادهم الموت عن آخرهم ولم يبق منهم أحد صرف ما كان يصرف لهم للمصونة خديجة ابنة إبرهيم من أهل ناحية شنراقي بالغربية المعروفة بتربية والدة الواقف
٤٤. المذكورة أعلاه ولعتقاء والدة الواقف المذكور فيه ولعتقاء جدته المذكورتين بأعاليه ولعتقاء زوجتيه المذكورتين أعلاه بالسوية بينهم الذكر والأنثى فيه سواء
٤٥. ثم لأولادهم ثم لأولاد أولادهم وذريتهم ونسلهم وعقبهم فإذا انقرضوا

الأمير صرغتمش،" مجلة كلية الآداب، جامعة القاهرة ٢٨ (١٩٦٦): ١٥٦ تعليق ٤٦.

[٣٥] يراد بلفظ الذرية والنسل" البطون " قريبها وبعيدها، فهو يتناول الأولاد الصلبية والأحفاد أي الأولاد وأولاد الأولاد وأولادهم أبدا ما تناسلوا. ويتناول الوقف على هذا الوجه كل من كان موجودا وقت الوقف من أولاد الواقف أو نسله كما يتناول كل من يولد منهم أنظر زهدي يكن، أحكام الوقف (صيدا وبيروت، بدون تاريخ)، ٢٦٦.

[٣٦] يراد بلفظ العقب الولد وولد الولد أبدا ما تناسلوا من الأولاد الذكور دون الإناث وعليه أن

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بأسرهم وأبادهم الموت عن آخرهم ولم يبق منهم أحد وخلت الأرض منهم أجمعين

٤٦. كان ذلك وقفا على مصالح الحرمين الشريفين حرم مكة المشرفة وحرم المدينة على ساكنها أفضل الصلاة والسلام بالسوية بينهما، فإن تعذر الصرف إلى أحد الحرمين صرف إلى

٤٧. الحرم الآخر، فإن تعذر الصرف إلى الجهات كلها صرف إلى الفقراء والمساكين أينما كانوا وحسبما وجدوا يجري الحال في ذلك كذلك وجودا وعدما تعذرا وإمكانا إلى أن

٤٨. يرث اللّه جل جلاله الأرض ومن عليها وهو خير الوارثين وشرط الواقف[٣٧] المشار إليه أعلاه النظر على وقفه هذا والولاية عليه لنفسه

٤٩. أيام [حياته] وينظر في ذلك بنفسه ولمن يستعين[به بالطريق الشرعي و] جعل لنفسه أن يوصي بالوقف المذكور ويسنده ويفو[ضه] عنه لمن شاء فإن مات عن

٥٠. عـ (...) الملكي الظاهري والجناب

٥١. العالي السيفي كمشبغا بن عبداللّه التمرازي المالكي الظاهري بالسوية بينهما. فإن مات أحدهما استقل الآخر ثم من بعدهما للجناب العالي السيفي جانم ابن عبد اللّه الجلباني

٥٢. والجناب العالي السيفي بردبك بن عبد اللّه السيفي السلحدار[٣٨] الظاهرين بالسوية بينهما على ما شرح أعلاه ثم من بعد وفاتهما للجناب العالي السيفي جكم بن عبد اللّه البراهيمي البواب

٥٣. والجناب العالي السيفي شاذبك بن عبد اللّه الجمالي أمير آخور[٣٩] الظاهرين على الحكم المشروح أعلا ه. وجعل الواقف المشار إليه أعلاه لمن ما جرى وفاته من النظار

٥٤. المذكورين أعلاه أن يسند الوقف المذكور ويوصي به ويفوضه لمن شاء فإن مات عن غير وصية ولا إسناد ولا تفويض به أو كان وتعذر ذلك بوجه من وجوه التقدرات

كل من كان ابوه من أولاد الواقف الذكور كان عقبا للواقف وبالعكس نفس المرجع اعلاه، ٢٦٧.

[٣٧] لقد جرت العادة في عصر المماليك أن يتولى الواقف النظر والولاية على وقفه أيام حياته، ثم يعهد بذلك من بعده لأولاده وأولاد أولاده وغيرهم. أمين، فهرست، ٤٢٨ حـ٣، ٤٣١ حـ ٦.

[٣٨] السلحدار هو الموكل بحمل سلاح السلطان أو الأمير الذي هو في خدمته، ومن وظيفته أيضا الإشراف على السلاح خاناه، وما هو من توابع ذلك. القلقشندي، صبح، ٥:٤٥٦؛ Shai Har-El, "Silāḥdār," *EI*^{3}, 9:609.

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٥٥. الشرعية كان النظر على الوقف المذكور أعلاه لمن يكون زماما[٤٠] بالآدر الشريفة السلطانية بالديار المصرية إذ ذاك يجري الحال في ذلك وجودا وعدما إلى أن اللّه تعالى جل ذكره

٥٦. الأرض ومن عليها وهو خير الوارثين. وجعل الواقف المذكور أعلاه لنفسه أيضا أن يرمي في هذا الوقف ما يرمي زيادته وينقص منه ما يرمي تنقيصه

٥٧. ويغير فيه ما يرمي تغيره ويدخل فيه من شاء ويخرج منه من أراد يفعل ذلك كلما بدا له مرة بعد أخرى من الزيادة والنقصان والإعطاء والحرمان[٤١] ما دام حيا

٥٨. باقيا، فإذا توفاه اللّه تعالى استقر الحال على ما هو الحال عليه وليس لأحد بعده فعل شيء من ذلك يجري الحال في ذلك كذلك إلى أن يرث اللّه الأرض ومن عليها وهو خير الوارثين.

٥٩. فقد تم هذا الوقف ولزم ونفذ حكمه وانبرم[٤٢] وصار وقفا من أوقاف المسلمين محرما بحرمات اللّه الأكيدة وأثابه العظمة السديدة

٦٠. فلا يحل لأحد يؤمن باللّه واليوم الآخر ويعلم أنه إلى ربه الكريم صاير من أمير أو مأمور أو آمر أن يغيره أو يبدله أو يسعى في

٦١. إبطاله فمن فعل ذلك كان اللّه تعالى حسيبه وطليبه يوم التناد يوم يكون اللّه هو الحاكم بين العباد[٤٣] "يوم تجد كل نفس ما عملت من خير محضر وما عملت من سوء تود لو أن بينها وبينه أمدا بعيدا ويحذركم اللّه نفسه واللّه رؤف بالعباد"[٤٤] ومن أعان

٦٢. على تثبيته وإثباته في أيدي مستحقيه برد للّه مضجعه ولقنه حجته

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[٣٩] أمير آخور هو الذي يتحدث على اصطبل السلطان أو الأمير، ويتولى أمر ما فيه من الخيل والإبل وغيرها مما هو داخل في حكم الإصطبلات. القلقشندي، صبح، ٥:٤٦١؛ David Ayalon, "Amīr Ākhūr," *EI*^{2}, 1:442.

[٤٠] الزمام هو الذي يتحدث على باب ستارة السلطان أو الأمير من الخدام والخصيان القلقشندي، صبح، ٥:٤٥٩؛ Dozy, *Supplément*, 2:601.

[٤١] الشروط التي يجوز للواقف اشتراطها والمعروفة بالشروط العشرة وهي الزيادة والنقصان؛ الإدخال والإخراج؛ الإعطاء والحرمان؛ التغيير والتبديل؛ البدل والاستبدال؛ التحصيص والتفضيل. عن هذه الشروط أنظر يكن، أحكام الوقف، ٢٠٩ وما يليها؛ إبراهيم، "وثيقة الأمير آخور،" ٢٥٠ وما يليها، تعليق ٩٢؛ نفس المؤلف، "وثيقة استبدال،" مجلة كلية الآداب، جامعة القاهرة ٢٥، جزء ٢ (١٩٦٣): ٢٢، تعليق ٩.

[٤٢] صيغة توثيقية للتأكيد على تمام هذا التصرف القانوني ولزومه وهو هنا إنشاء الوقف ابراهيم، "وثيقة وقف مسرور،" ١٦٨، تعليق ٣٢؛ أمين، فهرست، ٤٣٣ حـ ٤.

[٤٣] صيغة جزائية تواتر كتاب الوثائق العربية في العصور الوسطى على إثباتها في ختام وثائق الوقف، وهذه الصيغة هي للنهي والعقاب واللعنة لمن يسعى في تغيير الوقف أو

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وجعله من الأمينين المطمئنين الفرحين المستبشرين الذين[٤٥] "لاخوف عليهم ولا هم يحزنون"[٤٦]

٦٣. "فمن بدله بعدما سمعه فإنما اثمه على الذين يبدلونه أن اللّه سميع عليم".[٤٧] ورفع الواقف المشار إليه أعلاه عن وقفه هذا بذ[لك] ملكه

٦٤. ووضع عليه يد ولايته ونظره[٤٨] وأشهد على نفسه بذلك وبالتوكيل في ثبوته وفي طلب الحكم به وسؤال الإشهاد به كل مسلم توكيلا

٦٥. شرعيا[٤٩] في الثامن والعشرين من شهر شوال المبارك سنة سبعين ثماني ماية[٥٠] مصلح بعذر صحيح ذلك[٥١] حسبنا اللّه ونعم الوكيل.[٥٢]

شهد على الواقف المشار إليه أعلاه بما نسب إليه أعلاه في تاريخه المعين بأعاليه وكتب عبد القادر بن علي الصيرفي عفا اللّه عنه

شهد على الواقف المشار إليه أعلاه بما نسب إليه أعلاه في تاريخه المعين بأعاليه وكتب علي بن. . .[٥٣]

أبطاله، كما أنها ذات أسلوب ديني مناسب للعصر. إبراهيم، "وثيقة الأمير آخور،" ٢٢٠، سطر ٢٤٦–٢٥١؛ أمين، فهرست، ٤٣٣ حـ٥.

[٤٤] القرآن سورة ٣، آية ٣٠.

[٤٥] صيغ للترغيب والثواب لمن أعان على بقاء الوقف ودوامه وإثباته أنظر نفس المصادر الواردة في الحاشية رقم ٤٣.

[٤٦] القرآن سورة ١٠، جزء من آية ٦٢.

[٤٧] القرآن سورة ٢ آية ١٨١.

[٤٨] صيغ فقهية خاصة بالتخلية شاعت في العصر المملوكي وصارت شروطا مألوفة، كما أنها من عبارات التخلية والتي تعتبر بمثابة تسليم العين الموقوفة على المستحقين الذين يمثلهم الناظر حتى ولو كان التسليم لم يتم ماديا في واقع الأمر. عبد اللطيف إبراهيم، "خمس وثائق شرعية،" مجلة جامعة أم درمان ٢ (١٩٦٩): ١٧٨–١٧٩؛ أمين، فهرست، ٤٣٥ حـ٢.

[٤٩] لا بد من إقرار الواقف واعترافه بما وقفه مما يجعل تصرفه لازما ونافذا، ولذلك لا بد من الإشهاد عليه بمعرفة ما وقفه المعرفة الشرعية النافية للجهالة مما يجعل إقراره حجة عليه ويسقط حقه في لإبطال الوقف بدعوى عدم علمه. ابراهيم، "وثيقة وقف مسرور،" ١٦٨ حـ ٣٤؛ أمين، فهرست، ٤٣٥ حـ٣.

[٥٠] هذا هو تاريخ التصرف القانوني (الوقف) الوارد في ختام وجه الوثيقة، وقد أثبته كاتب الوثيقة باليوم والشهر والسنة الهجري، وهو مدار التاريخ الإسلامي.. ابراهيم، "التوثيقات الشرعية،" ٣٨٢، تحقيق ٥٠؛ نفس المؤلف، "وثيقة بيع،" ١٩٢، تحقيق ٤٥.

[٥١] هذه العبارة وأمثالها توجد كثيرا في نهاية بعض الوثائق التي قد يحدث فيها شطب أو كشط وتصليح أو إضافة وإلحاق بعض الألفاظ، وهي ترد قبل الحسبلة مباشرة في أغلب الأحوال. إبراهيم، "وثيقة الأمير آخور،" ١٩٦ حـ٢، ٢٥١، تحقيق ٩٤؛ نفس المؤلف، "وثيقة وقف مسرور،" ١٦٩ حـ٣٦.

[٥٢] الحسبلة هي الدعاء الختامي في نهاية الوثيقة، وقد اصطلح الكتاب على أن يكتبوا بلفظ

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شهدا عندي بذلك
وبعرفة الواقف أعزه اللّه تعالى[٥٤]

هامش وجه الوثيقة

ليسجل بثبوته ولزومه وحكمه (...):[٥٥]

[مكتوب الاستبدال] [٥٦]
(...) علامة القاضي
(...) العالي
صارت الحصة التي مبلغها قيراط واحد وثمن قيراط ونصف وربع سبع من قيراطين ونصف قيراط من أربع وعشرين قيراط شايعا ذلك من أراضي ناحية بر شنس بالمنوفية المذكورة أعلاه يمنة ملكا طلقا من أملاك بدر الدين حسن بن عبد الرازق بن عمر عرف بابن(...) لها بعد صدور المسوغ المقتضى له(...) شرعي الشريف بالبينة الشرعية في مكتوب الاستبدال الشرعي جملة من الدراهم مايتا درهما وعشرون درهما (...) حال ذلك يعين من جملة [المبلغ] المذكور ليصرف كما عرف في مكتوب الاستبدال الذي

الجمع على اعتبار أن المتكلم يتكلم بلسانه ولسان غيره من الأمة ابراهيم، "التوثيقات الشرعية،" ٣٩٨، تحقيق ٦٣؛ القلقشندي، صبح، ٦:٢٦٩.

[٥٣] بقية التوقيع غير مقروء.

[٥٤] هذه هي تأشيرة القاضي الذي قام بتوثيق الفعل القانوني والحكم بصحة الوقف ولزومه عقب توقيعات الشاهدين، ولا يكتب القاضي الموثق ذلك أسفل التوقيعات إلا إذا كان قاصدا الإعلام بصحة التوقيعات وسلامتها من الريب من جميع النواحي. ابراهيم، "وثيقة وقف مسرور،" ١٧٠ حـ ٤٣.

[٥٥] هذا اللفظ خاص بتسجيل الوثيقة وهو يرد عادة على الهامش الأيمن في بداية وجه الوثيقة، مكتوبا بخط القاضي الموثق نفسه بعد حكمه بصحة التصرف القانوني ولزومه والجدير بالذكر أن هذا اللفظ "ليسجل" يرد دائما بصيغة الأمر. أنظر عن هذا الموضوع ابراهيم، "التوثيقات الشرعية،" ٣٠٦، ٣٦٤؛ نفس المؤلف، "خمس وثائق شرعية،" ١٩٨–١٩٩؛ نفس المؤلف، "وثيقة بيع،" ١٥٧–١٦١.

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(...) المنتقل هو (...) تسلما شرعيا حسبما (...) في مكتوب الاستبدال (...) التالي الموقع بالثاني عشرين من شهر رجب سنة إحدى وتسعين وثمان مائة المحكوم بكونه مالكا(...) على الواقف العلم (...) الحكم الشرعي المقتضي حكما شرعيا أيد اللّه أحكامه(...) المؤرخ بتاريخه وهو الثاني عشرين من شهر رجب الـ(...) إحدى وتسعين وثمان مائة حسبنا اللّه ونعمايه

يشهد في مكتوب الاستبدال أحمد بن ...[٥٧]

يشهد في مكتوب الاستبدال أحمد بن محمد بن ...[٥٨]

[فصل الملكية والحيازة]

الحمد للّه على كل حال

يشهد من يضع خطه فيه آخره أو يوضع عنه بإذنه بمعرفة المجلس العالي الشرفي شرف الدين يحيى الواقف المشار إليه أعلاه وبمعرفة ما منه الحصص الموقوفة أعلاه المعرفة الشرعية ويشهدون مع ذلك أن المجلس الشرفي يحيى الواقف المشار إليه فيه لم يزل مالما حايزا لجميع الحصص الموقوفة أعلاه إلى حين صدور هذا الوقف المشروح بأعاليه يعلم شهوده ذلك ويشهدون مسؤلين فيه حسبنا اللّه ونعم الوكيل

شهد بمضمونه

أحمد بن إبراهيم ابن عبد الرحمن

وكتب عنه بإذنه وحضوره[٥٩]

شهد بذلك

أحمد بن محمد

شهاب الدين القرمي

شهدا بذلك عندي حفظهما اللّه تعالى[٦٠]

[فصل الإعذار]

[الحمد] للّه على نعمه

[٥٦] مكتوب الاستبدال موجود تحت رقم وثيقة الوقف ٥٧١ ج، مسلسل ٤٢٨ ، تاريخ ٢٢ رجب ٨٩١ هـ المبدل كمشبغا بن عبد اللّه التمرازي (الناظر على الوقف) ومحمد بن الواقف، المستبدل حسن بن عبد الرازق بن عمر. أمين، فهرست، ١٣٣ .

[٥٧] بقية التوقيع غير مقروء.

[٥٨] بقية التوقيع غير مقروء.

[٥٩] هذا الشاهد في فصل الملكية والحيازة لا يعرف الكتابة أي لم يكتب نص الشهادة ولم يوقع بخطه، بل كتب ووقع عنه بإذنه وحضوره أحد كتاب الحكم أو الشهود العدول من مساعدي

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[أشهد] عليه المجلس العالي الشرفي يحيى الواقف المشار إليه أعلاه شهوده إشهادا شرعيا أنه دافع له ولا مطعن في جميع ما تضمنه مكتوب الوقف المشروح بأعاليه ولا فيمن شهد فيه ولا فيما شهد به فيه ولا في شيء من ذلك حسبنا اللّه ونعم الوكيل وصلوته وسلامه على سيدنا محمد وآله وصحبه أمين.

يشهد عليه بذلك
(...) أعزه اللّه تعالى
شهدا عندي بذلك[٦١]

يشهد عليه بذلك
محمد بن محمد (...)
أعزه اللّه تعالى

[شروط تعديل الوقف][٦٢]

الحمدللّه وحده بعد أن شرط المجلس العالي الشرفي شرف الدين يحيى الواقف المشار إليه أعلاه لنفسه أن يرمي في هذا الوقف ما يرمي زياده وينقص منه ما يرمي تنقيصه ويغير فيه ما يرمي تغييره ويدخل فيه من شاء ويخرج منه من أراد. يفعل ذلك كلما بدا له مرة بعد أخرى من الزيادة والنقصان والإعطاء والحرمان ما دام حيا باقيا، فإذا توفاه اللّه تعالى استقر الحال على ما هو عليه على ما شرح وفصل بأعاليه. أشهد عليه شهود الإشهاد الشرعي أنه أخرج مستولدته وعتيقته المصونة شيرين المرأة الكامل ابنة عبد اللّه الرومية الجنس من الاستحقاق من الوقف المسطر بأعاليه وجعل ما كان تصرف لها من استحقاق ريع وقفه المذكور أعلاه مصروفا لأولاد الواقف المسمى أعاليه مضافا لما يستحقونه من ذلك وأنه لم يبق لشيرين المذكورة اعلاه من ريع الوقف المذكور حق ولا استحقاق ولا شيء ولو انتقل(...) لهو (...) شيرين المذكورة أعلاه خامس عشري شهر ذي القعدة(...) سبعين وثماني ماية حسبنا اللّه ونعم الوكيل وصلوته وسلامه على سيدنا محمد وآله وصحبه

شهد عليه بذلك
محمد بن محمد الصوفي

القاضي الموثق والحاضرين مجلس حكمه وقضائه، وهذا يدل على أن هذا الشاهد من العامة وعلى قدر اجتماعي متواضع. ابراهيم، "وثيقة استبدال،" ٣٥؛ أمين، فهرست، ٣٤٤ حـ ٤.

[٦٠] تأشية القاضي الموثق، أنظر الحاشية رقم ٥٤.

[٦١] تأشيرة القاضي الموثق، أنظر الحاشية رقم ٥٤.

[٦٢] شروط تعديل الوقف موجودة تحت رقم وثيقة الوقف٥٧١ ج، مسلسل ٤٢٨، تاريخ ٢٥ ذو القعدة ٨٧٠ هـ. أمين، فهرست، ١٣٣.

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Religious Endowments and Succession to Rule: The Career of a Sultan´s Son in the Fifteenth Century

No subject attracted Ulrich Haarmann's attention more during the last years of his life than the phenomenon of the Mamluks' sons *(awlād al-nās)* in late medieval Egyptian and Syrian societies.[1] We still know relatively little about this group and its relation to the other sections of society. On these questions Ulrich Haarmann was preparing a monograph which now must remain unfinished due to his premature death. Thus, much still remains unclarified.

A crucial source for further work, which surely has not yet received the appropriate attention, are the numerous private documents of the time, of which the endowment deeds in particular are the focus here.[2] They give insight into the financial and personal conditions of founders and their families much more than the chronicles and biographical literature do, and thus afford us a glimpse of things that otherwise pass unnoticed in the literature. While we cannot always avoid hypothetical solutions, use of such documents allows us to raise questions and suggest answers which otherwise would not be the case basing ourselves on the traditional sources. This is the case here with our study of the sultan's son al-Mu'ayyad Aḥmad, who in 865/1461 succeeded his father al-Ashraf Īnāl (r. 857/1453–865/1461) to the throne. In keeping with the conventions of that time, he remained in power for only four months before he was deposed by his highest

[1] See Ulrich Haarmann, ″Joseph's Law: The Careers and Activities of Mamluk Descendants before the Ottoman Conquest of Egypt,″ in *The Mamluks in Egyptian Politics and Society*, ed. Thomas Philipp and Ulrich Haarmann (Cambridge, 1998), 55–84; idem, ″The Sons of Mamluks as Fief-Holders in Late Medieval Egypt,″ in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi (Beirut, 1984), 141–68.

[2] An introduction to the institution of Islamic foundations *(waqf)* in Egypt as well as an up-to-date summary of research, including editions of endowment deeds, is given in Doris Behrens-Abouseif, ″Waḳf,″ *The Encyclopaedia of Islam*, 2nd ed., 11:63–69. From the time of the Mamluk sultanate there are almost 1000 private documents preserved in three Cairo archives: the National Archives (Dār al-Wathā'iq al-Qawmīyah), the National Library (Dār al-Kutub al-Qawmīyah), and the Ministry of Endowments (Wizārat al-Awqāf). They are all described in Muḥammad Muḥammad Amīn, *Catalogue des documents d'archives du Caire de 239/853 à 922/1516* (Cairo, 1981).

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military officer and successor al-Ẓāhir Khushqadam (r. 865/1461–872/1467).[3] The few events of his short sultanate have so far not been given sufficient attention and we have failed to appreciate their deeper meaning due to our not taking into account the evidence provided by documents. The documentary evidence not only sheds more light on the reign of Aḥmad but also may suggest something about the experiences of other sultan's sons in the fifteenth century.

In his ultimately futile attempt to succeed his father, al-Mu'ayyad Aḥmad had much more favorable conditions than the other sultans' sons of the fifteenth century, and it surely was not certain that he would be overthrown after only a few months. Born in Ghazza in 835/1431, while his father served as governor *(nā'ib),* he studied there in his youth with local scholars and during his father's sultanate gradually moved up the military hierarchy. At the time of his father's death he was already commander-in-chief of the army *(atābak)* and leader of the annual pilgrimage caravan. When he succeeded his father on the throne on 14 Jumādá I 865/25 February 1461, he was already 30 years of age and thus older and more experienced than other pretenders to the throne before him. Yet even such military, political, and administrative experience could not prevent his overthrow on 19 Ramāḍān 865/28 June 1461 and his several years of detention in the Alexandrian fortress that followed.

His sultanate did not begin without promise; at the beginning he seems to have controlled his father's mamluks effectively and prevented their notorious plundering. This criterion of good rule, seemingly crucial for this late phase of the Mamluk sultanate—i.e. keeping control over the perennially erratic mamluk factions—he at first fulfilled even better than his father had. This earned him the gratitude of the population and the appreciation of contemporary observers.[4] Such a successful start was only possible because he possessed a sufficient reserve of cash for distribution—a topic which will be discussed below. His luck, however, did not last. Aḥmad could not meet the demands of all the mamluk factions equally so that an opposition soon emerged among those mamluks who had already been disadvantaged under his father and were not willing to accept this situation under another sultan. The commander-in-chief Khushqadam appeared early on as the focus of this dissident group.[5] Aḥmad tried to defend his position by relying on rank-and-file mamluks, which in turn caused displeasure among his own al-

[3]For al-Mu'ayyad Aḥmad see his biography in Muḥammad ibn 'Abd al-Raḥmān al-Sakhāwī, *Al-Ḍaw' al-Lāmi' li-Ahl al-Qarn al-Tāsi'* (Beirut, 1934), 1:246. For historical events see Abū al-Maḥāsin Yūsuf Ibn Taghrībirdī, *Al-Nujūm al-Zāhirah fī Mulūk Miṣr wa-al-Qāhirah,* University of California Publications in Semitic Philology, vol. 7 (Berkeley, 1929).

[4]Al-Sakhāwī, *Ḍaw',* 1:246; Ibn Taghrībirdī, *Nujūm,* 652.

[5]Ibn Taghrībirdī, *Nujūm,* 659–64.

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Ashrafīyah mamluks.[6] Only a few weeks later, civil war broke out in Cairo and Aḥmad's political isolation soon became apparent when his own mamluks deserted to the other side. Even the offer of high state positions failed to appease his opponents and he was forced from office.[7]

He was confined to the fortress of Alexandria where his condition soon improved. In the second half of 865/1461 Aḥmad was released from the dungeon. Complete rehabilitation, however, took place only with Khushqadam's death in 872/1467. One of the first official acts by the new sultan, Timurbughā, was the granting of freedom of movement within Alexandria for Aḥmad as well as restoring the social position and material wealth of the former al-Ashrafīyah mamluks.[8] Aḥmad appears to have withdrawn from politics at this time. About his life during the following years the narrative sources remain silent with one remarkable exception: already an influential and frequently consulted member of Alexandrian society, in early 887/1482 he became a shaykh, i.e., he was elected to the executive body of the Alexandrian branch of the al-Shādhilīyah Sufi order and led the meetings *(dhikr)* from that time on.[9] Thereafter he seems to have remained in Alexandria for the remainder of his life with the exception of 884/1479 when he was allowed to travel to Cairo to attend the funeral of his mother Zaynab.[10] After his death in Ṣafar 893/January 1488 his body was sent to Cairo and buried in his father's mausoleum.[11]

Up to this point the saga of Aḥmad´s life seems to be typical of a dethroned and exiled sultan. Fortunately, however, the endowment deed of al-Mu'ayyad Aḥmad which is preserved in the Dār al-Wathā'iq in Cairo[12] allows us fuller

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[6]Ibid., 665. See also Amalia Levanoni, *A Turning Point in Mamluk History: The Third Reign of al-Nāṣir Muḥammad Ibn Qalāwūn (1310–1341)* (Leiden, 1995).

[7]Levanoni, *A Turning Point,* 19–25.

[8]Gustav Weil, *Geschichte der Chalifen* (1846–62; reprint, Osnabrück, 1967), 5:288; Ibn Taghrībirdī, *Nujūm,* 846.

[9]Al-Sakhāwī, *Ḍaw',* 1:246. The importance of such a leading position in this popular and decentralized order should not be underestimated. It could be a hint that Aḥmad still maintained political influence after his time as sultan. For the al-Shadhilīyah order's social implications see Eric Geoffroy, *Le soufisme en Egypte et en Syrie sous les derniers Mamelouks et les premiers Ottomans: orientations spirituelles et enjeux culturels* (Damascus, 1995); Alexander Knysh, *Islamic Mysticism: A Short History* (Leiden, Boston, 2000), 208ff.; P. Lory, ″Shadhiliyya,″ *EI*^{2}, 9:172–75.

[10]Al-Sakhāwī, *Ḍaw',* 1:244.

[11]Ibid., 246.

[12]The endowment deed of 20 Jumādá II 865/2 April 1461 (called [DW] H in the following) is written on the reverse of an endowment deed ascribed to al-Ashraf Īnāl carrying the number DW 51/346 (Amīn, *Catalogue,* no. 137). The foundations of Īnāl are the subject of my Ph.D. dissertation, now in preparation. It includes an edition and annotated translation of Īnāl's two preserved endowment deeds, which are: Dār al-Kutub al-Qawmīyah MS 63 *tārīkh* from 28 Shawwāl 862/8 September

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access to the details of Aḥmad's life and raises questions about the connection between rulership and benefactors' activities, succession to the sultanate, and the aims of rulership. This document tells us that Aḥmad, shortly after his assumption of power, purchased land shares in no less than 37 Syrian and Egyptian villages and then bequeathed them to his family's existing foundation (*waqf ahlī).* This family foundation shall be called here (DW). It had been created by Aḥmad's father al-Ashraf Īnāl shortly before his death a few months earlier.[13] It consisted of 18 properties[14] in Cairo's best quarters as well as shares in 20 Syrian and Egyptian villages.[15] The income from renting the real estate as well as the levy *('ibrah)* paid annually by these agricultural lands was intended for the maintenance of Īnāl's family, i.e. his only wife Zaynab, his sons Aḥmad and Muḥammad, and his daughters Fāṭimah and Badrīyah.[16] The two important offices of the foundation's inspector *(naẓar)* and administrator *(wilāyah),* who determined the distribution of the foundation's income, resided characteristically with Zaynab.[17] No effort was

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1458 (Amīn, *Catalogue,* no. 884) as well as the already mentioned Dār al-Wathā'iq al-Qawmīyah MS 51/346 from 10 Ṣafar 865/25 November 1460 (Amīn, *Catalogue,* no. 137). A third document, which was originally preserved in the Cairo Ministry of Endowments, has only been recently lost: al-Awqāf MS 910q from 17 Dhū al-Hijjah 861/5 November 1456 (Amīn, *Catalogue,* no. 392). Furthermore, several sales documents *(bay')* are preserved in the Cairo archives, in whose transactions Īnāl was involved as vendor *(bā'ī):* al-Awqāf MS 643j from 13 Jumādá I 863/18 March 1459 (Amīn, *Catalogue,* no. 396; edited in Zaynab Muḥammad Maḥfūẓ, ″Wathā'iq al-Bay' fī Miṣr khilāl al-'Aṣr al-Mamlūkī,″ Ph.D. diss., Cairo University, 1977); Dār al-Wathā'iq MS 20/122 from 19 Jumādá I 864/12 March 1460 (Amīn, *Catalogue,* no. 131; edited in 'Imād Badr al-Dīn Maḥmūd Abū Ghāzī, ″Dirāsah Diblūmātīyah fī Wathā'iq al-Bay' min Amlāk Bayt al-Māl fī 'Aṣr al-Mamāmlīk al-Jarākisah, ma'a Taḥqīq wa-Nashr ba'ḍ al-Wathā'iq al-Jadīdah fī Arshīfāt al-Qāhirah,″ Ph.D. diss., Cairo University, 1995, 2:169–93); Dār al-Wathā'iq MS 27/176 from 27 Dhū al-Hijjah 864/13 October 1460 (Amīn, *Catalogue,* no. 135; edited in Maḥfūẓ, ″Wathā'iq al-Bay'″). Additionally, the existence and the dating of some former sales documents of Īnāl's and Aḥmad ibn Īnāl's, which are lost today, can be proved by quotations in the preserved documents.

[13]Aḥmad's sales deed dating from 7 Jumādá II 865/20 March 1461 has not survived. However, its date is known by a quotation in (DW) H, line 122. Īnāl's family endowment from 10 Ṣafar 865/25 November 1460 is documented in (DW) A.

[14](DW) A, nos. 1–11, 13–16, 18, 39. These properties were trading houses and market halls, apartment houses, stores, stables, bakeries and public baths. They were situated in the main Cairo commercial districts Bayn al-Qaṣrayn, Būlāq, and al-Fusṭāṭ.

[15](DW) A, nos. 19–38.

[16](DW) H, lines 131–46. Refers to (DW) A, lines 132–42.

[17](DW) A, lines 835–38. The appointment of the founder or a close relative as foundation inspector was fiercely discussed by contemporary observers and considered partly illegal. See Taqī al-Dīn 'Alī ibn 'Abd al-Kāfī al-Subkī's (d. 1355) unpublished treatise ″Al-Qawl al-Mū'ib fī al-Qaḍā' al-Mūjib,″ in Carl Brockelmann, *Geschichte der arabischen Litteratur* (Berlin, 1902), 2:87; likewise Khalīl ibn Aybak al-Ṣafadī, *Al-Wāfī bi-al-Wafayāt,* ed. Josef van Ess (Wiesbaden, 1974), 9:478

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made to hide such a conflict of interest. With the additional properties acquired by Aḥmad, the foundation's capital and thus the family's fortune was substantially enlarged. Otherwise, he did not modify the dispositions made by his father.

Aḥmad's maneuver must be seen in connection with his father's earlier foundations. Apart from the family trust just mentioned (DW), Īnāl had endowed another foundation, for which documentary evidence also remains and which will here be designated (DK).[18] This was a foundation with an appearant charitable purpose *(waqf khayrī),* which consisted of a large building complex erected in the northeastern Cairo cemetery *(ṣaḥra'),* which in addition to a mausoleum *(turbah)* for the sultan and his family, contained a college *(madrasah),* a Sufi convent *(khānqāh),* a Friday mosque *(jāmi'),* and a hermitage *(zāwiyah).*[19] To underwrite the building's construction and permanent expenses he created several additional foundations, the documents for which are unfortunately now lost.[20] However, we do know about the endowments of Syrian and Egyptian lands added to the foundation´s capital in the years 1458 and 1459.[21] Īnāl took these additional agricultural lands from both the state treasury *(bayt al-māl),* and from land he had personally acquired earlier.[22] The tasks of inspection and administration, including

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(both quoted in Haarmann, ″Joseph's Law,″ 72, n. 90).

[18]Dār al-Kutub MS 63 *tārīkh*.

[19]For the mausoleum, which was erected in 854/1450, see Michael Meinecke, *Die mamlukische Architektur in Ägypten und Syrien (648/1250 bis 923/1517),* Abhandlungen des Deutschen Archäologischen Instituts Kairo, Islamische Reihe, vol. 5 (Glückstadt, 1992), 2:372; Max van Berchem, *Matériaux pour un Corpus Inscriptionum Arabicarum: Egypte,* Mémoires de l'Institut français d'archéologie orientale, vol. 19 (Cairo, 1894–1903), 395–97, nos. 271 and 405. For the convent, finished in 858/1454, see Meinecke, *Mamlukische Architektur,* 2:378f. For the college/mosque, which was finished in 860/1456 in seven months and became active shortly thereafter, see Meinecke, *Mamlukische Architektur,* 2:379; Ibn Iyās, *Badā'i' al-Zuhūr fī Waqā'i' al-Duhūr,* ed. Muḥammad Muṣṭafá, Bibliotheca Islamica, vol. 5 a-e (Wiesbaden, Cairo, 1960–75), 2:333.

[20]The course of events and the dates of the individual endowments cannot be reconstructed. Only the deed for the Friday mosque, dating from 20 Jumādá II 862/5 May 1458 is quoted. See (DK) E, line 46f. Probably these lost documents were written on the similarly lost first part of the document (DK).

[21]The relevant endowment deed is the preserved collective deed Dār al-Kutub MS 63 *tārīkh* (see n. 12 above). The first of these additional endowments is dated from 21 Shawwāl 862/1 September 1458, when Īnāl endowed 14 different fiefs in the Syrian province of al-Ṭarābulus. One week later, on 28 Shawwāl 862/8 September 1458, he endowed a fief located in the Egyptian province of al-Gharbīyah. Two months later, on 3 Muḥarram 863/10 November 1458, he endowed six fiefs located in the Egyptian provinces of al-Jīzah, al-Muzāḥamīyatayn and al-Ushmūnayn. On 18 Ramaḍān 863/19 July 1459 he further endowed three fiefs in the Syrian province of Jabal Nābulus. See documents (DK) A, B, D, E.

[22]The lands endowed in documents (DK) A and (DK) D had been part of the state treasury's property previously. In connection with the lands endowed in documents (DK) B and (DK) E

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distributing the income, whose purpose was largely unspecified, were performed exclusively by Īnāl himself. He thus exercised virtually complete discretion over the disbursement of funds. After his death these tasks were to be transferred to his son and successor Aḥmad.[23] After 1459 there seem to have been no further endowments for the benefit of the college, at least no further documents in connection with this are known.

Contemporary observers complained that the motive for this sort of charity was really profit for the founders.[24] The inseparable connection between charitable motives and clear self-interest was a typical feature of endowments. This subject has been written about in recent academic literature so abundantly that it need not be dealt with again here.[25] Perhaps for our purpose, it is only important that this general distrust of endowments is additionally confirmed by the structure of Īnāl's building complex. Its clearly unconventional character—which reminds us of a component system rather than a unified conception of a foundation—tells us

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sales-deeds are mentioned dating from 11 Shawwāl 862/12 August 1458 and 24 Sha'bān 863/26 June 1459 respectively. However, neither of these is preserved. See (DK) B, lines 51–54; (DK) E, line 24f. For endowments of lands that had been state property before, see Doris Behrens-Abouseif, "Sultan Qāytbāy's Foundation in Medina, the *Madrasah,* the *Ribāṭ* and the *Dashīshah," Mamlūk Studies Review* 2 (1998): 64.

[23](DK) D, lines 40–42; (DK) E, lines 39–47. For the problems of a single person being both founder and foundation's inspector, see n. 17 above.

[24]The examples of Ibn Khaldūn and Abū Ḥāmid al-Qudsī are quoted in Haarmann, "Joseph's Law," 71f.

[25]See especially Carl F. Petry, "A Paradox of Patronage during the Later Mamluk Period," *The Muslim* World 73 (1983): 182–207. A remarkably apologetic religious explanation for establishing foundations is provided by Khalid A. Alhamzeh, "Late Mamluk Patronage: Qānṣūh al-Ghūrī's Waqf and his Foundations in Cairo," Ph.D. diss., Ohio State University, 1993, 185–90. For the caritative motive for endowing, see Adam Sabra, *Poverty and Charity in Medieval Islam: Mamluk Egypt, 1250–1517* (Cambridge, 2000), 69–100. For the psychological factor of endowing in times of plague epidemics, wars, and other insecurities, which should from today's point of view not be underestimated, see Jonathan P. Berkey, *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education* (Princeton, 1992), 142–46. For political advantages, especially the legitimation of power, for which the foreign-born Mamluk upper class had to pay, see Berkey, *Transmission of Knowledge,* 130–34. For economic advantages and advantages in inheritance law for the founder, see Berkey, *Transmission of Knowledge,* 134–42. The foundation's contributions to maintenance of communal government in a modern sense are dealt with for Ottoman times by works of İ. Metin Kunt, "The Waqf as an Instrument of the Public Policy: Notes on the Köprülü Family Endowments," in *Studies in Ottoman History in Honour of Professor V. L. Ménage*, ed. Colin Heywood and Colin Imber (Istanbul, 1994), 189–98 as well as André Raymond, "Les grands waqfs et l'organisation de l'espace urbain à Alep et au Caire à l'époque Ottomane (XVIe–XVIIe siècles)," *Bulletin d'études orientales* 31 (1979): 113–28. For the conditions of foundations in Central Asia, which were rather similar, see Richard D. McChesney, *Waqf in Central Asia: Four Hundred Years in the History of a Muslim Shrine, 1480–1889* (Princeton, 1991), 37–39.

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about the investor's desire for an expandable model. Such a model could be expanded gradually, depending on how the financial situation of the founder permitted or required it. Īnāl not only wanted to promote Islamic culture, but, to a much larger extent, the accumulation of his own fortune.[26]

Both aspects were inseparably connected. If on the one hand charitable endowments were only established if the founder could have at the same time his hidden profits, then on the other hand, only their public benefit made the acceptance of endowments by society possible. The justification for Īnāl's additional endowments (DK) in favor of his large building complex may have been rising expenses or perhaps a decrease in the foundation's annual income *('ibrah).* Otherwise the endowment of agricultural lands, a majority of which originally belonged to the government, would have had no legal basis.[27]

One of the peculiarities of late medieval endowments was a frequent combination of charitable endowments with those whose purpose was to provide for the endower´s family *(waqf mushtarak).* This feature was understood as disguising the founder's true motives, which was the enrichment of his family, by presenting it in the guise of charity.[28] Often enough, however, there were cases of simple family trusts *(waqf ahlī),* which were not disguised as charitable institutions.[29] Īnāl's foundation (DK) was a family type of investment with a charitable veneer. Yet the other foundation (DW) was, perhaps due to time pressure, a simple family trust. Surely such things were legally disputed, yet there must have been good reason why a respectable Hanafi judge, surely incorruptible at 94 years of age, gave this endowment legal validity. He was, interestingly enough, the same judge who had certified the endowment (DK).[30]

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[26]Īnāl's funerary complex differs remarkably from the complexes of other sultans. Its completion took a long time, and its design is not homogenous. See van Berchem, *CIA Egypte*, 406.

[27]An examination of the real decrease in the value of currency in the fifteenth century would be revealing. Additional endowments probably had become necessary because of diminished productivity of those lands which had already been endowed for the college/mosque. For inflation at that time, see Subhi Y. Labib, *Handelsgeschichte Ägyptens im Spätmittelalter (1171–1517)*, Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, Beiheft Nr. 46 (Wiesbaden, 1965), 423–40.

[28]Muḥammad Muḥammad Amīn, *Al-Awqāf wa-al-Ḥayāh al-Ijtimā'īyah fī Miṣr (648–923/ 1250–1517): Dirāsah Tārīkhīyah Wathā'iqīyah* (Cairo, 1980), 72–78.

[29]Legitimation for this was given by a saying of the prophet (hadith), in which he allowed the donor to consume part of the donation's yield on his behalf. See Aḥmad ibn 'Alī Ibn Ḥajar al-'Asqalānī, *Bulūgh al-Marām* (Cairo, n.d.), no. 784 (quoted in Rudolf Peters, ″Waḳf,″ *EI*^{2}, 11:59.

[30](DW) A, line 663; (DK) H, lines 11–17; (DK) L, lines 8–15; (DK) N, lines 7–12. The chief judge *(qāḍī al-qudāh)* was Sa'd al-Dīn al-Muqaddasī al-Dayrī. See M. K. Salibi, ″Listes chronologiques des grands cadis de l'Egypte sous les Mamelouks,″ *Revue des Etudes Islamiques* 25 (1957): 105.

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The previous ownership of the properties endowed in (DW) is also interesting. Only the trading house *(wakālah)* mentioned last in the document had been purchased by Īnāl before the endowment was established.[31] The remaining properties and agricultural lands seem to have come into his possession in a more obscure way. Some were part of earlier foundations whose dates are even mentioned in the document (DW).[32] These, it can be assumed, Īnāl had acquired by exchange transactions *(istibdāl)*.[33] Such a case was recorded by a chronicler in connection with one of the properties endowed in (DW): in Rabīʿ I 860/February 1456 Īnāl had acquired several ramshackle apartment houses and shops on the main street of Bayn al-Qasrayn by exchanging them for equivalent buildings. Afterwards, he immediately demolished them and built new apartment houses, shops and a large market hall *(qaysārīyah)* on this valuable piece of land.[34] All this then became part of an endowment by Īnāl, whose deed was issued on 25 Rabīʿ I 861/20 February 1457.[35] In this instance, Īnāl showed his business acumen since he had not acquired the properties completely, but only a lower-priced share of 75 percent, which nevertheless made him majority owner with full freedom of action to demolish the buildings. The previous owner, a nearby mosque, still held a quarter of the shares, yet had lost their right to a say in the matter. Īnāl had taken over unprofitable

[31]This is building no. 39, mentioned in (DW) A, lines 760–80. The sales deed from 30 Rabīʿ II 864/23 February 1460 is lost. However, the date of the purchase is mentioned in (DW) A, line 861f.

[32]It remains to be determined whether the former endowment deeds are still extant. In Īnāl's deed (DW) A no information is given concerning the former endowers. Accordingly, no detailed assertions can be made about earlier conditions. Only the previous dates of endowment are given for some of the objects. Hence, village no. 38 had formerly been endowed on 1 Rabīʿ I 847/29 June 1443. See (DW) A, lines 755–59. Further endowments are supported by documentary evidence from 28 Rajab 859/14 July 1455 (among others, apartment house no. 8a; see [DW] A, line 228f.); 25 Rabīʿ I 861/20 February 1457 (market hall no. 11 and shops and apartment houses no. 13; see [DW] A, line 289f.); 28 Rabīʿ II 861/25 March 1457 (apartment house no. 15 together with villages nos. 20–37; see [DW] A, lines 667f., 707f.); 18 Ramaḍān 863/19 July 1459 (two apartment houses no. 7; see [DW] A, line 178f.; on the same day Īnāl also endowed his foundation of deed [DK] B).

[33]Contemporary observers bitterly complained about the negative phenomenon of *istibdāl* transactions. See Amīn, *Awqāf,* 241 f.; Behrens-Abouseif, ″Qāytbāy's Foundation,″ 63; idem, ″Qāytbāy's Investments in the City of Cairo: Waqf and Power,″ *Annales Islamologiques* 32 (1998): 33; Ulrich Haarmann, ″Der arabische Osten im späten Mittelalter 1250–1517,″ *Geschichte der arabischen Welt*, ed. Haarmann (Munich, 1994), 251.

[34]Ibn Taghrībirdī, *Ḥawādith al-Duhūr fī Madá al-Ayyām wa-al-Shuhūr,* ed. William Popper (Berkeley, 1931), 2:255; ibid., ed. M. K. ʿIzz al-Dīn (Cairo, 1990), 573; Meinecke, *Mamlukische Architektur*, 2:381. Concerned are the objects in (DW) A, nos. 11–13, erected in 627/1230.

[35](DW) A, line 290.

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property and ensured at the same time through a majority holding that he alone could determine the means necessary to increase its value.[36]

On the other hand, other endowed property in (DW) had not been part of earlier foundations.[37] Yet the documents remain completely silent about their former ownership. Even if there is the possibility that the beginning of the document, which is lost today, contained the relevant information, doubt still remains. Too many other possible means of acquisition need to be taken into account, such as confiscation or a more or less concealed takeover of properties and agricultural lands abandoned due to recurring plague epidemics, which normally would have reverted to the heirs or to the state treasury.[38]

A further peculiarity of the foundation (DW) is the timing of its establishment—only three months before Īnāl's death. Perhaps one can assume that Īnāl at that time already knew about his approaching death, for this foundation appears to be a hasty enterprise intended to secure the family's material needs after his death. In contrast, the foundation (DK) was created over a long period of time. By transferring property into the possession of foundations his estate was made secure. Crown land did not have to return to the state treasury, while private family property *(milk)* was to a large extent shielded from the danger of confiscation. An additional precautionary measure by Īnāl was the installation of his wife Zaynab as administrator of the foundation. She had already been involved with all of his earlier foundations and thus had substantial experience in endowment management. Above all, however, as a woman she was in a substantially safer position than was her son Aḥmad, who would have to contend with the difficult task of establishing his rule.[39]

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[36]Sultan Qāytbāy, who ruled only a few years later, regularly used this method for the accumulation of his foundation property. Similar methods are also attributed to Sultan Barsbāy. See Behrens-Abouseif, ″Qāytbāy's Investments,″ 33.

[37]Concerned are objects nos. 2, 5, 6, 8b, 9, 10, 12–14, 16–18.

[38]Behrens-Abouseif, ″Qāytbāy's Investments,″ 33f.

[39]For women as inspectors of foundations see Carl F. Petry, ″Class Solidarity versus Gender Gain: Women as Custodians of Property in Later Medieval Egypt,″ in *Women in Middle Eastern History: Shifting Boundaries in Sex and Gender*, ed. Nikki R. Keddie and Beth Baron (New Haven, 1991), 122–42, as well as my article ″Was geschah in der Zeit zwischen Barsbāy und Qāytbāy? Überlegungen zu einer Neubewertung des späten Mamlukensultanats″ (forthcoming). Also in connection with Zaynab, there is documentary evidence of caritative foundations. Accordingly, in 865/1460–61 she began with the construction of a hospice *(ribāṭ)* in Mecca. This project, however, had to be given up after the dethronement of her son Aḥmad on 19 Ramaḍān 865/28 June 1461. Yet an adjacent public well *(bi'r)* was finished. See Muḥammad ibn Aḥmad al-Fāsī, *Shifā' al-Gharām bi-Akhbār al-Balad al-Ḥarām*, ed. Ferdinand Wüstenfeld (1859; reprint, Hildesheim and New York, 1981), 2:111; Meinecke, *Mamlukische Architektur*, 2:384. Another hospice in the Cairo quarter of Bayn al-Qasrayn, which is seriously decayed today, might also have been erected on behalf of Zaynab.

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What was going on inside Aḥmad's head when he took over the sultanate from his father? Possibly he had no illusions about his hopeless situation, having in mind the examples of earlier unlucky sultans' sons.[40] In that case he would have used the little time remaining to him as sultan to make his possessions *(milk)* secure by endowing them before they could be confiscated. Whether he would also have transferred crown land into foundations like his father did if he had had more time cannot be known. However, that would explain Aḥmad's attempt to put down the rebellion against him and to delay his dethronement. In this case his activities as founder are an important, although largely unseen, aspect of his short sultanate. More plausible, however, is the scenario of Aḥmad figuring out ways to retain the throne. He was more experienced and mature than were his unsuccessful predecessors. Furthermore, the family's endowments provided him with funds which might have enabled him to control the mamluk factions by paying them. In a state like the late Mamluk sultanate, which increasingly suffered from shortages of money, the most important yet at the same time most difficult task of a ruler seems to have been to meet the financial demands of these factions. Only with cash funds could one successfully rule and calm the unrest paralyzing most domestic affairs. The largest endowment entrepreneur was the most powerful ruler too. Consequently, Īnāl had tried to establish a dynasty in order to give the country continuity and stability.

Even if Aḥmad's attempt to permanently succeed his father on the throne bore no success—despite a good beginning—the family's history was still not over. The first years were difficult. Aḥmad's successor al-Ẓāhir Khushqadam also had trouble maintaining the loyalty of his own mamluks. Because of the empty state treasury, he ordered Īnāl's family foundations to hand over their annual income to the treasury. According to the chronicler Ibn Taghrībirdī, this amounted to a total of one million army dinars *(dīnār jayshī),* which surely is an exaggerated amount. Nevertheless, it gives us an idea of the dimensions of these foundations.[41] For comparison, the annual fief-levy for the highest army offices at that time amounted to 250,000 army dinars.[42] Under Sultan al-Ashraf Qāytbāy (r. 1468–96), who had married a cousin of Aḥmad's, Fāṭimah bint 'Alī ibn Khāṣṣbak, the family regained

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Al-Sakhāwī, *Ḍaw',* 12:45; Aḥmad 'Abd al-Rāziq Aḥmad, *La Femme au temps des mamlouks en Egypte*, Textes arabes et études islamiques, vol. 5 (Cairo, 1973), 25; Meinecke, *Mamlukische Architektur*, 2:386.

[40]The succession of a sultan and the mostly futile attempts of founding a dynasty in the fifteenth century are examined by Agatha Rome, ″Die kurze Regierungszeit der mamlukischen Sultanssöhne in der tscherkessischen Phase (784/1382–922/1517),″ M.A. thesis, University of Basel, 1995.

[41]Ibn Taghrībirdī, *Nujūm,* 7:693.

[42]Haarmann, ″Der arabische Osten,″ 234.

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its influence.[43] They also had close connections to the powerful state chancellor *(dawādār)* Yashbak min Mahdī after he married one of Aḥmad's daughters.[44] When Zaynab died in 884/1479, the supervision of the foundations was turned over to the now-rehabilitated Aḥmad, who, as we already have seen, was to gain a substantial social position in Alexandria as shaykh of a Sufi order.

The documents also show him in later years still actively managing the endowments. Thus in 871/1467 he brought a suit, together with a certain Abd al-Raḥīm al-Barizī,[45] against the administrators of a foundation of a certain Sayf al-Dīn Qānim Atābak al-'Askar al-Manṣūr, a former officer of Īnāl's.[46] In 891/1486 he went to court over a share in the fortune of the deceased Alexandrian Kārimī merchant Sharaf al-Dīn Ya'qūb ibn Muḥammad.[47] In 908/1502 a former slave of Aḥmad's named Dilbār bint 'Abd Allāh added to a foundation which she had established together with him during his lifetime.[48] Apart from (DW) H, however, Aḥmad created other endowments. This is shown by an entry in a contemporary land register *(rawk)* in which a village named al-Sanjarīyah, located in the Egyptian province of al-Daqahlīyah, is registered as an endowment of Aḥmad's. This is not mentioned in the available documents.[49]

We furthermore know that the foundation (DW) was administered by Aḥmad's descendants in the sixteenth century. There is documentary evidence of exchange transactions *(istibdāl)* in the years 902/1496, 921/1515, 974/1566, and 997/1589 respectively.[50] Finally, one may conclude that by examining the documents one gains substantial insight into important aspects of al-Ashraf Īnāl's and his son al-Mu'ayyad Aḥmad's policies. A more exact analysis of their foundations would support Carl Petry's assumption of a ″clandestine economy.″[51] However, they did

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[43]For Fāṭimah, see Ibn Iyās, *Badā'i'*, 3:157 and 302.

[44]Weil, *Geschichte*, 5:288.

[45]Al-Sakhāwī, *Ḍaw'*, 4:168.

[46]Wizarāt al-Awqāf MS 740j from 25 Jumādá II 871/1 February 1467 (Amīn, *Catalogue,* no. 433). For Sayf al-Dīn Qānim, see Ibn Taghrībirdī, *Nujūm,* 7:818.

[47]Wizarāt al-Awqāf MS 750j from 7 Rabī' I 891/13 March 1486 (Amīn, *Catalogue,* no. 523). For the merchant Sharaf al-Dīn Ya'qūb, who possessed a legendary fortune and also was active as founder, see al-Sakhāwī, *Ḍaw',* 10:285f.

[48]Endowment deed Dār al-Wathā'iq MS 37/235 from 23 Rabī' II 908/26 October 1502 with additional modification from 8 Rabī' I 909/31 August 1503 (Amīn, *Catalogue,* no. 247).

[49]The land register referred to is Yaḥyá ibn al-Maqarr Ibn al-Jī'ān's *Al-Tuḥfah al-Sanīyah bi-Asmā' al-Bilād al-Miṣrīyah,* written in the year 885/1480. See Heinz Halm, *Ägypten nach den mamlukischen Lehensregistern* (Wiesbaden, 1980), 2:753.

[50]Documents (DW) C–G.

[51]For the notion of a ″clandestine economy″ see Carl F. Petry's *Protectors or Praetorians? The Last Mamluk Sultans and Egypt's Waning as a Great Power* (Albany, 1994), 196–219.

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not enrich themselves due to greed. On the contrary, in times of a permanent shortage of money and an unsettled Mamluk system, sultans needed cash reserves urgently in order to maintain power. This, in turn, was necessary to restore the country's stability and continuity, and in particular to control and contain the unrest between the different Mamluk factions. This also helps to explain the sultans' regular attempts to establish dynasties. Aḥmad's case was the first time a sultan's son of the Circassian sultanate possessed the necessary prerequisites to succeed his father to the throne. The fact that even he was overthrown seems more surprising than predictable. Thus Aḥmad's short sultanate should be judged not as another futile temporary solution, but as a missed opportunity to improve the situation and to pacify and stabilize internal conditions in Egypt.

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The Privatization of ″Justice″ under the Circassian Mamluks

The failure of military and palace entitulature to match the actual functions of those who bore the titles was a fairly pervasive aspect of Mamluk rule. Thus, for example, the *dawādār*, or Bearer of the Sultan's Inkwell, exercised much wider powers than his ceremonial title might suggest. Under the Bahri Mamluk sultans, the *dawādār* was not only in charge of the chancery, but also controlled, or at least exercised responsibilities for, foreign affairs, the *barīd* (state postal service), and espionage.[1] Similarly, the chief duty of the *mihmāndār* (the officer in charge of receiving guests) seems to have been to liaise with powerful Arab tribal shaykhs, particularly the Banū Faḍl, the paramount Arab tribe in the Syrian desert.[2]

Ḥājib may be translated literally as ″doorkeeper″ or ″chamberlain″ and *ḥājib al-ḥujjāb* as ″chief doorkeeper.″ However, it is questionable whether the *ḥājib al-ḥujjāb,* a senior officer in the Mamluk regime, actually spent much of his time in opening and closing the sultan's door, or in screening petitioners and others who sought audience with the sultan. In ″Studies in the Structure of the Mamluk Army,″ David Ayalon described the function of the *ḥājib al-ḥujjāb* as follows: ″The main function of the *ḥājib al-ḥujjāb* was the administration of justice among the mamluks of the amirs according to the laws of *Yāsa*. His authority was independent, but during the time that the office of *nā'ib al-salṭana* was in existence he was sometimes obliged to consult with the holder of that office. It was also his duty to present guests and envoys to the sultan and he was in charge of organizing military parades.″ Ayalon additionally noted that originally there were three *ḥājib*s, but Barqūq increased their number to five.[3] Ayalon's description of the *ḥājib*s as enforcers of the Mongol law code of the *Yāsa* echoed the views previously put forward by A. N. Poliak.[4] However, Ayalon later came to reconsider the matter

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[1]Robert Irwin, *The Middle East in the Middle Ages: The Early Mamluk Sultanate 1250–1382* (Beckenham, Kent, 1986), 39.

[2]Ibid., 115 and n.

[3]David Ayalon, ″Studies in the Structure of the Mamluk Army III,″ *Bulletin of the School of Oriental and African Studies* 16 (1954): 60.

[4]A. N. Poliak, *Feudalism in Egypt, Syria, Palestine, and the Lebanon, 1250–1900* (London, 1939), 14 f., 65; idem, ″Le Caractère colonial de l'État Mamelouk dans ses Rapports avec la

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and, in a series of carefully researched and cogently argued articles, he demonstrated that the *ḥājib*s did not administer justice according to the Mongol *Yāsa*.[5] Since Ayalon discussed the matter, others have gone further and doubted the very existence of Chingiz Khan's *Yāsa* in the sense of a written code of Mongol law and custom.[6] Even so, according to Ibn 'Arabshāh, there was some kind of written code called the *Yāsa*, which was produced and read out every time a new Great Khan was chosen.[7]

Be that as it may, if the *ḥājib*s were not administering justice according to the Mongol *Yāsa*, what were they doing? The role of *ḥājib*s in the Bahri Mamluk period has been discussed by Jørgen Nielsen in a monograph devoted to *maẓālim*, or ″secular royal jurisdiction.″[8] As he notes, *maẓālim* literally means 'wrongful exactions.'[9] However, the word was commonly used to refer to the discretionary jurisdiction of rulers and governors to settle grievances and respond to petitions without directly basing themselves on the shari'ah. *Maẓālim* overlapped with *siyāsah* and ″the maẓālim under the Mamlūks in practice became involved in a particular form of siyāsa.″[10] This last ″is the prerogative of the head of state—whether caliph or sultan—to set aside the Sharī'a, to supplement it, and to influence its interpretation and application.″[11] Nielsen has noted the claims advanced by al-Subkī, al-Maqrīzī, and al-Qalqashandī that *ḥājib*s took over the administration of *maẓālim* (″secular″ or ″political justice″) and in doing so usurped much of the authority of the qadis.[12] The three authors cited seem to be implying that the *ḥājib*s exercised some kind of judicial authority not just over members of the Turkish mamluk military caste, but also over the population at large. Nielsen, basing himself on detailed chronicle references to the exercise of *maẓālim* or *siyāsah* justice by the

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Horde d'Or,″ *Revue des études islamiques* 9 (1935): 235–36; idem, ″The Influence of Chingiz-Khan's Yāsa upon the General Organisation of the Mamluk State,″ *BSOAS* 10 (1940–42): 862 ff.

[5]Ayalon, ″The Great Yāsa of Chingiz Khan: A Re-examination,″ *Studia Islamica* 33 (1977): 97–140; 34 (1971): 151–80; 36 (1972): 113–58; 38 (1973): 107–56.

[6]See, for example, David O. Morgan, ″'The Great Yāsa of Chingiz Khan' and Mongol Law in the Ilkhanate,″ *BSOAS* 49 (1986): 163–76; idem, *Medieval Persia, 1040–1797* (London, 1988), 55.

[7]Irwin, ″What the Partridge Told the Eagle: A Neglected Arabic Source on Chinggis Khan and the Early History of the Mongols,″ in *The Mongol Empire and its Legacy,* ed. Reuven Amitai-Preiss and David O. Morgan (Leiden, 1999), 5–11.

[8]Jørgen S. Nielsen, *Secular Justice in an Islamic State: Maẓālim Under the Baḥrī Mamlūks, 662/1264–789/1387* (Istanbul, 1985); cf. idem, ″*Maẓālim* and *Dār al-'Adl* Under the Early Mamluks,″ *Muslim World* 66 (1976): 114–32.

[9]Nielsen, ″*Maẓālim,*″ 114–15.

[10]Nielsen, *Secular Justice,* 32.

[11]Nielsen, ″*Maẓālim,*″ 123.

[12]Nielsen, *Secular Justice,* 83–85, 107–9.

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sultan and his officials in the Bahri period, is inclined to the view that the accusations made by al-Subkī, al-Maqrīzī, and al-Qalqashandī were unfounded. Those accusations are of a piece with more general complaints by civilian and religious writers about the various ways in which the Mamluk elite allegedly infringed the provisions of the shari'ah. Nielsen's overall conclusion was that "the maẓālim was primarily occupied with considering the oppression, arrogance, mistakes or plain inefficiency of officialdom."[13]

There is no reason to doubt the correctness of Nielsen's conclusion insofar as the administration of *maẓālim* justice in the Bahri period is concerned. However, of the authors cited on the *ḥājib* and his usurpation of judicial authority, Tāj al-Dīn al-Subkī wrote his curious treatise on the importance of good intentions in all walks of life, the *Kitāb Mu'īd al-Ni'am wa-Mubīd al-Niqam,* quite late in the Bahri period (in the early 760s) and al-Qalqashandī and al-Maqrīzī wrote in the Circassian period. Al-Subkī was already uneasy that the Turks had made the *ḥājib* a judge and that he tended to follow the authority of *siyāsah,* rather than shari'ah.[14] In chronicles written in the Circassian period, we find reports of incidents that tend to support the generalized accusations made in al-Subkī's *Mu'īd al-Ni'am* and in al-Maqrīzī's *Khiṭaṭ*. Indeed, not only did the *ḥājib*s usurp judicial powers that were formerly exercised by the qadis, but other military officers also did the same.

However, the military usurpation of judicial powers only seems to have become flagrant and pervasive in the opening decades of the fifteenth century. Al-Qalqashandī finished compiling his chancery encyclopedia, the *Ṣubḥ al-A'shá,* in 814/1412. According to al-Qalqashandī, under the Mamluk sultans, *ḥājib*s had acquired a jurisdiction over cases not suitable for the courts, such as ones relating to the *dīwān*s (financial offices).[15] In a separate section of the encylopedia al-Qalqashandī dealt with *maẓālim* and the various forms that *maẓālim* petitions took depending on what officer or official they were presented to.[16] It would appear then that by al-Qalqashandī's time *maẓālim* cases were not the exclusive prerogative of the sultan and the *ḥājib.*

Al-Maqrīzī's *Khiṭaṭ*, a topographical work that ranged more widely than merely topographical issues, was written ca. 827/1424. In it, in the section devoted to the office of *ḥājib,* he complained that, whereas in the early Mamluk period the

[13]Ibid., 133.

[14]Tāj al-Dīn 'Abd al-Wahhāb ibn 'Alī al-Subkī, *Kitab Mu'īd al-Ni'am wa-Mubīd al-Niqam* (Cairo, 1948), 40.

[15]Aḥmad ibn 'Alī al-Qalqashandī, *Ṣubḥ al-A'shá fī Kitābat al-Inshā'* (Cairo, 1913–18), 3:277; 5:450.

[16]Ibid., 6: 204–10.

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jurisdiction of *ḥājib*s did not extend beyond dealing with military matters, such as disputes between *jundī*s (soldiers) concerning *iqṭā'*s and so forth, in his own time the *ḥājib*s had taken upon themselves to arbitrate on matters that had been previously dealt with by qadis according to the shari'ah. ″Nowadays *ḥājib* is the term applied to the various amirs who give judgement over the *nās.*″ Although *″nās″* here may be translated simply as ″people,″ it is possible that al-Maqrīzī intended the term to refer only to members of the military elite. (However, the case of the Persian merchants cited below suggests that he may after all have been using *nās* in the first and more general sense.) He went on to claim that the *ḥājib*s tended to be swayed in their judgements by bribes that were handed to the *ra's nawbat al-nuqabā'* and ″today the *ḥājib* judges over everything great and small regarding the *nās,* whether it be a matter of shari'ah or *siyāsah* jurisdiction.″ *″Siyāsah″* was a Satanic word in al-Maqrīzī's eyes.[17]

In a subsequent section devoted to *siyāsah* jurisdiction, al-Maqrīzī denounced the corruption and arbitrary proceedings of the *ḥājib*s. They did what they wished and they proliferated to such an extent that in one year there were 86 *ḥājib*s. According to al-Maqrīzī, the rot began with the case of a group of Persian merchants whom the Hanafi chief qadi had put in prison for failing to pay import dues in 753/1352 during the reign of al-Ṣāliḥ ibn Muḥammad ibn Qalāwūn. The chief *ḥājib,* Sayf al-Dīn Jurjī, exercised his authority, based on *siyāsah,* in order to set those merchants free and exact the dues demanded by the merchants' creditors. ″From then on the *ḥājib* did what he wished in judging over the people *(nās).*″[18]

According to Ibn Ḥajar, in 823/1420 (only a few years before the *Khiṭaṭ* was compiled) the sultan al-Mu'ayyad Shaykh (who was then very ill and approaching death) had decreed that *ḥājib*s should exercise no jurisdiction in shari'ah matters. However, the sultan's decree remained in force for only a couple of days, as the mamluk amirs campaigned so vigorously against it that the sultan was compelled to rescind his decree and proclaim that they could indeed exercise jurisdiction in shari'ah affairs. Immediately following this royal volte-face, the Hanafi chief qadi and the senior *ḥājib* clashed. Though it is not entirely clear what the clash was about, it seems that the *ḥājib* refused to hand over an accused man to the qadi's jurisdiction and had his messenger flogged. The sultan, when he heard of the matter, was enraged and told the *ḥājib* that if he, the sultan, had been enjoined to conform to the jurisdiction of shari'ah law, he would have done so immediately. He then reissued the decree that only qadis could exercise jurisdiction in shari'ah

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[17]Aḥmad ibn 'Alī al-Maqrīzī, *Al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār [Khiṭaṭ]* (Cairo, 1959), 3:145.

[18]Ibid., 148f.; c.f. Joseph Escovitz, *The Office of Qâḍî al-Quḍāt in Cairo under the Baḥrī Mamlûks,* Islamkundliche Untersuchungen, vol.. 100 (Berlin, 1984), 159; Nielsen, *″Maẓālim,″* 127.

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matters and the *mashā'ilī*s (urban dogsbodies who functioned as lamplighters, removers of night-soil, and police constables, as well as town-criers) went round the city proclaiming this. The *ḥājib*, enraged by this, had one of the *mashā'ilī*s flogged, but when the Hanafi qadi complained, the *ḥājib* excused himself by claiming that he had had the *mashā'ilī* flogged for a different matter altogether. After that things quietened down for a bit.[19]

Ibn Taghrībirdī, in his account of the reign of al-Mu'ayyad Shaykh (815/1412–824/1421), under the year 819/1416, states that the deputy *dawādār* did not at that time exercise justice among people *(nās)* nor were orderlies *(nuqabā')* stationed at his door. The same applied to the deputy head of guards *(ra's nawbah thānī).*[20] Ibn Taghrībirdī continues that the first deputy *dawādār* to exercise those prerogatives was Qurqmās al-Sha'bānī, while the first deputy *dawādār* was Aqbīrdī al-Minqār. Qurqmās was appointed deputy *dawādār* in 824/1421 or in 825/1422. (Ibn Taghrībirdī is inconsistent on the chronology of Qurqmās's career).[21] The chronicler also gives inconsistent information about Aqbīrdī's career, but evidently he became deputy head of guards during the sultanate of al-Mu'ayyad Shaykh, since he died before the sultan did.[22]

A few decades later there was a renewed clash over the respective spheres of influence of the qadi and the *ḥājib,* when the Sultan Jaqmaq clashed with the Maliki qadi in 856/1452. In this case a Muslim had successfully brought a case against a Jewish trader dealing in Circassian mamluks and had had it judged according to shari'ah law. However, the Jew refused to accept shari'ah jurisdiction and threatened to take the case elsewhere, whereupon the qadi had him flogged. Then the Jew appealed to Jaqmaq, who summoned the qadi and rebuked him for encroaching on what properly belonged to *siyāsah* jurisdiction and told him that he had given judgement in error. The qadi was then briefly deposed.[23]

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[19]Aḥmad ibn 'Alī ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr bi-Anbā' al-'Umr,* ed. Ḥasan Ḥabashī (Cairo, 1972), 3:219.

[20]Abū al-Maḥāsin Yūsuf Ibn Taghrībirdī, *Al-Nujūm al-Zāhirah fī Mulūk Miṣr wa-al-Qāhirah* (Berkeley,1909-36), 6:356; translated by William Popper as *History of Egypt, 1382–1469 A.D. Translated from the Arabic Annals of Abu l-Maḥasin ibn Taghrî Birdî by William Popper,* University of California Publications in Semitic Philology, vols. 13–14, 17–19, 22–24 (Berkeley, Los Angeles, 1954–), 3:38.

[21]Ibn Taghrībirdī, *Nujūm,* 6:356, 7:255f.; Popper, *History,* 3:38; 5:168f.

[22]Ibn Taghrībirdī, *Nujūm,* 6:347, 458; Popper, *History,* 3:32, 108. The (intrinsically trivial) problem here is that Ibn Taghrībirdī describes Aqbīrdī as having exercised justice among the people with orderlies at his gate before being promoted to the governorship of Alexandria in 818/1415, and this is at least a year before the he says the deputy head of guards began to exercise the new prerogatives.

[23]Ibn Taghrībirdī, *Ḥawādith al-Duhūr fī Madá al-Ayyām wa-al-Shuhūr,* ed. William Popper (Berkeley, 1930), 1:129f.

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Ibn Taghrībirdī reported the above incident in his chronicle *Ḥawādith al-Duhūr*. In his other chronicle, *Al-Nujūm al-Zāhirah* (which is more closely focused on the character and deeds of the Mamluk sultans), he spells out how arbitrary and widespread the administration of ″justice″ had become by mid-fifteenth century. At the end of his annal for year 861 (1456–57) he observed that the ″year ended with the authority of the judges *(ḥukkām)* of shari'ah and *siyāsah* set at naught by the power of the purchased mamluks *(julbān)* of the Sultan Inal. Anyone from the people *(nās)* with a claim against anyone whomsoever went to one of these mamluks to secure his claim and no sooner had he informed the mamluk of what he wished than he secured what he wished from his opponent in the case. For at the gates of the most important of these mamluks a sort of head of guards *(ra's nawbah)* and military police *(nuqabā')* were stationed, while some had a *dawādār*. The mamluk would then send for the other man in the case and, after threatening him with a beating and other punishment, he would command the man to satisfy the plaintiff's claim, whether that claim was true or false. If he did not pay he would immediately be beaten and thrashed. Everyone learned about this and went to them to have their affairs settled and people *(nās)* deserted the judges *(ḥukkām)*. So the purchased mamluks became very powerful and the judges' authority reached a nadir.″[24]

Ibn Taghrībirdī returned to the theme in his account of the events of 863/1458–59. At this time, ″the power of the purchased mamluks exceeded all limits, while the authority of the judges of Egypt was absolutely null. Anyone who had a just claim, or the semblance of such a claim brought his charge against his opponent only before the purchased mamluks, and immediately he would secure what he claimed from his opponent, justly or otherwise. So everyone, especially merchants and sellers of any kind of wares, feared the mamluks and most men gave up their businesses, fearing the loss of their capital . . . ″[25]

Despite the efforts of various scholars to assign a precise meaning and function to the *naqīb* (pl. *nuqabā'*), the term does not seem to have been used very precisely. According to Ayalon, the *naqīb al-jaysh* was a sort of chief of military police with responsibility for arrests and escorting the condemned to execution. He also had responsibilities for mustering and parading troops. The *nuqabā' al-ḥalqah* were his deputies in Cairo. There was also a *naqīb al-mamālīk* who may have had similar duties, but only with respect to mamluks and not the rest of the army.[26] Popper also gave the *naqīb al-jaysh* a role as military policeman and adds that he

[24]Ibn Taghrībirdī, *Nujūm,* 7:494; Popper, *History,* part 6:72.

[25]Ibn Taghrībirdī, *Nujūm*, 7:516f.; Popper, *History*, 6:84–85.

[26]Ayalon, ″Studies in the Structure,″ 64–65.

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had many opportunities for collecting bribes.[27] However, from the passage in the *Nujūm al-Zāhirah* just cited above, it would appear that the term *naqīb* was used in a general sense to refer to the junior officers employed to guard the ad hoc courts of the mamluks and to enforce their decisions. Al-Maqrīzī also notes that the *naqīb*s, like the *ḥājib*s, were especially associated with *maẓālim* sessions, which they attended as court officers.[28]

The administration of *maẓālim* was also associated with the platforms *(dikak*, s. *dikkah)* from which the mamluk officials gave their verdicts. The *dikak* were sited at the gates of the mamluk amirs' houses. In 910/1505 the sultan al-Ashraf Qānṣawh al-Ghawrī, moved by piety, banned the great officials among the amirs from stationing *nuqabā'* at their gates and he banned all trials except those that were conducted according to the shari'ah.[29] Something similar happened in 919/1513–14, when Qānṣawh, under the impetus of a sudden surge of piety brought on by the outbreak of plague in Egypt, again issued a decree abolishing the ″platforms″ and their attendant officers *(nuqabā')* and messengers *(rusul).* It is clear from the context of this decree that he was attempting to abolish the practice of mamluk officers selling justice to all and sundry. However, like al-Mu'ayyad Shaykh, Qānṣawh faced pressures from his officers to have their profitable jurisdiction restored to them. They argued that since they were no longer able to give justice, the people *(nās)* have no way of securing their rights *(ḥuqūq).* Whereupon Qānṣawh partially backed down and allowed the platforms to be re-established, but he decreed that the *nuqabā'* and messengers should henceforth be debarred from taking too large a percentage from plaintiffs in order to advance their cases.[30]

The usurpation by amirs and mamluks of some of the judicial functions of the qadis may explain why some mamluks studied shari'ah law. It is a notable feature of the Circassian period that a number of mamluk officers were well versed in Hanafi jurisprudence. The amir Ṭāṭār (later the sultan al-Ẓāhir Ṭāṭār) is probably the most famous example. According to Ibn Taghrībirdī, during the short reign of al-Muẓaffar Aḥmad (824/1421), Ṭāṭār presided and delivered judgements in the stables of the Cairo Citadel. He ″decided cases between the people and settled the affairs most judiciously, for he was a man of outstanding ability, alert and intelligent, and had a good knowledge of jurisprudence and other subjects; he loved to study

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[27]Popper, *Egypt and Syria under the Circassian Sultans, 1382-1468 A.D.: Systematic Notes to Ibn Taghrî Birdî's Chronicles of Egypt*, University of California Publications in Semitic Philology, vols. 15–16 (Berkeley, 1955-57), 1:94.

[28]Al-Maqrīzī, *Khiṭaṭ*, 2:245.

[29]Ibn Iyās, *Badā'i' al-Zuhūr fī Waqā'i' al-Duhūr* (Istanbul, 1931), 4:76; translated by Gaston Wiet as *Journal d'un bourgeois du Caire* (Paris, 1955), 1:73.

[30]Ibn Iyās, *Badā'i',* 4:312, 320; Wiet, *Journal,* 1:283, 292f.

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especially the teachings of the Ḥanafite masters, for he held them in high honour.″[31] There are, however, other examples. Tamurbughā, who also rose to be sultan (872/1467–8), had an excellent knowledge of Hanafi jurisprudence.[32] The amir Sayf al-Dīn Sūdūn al-Maghribī (d. 843/1439–40), who rose to be a deputy *ḥājib* before being politically disgraced, is a particularly interesting example. According to Ibn Taghrībirdī, Sūdūn was obsessive in his study of jurisprudence and invariably supported the case of the weak against the strong. This meant that if he heard a case between a trooper and a peasant, he would always give judgement in favor of the peasant, even if the trooper was actually in the right.[33]

It is quite likely that there were other amirs and mamluks who tried to deliver justice according to the precepts of the shari'ah, or at least according to a sense of equity, but evidently other mamluks were selling verdicts for money and receiving petitions in order to exercise patronage and develop local clienteles. The ″justice″ and ″protection″ that these officers offered will not have differed very much from that offered by Don Corleone in Mario Puzio's novel *The Godfather*. We are dealing here with a mostly subterranean history. At first the *ḥājib*s, acting as delegates of the sultan, exercised a kind of administrative jurisdiction over matters relating to the army and the *dīwān*s. Then they took to hearing cases presented by merchants and other civilians and thereby encroached on the jurisdiction of the qadis, at which point judicial and executive powers became utterly confounded. Then other quite junior officers, such as the deputy *dawādār,* arrogated the same jurisdiction to themselves. Then even purchased mamluks took to receiving petitions from all and sundry and using their muscles to enforce their ad hoc jurisdiction. However, the fragmentary and somewhat speculative nature of the evidence of abuses in *maẓālim* jurisdiction described above is obvious. Pious chroniclers complained repeatedly about the way that the provisions of the shari'ah were being breached, but they did not actually dwell upon the matter, nor did they systematically record the way in which *maẓālim* justice was delegated and diffused to such an extent that justice shaded into racketeering and any mamluk with a sword could pose as an officer of the law. It was hardly a matter for celebration.

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[31]Ibn Taghrībirdī, *Nujūm,* 6:484; Popper, *History,* 3:126.

[32]Ibn Taghrībirdī, *Nujūm*,7:843f.; Popper, *History,* 7:140.

[33]Ibn Taghrībirdī, *Nujūm,* 7:267f.; Popper, *History,* 5:176. On learned mamluks more generally, see Jonathan Berkey, *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education* (Princeton, 1992), 128–60; idem, ″'Silver Threads Among the Coal': A Well-Educated Mamluk of the Ninth/Fifteenth Century,″ *Studia Islamica* 73 (1991): 109–25.

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Sultan al-Ghawrī and the Arts

In the last decades of Mamluk rule the visual arts flourished, despite a deplorable economy and a fatal political and military situation. The reigns of Sultans Qāytbāy and al-Ghawrī each in its own way turned a page in the history of Mamluk art. Judging from the handsome and richly decorated monuments and from the originality of the objects produced during his reign, Qāytbāy appears to the modern viewer to have been a great patron of the arts. For his contemporaries, however, he was regarded more as a sponsor of religious and philanthropic foundations rather than as a patron of artistic creations. The image conveyed by his chroniclers and biographers is of a good and pious Muslim ruler who founded a large number of religious institutions and restored and refurbished major mosques and shrines in his empire. Together with his amirs he also contributed to Cairo´s revitalization and embellishment. In addition to his piety, however, Qāytbāy must also have had an esthetic appreciation of the visual arts; otherwise it is difficult to explain the explosion of decorative ideas that characterizes the monuments and the art objects produced during his reign. Nevertheless, it was the pious works rather than the esthetic innovations that shaped his image in late Mamluk historiography. His successful military campaigns against the Ottomans and the Turcoman principalities which threatened the borders of the Mamluk empire and his humble life-style, not to mention his performance of the hajj—a rarity among the Mamluk sultans—earned him the reputation of being a pious and good sultan.[1]

The profile of his successor, Sultan Qānṣūh al-Ghawrī, that emerges from the chronicles is indeed quite different from Qāytbāy´s pious image. It is of a monarch with clear artistic and hedonistic inclinations.[2] Seen in retrospect and considering

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[1]Muḥammad ibn ʻAbd al-Raḥmān al-Sakhāwī, *Al-Ḍaw' al-Lāmiʻ li-Ahl al-Qarn al-Tāsiʻ* (Cairo, 1896), 6:201–14.

[2]Ibn Iyās, *Badā'iʻ al-Zuhūr fī Waqā'iʻ al-Duhūr,* ed. Muḥammad Muṣṭafá, Bibliotheca Islamica, vol. 5 a-e (Wiesbaden and Cairo, 1960–75), 5:87 ff.; ʻAbd al-Wahhāb ʻAzzām, *Majālis al-Sulṭān al-Ghawrī* (Cairo, 1941); Najm al-Dīn al-Ghazzī, *Al-Kawākib al-Sā'irah bi-Aʻyān al-Mi'ah al-ʻĀshirah,* ed. Jibrā'īl Sulaymān Jabbūr (Beirut, 1979), 1:294–97; ʻAbd al-Ḥayy ibn Aḥmad Ibn al-ʻImād, *Shadharāt al-Dhahab fī Akhbār Man Dhahab* (Beirut, n.d.), 8:113 f.; Barbara Flemming, ″Šerīf, Sultan Ġavrī und die ´Perser,″ *Der Islam* 45 (1969): 81–93; Carl F. Petry, *Protectors or Praetorians? The Last Mamlūk Sultans and Egypt´s Waning as a Great Power* (New York, 1994), 158–73; idem, *Twilight of Majesty: The Reigns of the Mamlūk Sultans al-Ashraf Qāytbāy and*

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its catastrophic end, al-Ghawrī´s reign could by no means be evaluated favorably. Even if the causes of the fall of the Mamluk empire were complex and began long before his reign, that it happened during his reign had to be attributed to his conduct and his politics, in contrast to Qāytbāy, who appears as having been able to stave off that fate. From the perspective of the modern art historian, however, the reign of al-Ghawrī, had it not coincided with the final stage of Mamluk history, could have changed the history of Mamluk art. It was a tragic coincidence that al-Ghawrī did not have the personality needed for that particular time in Mamluk history when the empire was facing fatal threats from inside and outside its territory which ultimately led to its downfall.

Al-Ghawrī has already attracted a relatively good deal of scholarly attention. ʻAbd al-Wahhāb ʻAzzām in the 1940s and Barbara Flemming in the 1960s dealt with the remarkable literary activities at his court; Esin Atıl discussed his patronage of the art of the book; and more recently Carl F. Petry focused on the political history of his reign. This article discusses the artistic vision of this sultan as a whole while speculating on its origins and motivations.

Sultan Qānṣūh al-Ghawrī was sixty years old when he came to power in 906/1501. A mamluk of Qāytbāy, he was first appointed governor of Upper Egypt, then governor of Tarsus in northern Syria and subsequently grand chamberlain in Aleppo and governor of Malatya. Upon his return to Cairo he became great *dawādār* and great *ustādār*.[3]

Like Qāytbāy before him, al-Ghawrī had to deal with inherited economic and fiscal problems, with increasing Safavid and Ottoman pressure, with Portuguese threats, and with domestic unrest. Although he was well aware of his precarious military situation, which he tried to cope with by modernizing the army and consolidating fortifications, al-Ghawrī became increasingly absorbed by his role as glamorous ruler and patron of the arts.

Ibn Iyās describes the sultan as having a distinguished and awesome appearance, which he cultivated and enhanced with lavish ceremonial *(muhāb jalīl mubajjal fī al-mawākib, mil' al-ʻuyūn fī al-manẓar)*. His opulent dress and hedonistic tendencies *(al-mazaḥ wa-al-mujūn)* earned him the reputation of preferring pleasure to work. Both Ibn Iyās and the historian al-Ḥalabī describe his rule as characterized by the pursuit of pleasure and luxury and by his taste for literary colloquia.[4] He loved fine clothes, perfumes, scents, and jewelry; he wore many rings with precious stones; and he preferred a golden belt to the traditional draped girt of Baʻalbakī fabric. He was a gourmet who ate from golden vessels, and he loved flowers.

Qānṣuh al-Ghawrī in Egypt (Seattle and London, 1993), 185–99.

[3]P. M. Holt, ″Ḳānṣawh al-Ghawrī,″ *The Encyclopaedia of Islam,* 2nd ed., 4:552–53.

[4]Petry, *Twilight*, 12.

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Al-Ghazzī describes him as fat with a big belly. Ibn Iyās says that al-Ghawrī´s faults outweighed his merits and he criticized him for his greed and profligate ways, which were paid for by harsh and tyrannical measures that led to economic crisis.

COURT AND CEREMONIAL

One of the features of al-Ghawrī´s court life was his predilection for the *a'jām,* who were numerous in his entourage as well as in his army. According to Flemming the *a'jām* frequently mentioned by Ibn Iyās might have been not just Iranians, as the term usually means, but rather Turcomans from Iranian lands.[5]

His Fifth Corps *(al-ṭabaqah al-khāmisah),* whom he armed with handguns in one of his attempts at modernizing the army, included Persians and Turcomans along with local recruits of mamluk origin and Egyptian birth. Ibn Iyās connects al-Ghawrī´s weakness for the *a'jām* with his enthusiasm for the Nasīmīyah order, whose founder was 'Imād al-Dīn Nasīmī, a Turkish sufi poet of the esoteric and occult-oriented *ḥurūfī* school.[6]

A'jām were also among the court musicians and poets who accompanied the sultan wherever he went. One of his *nadīm*s, or boon companions, was Ibn Qijiq, the chief of the musicians.[7] Another was a man whom Ibn Iyās calls *"al-'ajamī al-shanaqajī*, a Turkish word for potter. He was very close to the sultan, and as a result enjoyed great prestige and influence. He went on political missions to Damascus and Aleppo, and he headed an embassy to the Safavid shah Ismā'īl.[8] There were other *a'jām* among the artists and intellectuals of the sultan´s entourage and in the communities of the great Mamluk religious foundations.

Al-Ghawrī was particularly interested in regal esthetics, and often took into his own hands the staging of his processions and parades and the elaborating and inventing of court rituals. At the same time as he elaborated the royal processions, including those of his family, to enhance his image, he abolished the traditional and important procession of the grand *dawādār,* who at that time had the status of a grand vizier, a measure which Ibn Iyās deplored.[9]

Among his innovations was replacing the finial with a bird that was carried above the sultan´s head in processions with a gold finial called a *jallālah,* which

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[5]Flemming, "Šerīf," 84.

[6]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:401; see T. Fahd, "Ḥurūf," *EI*^{2}, 3:595–96.

[7]Flemming, "Šerīf," 83. He is also mentioned in Sharīf Ḥusayn´s introduction to his translation of the *Shāhnāmah*. Ibn Iyās, *Badā'i' al-Zuhūr,* 4:481f., 5:35.

[8]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:325; see also 206, 293.

[9]Ibid., 104.

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had the shape of a crescent.[10] When his wife went on pilgrimage he designed a special procession for her in the course of which her camel, carrying an empty palanquin, paraded across the city.[11] He also let his son, although he did not have any official function in the pilgrimage, cross the city in a grand procession behind the *maḥmal* litter.

Ceremonial elephants were another of al-Ghawrī´s innovations. When Ibn Qijiq was sent to Syria, he arrived in a procession that included three elephants, an unusual scene at that time. The first of these elephants to be mentioned was brought from Africa in 916/1510; it was one year old and the populace, who had not seen an elephant in more than four decades, was thrilled at the spectacle. (In contrast, elephants were a common sight at the Timurid court). A few months later another elephant followed,[12] and from then on elephants became part of the Nile festival which celebrated the Opening the Canal or Khalīj of Cairo.[13] Al-Ghawrī also enjoyed watching animal combats, and attended elephant fights as well as the more common bull and ram fights.[14]

Al-Ghawrī was following Qāytbāy´s example when he sponsored the games and parades of lancers which his predecessor had revived after a long period of neglect.[15] These performances used to take place during the pilgrimage season. On the occasion of the visit of Ottoman and Safavid ambassadors the sultan proudly displayed his lancers to his guests to demonstrate *"furūsīyat 'askar Miṣr,"* or the chivalry of Egyptian soldiers.[16]

Most important was the innovation al-Ghawrī introduced to the Mamluk throne or *dikkah*. Until his reign the Mamluk sultan sat in state in the *ḥawsh* of the Citadel on a portable bench above which a yellow tent was erected on particularly solemn occasions. This bench was called *dikkat al-ḥukm,* which means ″bench of judgment″ or ″bench of government″ (Fig. 1).[17] Al-Ghawrī replaced this bench with a masonry structure called *masṭabah,* built with richly lavish polychrome stones and marble and decorated with a gilded frieze inscribed in relief with his

[10]Ibid., 419, 423. I wonder whether the word *j-l-a-l-h* is not a misreading of *hilāl,* or crescent.

[11]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:409f.

[12]Ibid., 187, 206.

[13]Ibid., 325.

[14]Ibid., 448.

[15]Ibid., 61.

[16]Ibid., 391.

[17]Ibid., 2:400; 4:103, 203, 219.

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name. The bench had a *wazrah*[18] or marble dado four cubits high. Ibn Iyās was impressed, commenting that no monarch had ever had such a thing before.[19]

This new form of throne, however, did not meet everyone´s approval.[20] After al-Ghawrī died on the battle field of Marj Dābiq, his successor, al-Ashraf Ṭumānbāy, demolished the *masṭabah* and reestablished the *dikkah* on which he sat in state, just as Qāytbāy had done.[21] This was more likely to have been a symbolic gesture than an expression of esthetic preference.

The *masṭabah* attracted the attention of the artist who illustrated the Turkish *Shāhnāmah* commissioned by Sultan al-Ghawrī. In this manuscript the painter borrows Mamluk architectural patterns to depict scenes of enthroned rulers and other episodes. In two miniatures published by Atıl the throne differs from the usual type depicted elsewhere in the manuscript in being a masonry structure consisting of a domed canopy standing on an elevated platform and resting on four columns of granite and porphyry. Marble decoration of Mamluk style is also recognizable (Fig. 2). The frontispiece of al-Ghawrī´s anthology of Turkish poetry held in the Staatsbibliothek in Berlin shows an enthroned ruler, probably the sultan himself, seated in a similar structure. The ruler sits under a domed canopy crowned with a balustrade with a spherical object at either end (Fig. 3).[22] These could be what Ibn Iyās describes as *ifrīz,* or a decorative band of white marble with two gilded pomegranates. The representation of an enthroned ruler in the frontispiece of a book of poetry composed by a monarch recalls Timurid and Ottoman traditions.

FESTIVALS

Music and dance are often mentioned at al-Ghawrī´s court. The sultan himself is reported to have danced at the mosque or Dome of Yashbak, accompanied by musicians.[23] Such performances, which must have been related to sufi rituals and *samā'*, also took place in profane settings, as in the pleasure palace on the island of Rawḍah.[24]

Ibn Iyās describes at length a feast held on the island of Rawḍah near the Nilometer. The sultan´s palace, together with the Nilometer and the adjoining

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[18]Ibid., 4:203 f. For *wazrah,* see Muḥammad Muḥammad Amīn and Laylá 'Alī Ibrāhīm, *Al-Muṣṭalaḥāt al-Mi'mārīyah fī al-Wathā'iq al-Mamlūkīyah, 648–923 H/1250–1517 M* (Cairo, 1990), 121.

[19]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:207.

[20]Ibid., 5:107, 117.

[21]Esin Atıl, ″Mamluk Painting in the late Fifteenth Century,″ *Muqarnas* 2 (1984): 159–71, pls. 12, 13, 14; idem, *Renaissance of Islam: Art of the Mamluks* (Washington, 1981), 264f.

[22]Atıl, ″Painting,″ pl. 14.

[23]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:171.

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mosque with its minaret, were entirely covered with lights, as were all houses along the shores of the island and Fusṭāṭ on the opposite shore, with its great aqueduct tower built by al-Ghawrī. The sultan´s great galley, which had cost 20,000 dinars to build, was anchored near the Nilometer with all its masts illuminated. Fireworks were shot from fifty boats floating around the island´s southern tip, where the event took place. Music accompanied the spectacle. By order of the sultan, all twenty-four grand amirs appeared in their boats on the Nile, each with his ceremonial band or *ṭablakhānah*. The sound of their drums and trumpets rose from the Nile along with the sultan´s own orchestra playing on the island, creating a ″formidable thunder″ *(al-ra'd al-qāṣif).* Al-Ghawrī watched the nightly scene from the roof of his palace. Ibn Iyās remarked that nothing like it had ever been done before during the Mamluk sultanate, not even in Barqūq´s or al-Mu'ayyad´s reigns. [25]

Another author, al-Sharīf Ḥusayn ibn Muḥammad al-Ḥusaynī, gave a similarly vivid description of the celebration of the Prophet´s birthday at the Citadel.[26] The sultan sat in a blue tent surrounded by all religious dignitaries. After the banquet and the distribution of the robes of honor, the procession of the great amirs took place, each bowing before the sultan and reciting a couple of panegyric verses. Then came the sufis wearing *khirqah*s with long sleeves to present their *samā'* or musical performance; they danced until midnight. At that point the sultan, wearing a blue *khirqah* himself, joined the sufis and danced with them until morning.[27]

Literature

Al-Ghawrī´s taste for literature is well documented.[28] He was knowledgeable in poetry, history, hagiography, and music. He composed poems in Turkish and in Arabic.[29] According to the author of the *Nafā'is* he also spoke Persian, Kurdish, and Armenian. Al-Ghawrī was a patron of Egyptian poets. Once when he received an offensive message in the form of a poem from the Safavid shah Ismā'īl, he launched a literary campaign in Cairo, inviting all poets to counter-attack with their own verses. Ibn Iyās dedicates several pages to this event.[30]

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[24]Ibid., 254f.

[25]Ibid., 376f.

[26]See below, *Nafā'is al-Majālis al-Sulṭānīyah*.

[27]'Azzām, *Majālis,* 1:38–50.

[28]Atıl, ″Mamluk Painting″; Barbara Flemming, ″Literary Activities in Mamluk Halls and Barracks,″ in *Studies in Memory of Gaston Wiet,* ed. Myriam Rosen-Ayalon (Jerusalem, 1977), 249–65.; Dieter George et al., ed., *Islamische Buchkunst aus 1000 Jahren* (Berlin, 1980), 17, 45.

[29]Atıl, ″Mamluk Painting″; idem, *Renaissance;* Nurhan Atasoy, ″Un manuscrit mamlūk illustré du Šāhnāma,″ *Revue des Etudes Islamiques* 37 (1969): 151–58.

[30]Ibn Iyās, *Badā'i' al-Zuhūr,* 4: 221-28.

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Despite its significance for the history of literature, the fact that al-Ghawrī commissioned the first rhymed Turkish translation of the *Shāhnāmah* has not been recorded by Arab historians. Its translator, Ḥusayn ibn Ḥasan ibn Muḥammad al-Ḥusaynī al-Ḥanafī, of *sharīf* genealogy, credits Sultan al-Ghawrī in his introduction with being a bibliophile who possessed several copies of the *Shāhnāmah* in his library. This fascination with the *Shāhnāmah* and the art of the book had no precedent among Mamluk monarchs. The translator seems to have been one of several *a'jām* whom the sultan appointed in the religious foundation of al-Mu'ayyad. Ibn Iyās mentions a person of *'ajamī* origin named al-Shaykh Ḥusayn al-Sharīf al-Ḥanafī who was appointed in 908/1503 as the Hanafi shaykh of the madrasah-*khānqāh* of Sultan al-Mu'ayyad Shaykh and held this post ″to this day,″ i.e., to the date of the manuscript, which is 922/1516.[31] On another occasion in 917/1511 the historian mentions a man of *'ajamī* origin and *sharīf* descent who was summoned to the court to translate a Persian poem sent by Shah Ismā'īl.[32] Most likely this person is identical with the *Shāhnāmah* translator and the sufi shaykh at the Mu'ayyadīyah. [33]

Another *sharīf,* also of eastern origin and with a similar name, Ḥusayn ibn Muḥammad al-Ḥusaynī, was the author of *Nafā'is al-Majālis al-Sulṭānīyah,* a book that records al-Ghawrī's scholarly colloquia for the year 910/1504-5.[34] The *Nafā'is,* of which the copy dedicated to the sultan is now in the Topkapi Museum in Istanbul, consists of the protocols of the sessions organized by the sultan to discuss political, religious, and literary themes with the ulama. Al-Sharīf Ḥusayn's Arabic is deficient; he must have been of Turkish or Persian origin. In his book he reports that in 910/1504 al-Ghawrī gave him a *waẓīfat taṣawwuf,* i.e., he appointed him to a sufi position in his own religious foundation; but for some reason the author never received his salary from there. In one of al-Ghawrī's literary sessions, the origins of the *Shāhnāmah* were discussed. Sultan Maḥmūd of Ghaznah was mentioned as asking his advisers what would be more likely to make him immortal, the sponsoring of a book or a monument, to which he received the answer that a monument falls in ruins after a certain time, whereas a book is more likely to

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[31]Ibid., 54. This information is confirmed in the introduction of the manuscript itself by the translator, who states that it was completed at the Mu'ayyadīyah in 916/1511. Flemming, ″Šerīf,″ 89.

[32]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:221.

[33]According to a Turkish source, the translator of the *Shāhnāmah* had the *nisbah* ″al-Āmidī″ attached to his name. He was close to the Ottoman prince Jem, who came to Cairo in 1481, and he died in Cairo in 920/1514. 'Azzām, *Majālis,* 1:45f.; Flemming, ″Šerīf,″ 85, 90, quoting Mehmed Tahir, *Osmanlı Müellifleri* (Istanbul, 1334–43/1916–25), 2:256. This is, however, in contradiction to Ibn Iyās, who testifies that in 1516 he was still at the Mu'ayyadīyah.

[34]'Azzām, *Majālis,* 1:36, 90.

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survive. This story might have inspired al-Ghawrī with the idea that a Turkish translation of the *Shāhnāmah* might endow him as well with immortality.[35]

Sultan al-Ghawrī and Italian Painters

Like the Ottoman sultans, Sultan al-Ghawrī had a portrait of himself made by a European artist. It shows him with the famous great turban *(takhfīfah kabīrah)* with two long horns, also known as *nā'ūrah,* i.e., waterwheel. This turban, which has been well described by Ibn Iyās, seems to have been typical of this sultan's reign.[36]

The tradition of Muslim sultans sitting for portraits by Italian artists was initiated by the Ottoman sultan Mehmed the Conqueror and was also cultivated by Iranian and Mughal monarchs. It seems that Italian artists also had the opportunity of portraying both Qāytbāy and al-Ghawrī. A portrait of the latter, published by Julian Raby, is datable to the late sixteenth century, but must have been based on an earlier work; it shows the sultan as quite an old man wearing the great double-horn turban described by Ibn Iyās. Another portrait showing a younger al-Ghawrī was published by 'Azzām without any reference to its origin (Fig. 4).[37] A painting in the Louvre, attributed to a Bellini disciple, depicts the reception of an embassy by al-Ghawrī (despite its Damascene setting); it suggests that Italian artists were admitted to the sultan's presence.

Leonardo da Vinci seems to have had contacts with the Mamluk court. In his diary the artist writes that he was sent by a Mamluk *daftardār* of Syria during the reign of Qāytbāy on a special mission to the Taurus mountains.[38] This mission, for which the diary itself gives no date, has been dated by his biographers to between 1482 and 1487, on the grounds that Leonardo, whose journey to the Middle East is not contested, seems to have been absent from Europe during this particular period. Moreover, Leonardo's diary contains the text of a letter to this amir in which he apologizes for his delay in submitting his report.[39] This letter refers to an earlier extended correspondence with the amir with whom he seems to have been familiar. It is possible that this *daftardār* was al-Ghawrī himself, who at the beginning of his career, between 889/1484 and 894/1489, was sent by Qāytbāy to this area *(al-bilād al-ḥalabīyah)* on military missions against the Ottomans and also as governor of Tarsus, prior to his appointment to Aleppo in 1489. The Taurus mountains form the northern part of the province of Cilicia, which borders

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[35]Ibid., 2:81f.

[36]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:.212, 254, 332.

[37]'Azzām, *Majālis,* 1:1.

[38]*The Notebooks of Leonardo da Vinci*, ed. Irma A. Richter (Oxford, 1980), 264f., 296.

[39]It is well-known that Leonardo da Vinci often failed to complete things he had started.

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Syria to the north and where the city of Tarsus is situated. Tarsus itself was integrated into the Mamluk empire during the reign of al-Nāṣir Muḥammad. In the late fifteenth century it became involved in the border skirmishes between the Ottomans and the Mamluks; when the Ottomans conquered Syria, Tarsus became part of their Aleppo governorate. Al-Ghawrī was involved in warfare in this area, and could well have sent a European to survey the territory.[40] There is an artistic connection between Leonardo and the late Mamluks: the pattern of the logo he made for his workshop is a knotted rosette very reminiscent of late Mamluk metalwork decoration.[41]

ARCHITECTURE

An episode recorded by Ibn Iyās in 917/1511 demonstrates al-Ghawrī´s interest in architectural history. Shortly after he had the fortifications of Alexandria restored, the sultan had a gypsum model of the city made by an architect from there called Ibn al-Ṣayyād. This model must have been large, for the sultan had to ride to the northern outskirts of Cairo to see it. It showed Alexandria with its walls and towers and with the Pharos, built in the Ptolemaic period in the third century B.C., which once stood there, represented to scale: ˝wa-al-manār allatī kāna *(sic)* bihā wa-qadr ʻarḍihā wa-ṭūlihā.˝[42] This model must have been historical, or at least combination of the actual Alexandria with historical landmarks, because at that time the ancient Pharos had already been gone for approximately 180 years.[43] The protocols of al-Ghawrī´s colloquia show that he was interested in history and in ancient monuments. He also inquired about the pyramids, their builder , and their purpose.[44]

Ibn Iyās criticized the sultan for squandering funds on useless constructions, and misusing the *bayt al-māl* funds for decorating and gilding walls while neglecting his duties as the supreme judge. In fact, the list of the monuments he erected during his reign clearly shows the relative predominance of secular buildings: residential structures, the restoration of the palaces of the Citadel,[45] a palace near the Nilometer at Rawḍah,[46] and another expensive pleasure complex at Maṭarīyah,

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[40]C. E. Bosworth,˝Ṭarsūs,˝ *EI*^{2}, 10:306-7.

[41] Francesco Gabrieli and Umberto Scerrato, *Gli Arabi in Italia,* 3rd ed. (Milan, 1989), pls. 614–15.

[42]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:196.

[43]It collapsed between 1326 and 1341, before the death of al-Nāṣir Muḥammad. Ibn Baṭṭūṭah, *Riḥlah* (Beirut, 1985), 1:38.

[44]ʻAzzām, *Majālis,* 2:54ff.

[45]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:165.

[46]Ibid., 243.

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near Yashbak´s *qubbah,*[47] for which an aqueduct was built to pipe water from the Nile to create a pond. His major secular building seems to have been the complex of the hippodrome at the foot of the Citadel, which he also equipped with a great aqueduct.[48] There he built a garden with imported trees and a pool surrounded by residential and ceremonial structures with loggias. Sometimes he would spend several days there; for holding audiences and receiving embassies he preferred it to the Citadel.[49]

The reign of Sultan al-Ghawrī introduced innovations in architectural forms and in the relationship between architecture and its decoration. The exquisite stone-carving characteristic of Qāytbāy´s architecture was replaced by the use of ceramics in architectural decoration, as can be seen in the sultan´s minaret at the Azhar mosque. The minaret is strikingly tall and has a double-headed upper story. The facetted middle shaft is inlaid with blue ceramic in the pattern of repetitive arrows.

The two minarets of the mosque of Qānibāy al-Rammāḥ, built during al-Ghawrī´s reign, combine the double head with a rectangular two-storied shaft. Stone carving is kept to a minimum, confined to the *muqarnas* of the balconies. Here for the first time since the octagonal minaret of al-Māridānī, built more than a century and a half earlier, a new minaret design was created.[50]

The funerary complex of Sultan al-Ghawrī is in many respects an innovative monument. It was built on both sides of the main street or *qaṣabah* of al-Qāhirah (Figs. 5, 6). There was already a Cairene tradition of building religious complexes on both sides of a street, such as the mosque and the *khānqāh* of Shaykhū,[51] and the complex of Bashtāk, which had a bridge connecting a mosque with a *khānqāh* across a street.[52] By building his twin minarets above the towers of the southern gate, Bāb Zuwaylah, al-Mu'ayyad Shaykh similarly straddled the street with a monument. In the northern cemetery Sultan Barsbāy arranged the structures of his religious complex on both sides of the road.

Al-Ghawrī´s buildings in the city center display a bold and unprecedented arrangement.[53] In the complex the mosque is located on the western side of the main avenue; the mausoleum, the *khānqāh,* and the *sabīl-maktab* are on the eastern

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[47]Ibid., 289, 325, 327, 381.

[48]Ibid., 110.

[49]Ibid., 10, 137f., 173f., 268f.

[50]Doris Behrens-Abouseif, *The Minarets of Cairo* (Cairo, 1985), 87f.

[51]Ibid., 93.

[52]Ibid., 82.

[53]Michael Meinecke, *Die Mamlukische Architektur in Ägypten und Syrien*, Abhandlungen des Deutschen Archäologischen Instituts Kairo, Islamische Reihe, vol. 5 (Glückstadt, 1992), 1:167.

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side. Actually, although the *waqfīyah* defines it as *khānqāh,* it was not a traditional *khānqāh* with boarding facilities; it consisted only of a gathering hall without living units for the sufis. The traditional *khānqāh,* with living units for the sufis had already disappeared, being replaced by a multifunctional institution which served as a Friday mosque at the same time as it included a teaching curriculum for students and sufi services.[54] These multifunctional foundations usually included a *rab'*, or group of apartments, which the endowment deed does not dedicate specifically to the sufis or the students, but instead specifies that it be rented to whomever the administrator of the *waqf* judged suitable. The fusion of the *khānqāh* with the mosque-madrasah reflected the total integration of sufism in late Mamluk religious life.

The fact that the *khānqāh* in al-Ghawrī's complex was an independent structure, separate from the mosque, should not, however, be interpreted as a response to some change in the status of the sufis or their rituals. The stipulations of al-Ghawrī's *waqf* indicate that his foundation was structured like all other Mamluk foundations of this period, such as Qāytbāy's funerary complex. There, however, all activities took place within the same structure. The splitting off of the *khānqāh,* therefore, was only an architectural device with an esthetic purpose rather than a response to a functional requirement. It served the design to place a structure on the other side of the street, facing the mosque. The sultan's mausoleum was not adjacent to the mosque, as one would expect on the basis of Mamluk architectural traditions, which regarded the optimal location for a princely mausoleum to be on either side of the prayer hall and overlooking the street. This layout combined proximity to the sanctuary and its sacred associations with visibility from the street.[55] The layout also allowed the sultan to build a mausoleum with a width equal to that of the prayer hall, which only occurs in the funerary madrasah of Sultan Ḥasan. [56]

Al-Ghawrī's mausoleum was attached to the *khānqāh,* which included a Mecca-oriented hall with a mihrab, in front of which sufi gatherings were to take place; the mosque, also called madrasah in the *waqfīyah,* fulfilled the functions of a Friday mosque. The splitting of the *khānqāh* thus created a second mosque to which the mausoleum could be attached. It served the design of a symmetrical composition that fully dominated the street in the very heart of the city.

The western building had a protruding minaret to the south. A massive four-story rectangular tower of conspicuous height, this minaret had a four-headed upper

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[54]Behrens-Abouseif, "Change in Function and Form of Mamluk Religious Institutions," *Annales Islamologiques* 21 (1985): 73–93.

[55] Christel Kessler, "Funerary Architecture Within the City," in *Colloque international sur l'histoire du Caire,* ed. André Raymond et al. (Cairo, 1972), 257–68.

[56] In the case of the *khānqāh* of Barsbāy in the Northern Cemetery, the mausoleum's width equals the depth of the adjoining prayer hall.

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structure covered with blue tiles.[57] Ibn Iyās claims that this was the first four-headed minaret ever to be built in Cairo. The *waqfīyah* describes the tiles as of lapis blue color *(qāshānī azraq lāzuwardī)*.[58] The color must have been similar to the blue ceramic decoration of the sultan´s minaret at al-Azhar. A drawing by Pascal Coste shows that the blue tiles of the minaret covered the entire third floor as well as the four-headed top and that they were pierced in their center, where they were attached by a nail. Moreover, nails were driven between the tiles to provide additional support (Fig. 7).[59] An inscribed cartouche is included in the ceramic revetment.

The minaret faced the mausoleum dome, which was similarly covered with blue tiles.[60] A nineteenth-century drawing by Girault de Prangey shows the dome prior to its collapse, covered with tiles (Fig. 8).[61]

Both the minaret and the dome, with their blue tiles, must have been an unusual spectacle. On the north-eastern side the *sabīl-maktab* projected onto the street on three sides, also an innovation. A wooden roof connected the two buildings, providing shade for the street market.

The first stipulation of the *waqf* refers to the maintenance of the tiles, stating that they should be replaced as soon and as often as needed. Tiles had not been used since the domes of al-Nāṣir Muḥammad at his mosque and his palace at the Citadel, which also had a ceramic revetment, so Cairene craftsmen were no longer accustomed to the construction of tiled domes. This may explain why, soon after the building was finished, the dome of al-Ghawrī had to be pulled down and rebuilt.[62] The sultan himself sat on the roof of the madrasah under a tent to supervise the work. The minaret also had to be rebuilt. Ibn Iyās writes that its upper structure was rebuilt in brick; it collapsed in the nineteenth century and was replaced with a five-headed structure.

The use of ceramics in architectural decoration was fashionable in Cairo in the Bahri Mamluk period. Faience mosaic decoration, influenced by Ilkhanid Iran, was used on a limited number of buildings, the earliest extant example of which is the mosque of al-Nāṣir Muḥammad at the Citadel, and the latest the mosque of

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[57] Ibn Iyās, *Badā'i' al-Zuhūr,* 4:249.

[58] *Waqf* deed, Ministry of Awqāf MS 883, 14.

[59] *Pascal Coste, toutes les Egypte* (exhibition catalogue) (Marseille, 1998), 129.

[60] Ibn Iyās, *Badā'i' al-Zuhūr,* 4:58, 249, 299, 306; 'Azzām, *Majālis,* 1:28.

[61] Joseph Philibert Girault de Prangey, *Monuments arabes d'Egypte, de Syrie et d'Asie Mineure, dessinés et mesurés de 1842 à 1845* (Paris, 1846), 80. K. A. C. Creswell, *The Muslim Architecture of Egypt* (Oxford, 1952–59), 2:73.

[62] Ibn Iyās, *Badā'i' al-Zuhūr,* 4:249.

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Sultan Ḥasan.[63] Underglaze-painted tiles were produced in the fifteenth and sixteenth centuries in Damascus and in Cairo. Underglaze-painted epigraphical blazons and tiles for lintel decoration were produced during Qāytbāy´s reign.[64] The dome of Sultan al-Ghawrī used to have an underglaze-painted ceramic band on the drum.[65] Sultan al-Ghawrī had some renovation work done on the dome of Imām al-Shāfi'ī and may have also tried to decorate it with green tiles. Creswell mentions green rectangular tiles found covering the upper five meters of the dome.[66] Both Sultans Qāytbāy and al-Ghawrī are reported to have undertaken restoration work on the sanctuary, but no source mentions that the dome of Imām al-Shāfi'ī was covered with tiles. Al-Ghawrī might have started such a revetment project, but been unable to complete it.

The workshop that produced the tiles for Sultan al-Ghawrī continued to operate in the early Ottoman period. Green tiles, also pierced in the center, cover the mausoleum dome of Shaykh Abū al-Sa'ūd, built by Sulaymān Pasha. The mosque of Sulaymān Pasha also has green and blue tiles, and the minaret of Shāhīn al-Khalwatī has green tiles at the conical top. The mausoleum of Amir Sulaymān, built in 951/1544, is adorned with underglaze-painted blue and white tiles in the tympanum between the lintel and the relieving arch, and with a blue and white underglaze inscription on the drum.[67] This type of architectural decoration continued to be seen on many buildings of the Ottoman period. The blue dome of al-Ghawrī´s mausoleum had a particular significance; it included the relics of the Prophet along with the Quran said to have belonged to the caliph 'Uthmān,[68] which up to then had been housed in the building called *ribāṭ al-āthār,* which had fallen into disrepair. Its founder had been the vizier Bahā' al-Dīn ibn Ḥannā (d. 707/1303), who had purchased the relics from a family in Yanbū' and installed them in the *ribāt* which he founded for that purpose on the Nile shore south of Fusṭāṭ. Ever since its founding the shrine had been a place of pilgrimage, one that al-Maqrīzī describes as lively and filled with great numbers of worshippers.[69] Sultan al-Ashraf Sha'bān (1363-76) endowed it with a Shafi'i madrasah, and Sultan Barqūq (1382–89)

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[63]Michael Meinecke, ″Die mamlukische Fayencemosaikdekoration: Eine Werkstätte aus Täbriz in Kairo 1330–1350,″ *Kunst des Orients*11 (1976/77): 85–144.

[64]Marilyn Jenkins, ″Painted Pottery: Foundations for Future Study,″ *Muqarnas* 2 (1984): 95–114.

[65]Claude Prost, *Les revêtements céramiques dans les monuments musulmans de l´Egypte* (Cairo, 1916), pl. 4/2.

[66]Creswell, *Muslim Architecture,* 2:73.

[67]Prost, *Revêtements,* 17; Christel Kessler, *The Carved Masonry Domes of Mediaeval Cairo* (Cairo, 1976), pl. 46.

[68]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:68.

[69]Aḥmad ibn 'Alī al-Maqrīzī, *Al-Mawā'iẓ wa-al-l'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Bulaq, 1854), 2:429.

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built a dam on the Nile banks. The relics were moved to al-Ghawrī's mausoleum accompanied by a grand procession. Ibn Iyās comments that relocation of the relics was a violation of the founder's *waqf* stipulations.

Although al-Ghawrī does not seem to have cultivated the religious aspect of his image very much, the transfer of the relics to his mausoleum was undoubtedly meant to add to its prestige by making it a place of pilgrimage. His *waqfīyah* stipulates that a eunuch had to be present in the mausoleum to serve the visitors and pilgrims who came to see the relics and the Quran of 'Uthmān.[70]

Ibn Iyās also mentions that the *khānqāh* of al-Ghawrī had a magnificent Quran which was originally in the *khānqāh* of Baktimur. Since that *khānqāh* had fallen into ruins more than a century earlier, al-Ghawrī must have acquired it from Baktimur's heirs, paying a thousand dinars. This Quran was comparable only to the one which al-Nāṣir Muḥammad bought for his *khānqāh* at Siryāqūs, which had fetched the same price of a thousand dinars.[71] The Quran of Baktimur's *khānqāh* could have been the famous Quran of Uljaytū which is now in the Dār al-Kutub in Cairo; it is inscribed with the name of al-Nāṣir Muḥammad, Baktimur's master, and the statement that it was made *waqf* by Baktimur.[72] A Quran box that was once in the Mosque of al-Ghawrī, and is now in the Islamic Museum in Cairo, could have contained this Quran.[73] Although it is anonymous, its style puts it in the reign of al-Nāṣir Muḥammad, Baktimur's patron, who might have given the box with the Quran of Uljaytū as gifts to his favorite amir.[74]

Sultan al-Ghawrī seems to have had a predilection for the color blue. The tent in which he used to celebrate the Prophet's birthday at the Citadel was blue, like the color of his *khirqah,* and as were his dome and the top of his minaret. The Uljaytü Quran of Baktimur's *khānqāh* is illuminated predominantly in blue.

The evolution of the arts in al-Ghawrī's reign was not the by-product of an intense religious patronage, as was the case with his master Qāytbāy. With all his acknowledgment and admiration for Qāytbāy's achievements, al-Ghawrī himself had different motives. His approach to the arts was from the outset profane rather than pious. He worked carefully at constructing his image as a poet and scholar and a patron of secular arts, pursuing the kind of princely image that was cultivated by the Timurid, Safavid, and Ottoman princes, but was unfamiliar in the culture of

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[70]Copy of the *waqfīyah* dated 911 at the Daftarkhānah, Ministry of Awqāf, MS 883, 93.

[71]Ibn Iyās, *Badā'i' al-Zuhūr,* 4:69.

[72]David James, *Qur'āns of the Mamluks* (London, 1988), 109.

[73]Atıl, *Renaissance,* 86.

[74]Doris Behrens-Abouseif, "Waqf as Renumeration and the Family Affairs of al-Nasir Muhammad and Baktimur al-Saqi," in *The Cairo Heritage: Papers in Honor of Laila Ali Ibrahim,* ed. Doris Behrens-Abouseif (Cairo, 2001).

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the Mamluk court. Moreover, there is an undeniable Iranian flair to al-Ghawrī´s cultural life, which is evident in his entourage of *a'jām* and his preoccupation with the *Shāhnāmah*. His literary colloquia demonstrate his interest in Iranian history and culture with references to Timurid princes and citations of poems by Ḥusayn Bāyqarā. The fashion of ceramic revetment points to the same source of inspiration. One may also speculate that the layout of his complex, with the madrasah facing the *khānqāh,* was inspired by descriptions he might have heard of Samarqand and Ulūgh Beg´s Rājistān.

The obsession with regal glamour in this critical phase of Mamluk history, however, raises the question of al-Ghawrī´s true motives. Was his patronage inspired merely by frivolity and hedonism? Or was it perhaps part of a political agenda? Al-Ghawrī´s major enemies, the Safavid shah Ismā'īl and the Ottoman sultan Selim, were both of royal lineage. The former descended from an alliance of a sufi saint with royalty; the latter had a long royal genealogy. That al-Ghawrī was defensive about his own humble origins is clearly documented in the *Nafā'is*. In one of his colloquia the sultan is reported to have claimed that the Circassians were of Arab origin, descended from the Ghassanid tribe which had converted to Islam, an idea that had already surfaced during the reign of Sultan al-Mu'ayyad Shaykh.[75] A vendetta, however, forced the Ghassanid chieftain to escape and seek refuge at the court of the Byzantine emperor Heracles, where he converted to Christianity. The emperor eventually granted him and his people the land that became henceforth Circassian territory.[76] In another session, al-Ghawrī claimed again to be of Arab stock as a result of his Circassian origin, which thus qualified him to be a true *khalīfah!*[77]

Sensitivity over of the Mamluk lack of pedigree seems to have been provoked by the Ottomans. Again in the *Nafā'is* it is reported that Jānibak, a Mamluk envoy to the court of Bāyazīd II (1481–1512), was told that the Holy Cities should not be governed by the sons of unbelievers *(awlād al-kafarah),* but rather by a *sulṭān ibn sulṭān,* in other words, the Ottomans. To this Jānibak replied that on the Day of Judgement lineage would play no role; nobility is defined by knowledge and *adab* rather than descent.[78] Al-Ghawrī is quoted as saying that *adab* is the most important thing in the world *(mā fī al-dunyā aḥsan min al-adab)*.[79] On another

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[75]Badr al-Dīn Maḥmūd ibn Aḥmad al-Aynī, *Al-Sayf al-Muhannad fī Sīrat al-Malik al-Mu'ayyad Shaykh al-Maḥmūdī,* ed. Fahīm Muḥammad Shaltūt and Muḥammad Muṣṭafá Ziyādah (Cairo, 1967), 28. I thank Prof. Donald Richards for having drawn my attention to this point.

[76]'Azzām, *Majālis,* 1:85.

[77]Ibid., 108.

[78]Ibid., 134f.

[79]Ibid., 4.

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occasion the Mamluks are said to have replied to the Ottoman scorn at their lack of lineage with the question, ″And who was the Prophet´s or Abraham´s father?″

Al-Ghawrī, sensitive about the shortcomings of his pedigree, seems to have launched the Circassian-Arab legend to bestow on himself an Arab nobility that would enable him to stand up to his rivals. His appropriation of the Prophet´s relics for his mausoleum should be seen in this light. Al-Ghawrī seems to have been trying to modernize the image of the Mamluk sultanate shortly before its collapse, by adopting the artistic language of the great powers at that time, the Ottomans and the Safavids, hoping perhaps that this image might deter his enemies and perhaps rescue his kingdom.

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Figure 1. Sultan Qāytbāy enthroned on the *dikkah*. (From *The Pilgrimage of Arnold von Harff,* trans. Malcolm Letts [London, 1946], 107).

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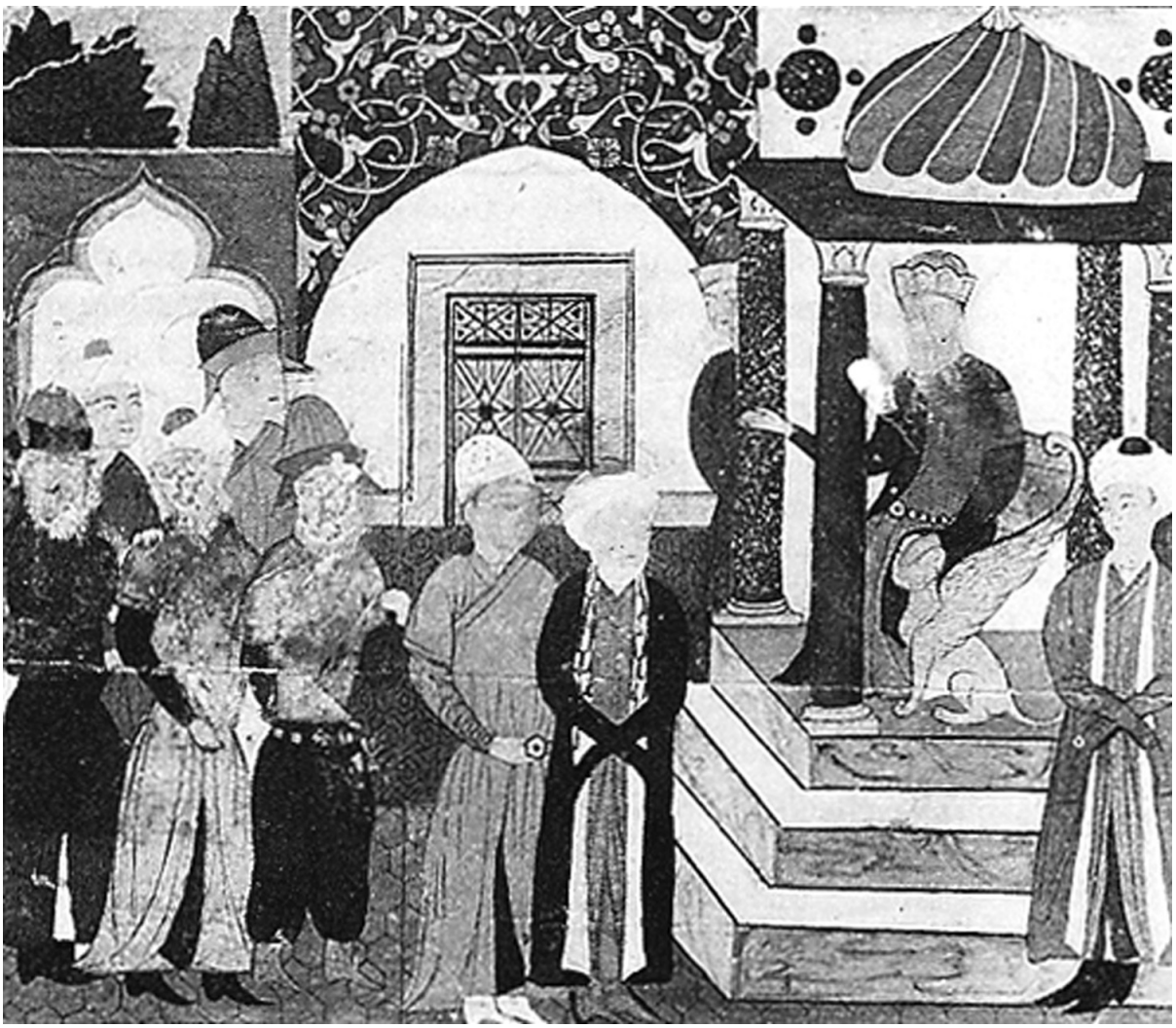

Figure 2. The enthronement of Kayqubād in the *Shāhnāmah* of al-Ghawrī (Courtesy of Esin Atıl).

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Figure 3. Frontispiece of the anthology of Sultan al-Ghawrī (Courtesy of Esin Atıl).

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Figure 4. Portrait of Sultan al-Ghawrī by an unknown artist (From ʻAzzām, *Majālis*).

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Figure 5. The religious-funerary complex of Sultan al-Ghawrī

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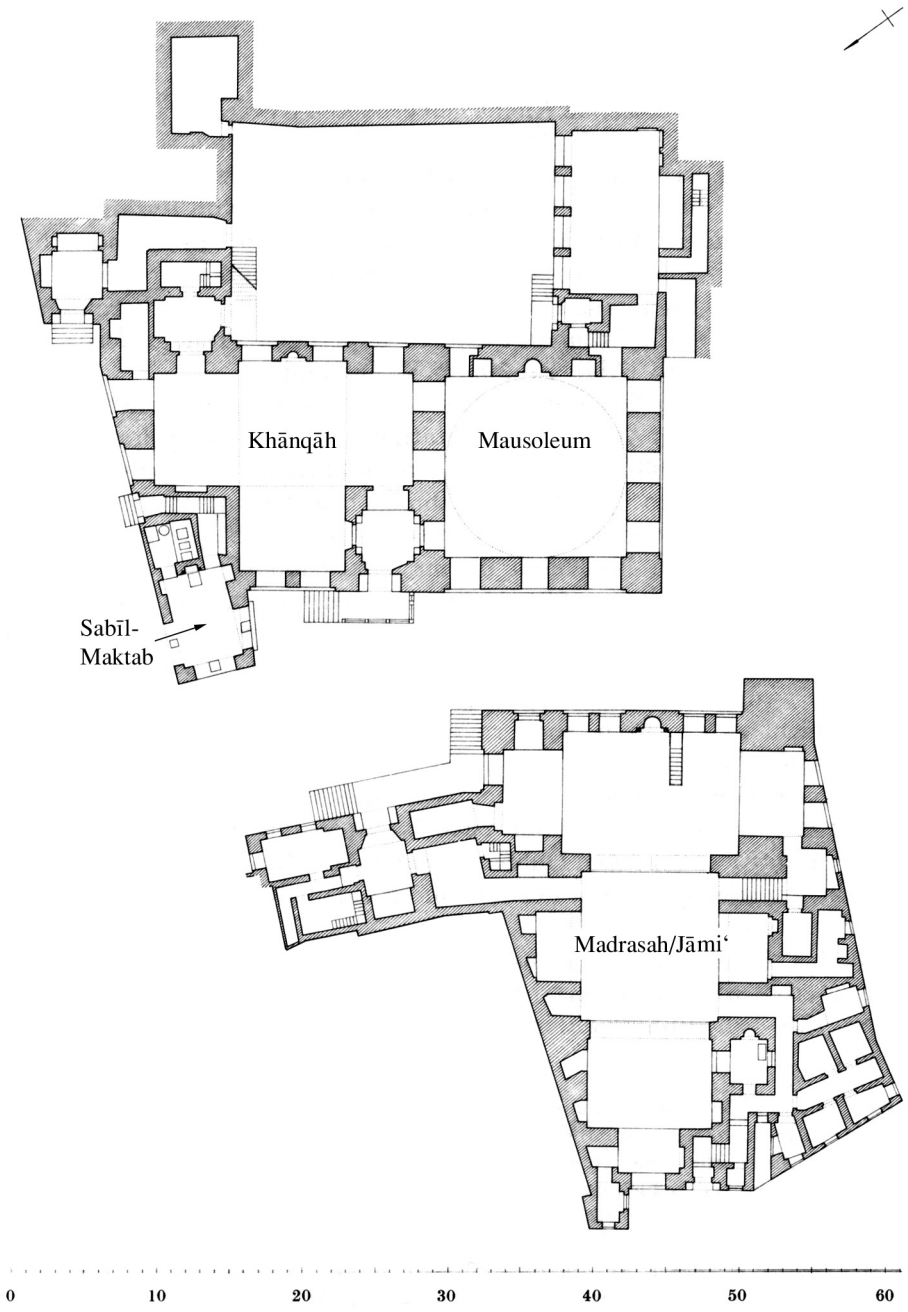

Figure 6. Plan of the religious-funerary complex of Sultan al-Ghawrī (From Meinecke, *Mamlukische Architektur*, 1:167).

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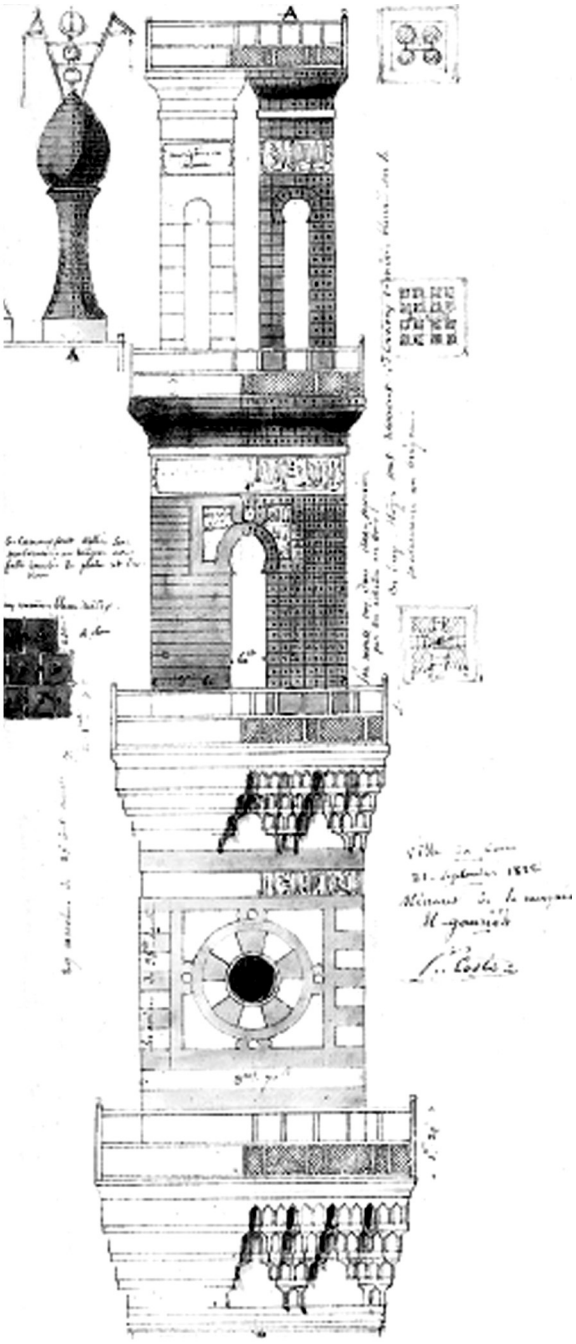

Figure 7. The minaret of al-Ghawrī covered with tiles (From *Pascal Coste*)

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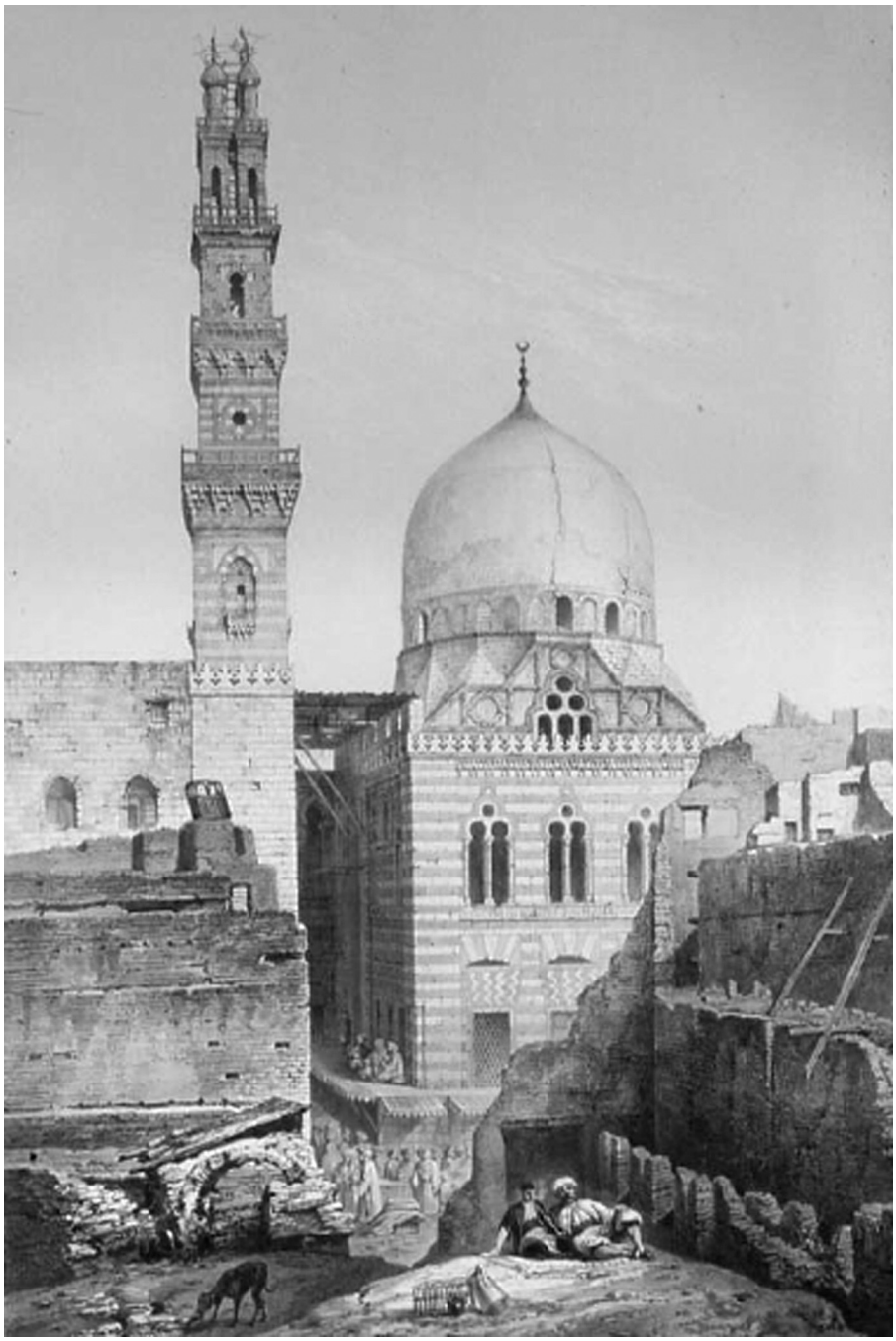

Figure 8. The religious complex of Sultan al-Ghawrī seen from the south, before the collapse of the dome and the minaret (From Girault de Prangey, *Monuments arabes d'Egypte, de Syrie et d'Asie Mineure*).

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Between Qadis and Muftis: To Whom Does the Mamluk Sultan Listen?

In spite of the proliferation of scholarship on many aspects of life during the Mamluk era, one aspect of Mamluk society that still has not received the attention it deserves—despite the fact that it is crucial to our understanding of the dynamics of life during that time—is the relationship between members of the religious elite.

In this article, I propose to examine the relationship between two groups of religious officials, qadis and muftis, as reflected in their debates in both public and private forums. I will examine the role played by each group and their efforts to influence the changes occurring in society as well as the role of the sultan in endorsing changes in the law suggested by the religious scholars.

In order to do so, I will focus primarily on two cases which best reflect the extent of disagreement and competition which existed among the individuals who were members of these religious groups. The cases selected will show that the debates between religious scholars were frequently characterized by great tension and often led to the public´s opposition to the views of one of the two parties.

Debates between qadis and muftis focused mostly on conflicting interpretations of a point of law. The chronicles frequently report heated debates that took place in a *majlis* presided over by the sultan. The intense discussions would usually be provoked by a question put to the assembly of distinguished scholars by the ruler or an important amir. Occasionally, the full argument relating to the disagreement was expounded upon by a member of the two groups in a short *risālah,* or in a *fatwá.* As a result, we can follow the lines of argumentation of the two groups by consulting the extant *risālah*s or *fatwá*s, or by reading accounts in the chronicles. The examination of the full texts of these *risālah*s and *fatwá*s together with the comments provided by the medieval chroniclers also throws light on the legal procedures that introduced changes in the law. Indeed, this helps us understand how a legal opinion pertaining to a specific case could eventually become binding and take the form of a general law imposed by the ruler.

Before discussing the cases which were the object of disagreement between muftis and qadis, let me review the duties and responsibilities which were attached to their respective positions.[1]

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[1]For general information on the qualification, responsibilities, and function of medieval qadis see

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In his book on Islamic chancery al-Qalqashandī has a section entitled ″Al-Ijāzah bi-al-Iftā' wa-al-Tadrīs″ (License to teach and issue legal opinions).[2] From the title of this section we are already informed that in order to issue a valid legal opinion *(fatwá)* an individual should first receive a license allowing him to do so. The *ijāzah* represents the certification that the individual is authorized to issue a legal opinion according to a specific school of law. Medieval chronicles mention a number of religious scholars who had received *ijāzah*s from prominent scholars. Thus, Ibn Ḥajar al-'Asqalānī mentions in the obituaries for the year 801 that Jamāl al-Dīn al-Zuhrī al-Shāfi'ī had received such a license from his father in the year 791 (″wa-adhana lāhu abūhu fī al-iftā'″).[3] Elsewhere he writes that Muḥammad ibn Muḥammad al-Ghazzī (b. 724), a student in Jāmi' al-Ḥākim, had received a license to issue *fatwá*s from al-Badr Ibn Hilāl.[4] In the obituaries for the year 846 al-Sakhāwī writes about Muḥammad ibn 'Abd al-Raḥmān al-Maḥallī, who was a companion of Ibn Jamā'ah for ten years. Al-Maḥallī had received from the latter an *ijāzah* giving him permission to teach jurisprudence and to expound orally and ″use his pen″ to issue *fatwá*s according to the Shafi'i school of law.[5] Al-Qalqashandī himself had received an *ijāzah* from his shaykh, Sirāj al-Dīn Abū Ḥafṣ, known as Ibn al-Mulaqqin, when the latter had reached the port of Alexandria where the scholar was resident in the year 778.[6]

An individual could receive more than one *ijāzah* issued by different shaykhs. Presumably the more *ijāzah*s the individual had, the more reliable his opinion was. Thus, al-Sakhāwī writes in the obituaries for the year 846 that Qadi Shams al-Dīn al-Qurashī al-Shāfi'ī, who was born in al-Maḥallah in 763, was given an *ijāzah* by Maḥmūd al-'Ajlūnī. He was also given an *ijāzah* permitting him to teach and issue *fatwá*s by al-Bulqīnī in the year 809, while in 782 he had been given an *ijāzah* by Ibn 'Aqīl.[7] In the obituaries for the year 852 he writes about his own shaykh, Ibn Ḥajar al-'Asqalānī, and says that he had received *ijāzah*s to teach and to issue *fatwá*s from al-Bulqīnī, Ibn al-Mulaqqin, and al-Abnāsī.[8]

Al-Qalqashandī provides us with the text of his own *ijāzah,* which is interesting

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Ibrāhīm ibn 'Abd Allāh Ibn Abī al-Dam, *Adab al Qaḍā'* (Baghdad, 1984). For information on justice in the Mamluk period, see Jørgen S. Nielsen, *Secular Justice in an Islamic State: Maẓālim under the Baḥrī Mamlūks* (Leiden, 1985).

[2]Aḥmad ibn 'Alī al-Qalqashandī, *Ṣubḥ al-A'shá fī Kitābat al-Inshā'* (Cairo, 1913–18), 14:322.

[3]Aḥmad ibn 'Alī Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr bi-Anbā' al-'Umr* (Beirut, 1986), 4:62.

[4]Ibid., 5:344–47.

[5]Muḥammad ibn 'Abd al-Raḥmān al-Sakhāwī, *Al-Tibr al-Masbūk fī Dhayl al-Sulūk* (1897; reprint, Cairo, [1972]), 60.

[6]Al-Qalqashandī, *Ṣubḥ,* 14:322–25.

[7]Al-Sakhāwī, *Al-Tibr,* 60.

[8]Ibid., 230–231.

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because it throws light on the qualifications of a mufti and the latitude that its possessor enjoyed in the interpretation of the law. In it one reads: ″Knowledge is the strongest form of worship *(‘ilm aqwá asbāb al-‘ibādah).* . . . Since the aforementioned [person] has grown and was brought up in the climate of knowledge and virtue *(‘ilm wa-al-faḍīlah)* and has shown high moral standards *(akhlāq)* and has been in the company of distinguished shaykhs and jurists working under their guidance . . . he has been given the license to teach according to the school of law of al-Imām al-Shāfi‘ī . . . and to issue *fatwá*s *(an yuftī)* to whomever approaches him for a legal opinion whether in written or oral form *(khaṭṭan aw lafẓan)* according to his own *madhhab.* This license is issued to him because he has been found perfectly eligible and highly qualified due to his vast knowledge.″ The *ijāzah* was certified and signed by a number of religious scholars.[9]

As is clear from the preceding, the mufti′s qualifications rested on his knowledge of the various fields of the religious sciences in his *madhhab.* It is not therefore surprising to read that the ones given *ijāzah*s were individuals who had proven themselves as scholars in their *madhhab*. These individuals often occupied teaching positions or at least, as in the case of al-Qalqashandī, were qualified to do so. This point is confirmed by information found in *waqf* documents. For example, one reads in the *waqfīyah* of Sultan Ḥasan that the founder appointed to the Qubbah a teacher-mufti *(mudarris muftī)* qualified to teach Quran exegesis.[10] The same document refers to a salary of three hundred *nuqrah* dirhams being paid to the *qāḍī al-qudāh* Tāj al-Dīn al-Subkī al-Shāfi‘ī, who was *qāḍī al-qudāh* in Damascus, to perform the duties of mufti *(‘alá waẓīfat al-iftā’)* during his lifetime and after him to his successor as *qāḍī al-qudāh* in Syria, provided that he also performed the functions of mufti *(yaqūm bi-waẓīfat al-iftā’).*[11] The *waqfīyah* refers also to the appointment of a shaykh *mi‘ād,* who should be a mufti well known for his religiosity *(‘ālim muftī mashhūr bi-al-diyānah).*[12] The *waqfīyah* of al-Mu’ayyad Shaykh stipulates that the *shaykh al-ṣūfīyah,* who was from the Hanafi *madhhab,* should be well acquainted with the works of jurisprudence of his own school and the works of the religious scholars of the other schools of law.[13] He had to be qualified to teach and to issue *fatwá*s. The *waqfīyah* of al-Jamālī Yūsuf al-Ustādār also mentions the appointment of a Shafi‘i religious scholar qualified to teach and issue *fatwá*s. As per the founder′s instructions the individual chosen, Shaykh Abū al-Ma‘ālī Muḥammad al-Khwārizmī al-Shāfi‘ī, was to take up residence in the

[9]Al-Qalqashandī, *Ṣubḥ,* 14:322–25.

[10]Ḥujjat Waqf al-Ṣulṭān Ḥasan, Dār al-Wathā’iq MS 365, fol. 441.

[11]Ibid., fol. 447.

[12]Ibid., fol. 444.

[13]Ḥujjat Waqf al-Ṣulṭān al-Mu’ayyad Shaykh, Ministry of Awqāf MS 938, fol. 44.

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foundation, a *khānqāh*. The shaykh was to be paid a salary for issuing legal opinions.[14]

Interestingly, it appears from these cases that the issuing of legal opinions was remunerated by a fixed salary paid from the *waqf*. In general, muftis who did not occupy endowed positions were also remunerated for their legal opinions. This, of course, opened the door for bribes and entailed the payment of large sums of money by rulers or amirs in return for a favorable opinion being issued by the mufti. On the other hand, since the issuance of *fatwá*s had become a lucrative business, religious scholars too fell prey to corruption as they began giving licenses to issue *fatwá*s to individuals who were not qualified to be muftis, in return for handsome sums of money. This poor state of affairs seems to have become widespread by the end of the fourteenth century. In the obituaries for the year 795, Ibn Ḥajar al-'Asqalānī mentions Aḥmad ibn 'Umar ibn Hilāl al-Iskandarānī, then al-Dimāshqī, a Maliki *faqīh* whom he praises as a good scholar. However, he wrote, he was to be blamed for accepting bribes *(rishwah)* to give licenses to issue *fatwá*s *('alá al-idhn fī al-iftā')* to individuals who were not qualified. He was often denounced for this by other religious scholars.[15]

An individual could have his license to issue *fatwá*s revoked if his peers called his performance or qualifications into question. Al-Sakhāwī mentions that in the year 852 a *majlis* attended by the sultan and by al-Qalqashandī, al-Manāwī, and other Shafi'i scholars met to reconsider the position occupied by Shaykh Ibn Jamā'ah, shaykh of the Ṣāliḥīyah in Jerusalem, at the request of al-Sirāj al-Ḥimṣī. The latter had claimed that Ibn Jamā'ah was not qualified to teach and accused him of issuing *fatwá*s which were faulty![16] Ibn Ḥajar wrote concerning the Shafi'i scholar Ibn al-Naqqāsh that his exegesis was rather peculiar and that he favored the amirs.[17] Ibn al-Naqqāsh's friendship with Sultan Ḥasan saved him temporarily from the attacks of Quṭb al-Dīn al-Hirmāsī. Yet, as al-Maqrīzī reports, in the year 760 he was summoned in front of a *majlis* attended by Qāḍī 'Izz al-Dīn ibn Jamā'ah at the request of Quṭb al-Dīn al-Hirmāsī and was accused then by al-'Irāqī of issuing *fatwá*s not in conformity with the teachings of the Shafi'i *madhhab*.[18] Ibn Ḥajar, who is more explicit, adds that he was accused of issuing *fatwá*s to some Copts. As a result, Ibn al-Naqqāsh was forbidden to issue *fatwá*s. He was

[14]Ḥujjat Waqf al-Jamālī Yūsuf al-Ustādār, Dār al-Wathā'iq MS 17/106.

[15]Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr,* 3:171.

[16]Al-Sakhāwī, *Al-Tibr,* 216.

[17]Ibn Ḥajar al-'Asqalānī, *Al-Durar al-Kāminah fī A'yān al-Mi'ah al-Thāminah* (Beirut, n.d.), 4:71.

[18]Aḥmad ibn 'Alī al-Maqrīzī, *Kitāb al-Sulūk li-Ma'rifat Duwal al-Mulūk,* vol. 3 pt. 1 (Cairo, 1970), 47–48.

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also prevented from giving public sermons *(majālis al-wa'ẓ)* unless he read from a book.[19]

Regarding the qualifications of qadis, al-Qalqashandī wrote that the position of qadi was given to qualified individuals known for their caring, honesty, piety, and humility. He adds that the position should go to someone who is going to exert his personal *ijtihād* to ensure that justice prevails after having relied on the evidence presented by litigant parties, making sure that all are treated equally.[20]

Ibn Abī al-Dam al-Shāfi'ī defines *qaḍā'* as a *farḍ kifāyah* whose aim is to order people, compelling them to accept a ruling. When issuing a verdict in his capacity as judge, a qadi was bound by the testimony of witnesses and the evidence pertaining to the case he was examining. After consulting the various juridical sources he should be prepared to render his judgement. However, in cases where the judge could not find any precedent or help from the sources consulted, he was asked to use his *ijtihād,* if he considered himself a worthy *mujtahid.*[21] Otherwise, as al-Ṭarābulusī suggested, it was imperative for him to refer to a mufti ″in cases for which he does not find any information that can help him formulate his judgement; if he considers himself a *mujtahid* he could use his own *ijtihād* or use analogical reasoning based on precedent before rendering his judgement. But if he does not consider himself a *mujtahid* he should ask a mufti for an opinion and render his judgement on the basis of it. In any case, the qadi should never render a judgement without having full knowledge of the legal issue.″[22] In issuing a legal opinion, a mufti had a wider scope of proofs at his disposal than a qadi, taken from his own *madhhab* or other *madhhab*s. This latitude often allowed the mufti to propose opinions and solutions to problems which sometimes clashed with the narrower interpretations of the qadis. Accordingly, it is not surprising to see rulers and their amirs resort to the muftis whenever they wanted to legitimize some course of action or behavior which would normally raise criticism and opposition on the part of the religious scholars. Obviously, in doing so they were taking a risk, since the result of the *fatwá* was not guaranteed always to favor them. In spite of the resort to bribery already referred to, the mufti might still speak his mind and oppose the ruler. Thus, the dilemma for the ruler and the amirs would be whether to act on their own and face the wrath of their opponents, or to have some religious scholar sanction their actions. Often in cases which required measures which made it necessary to skirt the law, such as the illegal appropriation of

[19]Ibn Ḥajar al-'Asqalānī, *Al-Durar al-Kāminah*, 4:71.

[20]Al-Qalqashandī, *Ṣubḥ,* 14:341.

[21]Ibn Abī al-Dam, *Adab al Qaḍā',* 1:129 ff.

[22]'Alī ibn Khalīl al-Ṭarābulusī, *Mu'īn al-Ḥukkām fī-mā Yataraddad bayna al-Khaṣmayn min al-Aḥkām* (Cairo, 1973), 26.

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funds, for example, Mamluk rulers found themselves forced to consult the religious scholars. Since the measures contemplated by the ruler were considered illegal, religious scholars were put in an awkward position. Indeed, by providing an opinion which would favor the upholding of the law they would clearly oppose the ruler´s wishes and thus run the risk of incurring the ruler´s wrath. Few of them would take this risk if the ruler´s actions threatened their self interest. In general, by the end of the fourteenth century, upholding the letter of the law required courage. Accordingly, Ibn Ḥajar al-'Asqalānī praises Qāḍī Tāj al-Dīn al-Ṭarābulusī, who was mufti in Dār al-'Adl, saying that he would insist on his rulings and he would not knuckle under like others did.[23] Al-Maqrīzī writes that in the year 780 Barqūq, who was then *amīr kabīr,* convened a *majlis* to which he invited judges and other religious scholars to discuss the possibility of seizing land which had been endowed for mosques, madrasahs, *khānqāh*s, and *zāwiyah*s as well as a number of other endowments. This caused an uproar among some of the scholars who spoke against it. Al-Bulqīnī, who was present at the meeting, remained silent, possibly in an effort to avoid voicing his opposition to Barqūq´s request. When he was asked for the reason for this silence his answer was, ″No one asked for my opinion.″ So Barqūq indicated that he should speak and he was forced to voice his opposition to the confiscation of any legal endowment. Ibn Abī al-Baqā', who was also present at this meeting, stood up and in an apologetic way addressed the group of amirs, saying that they were in positions of authority and the decision was theirs. After an angry dispute al-Bulqīnī said, ″Oh amirs, you order the qadis [to give you their opinion] but if they don´t provide the opinion you want you dismiss them.″[24]

Ibn Ḥajar al-'Asqalānī mentions that in the year 803, when the Mongol Tīmūr had invaded Sivas and was advancing toward northern Syria, a *majlis* was convened to decide whether it was legal to seize half or a third of the merchants´ capital in order to equip the army. The request in itself was not unique but the answer provided was indeed revealing. The qadi Jamāl al-Dīn al-Malaṭī answered the ruler: ″If you decide on your own, you have the authority to do so *(fa-al-shawkah lakum),* but if you want to base your decision on our issuing a *fatwá* to that effect, then it is impossible for any of us to do so *(wa-in aradtum dhālika bi-fatāwinā fa-hādhā lā yajūz li-aḥad an yuftī bih).*″[25] Such an answer is quite interesting since it was uttered by someone who was often accused of favoring illicit behavior.

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[23]Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr,* 9:22.

[24]Al-Maqrīzī, *Sulūk* , vol. 3 pt. 1, 345–46.

[25]Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr,* 4:191. Elsewhere (4:350) the author writes that al-Maḥallī´s answer was: ″If you are acting from a position of authority then all the power is yours. As for us, we will not issue such a *fatwá* nor would we accept to endorse it″ *(wa-lā nuḥillu an yu'mal).*

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Indeed, this mufti was often accused of issuing *fatwá*s making it legal to eat hashish, and, says Ibn Ḥajar, he often exerted himself to find subterfuges (*ḥiyal)* to allow *ribā*.[26]

Issuing *fatwá*s which supported a view which was contrary to the traditional interpretations of jurists could have far reaching implications. Indeed, if adopted by the ruler and embraced by a group of scholars, such *fatwá*s could ultimately lead to changes and open the way for the widespread adoption of practices previously considered illegal by the majority of religious scholars. Muftis like al-Bulqīnī and al-Subkī were known to have defied the traditional views of their school of law without hesitation, despite the disapproval of their peers, because their legal opinions were supported by the ruler and the military elite. Al-Suyūṭī, who was aware of the legal implication of their *fatwá*s, provided an apologetic explanation for their behavior, saying that even though they had opened the door for illegal practices, they were responding to the needs of their time. Furthermore, he did not hesitate to claim that a *fatwá* should in fact reflect the reality of the time.[27]

The opinions of muftis seem to have played a major role in introducing legal changes. Accordingly, we should pay closer attention to the content of *fatwá*s and the way they were formulated, since in the long run, when the public uproar faded, they were often followed by the imposition of a law. The greater the prestige of the scholar issuing the opinion, the more effective his opinion and the weaker the chances that it would be challenged by his peers. Some qadis had forged quite a reputation for themselves and seem to have been put to the test. Muftis from the Syrian part of the empire seem to have been particularly effective in challenging the qualifications of other scholars. Ibn Ḥajar al-ʻAsqalānī notes the arrival in Cairo in the year 828 of Yūsuf ibn Quṭb al-Dīn al-Ḥanafī from Aleppo and his boast that no other scholar could compare to him. So the sultan al-Ashraf Barsbāy, eager to test the validity of his claim, summoned a group of renowned Hanafi scholars to a *majlis*. He asked for a collection of *fatwá*s to be brought. He then ordered that one *fatwá* should be assigned to each mufti for comment. Accordingly, Shaykh Niẓām al-Dīn Yaḥyá, the shaykh of the Ẓāhirīyah; Shaykh Badr al-Dīn al-ʻAntābī; Shaykh Sirāj al-Dīn, who was the shaykh of the Shaykhūnīyah; Ṣadr al-Dīn ibn al-ʻAjamī; Shaykh Saʻd al-Dīn ibn al-Dīrī, shaykh of al-Muʼayyadīyah; and Shaykh Yūsuf, respectively, were ordered to provide their legal opinion on the questions assigned to each of them. They all agreed except for shaykh Yūsuf, who said he only wrote opinions in his home. So they all proceeded to write. Once they had finished, the sultan forwarded their opinions to the Hanafi *qāḍī al-qudāh* Zayn al-Dīn for him to examine and decide who was

[26]Ibid., 348.

[27]Al-Suyūṭī, *Al-Ḥāwī lil-Fatāwī* (Beirut, n.d.), 1:206–10.

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right and who was wrong in his answer.[28] On the basis of this, are we to understand that the *qāḍī al-qudāh* had the power to oversee the *fatwá*s of other religious scholars? Until we have more information on the dynamics regulating *fatwá*s and the interaction between scholars at different levels any answer to this question would be pure speculation.

As far as ceremonial and public appearances go, it is certainly clear that the *qāḍī al-qudāh* enjoyed a higher status than the mufti of Dār al-'Adl. Indeed, concerning Dār al-'Adl al-Maqrīzī writes that the custom was for the sultan to sit in the Īwān Kabīr and the qadis of the four schools of law to sit at his side. The Shafi'i qadi, who enjoyed a higher status, would sit to his right, followed by the Hanafi, then the Maliki, and finally the Hanbali. However , after the rule of Sultan al-Nāṣir Muḥammad, this order changed and the four qadis took their place on either side of the sultan. The Shafi'i qadi sat to the right, followed by the Maliki and the *qāḍī 'askar,* then the *muḥtasib* of al-Qāhirah, then the Shafi'i mufti of Dār al-'Adl. The Hanafi qadi would sit to the sultan's left, followed by the Hanbali.[29]

Regardless of who took precedence over the other in legal or ceremonial matters, the question remains: to whom did the sultan listen when he was seeking advice? And whose decision was implemented when it came to serious matters?

Among the interesting cases mentioned by al-Maqrīzī there is one concerning a *majlis* which had met at the request of Sultan Ḥasan. This particular *majlis* gave way to a heated discussion between the qadis and muftis. This debate prompted Sultan Ḥasan to raise the question of the importance of muftis and their *fatwá*s. Indeed, while the qadis were entrenched in their positions and were attacking the opinions of muftis, claiming that they had no basis in the law, the sultan addressed himself to the qadis, saying, "If the *fatwá*s have no bearing on legal matters, let us abolish both the muftis and their *fatwá*s."[30]

This *majlis,* which was held at Siryāqūs, had met as a result of an incident which had taken place in the year 760, when the mosque of al-Ḥākim was being restored. The restoration took place under the supervision of Shaykh Quṭb al-Dīn al-Hirmāsī. On the occasion of this restoration the sultan had endowed the mosque with a *waqf* which was to support some of the needs of the foundation and the salaries of its staff. The sultan chose the same occasion to remunerate the supervisor of the work, al-Hirmāsī, by setting aside for this shaykh and his children some part of the agricultural land. It is this particular land which became the object of the controversy a year later. Indeed, in the year 761 Sultan Ḥasan, who had turned against al-Hirmāsī, confiscated his fortune and destroyed his house. The reason

[28]Ibn Ḥajar al-'Asqalānī, *Inbā' al-Ghumr,* 8:63–64.

[29]Al-Maqrīzī, *Al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Bulaq, 1854), 2:208–9.

[30]Ibid., 278–80.

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behind this change of heart is in itself quite interesting. According to Ibn Ḥajar al-'Asqalānī, the person behind this reversal of fortune was Ibn al-Naqqāsh, who had been known for his unorthodox exegesis. As previously mentioned, this scholar had often been accused of issuing *fatwá*s which were in conflict with the teachings of the Shafi'i school of law. When Shaykh al-Hirmāsī heard about this, he attacked him in public and spread rumors about him. Ibn al-Naqqāsh tired of this and vowed to retaliate. His goal was reached when he succeeded in turning the sultan against al-Hirmāsī, prompting this ruler to seize the properties of the shaykh, to order the destruction of his house, which was built in front of the Jāmi' al-Ḥākim, and to exile him and his children.[31]

The subject of the heated debate between the qadis and muftis was a plot of agricultural land totaling 560 feddans in Ṭandatā.[32] A share of this land had been set aside as *waqf* to benefit the mosque, while the rest of the land had been given to al-Hirmāsī by the sultan at the request the shaykh. After the demise of al-Hirmāsī, the sultan wished to seize the shaykh´s share of this land. However, he was faced with a problem: al-Hirmāsī had turned the agricultural land received from the sultan into a *waqf*. By turning the land into a *waqf,* al-Hirmāsī had invalidated the clause which, in agreement with the Hanafi school of law, would have allowed the sultan to seize it.

Trying to find a loophole in the law, Sultan Ḥasan asked religious scholars to re-examine the validity of the whole *waqf,* claiming that when he had made his declaration *(ishhād)* and sworn in front of the witnesses that he had endowed this land, he had not read the whole document, nor was he aware of the exact share allotted to al-Hirmāsī. The sultan also claimed that he was convinced that the greatest part of the land endowed was to benefit the mosque of al-Ḥākim and that only a negligible plot was to benefit al-Hirmāsī. Upon investigation it appeared that the witnesses of this *waqf* had sworn that they had taken cognizance of the detailed content of the *waqf,* which had apparently been drafted by al-Hirmāsī and clearly favored him. The problem, put before the religious scholars, spurred a heated debate between qadis and muftis. Indeed, muftis such as Ibn 'Aqīl, al-Subkī, al-Bisṭāmī, al-Baghdādī, and others argued for the nullification of the *waqf* since it was contingent upon an invalid declaration. The Hanafis argued that regardless of the faulty acknowledgment and declaration of a witness, this *waqf* could not be nullified since the content of its clauses had been legally approved by the Hanafi qadi and its execution by qadis of other *madhhab*s was sound. So, says al-Maqrīzī,

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[31]Ibn Ḥajar al-'Asqalānī, *Al-Durar al-Kāminah*, 4:71.

[32]Ibrāhīm ibn Muḥammad Ibn Duqmāq, *Kitāb al-Intiṣār li-Wāsiṭat 'Iqd al-Amṣār* (Bulaq, 1893), section 2, 94, mentions Ṭandatā among the towns of the District of Gharbīyah, whose *'ibrah* was 15,000 dinars, distributed mostly as *iqṭā'* for the amirs´ *ṭablkhānah*s.

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the sultan summoned muftis and the qadis to Siryāqūs, where he was spending some time, but only Tāj al-Dīn al-Manāwī, the deputy of the Shafi'i qadi, appeared.[33] The Shafi'i, Hanafi, and Hanbali qadis claimed they were too sick to attend. Hence, the sultan gathered the religious scholars who were in attendance in one of the palaces located in Maydān Siryāqūs and put the case before them, asking them to decide the matter. All but one scholar concurred that the *waqf* was null. Al-Manāwī, however, said that, according to the school of Abū Ḥanīfah, the ruling was valid even if the declaration of the witness and swearing was faulty. This statement caused an uproar on the part of the muftis, both Shafi'is and Hanafis. They all argued that this was not the view of his *madhhab* and that since the consensus of scholars did not support al-Manāwī's views, they declared that the ruling was to be considered invalid. To this al-Manāwī replied, "Judgements are not rendered by way of *fatwá*s" *(al-aḥkām mā hiya bi-al-fatāwī)*. The aforementioned qadi had already claimed, in another *majlis* involving a case concerning the Jewish community, that the opinion of muftis was to be disregarded and that *fatwá*s should not be relied upon when issuing a judgement! Hearing this, the audience of scholars retorted that he was wrong and that he showed his great ignorance, since no legal judgement could be rendered without a *fatwá* from God and His messenger. They also added that the status of *fatwá*s was established first by God the Almighty as stated in the Quran. Sirāj al-Dīn al-Hindī and others who were present at the *majlis* declared that the statement of al-Manāwī was blasphemous and that the school of Abū Ḥanīfah held that whoever disdained *fatwá*s and muftis was an infidel *(kāfir)*. Defending himself, the shaykh argued that his objection was only to *fatwá*s which conflicted with the teachings of a school of law. Interestingly, they all answered that he was still wrong in arguing this, since a *fatwá* could contradict a particular *madhhab* and yet be in agreement with truth and justice. Sultan Ḥasan, who was present during this altercation, interjected: "If you claim that *fatwá*s have no authority, let us therefore dismiss all muftis and abolish *fatwá*s!" He then paused, confused about what he had heard, and asked: "How should I act in this situation?" Referring to this gathering, 'Alī Mubārak mentions that when Sultan Ḥasan asked the qadis and muftis whether he could invalidate the *waqf* of the plot of land in Ṭandatā they all concurred that he could except for al-Manāwī, who stood firm declaring that it was illegal to do so.[34] Praising the stand taken by this shaykh, al-Maqrīzī mentions that the land remained in the hands of al-Hirmāsī's children. In a note of dismay he also calls upon the reader to compare the principled stand taken by al-Manāwī to the behavior of scholars of

[33] Al-Maqrīzī, *Khiṭaṭ,* 2:280.

[34] 'Alī Mubārak Bāshā, *Al-Khiṭaṭ al-Tawfīqīyah al-Jadīdah li-Miṣr al-Qāhirah* (1888; reprint, Cairo,1980), 4:169.

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his time who all fail to uphold the rigorous application of the law and issue rulings which favor the ruling class.[35]

This case suggests that up to the mid-fourteenth century qadis were still able to hold their own and did not yield to pressure from the rulers or their amirs.[36] In fact it seems that the qadis′ influence remained strong up till the beginning of the fifteenth century, when they began to temporize in their rulings. This was probably due to the fact that the position of qadi came to be filled by people who, for the most part, had obtained their position by paying bribes and were unqualified. It is precisely then that the opinions of famous religious scholars seemed to matter. In fact, muftis′ legal opinions were carefully considered by qadis, who relied upon them especially when the rulings they had to issue would set a precedent that would initiate a change.[37] Often, the muftis′ opinion stood as a check on the lack of rigorous adherence to the letter of the law shown by qadis, reminding them of the necessity of applying the law without favoritism. One of the cases worth discussing concerns a *fatwá* issued by al-Suyūṭī entitled ″Al-Jahr bi-Man‘ al-Burūz ‘alá Shāṭi’ Nahr.″[38] This particular *fatwá* had led to the spread of false rumors among people, prompting al-Suyūṭī to defend himself, as he mentioned at the beginning of the *fatwá.* Ibn Iyās wrote that in 896 a rumor spread among the people claiming that Shaykh Jalāl al-Dīn al-Suyūṭī had issued a *fatwá* which stated that erecting a building on the shores of al-Rawḍah was not permissible since the consensus of religious scholars recognized that it was illegal to build on the banks of rivers. As for those who claimed that this was permissible according to the Shafi‘i school of law, said al-Suyūṭī, they are wrong since such permission was not found in any of the works of the Shafi‘i scholars.[39] Al-Suyūṭī reports the reasons which led him to issue this *fatwá,* saying that a man who owned a house in al-Rawḍah undertook some renovations which led to additions in the direction of the river. These additions were followed by other construction which brought the total to thirty six *dhirā‘,* all added in the direction of the banks of the river, that is to say, the interdicted area of the *"ḥarīm al-nahr."* Due to these new additions, his building was projecting beyond the row of houses adjacent to it. So, said al-Suyūṭī, he told him that this was illegal according to the four schools of law. The man started spreading rumors claiming that al-Suyūṭī issued a *fatwá*

[35]Al-Maqrīzī, *Khiṭaṭ,* 2:280.

[36]For some other examples see al-Maqrīzī, *Sulūk* , vol. 3 pt. 1, 345–46; Ibn Ḥajar al-‘Asqalānī, *Inbā’ al-Ghumr,* 4:350.

[37]See, for example, what al-Suyūṭī says in *Al-Ḥāwī lil-Fatāwī,* 1:206–10; see also al-Sakhāwī, *Al-Tibr,* 164.

[38]Al-Suyūṭī, *Al-Ḥāwī lil-Fatāwī,* 1:194–97.

[39]Ibn Iyās, *Badā’i‘ al-Zuhūr fī Waqā’i‘ al-Duhūr* (Cairo, 1984), 3:283.

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asking for the demolition of all the houses of al-Rawḍah and this, according to the religious scholar, was a lie.

Because the rumor was creating an uproar among the people, al-Suyūṭī decided to defend himself in a work in which he produced the arguments of all four schools of law in support of the prohibition against building on the banks of rivers. Our interest in the *fatwá* lies in its conclusion which provides us with an insight into the procedures leading to the adoption of changes in legal practice. It also allows us to understand the relationship between the *qāḍī al-qudāh* of a *madhhab* and a mufti, since it shows how, at the request of the latter, the qadi confirmed the need for a change. Similarly, it reveals the role played by the sultan in the endorsement and promulgation of new laws.

In his conclusion al-Suyūṭī says: ″I sent the case of this man to the Shafi'i *qāḍī al-qudāh.* I joined to it the views of the four schools of law. I also informed him that rulings issued in the past by scholars allowing people to construct buildings on the shores of al-Rawḍah were illegal.″ The *qāḍī al-qudāh* accepted the truth and instructed his deputies not to issue permits to build on the shores of al-Rawḍah. As he prepared to summon the individual concerned to his court to sanction him and impose the prohibition on him, al-Suyūṭī sent the qadi a note in which he suggested that, rather than impose the prohibition on a single individual, it would be preferable that the prohibition take the form of a general prohibition. Because the qadi appeared perplexed, says al-Suyūṭī, he explained to him that this course of action was permissible since in an earlier case Shaykh Taqī al-Dīn al-Subkī had ruled in the same way and had even written a book about it. Al-Suyūṭī sent al-Subkī´s work to the *qāḍī al-qudāh,* who then issued a general prohibition against building on the shores of al-Rawḍah. His ruling was confirmed by the Hanbali *qāḍī al-qudāh* and the Maliki *qāḍī al-qudāh.* Following this prohibition, al-Suyūṭī sent the qadi´s ruling and his own work on the subject to the sultan. After taking cognizance of their works, the sultan imposed a general prohibition on encroaching on the shores of al-Rawḍah and threatened to demolish any such illegal buildings.

From the preceding it appears that in issuing his order of prohibition, the sultan was relying on the ruling of the *qāḍī al-qudāh* and not entirely on the *fatwá* of al-Suyūṭī. However, it also appears that the *qāḍī al-qudāh* did not decide on his own to issue a general prohibition but in doing so had taken the *fatwá* of al-Suyūṭī into consideration. Also, the one who initiated the contact with the sultan was not the *qāḍī al-qudāh* himself but the mufti, al-Suyūṭī.

We can therefore speculate that in order to be effective, any change in the law or any general decree had to have the final approval of the sultan who would be the one to issue it. Often, after adopting a decision which was met with great opposition from the population, a ruler would request from the religious scholars

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the writing of a *fatwá* or a *risālah* which would justify his action. Amirs would often follow the same pattern. For example, one important *risālah* was written for the amir Yashbak al-Dawādār when his decision to create changes in the urban landscape caused an uproar among the population. The *risālah,* written by Ibn Shiḥnah, provides arguments supporting the action of the amir. At the end of the work, the author writes: ″. . . and if you reflect upon the proof that I have provided it will become clear to you that this [action] is in conformance with truth and justice . . . and whoever opposes it in our time relies only on personal interest and whim.″[40] Ibn Iyās refers to this incident by saying that in the year 882 Yashbak decided to clean the streets and widen the thoroughfares. So he ordered the demolition of buildings that were blocking traffic in public streets, a matter which caused a lot of harm to the owners of these properties. Apparently he was able to do so thanks to the help of one of the deputies of the Shafi'i qadi, Fatḥ al-Dīn al-Sūhājī, who, under pressure from the amir, had issued a ruling favoring the demolition.[41]

Examination of the cases discussed above indicates that whenever the rulers were faced with problems involving decisions touching a point of law, they consulted with the qadis.[42] It is difficult, however, to determine whether their behavior was entirely dictated by their eagerness to respect the law or by their attempt to have someone else bear the blame for unpopular decisions. In any case, it seems clear that they would always prefer to clothe their actions in an aura of legality. Accordingly, in cases where the qadis′ opinions went against the rulers′ will, the latter would first try to exert pressure on them in an attempt force them to validate his decision. If still faced by the opposition of qadis who would not yield to pressure, as was often the case up to the beginning of the fifteenth century, the ruler could still ask a mufti to issue a *fatwá* in his favor. In general, muftis enjoyed greater latitude in their interpretation of the law. By the fifteenth century many were indeed inclined to condone decisions that were unpopular with the masses but favorable to the ruler or the elite.

When it came to introducing changes into the law, it seems that muftis′ legal opinions had first to be endorsed by the qadis before being enacted by the sultan. In all cases, whether the sultan listened to the qadis or the muftis, he was the one who had the final word in enacting a law or issuing a decree.

In conclusion, to answer the question, to whom did the Mamluk sultan listen when he was seeking advice? one is tempted to answer that the sultan listened to

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[40]Ibn Shiḥnah, ″Taḥṣīl al-Ṭarīq ilá Tashīl al-Ṭarīq,″ Arab League MS 1337, fol. 112.

[41]Ibn Iyās, *Badā'i' al-Zuhūr*, 3:127–28.

[42]It should be clear that qadis were often in possession of licenses which allowed them to issue *fatwá*s. However, when they were approached by the ruler seeking their advice in their capacity as *qāḍī al-qudāh,* it seems that they were bound by a stricter interpretation of the law.

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whomever was providing him with the opinion he wanted to hear. In other words, the Mamluk sultan listened to himself!

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What Ibn Khaldūn Saw: The Judiciary of Mamluk Egypt [*]

Introduction

The career of Ibn Khaldūn is well known. He was active from the mid-fourteenth century in the political arena of North Africa and Spain, where he wrote his great work, *Al-Muqaddimah*. He then moved to Egypt where he was to become the Malikite chief judge *(qāḍī al-quḍāh)*. He was appointed to the post of chief judge by the Mamluk sultan Barqūq (r. 784–91/1382–89, 792–801/1390–99) twenty months after his move to Egypt, following an unexpected summons on 19 Jumādá II 786/8 August 1384.[1] He resigned the post after about ten months, but twelve years later he was appointed chief judge for a second time. Thereafter followed a succession of resignations and reappointments, so that by the time of his death in 808/1406 he had served six times as chief judge.

Prior to his first appointment, Ibn Khaldūn had had no experience as a working judge *(qāḍī)*. His only experience of working in legal administration had been while resident in Morocco, where he had served as appeal court *(maẓālim)* judge in 762/1361, concurrent with other positions under the Marinid sultan Abū Sālim. He held singular views and ideals about matters of legal administration, however, thanks to his experience in politics and his academic research.

Once appointed chief judge, he was brought into close contact with the affairs of the law courts, and the picture of the Egyptian legal administration which gradually revealed itself to him was not what he had expected. He experienced a

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[1]Ibn Khaldūn, *Al-Ta'rīf bi-Ibn Khaldūn wa-Riḥlatihi Gharban wa-Sharqan,* ed. Muḥammad ibn Tāwīt al-Ṭanjī (Cairo, 1951), 254; Aḥmad ibn 'Alī al-Maqrīzī, *Kitāb al-Sulūk li-Ma'rifat Duwal al-Mulūk* (Cairo, 1939–73), 3:517; Aḥmad ibn 'Alī Ibn Ḥajar al-'Asqalānī, *Raf' al-Iṣr 'an Quḍāt Miṣr* (Cairo, 1957–1961), 2:344; Muḥammad ibn 'Abd al-Raḥmān al-Sakhāwī, *Al-Ḍaw' al-Lāmi' li-Ahl al-Qarn al-Tāsi'* (Cairo, 1934–36), 4:146; Ibn Khaldūn, *Le voyage d'Occident et d'Orient: autobiographie,* trans. Abdesselam Cheddadi (Paris, 1980), 153; Walter Joseph Fischel, *Ibn Khaldūn in Egypt: His public functions and his historical research, 1382-1406; A study in Islamic historiography* (Berkeley, 1967), 30–31.

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kind of culture shock. The state of affairs he discovered is clearly recorded in his autobiography, *Al-Ta'rīf bi-Ibn Khaldūn wa-Riḥlatihi Gharban wa-Sharqan,* along with an unmitigated account of his response to it.

Ibn Khaldūn's account of the Mamluk legal administration has been largely ignored by scholars, however. Even the relatively recent specialized work of Escovitz[2] does not mention it. The present paper, therefore, is intended to bridge this gap by giving an account of his observations in his autobiography, and through this account, presenting an aspect of that time which cannot be appreciated by looking only from the perspective of the history of institutions.

Ibn Khaldūn's Inauguration as Chief Judge

In Ṣafar 786/March 1384, soon after Ibn Khaldūn had begun his first public appointment in Egypt as professor at the Qamḥīyah College,[3] there was an incident whereby the current Malikite chief judge, Jamāl al-Dīn 'Abd al-Raḥmān ibn Khīr, was criticized by Malikite jurists for passing an incorrect judgment in court. As a result, Jamāl al-Dīn fell out of favor with Sultan Barqūq and was dismissed on 3 Jumādá II/23 July of the same year. Less than two weeks later, on 19 Jumādá II, Ibn Khaldūn received his summons from the sultan. He went to the Citadel and was ordered to assume the now empty post of Malikite chief judge. He declined, explaining that he did not have the experience for such a job, but the sultan was adamant and Ibn Khaldūn eventually agreed. He was invested by the sultan with the robe of honor and the honorific title of *Walī al-Dīn*, and then, with an escort of dignitaries and guards, he was led northwards up Cairo's central avenue to the district of Bayn al-Qaṣrayn. This formal procession was superintended by Alṭunbughā al-Jūbānī (d. 792/1390), the amir of the council *(amīr al-majlis)*. Alṭunbughā al-Jūbānī was a Turkish general who wielded great power at the palace. He had made Ibn Khaldūn's acquaintance soon after the latter's arrival in Cairo, and it was he who had introduced Ibn Khaldūn to Sultan Barqūq. The route of the procession was in accordance with tradition, stopping first at the Nāṣirīyah College,[4] where the proclamation appointing Ibn Khaldūn as Malikite chief judge was read out. The procession then crossed the street and went into the Ṣāliḥīyah College, where Ibn Khaldūn took the seat of the chief judge of the Malikite court.[5]

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[2]Joseph H. Escovitz, *The office of qâḍî al-quḍât in Cairo under the Baḥrî Mamlûks* (Berlin, 1984).

[3]Al-Maqrīzī, *Kitāb al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Būlāq, 1270 [1853]; repr. Baghdad, 1970) 2:364; Abū Bakr ibn Aḥmad Ibn Qāḍī Shuhbah, *Tārīkh Ibn Qāḍi Shuhbah* (Damascus, 1977), 3:131.

[4]Al-Maqrīzī, *Khiṭaṭ,* 2:382; Escovitz, *Office of qâḍî al-quḍât*, 196–97.

[5]Ibn Khaldūn, *Ta'rīf,* 254; al-Maqrīzī, *Sulūk,* 3:480, 513, 517; Fischel, *Ibn Khaldūn in Egypt,* 31.

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Since the reforms of Sultan Baybars (r. 658–76/1260–77) in 663/1265, the judicial administration of Mamluk Egypt had been entrusted to the chief judges of the four schools of law.[6] Among these, the chief judge of the Shafi'ite school was accorded the highest rank. This was presumably because, prior to the reforms, chief judges had always come only from the Shafi'ite school. The Shafi'ite chief judge thus had more power than the judges of the other schools, including sole jurisdiction over such matters as the execution of wills and the management of the property of orphans. Such details notwithstanding, while administration itself was in the hands of the four judges, the power to appoint or dismiss the chief judge belonged, by Islamic tradition, to the ruler. The appointment of Ibn Khaldūn by the sultan was thus no exception.

The Ṣāliḥīyah College which housed Ibn Khaldūn's court had been founded by the Ayyubid sultan al-Malik al-Ṣāliḥ Najm al-Dīn (r. 637–46/1240–49), and was the most powerful college in Egypt. It was the educational institute for all of the four schools of law, and it housed each of their courts. Ibn Khaldūn sat in the court of the Malikite school. Court was held in a room known as an *īwān,* which was in the shape of a half-dome, open at the front. The residences of the chief judges were also located in one corner of the college.[7]

One can imagine that, on seeing the court, Ibn Khaldūn must have pondered his readiness for the job. In particular, his thoughts must surely have lit upon what he had written in *Al-Muqaddimah* on "The duties of the judge," seven years earlier in North Africa.[8] In that section, he cites the various basic rules for judges contained in a warning letter which the caliph 'Umar (r. 13–23/634–644) is said to have given to Abū Mūsá al-Ash'arī, the judge of Kūfah (the letter was in fact, apparently, a fake). He also refers to *Al-Aḥkām al-Sulṭānīyah* written by the Buwayhid jurist al-Māwardī (d. 450/1058), explaining how this book elucidates the basic laws and conditions pertaining to the judge's profession, and how it describes judges eventually being responsible for certain out-of-court duties, as well as for knowledge of court matters.

From his writing, it seems that Ibn Khaldūn had experienced no discrepancy between what he had observed of current Islamic law in North Africa and what he

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[6]Al-Maqrīzī, *Sulūk,* 1:538–39; Abū al-Maḥāsin Yūsuf Ibn Taghrībirdī, *Al-Nujūm al-Zāhirah fī Mulūk Miṣr wa-al-Qāhirah* (Cairo, 1929–72), 7:121–22, 218; Escovitz, *Office of qâḍî al-quḍât*, 20–28.

[7]Al-Maqrīzī, *Khiṭaṭ,* 2:374; Escovitz, *Office of qâḍî al-quḍât,* 192–96.

[8]Ibn Khaldūn, *Al-Muqaddimah,* published by E. Quatremère as *Prolégomènes d'Ebn-Khaldoun,* Notices et extraits des manuscrits de la Bibliothèque impériale et autres bibliothèques, vols. 16–18 (Paris, 1858), 16:397–400; Ibn Khaldūn, *The Muqaddimah: an Introduction to History,* trans. Franz Rosenthal (New York, 1958), 1:452–56.

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had learnt of legal traditions since the early Islamic period. The images he had in his mind of what the qualifications and duties of an Islamic judge should be, what could be expected of a justice, and so forth, were entirely theoretical, based on what he had studied. As well as this theoretical view, however, he also had his own particular view of the history of civilizations, according to which a society would tend to decay as its civilization developed, the seeds of social disintegration being incorporated within the development of civilization. Although he was still new to Egypt at this time, he must already have sensed the spiritual decay of this highly civilized society, and thus felt as if he were seeing his pet theory exemplified.

Ibn Khaldūn's image of the ideal judge thus had to remain an ideal in the reality of Egyptian society. Nonetheless, he tried to preside over legal affairs in accordance with this lofty ideal. Such an endeavor, carried out as it was with extreme circumspection, was bound to encounter tremendous problems in the Egyptian society of that time. Ibn Khaldūn was convinced, however, that precisely by undertaking this endeavor, he was fulfilling his responsibilities to the people and to his patron, the sultan, and he applied himself with great zeal to his task. The following is from his autobiography:

> I made the utmost effort to enforce God's law, as I had been charged to do. I tried to conduct things fairly and in an exemplary manner: I considered the plaintiff and the accused equally, without any concern for their status or power in society; I gave assistance to any weaker party, to level out power inequalities; I refused mediation or petitions on either party's behalf. I focused on finding the truth only by attending to the evidence. I also kept a watchful eye on the conduct of the official witnesses *(al-naẓar fī 'adālat al-muntaṣibīn)* responsible for testimonies *(taḥammul al-shahādāt)*. There were some among them who were dishonest or lacking in morals. Evidently the superintendents of justice *(al-ḥukkām)* had not fully investigated these people: dazzled by their connections with powerful names, the superintendents had overlooked any character flaws. The majority of the official witnesses were private tutors in the Quran, or prayer-leaders employed by amirs, so the superintendents of justice must have installed them as official witnesses in the belief that they were of impeccable character. The judges were informed that these witnesses were men of integrity *(fī tazikiyatihim 'inda al-quḍāh wa-al-tawassul lahum)*. In reality, moral decay ran deep among the official witnesses, and within such a deceit-ridden, corrupt administration, the decay spread from

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> one person to the next. Whenever I found out about wrong-doers, I punished them and gave them a severe warning.[9]

Ibn Khaldūn tried to establish fair court procedure as quickly as he could after his investiture. Inevitably, such an endeavor required him to take a scalpel to the degenerate world of Egypt's judiciary.

PARTICIPANTS IN THE MAMLUK JUDICIAL ADMINISTRATION I

The first point to consider with respect to the passage from *Al-Ta'rīf* cited above is the phrase "the official witnesses responsible for testimonies." The title "official witness" is expressed in Arabic as *'udūl* or *shuhūd,* which often occur in the plural, or by the abstract noun *'adālah*. The presence of witnesses is a requirement of the Islamic court and the official witness system is considered to date back to the early Abbasids at the end of the eighth century, judging from the complexity of the tests *(tazkiyah)* used to measure the fair-mindedness of witnesses.[10] The presence of official witnesses is understood as a system for maintaining the fairness of the court and for ensuring the smooth running of the judicial administration. The fact, as indicated in Ibn Khaldūn's writing above, that the official witnesses are appointed not by a judge but by a specialized superintendent of justice *(ḥākim)* is also noteworthy.

The official witness system is referred to in Ibn Khaldūn's earlier work, *Al-Muqaddimah.* In this work, he begins by describing the content of the work of official witnesses: with permission from the judge they carry out duties such as bearing witness during a trial, and recording the details pertaining to people's rights, properties, debts, and other legal transactions, as required on the certificate of judgment. He goes on to explain the essential qualifications for an official witness: utter honesty and sincerity in accordance with religious law. To check whether official witness candidates are in possession of these qualities, their lifestyles are scrutinized by a judge. A candidate deemed suitable for the position can then serve as official witness for a judge, who can send him out throughout the city to investigate the sincerity of litigants. Judges also employ these professional official witnesses to verify the authenticity of evidence. In addition, official witnesses in every city have their own shops and benches where they customarily sit, so that they can be called upon as a witness by anyone with legal business to conduct.[11]

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[9]Ibn Khaldūn, *Ta'rīf,* 254–55; Ibn Khaldūn/Cheddadi, *Voyage,* 153–54.

[10]Cf. Aḥmad ibn 'Umar al-Khassāf (d. 261/874), *Kitāb Adab al-Qāḍī*, ed. Farhat Ziadeh (Cairo, 1978), 83–84; Emile Tyan, "'Adl," *The Encyclopaedia of Islam*, 2nd ed., 1:209-10; idem, *Histoire de l'organisation judiciaire en pays d'Islam* (Leiden, 1960), 236–42.

[11]Ibn Khaldūn, *Al-Muqaddimah,* 16:404–5; Ibn Khaldūn/Rosenthal, *The Muqaddimah,* 1:461–62.

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This provides a picture of what would have been assumed to be the everyday work of the official witness in the Islamic society of Ibn Khaldūn´s time. The official witnesses referred to in the extract from *Al-Ta'rīf* cited above, however, do not seem to conform to this image. The majority of them were appointed by the powerful amirs and, at least in trials connected with the amirs, the official witnesses could not be expected to provide impartial witness. If corruption was not rooted out by the official witnesses, then fair trials became an impossibility. Ibn Khaldūn recognized this and tried to redress the problem which had developed over the years. It was inevitable, though, that such action would result in his making enemies. He explains some of the problems as follows:

> I put a stop to the witnessing work of those official witnesses whom I knew to have guilty consciences. Among them were a number of scribes *(kuttāb)* belonging to the judges´ offices *(dawāwīn al-quḍāh),* who, among other things, kept the records of public hearings. As well as being versed in the compilation of trial documents *(da'āwá)* and judgment documents *(ḥukūmāt),* these scribes were employed by the amirs to draw up a variety of contracts and certificates. Thus their status was considered higher than that of other official witnesses, and since the judges were also in awe of the power of the amirs, the amirs were able to shield their scribes from any criticism. Some of the scribes would attack even the fairest official document *(al-'uqūd al-muḥkamah),* endeavoring to claim its invalidity because of some legal problem related to a trial or some problem with the style of the document itself. When rewards of status and gifts were offered, the scribes were all too eager to apply themselves to such tasks. A case in point is that of the *waqf*s (*awqāf:* endowments). There are many *waqf*s in Cairo, including several which are hardly known to anyone. These are easy prey for corrupt deals. A corrupt scribe will join forces with someone who wants to buy a *waqf* to turn it into private property, and draw up the validating documents for him. Difficulties are compounded by differences between the legal schools *(ikhtilāf al-madhāhib)* of the superintendents of justice *(al-ḥukkām bi-al-balad)* for the areas concerned. The superintendents´ attempts to prevent such usurping of *waqf*s are simply ignored. Thus the alienation of *waqf*s increases, and at the same time, other contracts *('uqūd)* and private properties *(amlāk)* also become subject to similar risks.

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> Trusting in God, and fearing not the hatred and contempt which was poured on me, I took steps to root out such evil.[12]

The above passage shows how, among the official witnesses, there were scribes with responsibilities in the law courts, who, in collusion with amirs, exploited their legal knowledge and their positions so as to become accomplices of crime. In such circumstances, there was no hope of a just court. The official witnesses who were present during court sessions and the scribes of the *dīwān al-qāḍī* who carried out the court's secretarial work have generally been viewed as different types of functionaries, but Ibn Khaldūn's writing shows that the scribes who were charged with the court's secretarial work might also serve as official witnesses; and those who did so were often in the employ of the amirs, which meant that they were accorded superior status among the scribes. The main aim of these scribes was to line their own pockets, and what they preyed upon most heavily was the *waqf* property: *waqf* which, in Islamic law, should not be touched even by those in authority.

VIOLATIONS OF *WAQF* PROPERTY RIGHTS

Even before Ibn Khaldūn's time, the Mamluk period had seen repeated occurrences of *waqf* property being targeted by people in authority. Conspiring judges would find the *waqf* contracts of the property in question invalid, or they would give evidence to that effect, so that the property would then be confiscated by the state. History books record cases of such actions being perpetrated even by sultans. In 709/1310, for example, Sultan al-Nāṣir Muḥammad (r. 693/1293–94, 698–708/1299–1309, 709–41/1310–41) is said to have summoned the chief judges and had them testify that some estates *(ḍiyā')* and private properties *(amlāk)* which the previous sultan, Baybars II, and the regent, Sallār, had designated as *waqf*, had actually been purchased with money from the state coffers *(bayt al-māl)* and so the claim that they were *waqf* was void. This confirmed, the sultan had Āqūsh, amir and governor *(nā'ib)* of Karak, and Karīm al-Dīn, superintendent of the sultan's private property, sell off the legacy of Baybars II. The money thus raised was divided between the sultan and Baybars' daughter, who was the wife of an amir.[13]

In 717/1317, Sultan al-Nāṣir Muḥammad planned to acquire more *waqf* land by exchanging it for other land. The *waqf* land in question was in Birkat al-Fīl in Cairo, and had been bequeathed by Baybars II to his children. In this instance, the chief judge of the Hanafite school, Shams al-Dīn al-Ḥarīrī, opposed the exchange,

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[12]Ibn Khaldūn, *Ta'rīf,* 255–56; Ibn Khaldūn/Cheddadi, *Voyage,* 154–55.

[13]Al-Maqrīzī, *Sulūk,* 2:82; Escovitz, *Office of qâḍî al-quḍât,* 149.

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arguing that *waqf* land could not be exchanged, according to Hanafite law. Hearing of this, Sirāj al-Dīn ʻUmar ibn Maḥmūd, a judge of the same school, saw an opportunity to further his own career. He promised the sultan that, if he were made chief judge, he would pass judgment on the matter in the sultan′s favor. He became chief judge and the exchange of the *waqf* land was legitimized. This chief judge fell ill and died just two months later.[14]

Six years later, in 723/1323, the sultan arrested Karīm al-Dīn, the judge who had been made to conspire in illegally acquiring *waqf* land in 709/1310, and who was superintendent of sultanate private properties. The sultan tried to confiscate Karīm al-Dīn′s property, but this included *waqf* worth six million dinars. He ordered the chief judges to hand over the *waqf* land, but the Shafiʻite chief judge, Badr al-Dīn Muḥammad ibn Jamāʻah, opposed this, asserting that this land had become *waqf* land by fully legal procedures. At this, the sultan employed witnesses to give false testimony against Karīm al-Dīn, saying that all of the latter′s land *(ʻaqar)* and property, be it *waqf* or free property (*ṭalq*; property not subject to any rules), had been acquired with the sultan′s money and not with Karīm al-Dīn′s own money. As a result, his *waqf* rights became invalid and all of Karīm al-Dīn′s property became the sultan′s. The Mamluk historian al-Maqrīzī, (d. 845/1442) writes that the sultan designated a part of the confiscated property as *waqf* and renamed it *al-waqf al-Nāṣirī,* but that he did not, in reality, accord the land proper *waqf* treatment.[15]

A further incident occurred some thirty years later, in 754/1353. By this time the sultan had become a mere puppet of his generals. The vizier ʻIlm al-Dīn Ibn Zanbūr had been arrested, and the powerful amir Ṣarghitmish tried to have the *waqf* rights of Ibn Zanbūr′s property nullified, then sell the property. He tried to use the above-described events of 723/1323 as the legal precedent for this. Thus he summoned the chief judges of the four schools of law to the Hall of Justice *(dār al-ʻadl)* in the Citadel, and he urged them to nullify Ibn Zanbūr′s *waqf* rights. The Shafiʻite chief judge, ʻIzz al-Dīn Ibn Jamāʻah, opposed this, however, and the Hanbalite chief judge, Muwaffaq al-Dīn ʻAbd Allāh, agreed with his opposition. Ṣarghitmish flew into a rage, asking the chief judges, ″Do you want to destroy this country through your wickedness?″ He argued with them, citing the judgment *(qaḍīyah)* whereby Sultan al-Nāṣir Muḥammad had had the *waqf* of Karīm al-Dīn revoked. Chief Judge ʻIzz al-Dīn Ibn Jamāʻah rebutted this, stating that the decision in the case of Karīm al-Dīn had been based on testimonies that Karīm al-Dīn′s property had all been acquired through his managing the sultan′s property and hence had been acquired not with his own money but with the sultan′s money.

[14]Al-Maqrīzī, *Sulūk,* 2:173–74.

[15]Ibid., 243–44, 888; Escovitz, *Office of qâḍî al-quḍât,* 148–49.

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The revoking of Karīm al-Dīn′s *waqf* could be acknowledged on this basis as legal. In the case of Ibn Zanbūr, however, even though he had been vizier, his assets had all been acquired through private business dealings. To confiscate any *waqf* or property derived from these assets would be illegal. The validity of ʻIzz al-Dīn Ibn Jamāʻah′s argumentation was upheld, and Ṣarghitmish′s petition rejected.[16]

The opposition that Ṣarghitmish met with from the chief judges, and his failure to have the *waqf* nullified, may have been partly due to the fragility of his power base. He had promised the sultan′s widow that, if he succeeded in having Ibn Zanbūr′s *waqf* revoked, he would give her a portion of it. That this plan had now come to nothing was a great blow to him. He became ill and was forced by the other amirs to give up his position as chief governor *(raʾs nawbah)*.[17]

Examples like the one of Ṣarghitmish, where opposition by the chief judges kept *waqf* out of the clutches of those in power, are rather rare in the historical records. Much more frequent are examples of judges collaborating in the plots of the influential. Among these is the case of Amir Qawṣūn. In 730/1330, Qawṣūn was building a magnificent mosque outside the Zuwaylah gate near Birkat al-Fīl in Cairo. He wanted to extend the plot of the mosque so he tried to buy the public bathhouse *(ḥammām)* which neighbored his property. This public bathhouse, however, had been donated as *waqf* by the late amir Jamāl al-Dīn Āqūsh (d. 710/1310), so its sale or purchase was illegal. Qawṣūn discussed the matter with the judges, with the outcome that the Hanbalite chief judge, Taqī al-Dīn Aḥmad ibn ʻUmar, apparently gave his backing to a secret plan. This involved the side-wall of the public bathhouse being unexpectedly broken down—probably on the orders of the amir—at which some public witnesses *(shuhūd),* who were also conspirators in the plot, appeared before Chief Judge Taqī al-Dīn. They testified that, ″This bathhouse is dilapidated and of no use. It is likely to injure someone standing near it or passing by. It would be better to sell a building which is damaged like this.″ Their testimony ensured that a witness′s report *(maḥḍar)* had to be drawn up, and the chief judge then ordained that, in accordance with the law of the Hanbalite school, the premises could be sold. When drafting the witness′s report, one of the official witnesses refused to sign it, saying, ″God knows, I went into that bathhouse this morning and bathed there. There was nothing wrong with it. To testify that by sunset of this same day it has fallen into disrepair is something I cannot do.″ He left without signing, but another person was summoned in his place and the latter signed the document. The witnesses′ report was drawn up in accordance with Hanbalite protocol, and Amir Qawṣūn bought the public bathhouse from the son

[16]Al-Maqrīzī, *Sulūk,* 2:888–89; Escovitz, *Office of qâḍî al-quḍât,* 149–50.

[17]Al-Maqrīzī, *Sulūk,* 2:889.

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of Amir Jamāl al-Dīn Āqūsh, who owned the *waqf* rights. According to al-Maqrīzī all of those involved ″used trickery and deception to get rid of a *waqf*.″[18]

A few years later, in 733/1333, Amir Qawṣūn bought the mansion of Amir Shams al-Dīn Baysarī (d. 698/1299) in Cairo, which had been a *waqf*. Baysarī′s *waqf* document had been drawn up with scrupulous attention to legal formalities, and it was signed by 72 witnesses, including members of the Shafi'ite chief judge class such as Taqī al-Dīn Ibn Daqīq al-'Īd, Taqī al-Dīn Ibn Razīn and Taqī al-Dīn Ibn Bint al-A'azz. Nonetheless, the Hanbalite chief judge, who was eager to conspire with Qawṣūn, allowed a valuation document *(maḥḍar bi-shuhūd al-qīmah)* to be drawn up for the mansion. The value was set at 200,000 dirhams, with the mansion value itself at 190,000 dirhams and a further 10,000 dirhams for the orphaned children of Baysarī; and an official report was drawn up to that effect. Thus the chief judge permitted the sale of the mansion and the sale of its grounds up to the approved value. This mansion was of unparalleled magnificence. Al-Maqrīzī writes that he felt sickened at having to record the incident.[19]

The infringements of *waqf* rights described above were no doubt the more remarkable cases, with less clear-cut infringements probably being plentiful but not significant enough to be recorded in history books. Certainly from the accounts of Ibn Khaldūn, it seems that it was nothing out of the ordinary for not only scribes, but even chief judges, to conspire with amirs in attempts to appropriate *waqf*s or the property of others. It was because of this state of affairs that, at the end of the Bahri Mamluk period, directly before Ibn Khaldūn had come to Egypt, an incident had occurred which had rocked the very existence of the *waqf* system. This was when the great amir *(amīr al-kabīr)* Barqūq, who would later become the first sultan of the Burji Mamluks, had summoned the judges and the ulama elders in 780/1379 and called for the abolition of all *waqf*s in Egypt and Syria, be they *waqf* lands supporting religious institutions such as mosques, colleges, and monasteries, or *waqf* lands constituting the livelihoods of descendants of Mamluks or amirs. The *waqf* certificates of the whole country were presented before the assembled amirs and ulama, and they were informed of how the profits from these *waqf*s amounted each year to an enormous sum. Barqūq then admonished that, ″This state of affairs is causing the weakening of the Muslim armies.″ The Shaykh al-Islam Sirāj al-Dīn al-Bulqīnī spoke out against this, saying that the *waqf*s for religious institutions such as mosques, colleges, and monasteries were supporting the lives of Islamic jurists and prayer-leaders: ″No one can abolish these, and no Muslim has the right to compel such action. If anyone wants so badly to abolish

[18]Ibid., 320–21; Escovitz, *Office of qâḍî al-quḍât,* 150.

[19]Al-Maqrīzī, *Sulūk,* 1:880, 2:362; Escovitz, *Office of qâḍî al-quḍât,* 150–51. Escovitz′s record of this event as occurring in 723 must be a mistake for 733.

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the *waqf*s, then let a single office *(dīwān)* be established where we can all settle our accounts, as is our right. In this way, Your Excellencies could see how we do not want huge sums of money in preference to the *waqf*s we have received. Those *waqf*s which, on the other hand, have been bought for sycophants by dishonest means using state money, those, if they have not been acquired by the correct and legal means, could be abolished.″ The Shafi'ite chief judge, Badr al-Dīn Ibn Abī al-Baqā', offered blandishments in response to this speech by Sirāj al-Dīn al-Bulqīnī, claiming that all land belonged to the sultan, so His Highness and Their Excellencies, the amirs, may do with it as they pleased. The military judge *(qāḍī al-askar)* Ibn al-Bulqīnī countered that even the sultan was only a man. It was just that His Highness and Their Excellencies were the ones to appoint the judges, so if the judges did not carry out orders, Their Excellencies could dismiss them. Al-Maqrīzī writes that the outcome of this investigative conference was that, although the Mamluk authorities could not abolish all *waqf*s, they did select numerous *waqf*s to be abolished, and they turned them into *iqṭā'*. [20]

PARTICIPANTS IN THE MAMLUK JUDICIAL ADMINISTRATION II

The previous section illustrated how, under the Mamluks, *waqf* property had been an object of desire to all figures of authority from the sultan down, even before Ibn Khaldūn came to Egypt. The law in this respect was observed in name only: members of the ruling class who were covetous of the *waqf*s employed the services of judges, scribes, and official witnesses to give the appearance of abiding by Islamic law, and the judges, scribes, and official witnesses for their part had their own self-interested reasons for aiding and abetting the rulers. The following excerpt from Ibn Khaldūn's *Ta'rīf* shows how deeply rooted such practices were. He evidently felt that Mamluk society had lost the dignity, or sanctity, even of its court. This is clear from what he writes on the muftis, whose job it was to give opinions on points of law.

> I turned my attention next to the Malikite muftis *([ahl] al-futyā).* Among them were arbitrators *(ḥukkām,* plural of *ḥakam)* of some experience, who were notorious for being argumentative, for giving conspiratorial advice to plaintiffs *(khuṣūm)* and for giving out post-judgment opinions on points of law *(futyā)* [counter to the judgments passed at court]. Some of these *ḥukkām* were contemptible people who had no qualifications, yet had passed themselves off as scholars of law or official witnesses *('adālah),* then risen to the ranks of muftis or teachers, and fulfilled these offices with little care. There

[20] Al-Maqrīzī, *Sulūk,* 3:345–47; Escovitz, *Office of qâḍî al-quḍât,* 152–53.

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> are great numbers of these men, perhaps because the population of Cairo itself is so huge, and there is no one to reprimand them, evaluate their skills, or give them warnings. They can hand out their rulings freely, in this city [Cairo], without being subject to any regulation. Every plaintiff employs a mufti to help him vie with and win against his opponent, asking the mufti´s advice on how to resolve the situation being contested. The muftis then give their clients advice calculated to satisfy, but since the two muftis in a case are each operating from different standpoints, the opinions *(fatāwá)* they offer simply contradict each other. Things are made even worse when muftis offer their contradictory opinions after a judgment has been passed. Such conflict occurs frequently among the four schools of law [since they each have different interpretations of the law], so [when events have come to such a pass] it becomes almost impossible for a fair judgment to be served. The general public *('āmmī)* has no means of properly evaluating the qualifications *(ahlīyah)* of muftis, so this corruption is spreading, and there is little hope of it dying out.[21]

The muftis described in this excerpt from *Al-Ta'rīf* cut a rather different figure than that which is usually expected of a mufti. In the long history of Islam´s mufti system, those appointed by the rulers as muftis were competent and decent people selected from among the brightest jurists versed in Islamic law. The opinions they gave on points of law were called *fatwá,* while the act of offering a *fatwá* itself was known as *futyā* or *iftā'*. The earliest reference to the mufti system is a record of the Umayyad governor of Egypt Ayyūb ibn Shuraḥbīl charging three men, Ja'far ibn Rabī', Yazīd ibn Abī Ḥabīb, and 'Ubayd Allāh ibn Abī Ja'far, with the job of performing Egypt´s *futyā,* on the order of Caliph 'Umar II (r. 99-101/717–20).[22] The system underwent certain changes during the course of history, but by the time of the Mamluks, the muftis involved in the *iftā'* of the Hall of Justice *(dār al-'adl)* were the highest-ranking, with a total of four muftis, one from each of the schools of law, being appointed to this rank.[23]

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[21]Ibn Khaldūn, *Ta'rīf,* 256–57; Ibn Khaldūn/Cheddadi, *Voyage,* 155.

[22]Al-Maqrīzī, *Khiṭaṭ,* 2:332; Ibn Taghrībirdī, *Nujūm*, 1:238; al-Suyūṭī, *Ḥusn al-Muḥāḍarah fī Tārīkh Miṣr wa-al-Qāhirah* (Cairo, 1968), 1:299. Ja'far ibn Rabī'ah was selected from among the Arabs, Yazīd ibn Abī Ḥabīb and 'Ubayd Allāh ibn Abī Ja'far from the *mawālī*.

[23]Aḥmad ibn 'Alī al-Qalqashandī, *Ṣubḥ al-A'shá fī Ṣinā'at al-Inshā'* (Cairo, 1964), 11:207–8; Tyan, *Histoire de l'organisation judiciaire*, 219–24.

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In Ibn Khaldūn´s *Muqaddimah*, the job of mufti is classed among the religious duties presided over by the caliph. It is described as follows:

> As to the office of mufti, the caliph must examine the religious scholars and teachers and entrust this office only to those who are qualified for it. He must help them in their task, and he must prevent those who are not qualified from (becoming muftis). (The office of mufti) is one of the (public)interests of the Muslim religious community (The caliph) has to take care, lest unqualified persons undertake to act as (mufti) and so lead the people astray. Teachers have the task of teaching and spreading religious knowledge and of holding classes for that purpose in the mosques. If the mosque is one of the great mosques under the administration of the ruler, where the ruler looks after the prayer leaders, as mentioned before, teachers must ask the ruler for permission (to teach there). If it is one of the general mosques, no permission is needed. However, teachers and muftis must have some restraining influence in themselves that tells them not to undertake something for which they are not qualified, so that they may not lead astray those who ask for the right way or cause to stumble those who want to be guided. A tradition says: ″Those of you who most boldly approach the task of giving *fatwá*s are most directly heading toward hell.″ The ruler, therefore, has supervision over (muftis and teachers) and can give, or deny, them permission to exercise their functions, as may be required by the public interest.[24]

The picture of the mufti emerging from the above citation is superficially similar to that in *Al-Ta'rīf*, but in fact the two portraits are different. Perhaps Ibn Khaldūn had come to feel a kind of indignation at the judicial system of Mamluk Egypt, and indeed at the cultural degeneracy of Mamluk society as a whole, compared with the Islamic society of the Maghrib with which he had been familiar formerly. The description in *Al-Ta'rīf* continues as follows:

> Still, I set about reforming this [habit] by arresting the muftis who were quacks or who lacked learning *(ahl al-hawá wa-al-jahl),* and I punished them firmly. Among them, however, was a number of Maghribis who gathered together *(multaqiṭūn)* and dazzled people by rattling off jargon *(iṣṭilāḥāt),* although they themselves had neither

[24]Ibn Khaldūn/Rosenthal, *The Muqaddimah,* 1:451–52; Ibn Khaldūn, *Al-Muqaddimah,* 16:396–97.

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studied under a great master *(shaykh)* nor versed themselves in specialist texts. They trifled with people´s feelings, turning the court *(al-majālis)* into a place where prominent people were slandered and those deserving of respect were insulted. They hated me because of the punishments I meted out, so they joined forces with the inhabitants of those monasteries *(zawāyā)* promoting the same kind of belief as theirs. The appearance of piety that this allegiance lent them brought them a level of prestige, which they then abused in impious ways. Good people *(ahl al-ḥuqūq)* would inevitably choose them as arbitrators, at which they would gabble their chants as if with the voice of Satan, then claim that all was solved. Being unmoved by religion, their ignorance leads them to expose the laws of God *(aḥkām Allāh)* to danger.

I broke up their malevolent circle and chastised their clients, in accordance with the laws of God. Their cronies in the monasteries became powerless, since people stopped going there, so their well [their source of funds] dried up. Having thus lost their clientele these foolish people flew into a rage. They tried to defile my honor, inventing and spreading twisted, false rumors about me. Even the sultan came to hear rumors of my wrongs. The sultan however did not listen to them; the consequences of what I had put in motion were in the hands of God. Thus I paid no heed to the ignorant and walked the path of courage and rigor. I took equality and righteousness as my guides, rebuffed temptations toward injustice, and firmly refused to be influenced by prestige or riches, even when this resulted in my name being slandered. Such a course of action was not adopted by my colleagues: they disavowed my counsel and advised me to follow their example in appeasing the government officials *(akābīr)* and showing consideration toward those with influence. In other words, in clear cut cases I should pass judgments favorable to the dignitaries *(a'yān),* and when there were difficulties I should reject the case, since when there were other judges *(ḥākim)* [within the same circle of jurisdiction] there was no obligation for one judge to pass judgment. This was their way of helping each other out.[25]

[25]Ibn Khaldūn, *Ta'rīf,* 257–58; Ibn Khaldūn/Cheddadi, *Voyage,* 155–56.

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While not claiming to have examined every piece of historical data on the Mamluk period, the present author believes that the excerpt above must surely be one of the clearest descriptions of what the muftis of Ibn Khaldūn´s time were really like. A recapitulation of Ibn Khaldūn´s main points is as follows:

1. The role of the mufti at that time was to act as a kind of legal advisor to anyone wanting advice regarding lawsuits. Muftis fulfilled this role by helping their clients devise strategic answers which would enable them to win a lawsuit, and sometimes by issuing *fatwá*s against judgments that had been passed, thus throwing the court into confusion.

2. The number of muftis was very large. Among them were many who had no qualifications but had managed to pass themselves off as jurists or official witnesses of adequate ability. Since such ill-qualified muftis were numerous and probably adopted a threatening air, nobody dared to chastise them or question their qualifications.

3. In Cairo, muftis could issue *fatwá*s freely; there were no restrictions. The litigants on both sides would employ muftis to fight their battle, with the result that the *fatwá*s issued would often contradict each other and the court would again be thrown into confusion. Conflicts of this kind were particularly numerous when each of the four law schools had differing laws concerning a certain problem. In such cases there was little hope of a fair judgment being reached.

4. Since the general public had no way of evaluating the validity of the qualifications or the *fatwá*s of the muftis, the corruption spread, and the more it spread, the less there was any chance of wiping it out.

5. Among the quack muftis were a number of men from Ibn Khaldūn´s homeland of the Maghrib. They banded together and spent their time making jargon-filled statements to slander and denounce those who were respected in the courts.

6. Collaborating with the Maghribis whom Ibn Khaldūn punished was a group of monastery affiliates, who should have been fervent in their faith. Like the muftis, they offered consultations for believers and litigants, and they postured as a grandiose oracle. What they received in return they used to line their pockets.

In short, the muftis were crooked lawyers. But that was not all: the issue of the band of Maghribis was significant in a way that deserves further attention. Ibn Khaldūn presided over the court as the Malikite chief judge, and in the Maghrib,

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adherents of the Malikite school were numerous, so it can be assumed that, among the litigants at Ibn Khaldūn´s court, there were not only Egyptians but also a lot of Maghribis. The group of muftis from the Maghrib was thus a pressure group which the court had to consider. This phenomenon was no doubt not restricted to the Malikite school, but also existed in the courts of the other schools. In a court full of ill-intentioned muftis, there could have been little hope of maintaining the *manifestation of the law at its sternest*.

The fact that Ibn Khaldūn repeatedly criticized the issuing of post-judgment *fatwá*s should also not be overlooked. It goes without saying that the muftis´ action of issuing *fatwá*s—and thus utterly ignoring the authority of a court judgment—was just what was wanted by all the influential figures hoping to use the court to their advantage. The court must have been frequently forced into retrials, and aspects of judgments must frequently have been overturned.

The court thus ultimately lacked authority; a fact which, as Ibn Khaldūn explained, originated also in the behavior of the judges. The judges frequently used bribes to buy their positions, or they accepted bribes to pass favorable judgments. When there was no way that a favorable judgment could be passed, they would reject the case, making excuses such as not being obliged to pass judgment since there were other judges available. Thus by avoiding the court they could look after their own interest.

How Egypt´s Intellectuals Saw Ibn Khaldūn

Ibn Khaldūn endeavored to reform the corruption which was manifest in all levels of the Mamluk judiciary: among official witnesses and scribes, muftis and judges. Inevitably his actions caused conflict and made him unpopular, and an opposition movement grew up. His *Ta'rīf* gives his version of how these events reached their conclusion.

According to this version, the Maghribi muftis who had joined forces with the monastery residents and slandered Ibn Khaldūn to the sultan went on to rally others dissatisfied with Ibn Khaldūn, such as official witnesses whom he had barred from practicing. Together they testified that Ibn Khaldūn was not passing judgment according to Islamic law, but was simply acting according to his own ideas, even in cases where a judgment reached by unanimous agreement of the community *(qaḍīyat ijmā')* was required. False charges and slander such as this abounded. When men from among these slanderers tried to seek favorable judgment for themselves, Ibn Khaldūn temporarily suspended court business. The litigants, who belonged to the anti-Ibn Khaldūn faction, then lost no time in delivering a petition to Sultan Barqūq saying that Ibn Khaldūn should be investigated. Judges and muftis were summoned to investigate Ibn Khaldūn, probably including the chief judges of the other schools and the muftis of the Hall of Justice *(dār al-'adl)*.

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The result of this investigative council *(majlis ḥafl li-al-naẓar)* was not only that Ibn Khaldūn was cleared of the accusation that he had passed illegal judgments, but also that the plots against Ibn Khaldūn reached the ears of the sultan. Ibn Khaldūn was thus free to continue passing judgments according to the law of God, in spite of the claims made against him.

This angered the opposition group intensely, and they set to work on close associates of the sultan and influential amirs who were guilty of acquiring their privileges illegally and now feared they might soon lose them. They used every trick they knew to fan the flames of indignation toward Ibn Khaldūn, saying, for example, that even though Ibn Khaldūn lacked the necessary specialist knowledge, he would ignore the privileged rights of the powerful, or he would reject any mediation on their behalf. As a result, enmity toward Ibn Khaldūn grew in all quarters, and even his relations with those close to the sultan became awkward. In the midst of all this came the sad news that a ship on which Ibn Khaldūn´s family was traveling from Tunis to Egypt had met with a storm near Alexandria and sunk. In such circumstances, Ibn Khaldūn felt he could no longer carry out his duties, and he made up his mind to resign the post of chief judge. His friends advised him, however, that to resign would anger the sultan, his protector, so Ibn Khaldūn remained in the post, until finally, on 7 Jumādá I 787/16 June 1385, permission came from the sultan, and Ibn Khaldūn resigned. Jamāl al-Dīn ʻAbd al-Raḥmān ibn Khīr was appointed in his stead.[26]

Thus Ibn Khaldūn´s autobiography describes the circumstances of his resigning his first appointment as chief judge. He does not name his antagonists, but according to Ibn Ḥajar al-ʻAsqalānī (773–852/1372–1449), the well-known judge and scholar of hadith, one of his enemies was a man named al-Rakrākī.[27] Al-Maqrīzī identifies this al-Rakrākī as Shams al-Dīn Muḥammad al-Rakrākī al-Maghribī, a Malikite professor at Shaykhū Monastery, *Khānqāh Shaykhū*.[28] Al-Rakrākī had been appointed to his position in Rabīʻ I 781/January or February 1379, but was dismissed in Jumādá II 786/July or August 1384—exactly the time when Ibn Khaldūn was appointed chief judge—and then reappointed two months later. Like Ibn Khaldūn, he was from the Maghrib.[29]

In his description of how the Maghribi muftis, resentful of being punished, banded together with the inhabitants of the monasteries, Ibn Khaldūn does not give detailed information about the monasteries. He simply uses the Arabic word *zawāyā*, (s. *zāwiyah*). There is no doubt, however, that one of the monastery

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[26]Ibn Khaldūn, *Taʻrīf,* 258–60; al-Maqrīzī, *Sulūk,* 3:533; Ibn Khaldūn/Cheddadi, *Voyage,* 157–58.

[27]Ibn Ḥajar, *Rafʻ al-Iṣr,* 2:345.

[28]Al-Maqrīzī, *Khiṭaṭ,* 2:421.

[29]Al-Maqrīzī, *Sulūk,* 3:334, 357, 517, 518, 522.

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inhabitants who conspired with the muftis was al-Rakrākī of the Maghrib. Evidently he felt that Ibn Khaldūn was his rival. When asked about him on one occasion, he replied, ″Ibn Khaldūn knows nothing of Islamic law scholarship; he just has some trifling knowledge of a philosophical sort *(al-ʻulūm al-ʻaqlīyah).* His lectures in that field are designed to attract people, and they´re more amusing than the lectures of [the musician] Shaykh Shams al-Dīn al-ʻAmmārī.″[30]

According to Ibn Ḥajar, it was the conflict that grew up between Ibn Khaldūn and al-Rakrākī that led to the investigation of Ibn Khaldūn. In Ibn Ḥajar´s version, Ibn Khaldūn presented to the investigation council a written *fatwá,* which he claimed was in the hand of al-Rakrākī and was addressed to the sultan. Al-Rakrākī denied that the *fatwá* had anything to do with him. When the document was examined it was found to be a fake. Hearing of this, Sultan Barqūq dismissed Ibn Khaldūn and replaced him with ʻAbd al-Raḥmān ibn Khīr in Jumādá I 787/June or July 1385.

This account differs completely from Ibn Khaldūn´s account of the investigative council. It leads us to be suspicious of Ibn Ḥajar. In Ibn Khaldūn´s *Taʻrīf,* it was after the investigative council that the activities of his detractors led to awkwardness between himself and the sultan´s associates, and it was after he had heard of the misfortune striking the boat carrying his family that he made the decision himself to resign. Only on his friends´ advice did he remain in the job, until finally the sultan gave permission for him to resign. According to Ibn Qāḍī Shuhbah (d. 851/1448), a ship dispatched by the Hafsid sultan was lost with the wife and five daughters of Ibn Khaldūn on board in Ramaḍān 786/October or November 1384.[31] This is a full seven months before Ibn Khaldūn´s leaving his office, so, even taking into account the time required for the news to travel, this casts doubts on the veracity of Ibn Ḥajar´s account. It also makes his objectivity as a historian seem questionable with regard to Ibn Khaldūn.

How, then, did the Mamluk jurists and historians finally judge the legal administration of Chief Judge Ibn Khaldūn, this outsider come the Maghrib? The following historians all refer to Ibn Khaldūn: al-Maqrīzī (ca. 766–845/1364–1442), Muḥammad ibn ʻAmmār (769–844/1367–1441), Ibn Ḥajar, Ibn Taghrībirdī (ca. 812–74/1409–70), and al-Sakhāwī (830–902/1427–97). The question of how al-Maqrīzī viewed Ibn Khaldūn´s *Muqaddimah* is the topic of a previous paper by the current author which also discusses al-Maqrīzī´s perspective on history, his writing style, his manner of presentation of the key arguments, and the fact that

[30]Ibn Ḥajar, *Raf‘ al-Iṣr,* II, 345; al-Sakhāwī, *Al-Ḍaw’ al-Lāmi‘,* 4:147. In each of these, al-ʻAmmārī appears as al-Ghammārī, but this is an error. Cf. al-Maqrīzī, *Sulūk,* 3:463.

[31]Ibn Qāḍī Shuhbah, *Tārīkh,* 3:138.

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his work seems to have been influenced by Ibn Khaldūn.[32] Al-Maqrīzī was indeed a kind of apprentice to Ibn Khaldūn. He had heard Ibn Khaldūn's lectures with his own ears, and he tended to write about him in glowing terms. In *Al-Khiṭaṭ* and *Al-Sulūk li-Mar'ifat Duwal al-Mulūk,* al-Maqrīzī refers to Ibn Khaldūn as "our venerable teacher *(shaykhunā).*"[33] Unfortunately, however, he does not relate anything of Ibn Khaldūn's term as chief judge or of the reactions of the Egyptians toward him at that time.

Muḥammad ibn 'Ammār, a professor of Malikite jurisprudence at the Musallamīyah College in Cairo, was a colleague of al-Maqrīzī. He studied Islamic law and history under Ibn Khaldūn, and he too sang Ibn Khaldūn's praises. Al-Sakhāwī relates of Ibn 'Ammār that "he praised Ibn Khaldūn's *Tārīkh* excessively, saying that *Al-Muqaddimah* comprises all branches of learning, and it achieves its lofty aims with a beauty of style that could not be achieved by any other. Indeed, it is one of those works whose titles are not descriptive of their contents, such as *Al-Aghānī* (Book of Songs), which was named thus [by its author, Abū al-Faraj al-Iṣbahānī]."[34] Like al-Maqrīzī, Ibn 'Ammār did not leave any account of Ibn Khaldūn's judicial administration.

Ibn Ḥajar lived a little later than al-Maqrīzī and Ibn 'Ammār. He grew up in a wealthy household and, on completion of his studies, worked as professor at several colleges, his main topic being study of hadith. When he was 51 he entered the judiciary, where, over a period of 21 years, he served repeatedly as chief judge, among other posts, while at the same time writing his numerous books. During his lifetime and thereafter he was considered to be the person who epitomized Egypt's scholars of religious law.[35] He was probably acquainted with Ibn Khaldūn during his youth, but unlike al-Maqrīzī and Ibn 'Ammār he was not under his tutelage. With regard to Ibn Ḥajar's views on Ibn Khaldūn, al-Sakhāwī writes that, while al-Maqrīzī and Ibn 'Ammār praised Ibn Khaldūn's *Muqaddimah,* Ibn Ḥajar agreed with their praise only partially and claimed that Ibn Khaldūn would

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[32]Morimoto Kosei, "Qarār-nomin ka, Qarrār-nomin ka: Ejiputonomin ni kansuru Maqrīzī no kijutsu no kaishaku wo megutte" (Critical remarks on modern interpretations of al-Maqrīzī's description of Egyptian farmers), *Isuramu sekai* (The world of Islam) 16 (1979):3–5.

[33]Al-Maqrīzī, *Khiṭaṭ,* 1:50, 2:76, 190; al-Maqrīzī, *Sulūk,* 3:480, 517; al-Sakhāwī, *Al-Ḍaw' al-Lāmi',* 2:24; cf. Fischel, *Ibn Khaldūn in Egypt,* 28–29.

[34]Al-Sakhāwī, *Al-I'lān bi-al-Tawbīkh li-Man Dhamma al-Tārīkh* (Damascus, 1349 [1930]), 27, 312; idem, *Al-Ḍaw' al-Lāmi',*8:232–34; cf. Franz Rosenthal, *A history of Muslim historiography,* 2nd ed. (Leiden, 1968), 280, 497; cf. Fischel, *Ibn Khaldūn in Egypt,* 28.

[35]Al-Sakhāwī, *Al-Ḍaw' al-Lāmi',* 2:36–40; cf. Franz Rosenthal, "Ibn Ḥadjar al-'Asḳalānī," *EI*^{2}, 3:776-78.

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have been unable to verify the accuracy of his historical facts *(akhbār),* particularly those regarding the history of the East.[36]

The content of Ibn Ḥajar′s *Raf‘ al-Iṣr ‘an Quḍāt Miṣr* is based predominantly on the *Kitāb al-Quḍāh* written by Jamāl al-Dīn ‘Abd Allāh al-Bishbīshī (762–820/1361–1417/18), but it also reflects his own views to no inconsiderable extent. Al-Bishbīshī had worked as an assistant to al-Maqrīzī in his post concerning market supervision *(ḥisbah).*[37] Naturally, Ibn Ḥajar′s *Raf‘ al-Iṣr ‘an Quḍāt Miṣr* also recounts events relating to Ibn Khaldūn, including the details, cited above, of the conflict between Ibn Khaldūn and al- Rakrākī and of the council for investigating Ibn Khaldūn. Ibn Ḥajar′s style of description is not uniform throughout the work, but the following is a representative example of what he wrote regarding Ibn Khaldūn′s judicial administration:

> When Ibn Khaldūn came to the land of Egypt, people went out to meet him and welcome him warmly. He had no end of followers and visitors. . . . [However,] when Sultan Barqūq appointed him Malikite chief judge, he carried out his duties in such a way that he brought difficulties upon himself. He upset everyone, and his method of scolding was to have people rapped on the nape of the neck, through which he earned the nickname ″The Prodder.″ This was because, when he got into a rage, he would demand, ″A prod for that fool!″ at which the miscreant was jabbed on the nape of the neck until the skin turned red. . . . [In addition,] when other chief judges would come in to greet him, he would not even stand up. If accused of bad manners he would apologize. . . . [Even at court] he would not modify his Maghribi costume in the slightest, and he would not wear the garments of an Egyptian judge. In all he did, he seemed to enjoy coming into conflict with others. . . . He treated Egyptians cruelly and was violent toward many prominent personages and official witnesses. It is said that when the Maghribis heard of Ibn Khaldūn′s appointment as chief judge, they were shocked and attributed it to there being a lack of Egyptians knowledgeable about law. Further condemnation came from Ibn ‘Arafah [716–803/1316–1401 (a chief mufti of Tunis)] who stopped in Egypt en route to Mecca on a pilgrimage, and commented, ″We thought that the position of chief judge was the most prestigious

[36]Al-Sakhāwī, *I‘lān,* 313; cf. Rosenthal, *History of Muslim Historiography*, 498.

[37]Al-Sakhāwī, *I‘lān,* 206; idem, *Al-Ḍaw’ al-Lāmi‘*,5:7; cf. Rosenthal, *History of Muslim Historiography*, 428.

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> office, but when we heard that Ibn Khaldūn now held the position, we realized that we had been wrong.″ . . . [Thus, Ibn Khaldūn] was conducting the affairs of chief judge in a manner which the Egyptians were not accustomed to, and this eventually resulted in the outbreak of conflict between Ibn Khaldūn and al-Rakrākī. . . . In 787[/1385] when Ibn Khaldūn was dismissed and the former chief judge, ʻAbd al-Raḥmān ibn Khīr, was reinstated, people rejoiced. This reaction is a measure of their hatred for Ibn Khaldūn.[38]

Thus Ibn Ḥajar portrays Ibn Khaldūn as an ungrateful, coarse, and ill-mannered character who resolutely refused to adapt to Egyptian customs. By contrast, however, he also says, quoting from al-Bishbīshī's *Kitāb al-Quḍāh,* ″[Ibn Khaldūn] was a brilliant speaker and his behavior was impeccable. This was all very evident after he stopped working as chief judge, but while appointed chief judge he had not mixed with others, preferring to avoid contact.″[39] In addition, Ibn Ḥajar himself writes, ″Once Ibn Khaldūn was released from his judge's duties, he attracted numerous followers by virtue of his fine character, he was seen in amiable discussion with people, he was welcomed everywhere with smiles, he paid visits to amirs and he conducted himself with humility.″[40] This shows that it was not the case that Ibn Ḥajar did not know Ibn Khaldūn's character. Nonetheless, judging from the descriptions cited above, it seems clear that Ibn Ḥajar had no conception of what Ibn Khaldūn knew of Egypt's judiciary, nor did he know the fundamental reasons behind Ibn Khaldūn's harsh measures at court.

This seems all the more evident when one notes how Ibn Ḥajar believed and passed on the words of Ibn ʻArafah, the chief mufti of Tunis, who was senior in years to Ibn Khaldūn, and who was, for years, the latter's rival.[41] The inclusion of Ibn ʻArafah's words seems to indicate that Ibn Ḥajar stood in the same camp as al-Rakrākī and others who were against Ibn Khaldūn. Such a stance cannot have been unrelated to the fact that Ibn Ḥajar belonged to the upper echelons of society: he was a blood relation of the Kārimī merchants who had built up a fortune through long-distance trade, and he had married one of his daughters into the Mamluks. In marked contrast to Ibn Khaldūn, he had experienced only the favor of the Mamluk system, and had no understanding of its harsher realities. This lack of understanding of society was mirrored in his flawed perception of history,

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[38]Ibn Ḥajar, *Raf' al-Iṣr,* 2:342–43, 344–45.

[39]Ibid., 344.

[40]Ibid., 345.

[41]Ibn Khaldūn, *Taʻrīf,* 232, 244. Muḥammad ibn ʻArafah went to Egypt in either 793/1391 or 796/1394. Cf. al-Sakhāwī, *Al-Ḍaw' al-Lāmiʻ,* 9:240–42.

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evident from his contributions to the debate on the question of the genealogy of the Fatimids. In light of such views, it is not surprising that he claimed to be unable to understand the high praise of his colleague, al-Maqrīzī, for Ibn Khaldūn.[42]

Ibn Ḥajar also writes about the second time Ibn Khaldūn was appointed as chief judge, in 801/1399. He reports on how Ibn Khaldūn presided over the court with the same attitude as on the first occasion, and how, regrettably, he was drawn into a trial because of dismissing his assistant, Nūr al-Dīn Ibn Khallāl. Ibn Khaldūn′s desire to reform Egypt′s corrupt judiciary had not abated during those thirteen years, nor would it thereafter.[43] Ibn Khaldūn himself did not write much about his second appointment as chief judge, or about any of the appointments thereafter, but it is clear that he did not change his methods. Judges and other members of the judiciary who were against him, such as Nūr al-Dīn Ibn Khallāl, plagued him by slandering him at the sultan′s court, or by bribing people to turn against him, but still, he ″continued to try to fulfill his duties properly, as before, avoiding any self-interest, and focusing on seeing the defendants judged fairly.″[44] He never made any move to alter his policies. This description clearly tallies with Ibn Ḥajar′s account.

The historian Ibn Taghrībirdī was active after Ibn Khaldūn′s death. On Ibn Khaldūn as a judge, he writes, ″Ibn Khaldūn was extremely strict, and he considered the office of judge to be a position of great honor which he executed with the deepest respect. This attitude won him praise. He turned down the requests of government officials, and he refused to lend his ear to the petitions of the wealthy. As a result of this, such people began to slander Ibn Khaldūn to the sultan, and the sultan eventually dismissed him. . . .″[45] Ibn Taghrībirdī′s viewpoint is evidently quite different from that of Ibn Ḥajar.

Coming finally to al-Sakhāwī, he, in contrast to Ibn Taghrībirdī, looked up to Ibn Ḥajar as ″our venerable teacher,″ and greatly revered him. He writes a detailed biography of Ibn Khaldūn, but most of this is based on what Ibn Ḥajar wrote. In other words, al-Sakhāwī′s viewpoint was the same as that of Ibn Ḥajar. He does not, however, follow up Ibn Ḥajar′s passages addressing the issues of the conflict between Ibn Khaldūn and al-Rakrākī, and the council to investigate Ibn Khaldūn.[46]

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[42]Ibn Ḥajar, *Raf‘ al-Iṣr,* 2:347–48.

[43]Ibid., 345–46.

[44]Ibn Khaldūn, *Ta‘rīf,* 350, 383.

[45]Ibn Taghrībirdī, ″Al-Manhal al-Ṣāfī,″ Paris Ms. Arabe 2071, fols. 49–50. Cf. Fischel, *Ibn Khaldūn in Egypt,* 34.

[46]Al-Sakhāwī, *Al-Ḍaw’ al-Lāmi‘,* 4:145–49.

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CONCLUSION

This article has presented a picture of Mamluk Egypt's judiciary, based primarily on Ibn Khaldūn's *Ta'rīf*. Almost all of the people who made up the judiciary, from the judges to the scribes and official witnesses, to the muftis and the teachers at the colleges and monasteries, had some kind of connection to the powerful amirs, with whom they co-operated for profits instead of for the upholding of the law and for governance by law. By fulfilling the wishes of the influential and the wealthy, they could gain status and wealth themselves. To this end, the role of those working in the judiciary came to be one of making use of their knowledge and experience to find loopholes in the law. The practice of fighting court cases with false interpretations of the law obviously led to the destruction of legal order and the decline of respect for the law. By the end of the 14th century, these habits had become so entrenched in Egyptian society that they seemed like traditions of long-standing, provoking not the slightest surprise. Into such a society came Ibn Khaldūn, a foreigner with his own particular view of the history of civilizations. Egyptian intellectuals were divided as to whether they supported his administration of justice or were against it. It is significant that Ibn Khaldūn's supporters included men like Ibn 'Ammār, who is given special mention in histories for the fact that he never once accepted gifts of money or goods, even though he was a judge.[47] As a judge who did not take bribes, he was an exception to the rule, and those judges who accepted bribes as a matter of course could hardly have passed fair judgment on Ibn Khaldūn. Against such a background, there is no doubt that the goal which Ibn Khaldūn had set himself—the reformation of a judiciary dependent on and ineluctably bound into the Mamluk system of rule—was, try as he might, unattainable.

[47] Cf. al-Sakhāwī, *Al-Ḍaw' al-Lāmi'*, 8:234.

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Aspects of Islamization of Space and Society in Mamluk Jerusalem and its Hinterland*

I

On the eve of the Arab conquest the majority of the population of southern Bilād al-Shām was Christian.[1] The conquest set in motion forces that eventually transformed the area into a predominantly Muslim one. Nevertheless, even as late as the end of the fourth *hijrī* century (tenth century C. E.) the noted chronicler and former Jerusalem citizen al-Muqaddasī lamented that the city was still dominated by Christians.[2] Throughout the Crusader period one may still find significant regions of Christian communities and settlements in Palestine.[3] This demographic state of affairs changed by the beginning of the sixteenth century. At that point the majority of the population was mostly Muslim, as the Ottoman records clearly show.[4] One may thus conclude that the Islamization of Syria was a slow process. It took no less than seven to nine centuries before Islamic communities established themselves as the dominant demographic element in southern Bilād al-Shām. It is

*I gratefully acknowledge the devoted assistance of Mrs. Tamar Sofer and Mrs. Michal Kidron with the maps and charts included in this article. An earlier version was given as a lecture on the occasion of the Gilad Bartur award for outstanding Ph.D. candidates, of which I was a recipient. I wish to dedicate this article to the memory of Gilad Bartur.

[1]See for example Robert Schick, *The Christian Communities of Palestine From Byzantine to Islamic Rule* (Princeton, 1995), 9–19. See also the map section in Yoram Tsafrir, Leah di Segni, and Judith Green, *Tabula Imperii Romani Iudaea-Palestina* (Jerusalem, 1994), where the dominance of the Christian communities is clearly demonstrated.

[2]Muḥammad ibn Aḥmad al-Muqaddasī, *Aḥsan al-Taqāsīm fī Ma'rifat al-Aqālīm*, ed. M. J. de Goeje (Leiden, 1906), 168.

[3]Roni Ellenblum, *Frankish Rural Settlement in the Latin Kingdom of Jerusalem* (Cambridge. 1998), 222 ff.

[4]Amnon Cohen and Bernard Lewis, *Population and Revenue in the Towns of Palestine in the Sixteenth Century* (Princeton, 1978). See also Nehemia Levtzion, "Conversion to Islam in Syria and Palestine and the Survival of Christian Communities" in Michael Gervers and Ramzi Jibran Bikhazi, eds., *Conversion and Continuity: Indigenous Christian Communities in Islamic Lands Eighth to Eighteenth Centuries* (Toronto, 1990), 289–311.

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also implied that the post-Crusader periods (namely Ayyubid and Mamluk) were critical times as far as Islamization and conversion are concerned.

Conversion to Islam, whether of a single person or a community, is characterized by both social and spatial-morphological transformations. Embracing Islam leads to changes in personal habits and daily routine and is followed by changes of the physical surroundings. Conversion of entire communities further enhances and enlarges the magnitude of the changes. Institutions, social structures, public norms, and other characteristics are gradually altered and become modified. That said, the actual process of conversion usually remains obscure, mainly due to lack of precise documentation.[5]

How did this process materialize? Was it a conversion of *dhimmī* communities (mainly Christians) to Islam? Could it be that Muslims became the majority due to the immigration and dwindling of the former population? Was it a conversion of individuals or of entire communities? So far few explanations have been suggested regarding the process. Levtzion is of the opinion that conversion to Islam in Syria was both a short- and a long-term process.[6] The distinction lies between the conversion of individuals and that of entire communities. The long-term process takes place when individual conversion is concerned. Rapid conversion, as Vryonis demonstrated with regard to Asia Minor, should be attributed more then anything else to the sedenterization of new Muslim communities in areas deserted by earlier Christian ones.[7] In the Byzantine-Ottoman case, the Christian communities collapsed prior to the Turkish invasion of the twelfth century and onward, as they were destabilized and deprived of genuine leadership and stability due to the gradual deterioration of the Byzantine empire. The various Turkish tribes thus settled in a region that lacked political, administrative, and religious continuity. The Vryonis model suggests that rapid conversion of an area should be ascribed to sedenterization of nomads and not to mass conversion of an existing population. Levtzion stressed in his work the role of various agents of Islamization in pushing forward the process of conversion, such as sufi saints and merchants, to name only two.[8] Recently, Ellenblum has published the results of a study in which he links together the Vryonis and Levtzion models. He strongly supports the position

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[5]For further clarification of some of the difficulties, see for example Richard W. Bulliet, ″Conversion to Islam and the Emergence of a Muslim Society″ in Nehemia Levtzion, ed., *Conversion to Islam* (New York, 1979), 30.

[6]Levtzion, ″Conversion to Islam in Syria,″ 289.

[7]Speros Vryonis, Jr., *The Decline of Medieval Hellenism in Asia Minor and the Process of Islamization from the Eleventh Century through the Fifteenth Century* (Berkeley, Los Angeles, London, 1971).

[8]Levtzion, *Conversion to Islam,* 1–23.

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that the two processes, i. e., rapid regional and slower personal Islamization, do not necessarily contradict but rather complement each other.[9]

In this article I argue that Islamization is not only the conversion of people to the Islamic faith. It is also the process through which the cultural landscape is transformed and is filled with Islamic objects and landmarks.[10] The growing dominance of the Muslim population within the Mamluk state led inevitably to transformations of the landscape by creating what might be termed an Islamic ambience. This will be demonstrated by studying the case of the Abū al-Wafā', a family of scholars and sufis that struck roots in the Jerusalem region. The literary and morphological data concerning the family´s activity and influence reveals some of the implications of Islamization. It furnishes us with the opportunity to examine up close some of the changes in the built environment stemming from the hitherto somewhat vague process of Islamization. Members of the family acted as agents of Islamization and through their work a new and transformed cultural landscape was created. The data concerning the family may also draw our attention to the social aspects of the growing dominance of Islamic culture and its spatial outcomes. Methodologically, it offers an opportunity to fill the usual lacunae in the complicated picture of the Islamization of society and space alike. However, the reader may find that even in this case sufficient detail concerning these and other issues is still lacking. Our knowledge concerning the former Christian communities is scarce, as is our understanding of the morphological features of the settlements in question before their takeover by a Muslim population. The source material is lacking if we compare it to what we are accustomed to for Mamluk Egypt. The archeological evidence is not always satisfying, even though the area has been surveyed thoroughly since the last decades of the nineteenth century.

I would also like to draw the reader's attention to the methodology that may allow us to fill in some of the gaps in our knowledge. It is the landscape that

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[9]Ellenblum, *Frankish Rural Settlement*, 255–56.

[10]For the notion of landscape, or, as I put it here, cultural landscape, the reader is advised to consult Dominique Chevallier, ed., *L´Espace social de la ville arabe* (Paris, 1979). The theme of cultural landscape is a central theme of geographical studies. See, for example, Denis E. Cosgrove, ″Place, Landscape, and the Dialectics of Cultural Geography,″ *Canadian Geographer* 22 (1978): 66–72; idem, ″Problems of Interpreting the Symbolism of Past Landscape″ in Alan R. H. Baker and Mark Billinge, eds., *Period and Place* (Cambridge, 1982), 220–43; idem, *Social Formation and Symbolic Landscape* (London, 1984); Yi-fu Tuan, ″Geography, Phenomenology and the Study of Human Nature,″ *Canadian Geographer* 15 (1971): 181–92; idem, ″Thought and the Landscape, the Eye and the Mind´s Eye″ in D. W. Meinig, ed., *The Interpretation of Ordinary Landscapes* (New York, 1979), 89–102.

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comprises the primary source of reference. When combined with information from the literary sources, an awareness of landscape leads us towards a better understanding of the issues of Islamization, conversion, and the transformation of the built environment.

II

In an article that has received less attention than it deserves, Ashtor drew a comprehensive picture of Mamluk Jerusalem.[11] While depicting the scholarly atmosphere of the city he mentions a family of notables by the name of Abū al-Wafā'.[12] The origins of the family are to be found in Iraq. There, in the twelfth century, a member of the family, a certain Tāj al-'Ārifīn Abū al-Wafā' Muḥammad, was considered by fellow-scholars and laymen alike an admired alim.[13] Masterman and Macalister (who collected local tales on Muslim saints) were of the opinion that the family came to Palestine from the Ḥijāz via Persia.[14] Canaan relied on a story related to him by the *khaṭīb* of a village in the Judean Hills (Bayt Ṣafāfah) who located the family's roots in Khurāsān.[15] Neither of them substantiated his speculation with any form of concrete data. Be that as it may, once members of the family are to be found in the area, their role in the events described below was crucial. The various activities ascribed to members of the family had a direct bearing on the process of Islamization and on cultural changes in the region.

As in many cases dealing with the area of Jerusalem during the Mamluk period, most of our information is to be found in Mujīr al-Dīn's late fifteenth century chronicle. According to him, a member of the Abū al-Wafā' family, whose father was a brother of the aforementioned Tāj al-'Arifīn, settled in Palestine during the Ayyubid period.[16] His name was Badr al-Dīn ibn Muḥammad Abū al-Wafā', and he is depicted as a *quṭb,* that is, a sufi leader of the highest level.

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[11]Eliyahu Ashtor, "Jerusalem in the late Middle Ages" (in Hebrew), *Yerushalayim: Review for Eretz-Israel Research* 2 (1955): 71–116.

[12]Ibid., 109. The reader is advised to consult the genealogy table (Fig. 1) whenever a family member is mentioned.

[13]'Abd al-Wahhāb ibn Aḥmad al-Sha'rānī, *Kitāb al-Ṭabaqāt al-Kubrá* (Cairo, n.d.), 116.

[14]Ernest W. Gurney Masterman and Robert Alexander Stewart Macalister, "Occasional Papers on the Modern Inhabitants of Palestine," *Palestine Exploration Fund Quarterly Statement* (1916): 11ff.

[15]Taufik Canaan, "Mohammedan Saints and Sanctuaries in Palestine," *Journal of the Palestine Oriental Society* (1927): 308.

[16]The story as narrated below is based mainly on Mujīr al-Dīn al-Ḥanbalī al-'Ulaymī, *Al-Uns al-Jalīl bi-Tārīkh al-Quds wa-al-Khalīl* (Amman, 1973), 146–49.

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Badr al-Dīn was highly regarded by the notables of his time and won the approbation of all levels of society. His reputation for holiness and virtue attracted many disciples who came to live with him and his family in a place called Dayr al-Shaykh. He died in 650/1252 and his burial place became a site for *ziyārah* (visitation of a shrine for ritual purposes). Saints and common people, as well as animals, we are told, used to come to pay him tribute. A *zāwiyah* was probably built on the premises while Badr al-Dīn was still alive. Mujīr al-Dīn reports that he often went on a visit *(taraddadtu)* to the place, though true to his usual indifference to topography he is not very specific about its location. He only specifies that it was a third of a *barīd* due west of Jerusalem in a place called Wādī al-Nusur.[17] The location of the *maqām* is of the utmost importance for understanding the family's mobility within the local society and space, and is also an instance in which local myths and legends may be compared with contemporary literary sources. In view of the crucial importance of Badr al-Dīn's tomb and *zāwiyah,* I shall deal at length below with its exact location. Another issue that needs to be clarified is what might be termed the time-space channels of Badr al-Dīn in the vicinity of Jerusalem. This will have tremendous bearing on the way we understand the family's past, its progress toward Jerusalem, and its upward social mobility.

Wādī al-Nusur is a tributary of the central stream of the Judean hills, Wādī Ṣurār (today Naḥal Soreq). On a spur rising on the southern shoulder of the Ṣurār one may still find ruins of a small village named Dayr al-Shaykh.[18] Amidst the deserted terraces and dilapidated houses of the village lies a very conspicuous complex, the *maqām* of Sultan Shaykh Badr, as the local people used to call it.[19]

The attachment of the title sultan to Badr al-Dīn's name need not bother us nor be considered an official one. It is commonly understood as an honorary title often bestowed upon esteemed scholars.[20] Scholars agree that Sultan Badr and

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[17]*Barīd* as referred to here means the distance between two stations of the *barīd* line. It is in no way an indication of the existence of a *barīd* line to Jerusalem. Consulting the maps of Sauvaget leads to the rough estimate of 30–40 km. as the standard distance between two stations. See Jean Sauvaget, *La Poste aux Chevaux dans l'Empire des Mamlouks* (Paris, 1941), esp. 70. A third of a *barīd* then would be 12–15 km., which is inaccurate in the case of Dayr al-Shaykh, found some 20 km. west of the city.

[18]Information about the village may be found in various surveys: C. R. Conder and H. H. Kitchener, *The Survey of Western Palestine,* vol. 3, *Judæa* (London, 1881), 23–24; Wolf Dieter Hütteroth and Kamal Abdulfattah, *Historical Geography of Palestine, Transjordan and Southern Syria in the Late Sixteenth Century* (Erlangen, 1977), 113; Walid Khalidi, ed., *All That Remains: The Palestinian Villages Occupied and Depopulated by Israel in 1948* (Washington, D.C., 1992), 288.

[19]This is also the name assigned to the place in Conder and Kitchener, *Survey of Western Palestine*, 24–25.

[20]Nevertheless, the local legends ascribe this title to Badr al-Dīn's past as a king or a ruler in one of several locations.

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Badr al-Dīn are the same person.[21] However, I would like to make a distinction between fact and fiction in the history of this distinguished forefather of the Abū al-Wafā' family. Let us begin by quoting Petersen's description of Badr al-Dīn:

> He originated either from Khurassan or the Hejaz and came to Jerusalem as a Dervish. . . . Badr first lived in Shu'fat[22] in Jerusalem but after his daughter's death he moved westward to Wadi al-Nusur where he lived in a cave. . . . The exact dates of Badr's life are not known although it is known that his son Muhammed died in 663 A. H. and that Badr lived at the same time as king Zahir (Baybars) which indicates a date sometime in the thirteenth century.[23]

Petersen relied mostly on local folk tales collected by Masterman and Canaan. These are based on the collective memory of people in the Jerusalem area in the early twentieth century. The common outline of the different narratives is as follows: a most revered man named Sultan Badr, who is descended from a royal family (either in Hijāz or Khurāsān), came to participate in Baybars' alleged siege of Jerusalem, at the time in the hands of the infidels. He stayed in a place called Karafāt, later to be called Sharafāt. After the city was won over into Muslim hands, he went to Hebron and on the way met with a hostile girl, who threw a stone at his head. After performing a miraculous act at that spot, he kept walking until he reached a cave in a place called Dayr al-Shaykh, where he settled. There, the girl's father caught up with him and begged his forgiveness. Badr al-Dīn accepted his apologies and agreed to marry the girl. The family settled in Dayr al-Shaykh, where the order was established, the *zāwiyah* was built, and eight children were born.

The story has myriad versions and subsumes many anecdotes, which makes it impossible to discern between hypothetical historical truth and total fiction. I will deal briefly with only a few of these. In the popular story, Badr al-Dīn begins his voyage in Palestine at Jerusalem and moves in a westerly direction until he reaches Dayr al-Shaykh. According to this version, Badr al-Dīn arrived in Palestine when Jerusalem was in Christian hands, thus supplying us with a terminus ante quem of

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[21]See Conder and Kitchener, *Survey of Western Palestine,* 24–25; Masterman and Macalister, ″Occasional Papers,″ 11 ff; Canaan, ″Mohammedan Saints,″ 305–10; Muṣṭafá Murād al-Dabbāgh, *Bilādunā Filasṭīn*, vol. 8 pt. 2/1 (Beirut, n.d.), 175–78; and recently, Andrew Petersen, ″A Preliminary Report on Three Muslim Shrines in Palestine,″ *Levant* 28 (1996): 97–113, especially 99–103.

[22]The proper name of the village is of course Sharafāt, as will be discussed later.

[23]Petersen, ″Shrines,″ 99.

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1244.[24] Badr al-Dīn had eight children in Dayr al-Shaykh. The eldest, Muḥammad, died in 675/1263, having already established a family of his own. This makes it practically impossible that he could have been no more than nineteen years old when he died, which would have to be the case if he was born at Dayr al-Shaykh in 1244 or later. Moreover, one should bear in mind that there is no data concerning a siege of Jerusalem by Baybars, nor for that matter that he was anywhere in its vicinity prior to the 1250s. Hence it seems improbable that Baybars and Badr al-Dīn ever met, according to the data at hand. The only possible pertinent Muslim siege of Jerusalem is the famous one of Ṣalāḥ al-Dīn in 1187, which seems to be too early for Badr al-Dīn—that is, of course, if we accept his death date of 650/1253 as recorded by Mujīr al-Dīn. Thus it is safe to assume that Badr al-Dīn´s arrival on the scene in Palestine took place during the short period of renewed Crusader dominance of Jerusalem during 1229–44. This is the only feasible setting that gives credibility to his participation in an attempt to win the city back to Muslim hands. That said, Badr al-Dīn could not have settled first in Jerusalem and only later gone out to its hinterland. The first station of the family was, as reported by Mujīr al-Dīn, the site at Dayr al-Shaykh in Wādī al-Nusur. At the time of Badr al-Dīn´s son´s death in 675/1263, Dayr al-Shaykh was densely crowded with people and houses, the outcome of the activity of Badr al-Dīn and presumably of the people of the order *(ṭarīqah)* following him. This was one of the factors responsible for the second move taken by the grandson of Badr al-Dīn, ʻAbd al-Ḥāfiẓ, in the direction of Jerusalem.

ʻAbd al-Ḥāfiẓ was also an esteemed scholar and an acknowledged religious figure.[25] He headed the order that had been established by his grandfather in Wādī al-Nusur. The first decision on his part was to relocate the *zāwiyah*. The new location was a village named Shafrāt at the outskirts of Jerusalem. By the fifteenth century the place was known as Sharafāt due to the honor *(sharaf)* bestowed on it on account of the family taking up residence there.[26] The change of a place name is one of the most common indications of the settlement of a new cultural or ethnic group and its growing dominance.[27] In the case of Shafrāt/Sharafāt, it marked the transformation of a Christian village into a Muslim one.

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[24]Regarding the second Crusader occupation of Jerusalem see, e.g., P. M. Holt, *The Age of the Crusades: The Near East from the Eleventh Century to 1517* (London and New York, 1986), 60 ff.

[25]Mujīr al-Dīn, *Al-Uns al-Jalīl,* 2:147.

[26]Ibid.

[27]The demographic, ethnic, and religious changes in a certain area lead eventually to alterations of the toponymic map. In fact, sometimes this will be the only textual evidence of the change. See Ellenblum, *Frankish Rural Settlement*, 179–256, for an exhaustive discussion of cultural and social boundaries based on toponymy as a primary source. This issue will be further elaborated below.

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'Abd al-Ḥāfiẓ died in 696/1293, to be followed by his son Dā'ūd as head of the order. Dā'ūd was considered a worker of miracles *(min aṣḥāb al-karāmāt).* One of his miraculous deeds will be dealt with later on, as it contains important information concerning the process of Islamization. While he acted as head of the order, a sufi lodge *(zāwiyah)* and a tomb were built in the village of Shafrāt. Dā'ūd died in 701/1301 and was succeeded by his son Aḥmad, who died in the year 723/1323.[28] He also had eight children, two of whom, 'Alī and Muḥammad al-Bahā', were considered among the religious leaders *('umdah)* of Palestine and its environs (″. . .wa kānā 'umdat al-arḍ al-muqaddasah wa mā ḥawlahā″).[29] When Muḥammad died, 'Alī assumed responsibility for the upbringing of his children. While Muḥammad was still alive he and 'Alī received an endowment from the amir Manjak al-Sayfī in the form of the entire village of Sharafāt.[30] The date of the endowment is obscure and uncertain. According to Mujīr al-Dīn, Manjak was at the time of the endowment the governor of al-Shām. If that was the case, there are two plausible dates, the first being 762/1361 and the second between 769/1368 and 775/1374.[31] The fact that 'Alī had already died in 757/1356 rules out either of these possibilities. The problem is worsened when we consult the *waqfīyah* (endowment deed) as registered in the Ottoman *taḥrīr*. The date of the endowment deed is indicated as 894/1488, which totally disrupts our previous calculation.[32] Manjak had a very colorful and change-filled career. His first position in Syria was as *ḥājib* in Damascus in 748/1347. After a short period in Syria he was summoned again to Cairo, where he played a major part in the complicated internal political turmoil of the early 1350s. Another interlude in Syria took place in 755/1354 during which he was sent in exile *(baṭṭāl)* to Ṣafad. By 760/1358 he was appointed as governor of Tripoli, Aleppo, and finally Damascus, where he served as governor until 762/1361. Either Mujīr al-Dīn was wrong and the endowment was made while Manjak acted as a *ḥājīb* and not as the governor of Damascus, or Manjak could have endowed the village at any date prior to 'Alī's death in 757/1356 and was only titled governor by Mujīr al-Dīn, without any

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[28]Mujīr al-Dīn, *Al-Uns al-Jalīl,* 2:148.

[29]Ibid., 149.

[30]Ibid.

[31]Abū al-Maḥāsin Yūsuf Ibn Taghrībirdī, ″Al-Manhal al-Ṣāfī wa-al-Mustawfá ba'd al-Wāfī,″ Paris Ms. Arabe 752, fols. 367a–368a (cited in Michael Hamilton Burgoyne, *Mamluk Jerusalem: an Architectural Study* [London, 1987], 385.) But see Aḥmad ibn 'Alī Ibn Ḥajar al-'Asqalānī, *Al-Durar al-Kāminah fī A'yān al-Mi'ah al-Thāminah*, ed. Muḥammad Sayyid Jād al-Ḥaqq (Cairo, n.d.), 5:131, where he depicts Manjak as governor of Aleppo at that period.

[32]Mehmed İpşirli and Muḥammad Dāwūd al-Tamīmī, eds., *Awqāf wa-Amlāk al-Muslimīn fī Filasṭīn* (Istanbul, 1402/1982), 35. See also Kāmil Jamīl al-'Asalī, *Ma'āhid al-'Ilm fī Bayt al-Maqdis* (Amman, 1981), 345.

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connection to his actual position at the time. Leaving that aside, the fact remains that a leading figure of the Mamluk elite was acting as patron of the family. It is another indication of their growing importance within local society.

The final move into Jerusalem was taken by Tāj al-Dīn Abū al-Wafā' Muḥammad (the son of that 'Alī who was endowed with the village of Sharafāt). Mujīr al-Dīn relates that Tāj al-Dīn used to visit the city much more than his father and grandfather ever did.[33] After the death of his father he bought a house in Jerusalem and was the first of the family to reside there *(istawṭana)* in 782/1380. He established another branch of the Wafā'īyah order in a compound bordering the Ḥaram al-Sharīf wall.[34] Tāj al-Dīn died in Jerusalem in 803/1401 and was buried in Māmillā cemetery. Two of his sons, Taqī al-Dīn Abū Bakr and 'Alī, are mentioned in Mujīr al-Dīn´s description. Soon after the move to Jerusalem, members of the family are to be found in senior positions in the religious and administrative circles of Jerusalem.[35]

Drawing a comprehensive picture of the Abū al-Wafā' activities in Jerusalem is beyond the scope of this article and I shall highlight here only a few examples. Taqī al-Dīn Abū Bakr, the son of Tāj al-Dīn, was born in Jerusalem in 799/1396. At the death of his father he was nominated to succeed him as head of the al-Wafā'īyah order. He was the first member of the family given the *nisbah* al-Ḥusaynī, after al-Ḥusayn ibn 'Alī, by Mujīr al-Dīn. Gradually it became the common name by which the family was known. The al-Ḥusaynīs grew to become one of the leading families of the city, from the Mamluk period until today. For example, the family played a crucial part in the events of the revolt of the *naqīb al-ashrāf* in the early 1700s in Jerusalem.[36] Taqī al-Dīn gained recognition as a leading figure in Jerusalem and his death in 859/1454 was commemorated with a special prayer *(ṣalāt al-mayt)* that was conducted in the al-Aqṣá mosque after the Friday prayers. His funeral became a procession of sufis and others from the city to his burial place in the Māmillā graveyard. He was buried in the compound of

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[33]Mujīr al-Dīn, *Al-Uns al-Jalīl*, 2:149.

[34]The beginning of the al-Wafā'īyah *zāwiyah* in Jerusalem is not altogether clear. The issue will be dealt with in the section concerned with the Abū al-Wafā' as agents of Islamization.

[35]Mujīr al-Dīn, *Al-Uns al-Jalīl,* vol. 2 passim mentions members of the family as scholars and sufis alike. See also genealogical table (Fig. 1).

[36]'Ādil Mannā', ″The Rebellion of the Naqīb al-Ashrāf in Jerusalem, 1703–1705″ (in Hebrew), *Cathedra* 53 (1989): 49–74. The supposed lineage of the Ḥusaynīs back to Badr al-Dīn, although often stated by members of the family and scholars, cannot be corroborated. In fact, the family lineage which suggests kinship between the famous al-Ḥusaynīs to al-Ḥusayn ibn 'Alī has recently been refuted. 'Ādil Mannā', ″Myth and Anti-Myth of the Ḥusaynī Family,″ (lecture held at the Harry S. Truman Research Institute for the Advancement of Peace, 2 April 1999).

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the amir Ṭūghān al-'Alā'ī, adjacent to the al-Qalandarīyah *zāwiyah*.[37] Again this should be regarded as an indication of the family's status and its involvement with prominent figures of the Mamluk elite. Taqī al-Dīn's son, Shihāb al-Dīn Abū al-'Abbās Aḥmad, headed the order after him.[38] He was also considered an outstanding scholar, but unlike the rest of his family was an adherent of the Hanafi school. This is probably why he left Jerusalem in 880/1475 and went to Istanbul seeking answers to religious problems among the predominantly Hanafi Ottoman religious authorities.[39] He even had an audience with the sultan, who offered him a position in his administration. Shihāb al-Dīn died in Istanbul two years after his arrival.

The manner and extent to which the family struck roots in the social elite of Jerusalem is remarkable. Like other families of ulama who immigrated to the city during the Mamluk period, religious and scholarly virtues were the catalyst for a rapidly upward social mobility.[40] The recognition and status won by the family had, among other outcomes, morphological and visible expressions in the rural and urban landscape. Those will be discussed below to demonstrate the connections between the family's activities and the themes of conversion and Islamization.

III

Conversion, like other cultural changes in human societies, effects change in the built environment. As already mentioned above, in most cases the actual process of conversion is somewhat vague and unsatisfactorily documented. Therefore, a study which examines the morphological outcome of the process may promise to bridge some of the gaps in our knowledge. Changes in the man-made environment in the form of shrines, houses, layout of fields, crops, irrigation systems, etc., are, and should be considered, the physical manifestations of the new cultural process. The method adopted and applied throughout this article is to consider the new morphological icons and transformations in the physical milieu as one considers textual data. Therefore the building activity initiated by family members will be dealt with at length below. The different construction projects of the Abū al-Wafā' will be traced along the chronological sequence of moves already described, from the hinterland of Jerusalem to the core of the city.

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[37]The compound no longer exists, therefore only a plausible location can be suggested.

[38]Mujīr al-Dīn, *Al-Uns al-Jalīl,* 2:232.

[39]Ibid, 233.

[40]See, for example, Kamal S. Salibi, "The Bānū Jamā'a: A Dynasty of Shāfi'ite Jurists," *Studia Islamica* 9 (1958): 97–110.

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The *zāwiyah* in Dayr al-Shaykh: The village of Dayr al-Shaykh lies some 20 km. west-south-west of the old city of Jerusalem. It is located on a hill rising on the southern shoulder of Wādī al-Ṣurār. The *zāwiyah* complex is the best preserved and most conspicuous building in what is today the ruined village of Dayr al-Shaykh. The place is served by a number of roads of both regional and local importance. Coming from Jerusalem, one could follow two possible roads. The first one follows the main ridge southwest of the city until the village of Malḥah (see map no. 1). From Malḥah the road carries on in a westerly direction until it intersects with Wādī al-Sikkah (today Naḥal Refa'im). From the intersection, the road follows the course of the wadi up until the bottom of the spur at the top of which lies Dayr al-Shaykh, some 7 km. due west. The second possible way would be to begin from near Wādī al-Sikka, which starts some 1.5 km. south of the city wall, and to follow it in the manner already described above. In both cases one reaches a paved road (2 m. in width), today in a state of ruin, that leads from the bottom of the ravine to the summit of the hill, some 800 m. long.[41] Not far from Dayr al-Shaykh, Wādī al-Sikkah joins the central stream of the Judean hills, Wādī al-Ṣurār (today Naḥal Soreq), which flows all the way to the Mediterranean, some 35 km. in a westerly direction. The route of the Ṣurār served as one of the main roads one could take from the coastal plain of Palestine to the central mountain ridge, where cities such as Jerusalem, Bethlehem, and Hebron are located. Numerous local roads linked Dayr al-Shaykh with other settlements in the Judean hills. Thus the *zāwiyah,* although built in a rural and remote environment, was highly accessible both to its immediate and distant surroundings. The accessibility of the site and its proximity to a major route in the area is echoed in a local tale. According to this tale, the first encounter between Badr al-Dīn and Baybars took place as the latter was advancing on the main road to Jerusalem and Badr al-Dīn was waiting for him en route.[42]

The *zāwiyah* complex was surveyed by Andrew Petersen of the British School of Archeology in Jerusalem in 1995.[43] It is a 30 by 20 m. compound, surrounded by a wall of variable height due to the change in the local terrain. Petersen´s survey found the complex to comprise four main parts: a courtyard, a prayer hall, a *maqām* (the grave itself), and a crypt. It bears the common characteristics of other local shrines and sanctuaries abundant in the landscape of Palestine: the dome (or several domes) that symbolizes the holy character of the compound, the source of water usually found within the precinct itself or in its immediate

[41]Parts of the paved road are still visible along the marked hiking trail leading from Wādī al-Ṣurār to Dayr al-Shaykh.

[42]Masterman and Macalister, ″Occasional Papers,″ 13–14.

[43]Petersen, ″Shrines,″ 99.

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surroundings, a few functional rooms, a prayer hall, and a peripheral wall.[44] In establishing the construction date and building sequence, Petersen relates that the date of the *zāwiyah* corresponds to Badr al-Dīn´s period. Interestingly enough, it looks as if the Muslim building was built on a former Crusader one. This might explain, as Petersen suggests, the name Dayr as preserving the memory of a monastery that was here prior to the *zāwiyah*. I will return to this characteristic while discussing the process of Islamization later on.

Not far from Badr al-Dīn´s *zāwiyah,* about 1 km. east of it, on a mountain called Shaykh Marzūq (today Mt. Giora), one may still find a *maqām* named Burj al-Shaykh Marzūq, that is, the tower of Shaykh Marzūq. Who was this Marzūq and how is he connected to the story of the Abū al-Wafā'? As the local story has it, Marzūq was a servant of Badr al-Dīn. His primary task was to watch over the *zāwiyah* from one of the summits near Dayr al-Shaykh. This was considered part of the holy war (jihad) against the enemies of Islam. When Marzūq was on his deathbed, Badr al-Dīn came to look after him and to assure him that he would come to no harm. Following his death a *maqām* was constructed on the mountain connected with him, known ever since as Burj al-Shaykh Marzūq.

The *zāwiyah* in Sharafāt: The village of Sharafāt stands on a ridge rising above the Wādī al-Sikkah some 8 km. south of Jerusalem. It is to be found in close proximity to the villages of Bayt Ṣafāfah and Malḥah. The village is less than 1 km. away from the central road using Wadī al-Sikkah, and some 4 km. away from the main road that stretches along the central ridge of Palestine. At the highest point of the village lies the complex attributed to the family of Abū al-Wafā'. The complex contains four parts: a prayer hall (today the mosque of Sitt Badrīyah), a courtyard, a *maqām,* and a number of rooms that might have served as cells for sufis.[45] The complex is surrounded by a wall and has only one entrance on its eastern side. The site has undergone several reconstructions over the years, which were responsible for the alteration in its original form. From the first building phase one may discern both the domed cell believed to be the tomb of ʻAbd al-Ḥāfiẓ and the prayer hall, converted today to a mosque. The cells in the courtyard were probably used by the people of the *zāwiyah* but lost all their former characteristics due to constant renovations. Adjacent to the complex on its southern side one may find two rows of buildings, mostly warehouses and pens in

[44]The most comprehensive survey of holy sites in Palestine is still Canaan, ″Mohammedan Saints,″ in which Canaan brings textual as well as pictorial descriptions of dozens of such sites. For comparison see, for example, the tomb of Phinehas, the shrine of Shaykh al-Ṣamit, and the shrine of Nabī Yūnus at al-Mashhad. Although one may find variations in each of the sites, a basic functional and symbolic plan is repeated in all of them.

[45]While surveying the site I encountered the local muezzin, who is of the opinion that those rooms were part of the *zāwiyah*.

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a dilapidated state. I cannot be certain whether they should also be attributed to the *zāwiyah* complex or to a former, i. e. Crusader, phase of the site. North of the *zāwiyah* stands an enormous oak tree that, according to the local legend, guards the grave of Sitt Badrīyah, the daughter of Badr al-Dīn.

Trees are one of the common features usually found in the vicinity of shrines and sanctuaries in Palestine.[46] The reason for this lies in the popular belief that they are protected by the holiness of the saint buried next to them. Any harm inflicted on such a tree will cause grave repercussions for the person involved. Since they were never harmed or exposed to grazing, such holy trees gained an unusual height by local standards. An oddity for which I can offer no explanation is the attribution of the *maqām* (as well as the tree) to Sitt Badrīyah, a daughter of Badr al-Dīn, and not to ʻAbd al-Ḥāfiẓ as one would assume. It seems that the holiness attributed to the male section of the family in the written sources shifted to the female section of the family in the local oral tradition.[47]

The al-Wafā'īyah *zāwiyah* in Jerusalem: The al-Wafā'īyah was thoroughly investigated by Burgoyne in his survey of Mamluk architecture in Jerusalem.[48] The building is to be found on the south side of Ṭarīq Bāb al-Nāẓir, adjacent to the gate itself. This is one of the most prestigious sites possible for a Muslim building in Jerusalem. It is bounded by the wall of the Ḥaram al-Sharīf to the east and surrounded by sumptuous and important sites such as Ribāṭ al-Manṣūrī, Ribāṭ al-Kurt and the al-Manjakīyah madrasah. The building is not homogenous and includes several periods of construction, as one may infer from the description related by Mujīr al-Dīn:

> Al-Zāwiyah al-Wafā'īyah—next to Bāb al-Nāẓir, and above it is a house which is considered part of the complex, which was known as the house of the shaykh Shihāb al-Dīn ibn al-Hā'im, later known as the house of the family of Abū al-Wafā' because they took up residence there. Formerly it was known as the house of Muʻāwiyah.[49]

The various building periods as reported by Mujīr al-Dīn are corroborated by the findings of Burgoyne. He finds that the early stages of construction predate the Mamluk period, probably being Ayyubid. During the Mamluk period the *zāwiyah* included two stories and a house above them. Later on, during the Ottoman period, a third story was built, as can be seen on the street frontage of the building.

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[46]See Canaan, ″Mohammedan Shrines,″ 30–31. Regarding the tree in Sharafāt, see ibid., 69.

[47]Ibid., 305 ff.

[48]Burgoyne, *Mamluk Jerusalem,* 456–59.

[49]Mujīr al-Dīn, *Al-Uns al-Jalīl,* 2:37.

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It is a structure of fairly large size by local standards (30 by 10 m.). It comprises a hall, a courtyard, and a set of rooms of medium size, on both the first and second floors.

The location of the al-Wafā'īyah, in such close proximity to the al-Manjakīyah madrasah, can be interpreted as another indication of the relations between the family and this important figure in the Mamluk elite, in the same fashion as the endowment of Sharafāt, referred to above. This may very well explain how a newcomer to the city managed to purchase a parcel of land in one of the most prestigious areas of the city. Could it be that the amir Manjak provided for the Abū al-Wafā' family within the city, as well as in its hinterland? The fact that the two compounds stand opposite each other may not be a coincidence. Another *zāwiyah* which is connected to the Wafā'īyah order within the city is al-Ḥamrah, near the Khānqāh al-Ṣalaḥīyah. Mujīr al-Dīn is silent about its founder as well as the date of its foundation. This explains why the information concerning this building, and its relation with the one next to Bāb al-Nāẓir, is scanty.[50]

IV

The various activities initiated by members of the Abū al-Wafā' engendered a visible outcome in the landscape of the region both in and out of Jerusalem. Our attention has been primarily focused on the *zāwiyah* compounds, but it should not be forgotten that those were not isolated or solitary constructions. The *zāwiyah* in Dayr al-Shaykh acted as a focal point and catalyst for other buildings and residences, later to form the entire village. Remember that the reason given by Mujīr al-Dīn for the relocation of Badr al-Dīn´s grandson to Sharafāt was the overpopulation and density of the former place. The arrival of Badr al-Dīn, a sufi leader of the highest rank, in the Judean hills was the catalyst for a chain of events that can not in any way be considered marginal. The activities instigated by him and other members of his family led to visible results, to be followed by demographic and cultural changes. At the time of Badr al-Dīn's arrival, southern Bilād al-Shām was still heavily populated with non-Muslim communities, although it had been within the realm of Dār al-Islām for more then six hundred years. In other words, the process of Islamization was far from being completed when he arrived at Palestine. Followed by his family and adherents, Badr al-Dīn settled in the hinterland of Jerusalem, some 20 km. due southwest of the city. There a center for the order was constructed in a secluded, albeit highly visible and accessible, site, soon to become the heart of a thriving settlement. The village that sprang up from and

[50]Burgoyne, *Mamluk Jerusalem,* 456.

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around the *zāwiyah* survived until the Israeli occupation of 1948. The formation of this village should not be regarded as just another settlement but rather as a new post won for Islam in the ongoing struggle against Christianity. This is vividly described in the local tales ascribing the role of *mujāhid* to Badr al-Dīn and his servant Marzūq:[51]

> Shaykh Marzūq was a slave whom Sultan Badr used to station upon the summit of a high mountain to the east of Dayr al-Shaykh to keep a lookout for the enemy in the time of war and jihad.[52]

As far as Islamization is concerned, the narration of Mujīr al-Dīn, our prime informant, is unfortunately insufficient. Did an already established Christian settlement exist when Badr al-Dīn arrived on the scene? And if so, what eventually happened to the original community? The existence of a former Christian settlement may be deduced from a construction level in the *zāwiyah* that pre-dates the thirteenth century. It is also implied by the appearance of the word *dayr* (monastery in Arabic) in the village name. This word may be interpreted as indicating the former existence of a Byzantine monastery, later to become a Frankish or Christian Arab settlement.[53] Ellenblum created a sociological and spatial model according to which the Frankish population settled primarily in areas already dominated by indigenous Christian communities. In other words, the rural settlements of the Frankish immigrants followed those of their fellow Christians.[54] He demonstrates this phenomenon by drawing the cultural border of southern Samaria between Muslim and Christian villages. This is aptly depicted in the toponymic map of the area by the abundant use of the word *dayr,* indicating a formerly Christian area. Following the same logic and exploiting Ellenblum´s maps of Byzantine churches and Frankish rural settlements in Palestine, one may find a densely populated Christian area in the environs of Dayr al-Shaykh.[55] Map 2 includes all rural Frankish settlements as found and described by Ellenblum, followed by sites that have the word *dayr* in their name.[56] The map depicts an area dominated by Christian

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[51]See Masterman and Macalister, ″Occasional Papers,″ 127

[52]Ibid.

[53]See Ellenblum, *Frankish Rural Settlement*, 228–29, where he draws a map depicting the cultural lines between Muslim and Christian communities, based on a toponymic survey of sites which have the word *dayr* in their names.

[54]Ibid, 233.

[55]The map is based on the Frankish rural sites as depicted in ibid., xviii, and Conder and Kitchener, *Survey of Western Palestine,* sheet XVII.

[56]As yet I cannot fully demonstrate the existence of a Frankish layer in all settlements with *dayr* in their name.

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settlements, starting from the Jerusalem-Bethlehem line on the east and stretching westward as far as the Dayr Aban-Bayt Jimāl line. In regard to Dayr al-Shaykh, the two sets of indicators exist, in the form of the toponymic sign *dayr* and the existence of a layer that pre-dates Badr al-Dīn's complex.[57] The conclusion is that Badr al-Dīn's arrival on the scene was not to a region devoid of population, but rather to a Christian-dominated area.

The role of sufis and saints as agents of Islamization in different parts of the Muslim world has been established already by various scholars.[58] Vryonis highlights the critical role of the mystic and sufi orders in the Islamization of Anatolia.[59] The simple, sometimes even crude and earthly Islam of the holy man *(baba)* and his followers was far more appealing to the Christian community of Anatolia than the orthodox, rigid one of the ulama. The beginning of the process was humble and incidental. Hand in hand with the expansion of the Seljuks went the arrival of the lonely saint, dwelling in as yet un-Islamized regions of Anatolia and slowly gaining respect and influence over the gradually waning local Christian communities. The role played by Badr al-Dīn was in many ways identical. He arrived at an area that was under Islamic rule, though apparently Muslims were not the majority. Badr al-Dīn's taking up residence in Dayr al-Shaykh led to the Islamization of the place. The fate of the former population and the precise phases of Islamization cannot be fully established. The events that took place at Sharafāt bring to light a much more detailed picture.

In order better to understand what transpired in Sharafāt one needs to consult Mujīr al-Dīn′s description again.[60] The *zāwiyah* in Sharafāt was built during the period when Dā'ūd (d. 701/1301) was head of the order. At that time, we are told, the village was Christian, except for Dā'ūd′s family and adherents. Some of the Christians, who owned vineyards, were also involved in the production of wine. The wine was sold to, among others, sinful Muslims *(lil-fassāq min al-muslimīn)*. This state of affairs vexed Dā'ūd and he called upon God to stop this from occurring. Indeed, we are told by Mujīr al-Dīn, the Christians stopped the wine

[57]See again Petersen, ″Shrines,″ 103.

[58]See Levtzion, *Conversion to Islam*, 16–20, where he summarizes research on various locations and periods demonstrating the role of sufis in the process of Islamization. But see recently Reuven Amitai, ″Sufis and Shamans: Some Remarks on the Islamization of the Mongols in the Ilkhanate,″ *Journal of the Economic and Social History of the Orient* 42 (1999): 27–45. In this article, Amitai claims that Islamization via sufi agents in the Mongol region was primarily of institutional sufis close to Mongol ruling circles. The connection between members of the Abū al-Wafā' family and Manjak al-Sayfī may indicate the same closeness between sufis as agents of Islamization and ruling circles of the Mamluk elite.

[59]Vryonis, *The Decline of Medieval Hellenism,* esp. 351–402.

[60]Mujīr al-Dīn, *Al-Uns al-Jalīl,* 2:147–48.

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production because each time the grapes were pressed, they would turn out to be vinegar. As the story has it, this was the wrath of God inflicted on the infidels. Once the Christian inhabitants were deprived of their livelihood, they had no alternative but to leave the village. As Mujīr al-Dīn puts it, they realized that they were facing a man of enormous power (namely Dā'ūd), a wizard *(sākhir),* so they abandoned their fields and left the village altogether. The expulsion of the Christian farmers caused the *iqṭā'* owner *(muqṭa')* grave losses. Thereupon Dā'ūd leased the lands of the village from him and built a *zāwiyah* and a tomb where he and his descendants were to be buried later. The construction of Muslim institutions and landmarks was the morphological materialization of the demographic and cultural changes that took place in the village of Sharafāt. The changing of the village name from Shafrāt to Sharafāt is yet another sign of this dramatic change.

The crucial role of the Abū al-Wafā' family as agents of Islamization is fully attested in the village of Sharafāt. It appears that they acted as a Muslim vanguard which eventually transformed a Christian settlement into a Muslim one. A similar case is to be found during the early Ottoman period in the north of Palestine. The person concerned, Shaykh al-Asadī, settled in the heart of what was then a Christian village.[61] Later on a *zāwiyah* was constructed and eventually the total Islamization of the village took place. The former Christian population emigrated (or rather was forced to emigrate) to an alternative site. Layish investigated the case of Dayr al-Asad (the village of Shaykh al-Asadī) fully and found it to be a typical case of the Islamization policy of the Ottoman empire as implemented throughout its territories.[62] As it happens, the shaykh was endowed with the village lands by none other then the Ottoman sultan Selim I.

The events that led to the Islamization of Sharafāt have a lot in common with those that led to that of Dayr al-Asad. To begin with, it was the settlement of a sufi order or person in the heart of a Christian village that started the process. Gradually the sufis strengthened their hold on the place, as can be seen in the shape of visible Islamic symbols and institutions. At some point in the process governmental help was granted. As Layish depicts it, the initiative for the penetration of the sufi shaykh into Dayr al-Asad was taken by the sultan. This was started by the granting of an endowment, comprising the entire village lands, to the shaykh. As reported by Mujīr al-Dīn, Sharafāt was also given as an endowment to the head of the Wafā'īyah order. The endower was a prominent figure in the Mamluk

[61]Aharon Layish, ″Waqf and Sūfi Monasteries in the Ottoman Policy of Colonization: Sulṭān Selīm I′s Waqf of 1516 in Favour of Dayr al-Asad,″ *Bulletin of the School of Oriental and African Studies* 50 (1987): 61–89.

[62]Ibid., 75, n. 57, where he relies primarily on Ömer Lûtfi Barkan, ″Les fondation pieuses comme méthode de peuplement et de colonisation: Les derviches colonisateurs de l′époque des invasions et les couvents (saviyé),″ *Vakıflar Dergisi* 2 (1942) (partie française).

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elite, i. e., the amir Manjak al-Sayfī. The act of endowment took place sometime during the middle of the fourteenth century, some fifty odd years after the Abū al-Wafā' were already well rooted in the new location.[63] Nevertheless, the patron-sufi relation was one of the conditions that helped the process materialize.

The cases of Dayr al-Shaykh and Sharafāt bring to light the role of the Abū al-Wafā' as agents of Islamization in the Judean hills. It appears that the area was still dominated by Christian-Frankish settlements in the thirteenth century. This situation gradually altered after the arrival of Badr al-Dīn´s family and order on the scene. The process was not of Islamization of the indigenous communities but rather Islamization brought about by creating such conditions as would force those communities to leave. The growing movement of immigrants from the Bayt Jālah-Bethlehem region (i. e., the region where the Abū al-Wafā' settled) to the Galilee during the late Mamluk and early Ottoman periods was described by Cohen and Lewis.[64] Apparently Ottoman documents show a substantial migration of Christians from the area lying south of Jerusalem. It is my suggestion here that this process started already in the thirteenth century and continued at least until the sixteenth century. One should realize that unlike the rural settlements of the area in question, the urban part of it (i.e., Bayt Jālah and Bethlehem) is still heavily populated with Christian communities.

V

The case of the Abū al-Wafā' has enabled us to take a closer look at what usually remains obscure and unreachable in the sources regarding the stages of Islamization in a region prior to the relatively richly documented Ottoman period. The story of Badr al-Dīn and his followers contains many of the characteristics of other sufi leaders, as described by Trimingham:

> In the development of organized Sufism *zāwiyas* were more important than most of those just described [i. e., *ribāṭ* and *khānqāh*], but here the institution was a man. They were small modest establishments, centred around one shaikh; at first impermanent, especially since such men were frequently migrants themselves. It was through these men, migrant or settled, that self-perpetuating *ṭarīqas* came into being. They were not endowed like *khānaqāhs*

[63] See again the discussion regarding the problem of establishing the accurate date of the endowment, above.

[64] Cohen and Lewis, *Population and Revenue,* 32–33.

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> and *ribāṭs,* though in time when they became family residences they tended to accumulate *awqāf*.[65]

Badr al-Dīn was indeed a stranger when he immigrated and settled in Dayr al-Shaykh. Trimingham asserts that this was in itself a quality that helped sufis to win over the hearts of the local population.[66] Whether this was part of a Mamluk plan or policy one can only surmise, and hopefully future research will establish this. Be that as it may, the fact remains that along the way the family received crucial help from the Mamluk authorities. This occurred in the form of the patronage granted by Amir Manjak al-Sayfī on several occasions.

Members of the Abū al-Wafā' acted as agents of Islamization. Through their various activities they were responsible for changes in the cultural landscape of the region. It seems that changing social and religious forces were met by a change in economic demands, as in the case of the wine at Sharafāt. The pendulum was working in favor of the growing Islamic communities and against the former Christian settlers. But still we are left with many parts missing from the puzzle. Where did the displaced Christian communities go? Did they migrate elsewhere or did some of them embrace Islam? Why was no trace to be found of the former religious buildings, namely churches? The crucial issues of migration, demographic changes, and the changing of the cultural landscape following them await further research. Nevertheless, the methodology established here and the detailed case study break new ground in the complicated research into the Islamization of the region.

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[65]J. Spencer Trimingham, *The Sufi Orders in Islam* (Oxford, 1971), 168–69.

[66]Layish, ″Waqf and Sūfi Monasteries,″ 76–78.

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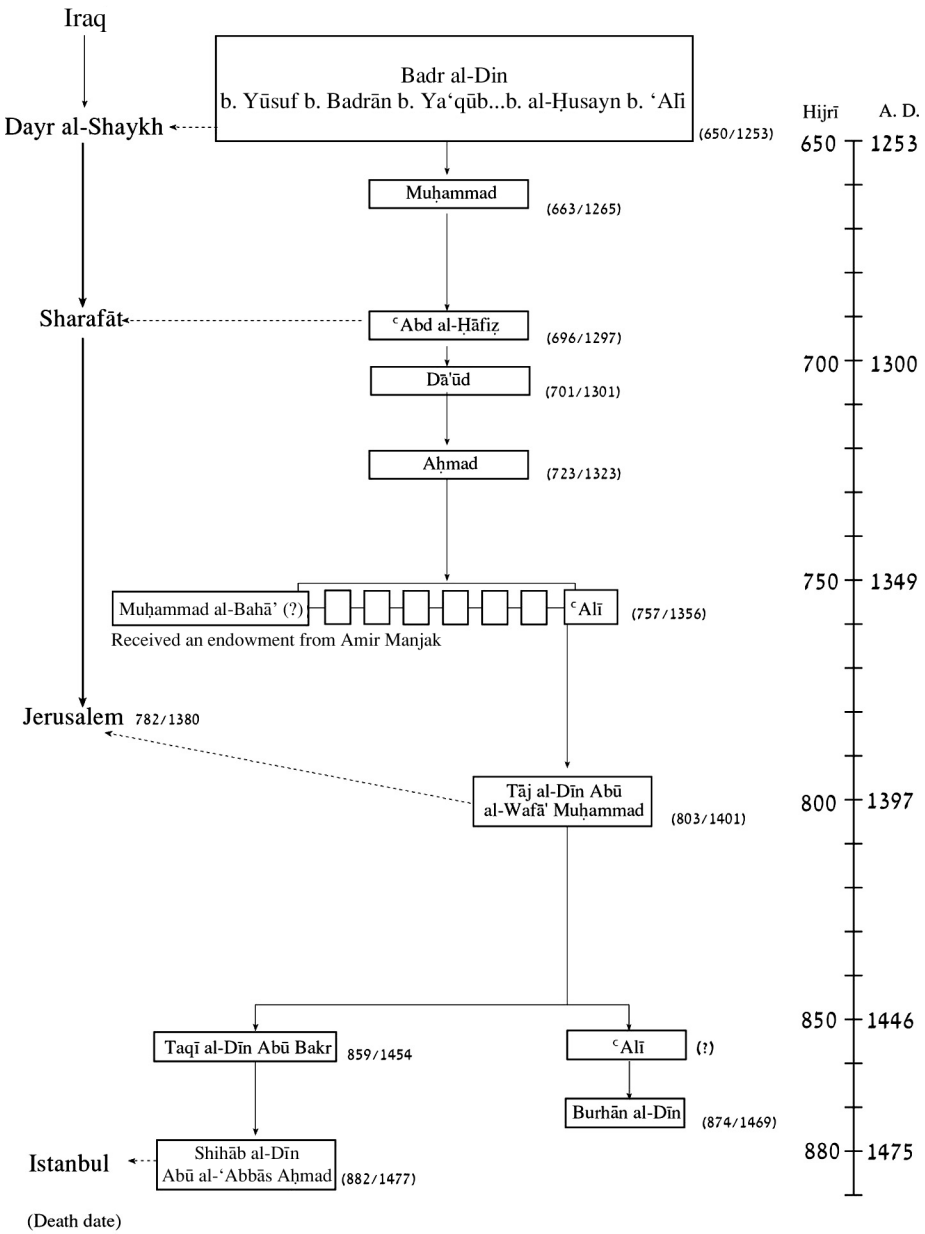

Figure 1. Abū al-Wafā' Genealogy Table

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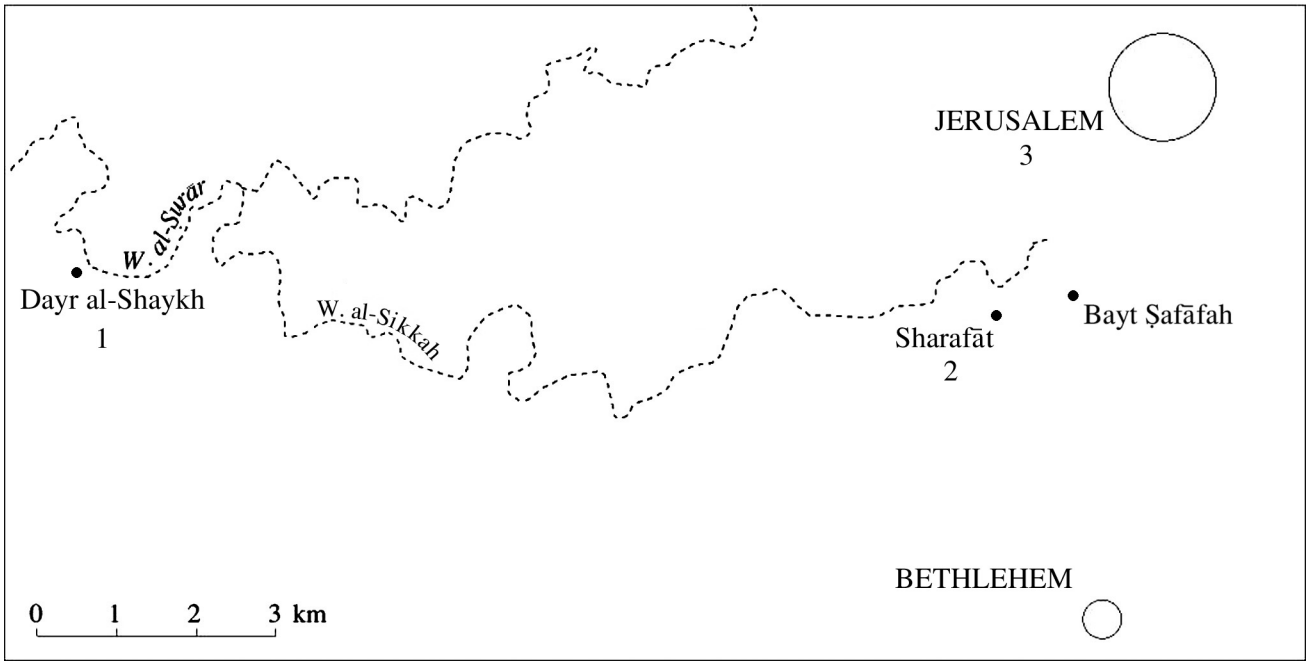

Figure 2. The Abū al-Wafā' Locations in the Vicinity of Jerusalem

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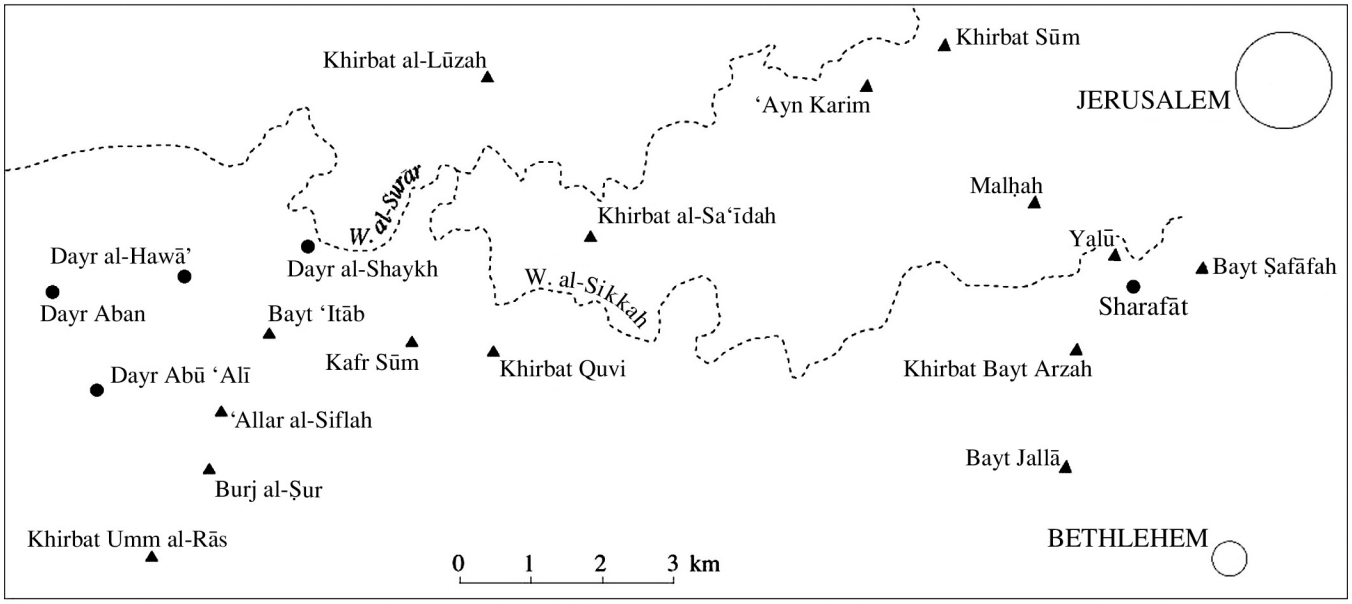

Figure 3. Frankish and Christian Settlements in the Judean Hills

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Perception of Architecture in Mamluk Sources

Mamluk architecture is one of the most extensively though unevenly studied categories in the field of Islamic architectural history today. Several surveys, varying in scope, numerous articles and monographs on individual monuments, and a few comparative studies of regional variations in architectural style exist. Many more are being published at an unprecedented rate as the field of Mamluk studies gains more students and researchers, and now has a journal of its own, *Mamlūk Studies Review*.[1] Even a few preliminary theoretical discussions have been held on some of the formal, symbolic, and sociocultural attributes of this architectural tradition, and a number of historiographic essays have attempted to understand it in the context of Mamluk and Islamic cultural and social history, something that is generally lacking for other medieval Islamic architectural traditions.[2] This scholarly attention should not be surprising to anyone familiar with the sheer number and variety of Mamluk buildings still standing in Egyptian, Palestinian, Lebanese, and Syrian cities—and they constitute only a fraction of the total that can be computed from the sources. For two hundred and sixty-seven years, scores of projects of all types: small and large, private and public, pious and commercial, pompous and poised, purposeful and frivolous, were sponsored by sultans, amirs, and members of the local elite in practically every corner of the

[1]For a recent review of the publications on Mamluk art and architecture, see Jonathan Bloom, ″Mamluk Art and Architectural History: A Review Article,″ *Mamlūk Studies Review* 3 (1999): 31–58.

[2]See R. Stephen Humphreys, ″The Expressive Intent of the Mamluk Architecture in Cairo: A Preliminary Essay,″ *Studia Islamica* 35 (1972): 69–119; Oleg Grabar, ″Reflections on Mamluk Art,″ *Muqarnas* 2 (1984): 1–12; Michael Meinecke, ″Mamluk Architecture, Regional Architectural Tradition: Evolutions and Interrelations,″ *Damaszener Mitteilungen* 2 (1985): 163–75; idem, *Patterns of Stylistic Change in Islamic Architecture: Local Traditions versus Migrating Artists* (New York, 1995); Nasser Rabbat, *The Citadel of Cairo: A New Interpretation of Royal Mamluk Architecture* (Leiden, 1995); Bernard O′Kane, ″Monumentality in Mamluk and Mongol Art and Architecture,″ *Art History* 19 (1996): 499–522. Some of the still unpublished recent Ph.D. dissertations proclaim the new, more interpretive directions that the field in general is following; see, for example, Lobna Abdel Azim Sherif, ″Layers of Meaning: An Interpretive Analysis of Three Early Mamluk Buildings,″ Ph.D. diss., University of Michigan, 1988; Howyda N. al-Harithy, ″Urban Form and Meaning in Bahri Mamluk Architecture,″ Ph.D. diss., Harvard University, 1992; Jane Jakeman, ″Abstract Art and Communication in ′Mamluk′ Architecture,″ Ph.D. thesis, Oxford University, 1993.

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sultanate, particularly in Cairo, Damascus, Aleppo, Tripoli, and Jerusalem, but also in smaller towns and villages.[3]

The Mamluk written sources, chronicles and biographical dictionaries, but especially encyclopedic manuals, geographical treatises *(masālik),* and topographical tracts *(khiṭaṭ),* in their capacity as records of their time reflect both the profusion of buildings and the interest in architecture that Mamluk culture manifested. They all pay more than passing attention to buildings and land reclamation projects sponsored by sultans, amirs, and lesser notables. Some, like Ibn Shaddād, al-Maqrīzī, and Abū Ḥāmid al-Qudsī, show a genuine interest in buildings and cities and, sometimes, even an expert and appreciative handling of their particular qualities in the descriptions they provide of them. In fact, each of them makes buildings the backbone of one key book in his historical oeuvre. Many biographers, especially those directly commissioned by a sultan or grandee, even wax lyrical on the projects sponsored by their patrons. Sometimes they exaggerate their numbers, costs, and sizes. At other times, they emphasize their grandeur and rhetorically compare them with paradigmatic monuments known from literature or from the past. The veracity, intensity, and enthusiasm of their coverage, or lack thereof, however, were neither constant nor uniform. They fluctuated over time, following both the shifting investment in architecture among the Mamluk patrons, sometimes from one reign to the next, and the inclination of the individual reporters to notice and discuss it, which may or may not have been affected by the importance placed on building by the Mamluk patrons.

Yet, over the entire Mamluk period, there is a marked progression in the reports towards a more informed and involved discussion of buildings and projects, and even a growing interest in their architectural, historical, and sociocultural qualities. This evolving attitude seems to have transcended the individual inclination of a particular author. It affects every genre of historical writing, even annals and biographies, aside from its more concrete consequence of animating special types with architectural focus such as the *masālik* and the *khiṭaṭ*. It is discernible in the texts of the most architecturally reticent among the late-Mamluk authors, such as al-Suyūṭī and al-Sakhāwī, who could not help but reflect the more sophisticated handling of architecture achieved by their literary peers.[4]

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[3]Michael Meinecke, *Die Mamlukische Architektur in Ägypten und Syrien (648/1250 bis 923/1517),* part 2, *Chronologische Liste der Mamlukischen Baumassnahmen* (Glückstadt, 1992), vii–ix, provides thorough estimates of the number of Mamluk monuments in all the major Syrian and Egyptian cities.

[4]This is apparent in al-Sakhāwī, *Kitāb al-Tibr al-Masbūk fī Dhayl al-Sulūk,* which is a chronicle continuing al-Maqrīzī's *Sulūk,* and in his little article *Al-Tuḥfah al-Laṭīfah fī Tārīkh al-Madīnah al-Sharīfah*. It comes across more distinctly in al-Suyūṭī, *Ḥusn al-Muḥāḍarah fī Tārīkh Miṣr wa-al-Qāhirah,* which is his modest attempt at producing a *khiṭaṭ* book.

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The trend appears to have peaked in the late fourteenth/early fifteenth century, at a time when the culture in general was coming to terms with the magnificent architectural endowments of the previous Bahri period which changed the face of many Mamluk cities, especially Cairo. This is the moment when Ibn Khaldūn came to Cairo and declared it to be the center of Islam and the epitome of *'imrān,* a concept encompassing both civilization and urbanization, which he was busy theorizing about at the same time.[5] He was soon followed by his brilliant student, Aḥmad ibn 'Alī al-Maqrīzī, who devoted a tremendous amount of time and effort to producing the first encyclopedic work on the history, development, and architectural monuments of a city in Islam, *Al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār,* which is essentially a paean to Cairo. Other contemporary scholars like Ibn Duqmāq, Ibn al-Furāt, al-Qalqashandī, Badr al-Dīn al-'Aynī, Ibn Ḥajar al-'Asqalānī, Ibn 'Arab Shāh, and Ibn Taghrībirdī, though not as architecturally articulate as al-Maqrīzī was or as theoretically astute as Ibn Khaldūn, still show in their different ways a maturing sensitivity to the role of architecture in the life of the city and the reputation of patrons.

But this cultural interest in buildings and urban projects was not without its immediate political agenda: Mamluk authors for a variety of reasons disapproved of the Burji sultans, comparing them unfavorably to the great sultans of the late thirteenth and early fourteenth century. One of the main arguments they used to disparage their contemporary sultans was that they could not maintain the urban and architectural momentum generated by their illustrious predecessors, and they thus lacked their drive, commitment, good management, and generosity. Many Mamluk authors harp on this point, even including some who belonged to the Mamluk ruling class, such as Ibn Taghrībirdī.[6] This vocal criticism, however, may indicate not so much a general and popular disapproval of the Mamluks' performance as rulers as it did a growing divergence between the ruling Mamluks and the educated classes who controlled all historical writing and represented themselves and others through their own views, prejudices, and frameworks of interpretation.[7]

Historicizing the Mamluk interest in buildings, identifying its various proponents among the historians and analyzing their different approaches and textual techniques, and elucidating its conceptual ramifications for the study of Mamluk architecture

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[5]Ibn Khaldūn, *Muqaddimah,* ed. 'Alī 'Abd al-Wāḥid Wafī (Cairo, 1960), 3: 829–36; for an abridged text in English, *The Muqaddimah,* trans. Franz Rosenthal, ed. N. J. Dawood (Princeton, 1967), 263–67.

[6]See the condemnation of al-Maqrīzī, one of the best critics of his age, in *Al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* (Bulaq, 1854), 2: 214; see also Abū al-Maḥāsin Yūsuf Ibn Taghrībirdī, *Al-Nujūm al-Zāhirah fī Mulūk Miṣr wa-al-Qāhirah* (Cairo, 1929–56), 7: 328–29.

[7]See my "Representing the Mamluks in Mamluk Historical Writing," in *The Historiography of Islamic Egypt, c. 950–1800,* ed. Hugh Kennedy (Leiden, 2000), 59–75, esp. 60–71.

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and culture form the subject of this article. My approach and interpretations have been greatly influenced by the ideas of the late Ulrich Haarmann on the writing of Mamluk history, especially as he began to articulate them in his latest contributions before his enormously regretted and untimely death. This article is but a small token of appreciation for his brilliant and original scholarship.

The Philological and Literary Context of Writing on Architecture

By its complex nature and exigencies, architecture can be neither a solitary nor modest activity. As Ibn Khaldūn noted, architectural projects, whether monuments or entire cities, required huge outlays of time, money, and manpower that can only be supplied by strong, stable, wealthy, and—most important—urban patrons.[8] Architectural projects fulfilled social and pietistic functions and went a long way toward enhancing the reputation of their founders and patrons, propagating their claims and embellishing their images. This made architecture, especially when it came to monumental buildings, primarily a royal or elite pursuit, and, as such, grist for the mill of chroniclers and biographers who wrote on the lives and deeds of the ruling class. The interest shown in architecture by the chroniclers of the Mamluk period, however, is not new in Islamic historiography. Biographers from earlier times recorded royal architectural projects and noted some of their peculiarities when they summarized the deeds of their founders. But Mamluk authors paid considerably more attention to architecture than their predecessors had done both in scope and depth. Their references were more numerous, comprehensive, and detailed than those of earlier historians, although like their predecessors and their successors until the nineteenth century, they never used graphic illustration to convey their impressions of the buildings they described. They, however, made a great effort to emphasize urban, political, social, economic, and cultural contexts, though rarely to consider formal, artistic, or symbolic significance. Aside from mentioning how large or tall or strange a building was, or listing particularly expensive materials in its construction, or indicating that a certain surface was ornamented using a certain complicated technique, formal or spatial qualities of the buildings were passed over in silence.

This unaesthetic tendency is apparent in the language used by Mamluk authors as well. When they write about architecture, they use primarily mundane and functional terms and rarely treat any spatial, artistic, or conceptual point. Buildings are hardly ever qualified as beautiful *(ḥasan, jamīl),* proportionate or harmonious *(mutanāsib, mu'talif, muntaẓam),* or pleasing *(bāhij),*[9] all terms associated with

[8] Ibn Khaldūn, *Muqaddimah,* 3: 832–36; abridged English text, *Muqaddimah*, 265–67.

[9] Except for some odd and not immediately explainable cases, such as the Madrasah al-Mu'izzīyah of al-Mu'izz Aybak (1250–57), in Miṣr al-Fusṭāṭ. Ibn Kathīr, *Al-Bidāyah wa-al-Nihāyah fi al-Tārīkh*

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aesthetic concepts that had a venerable history in philosophical and *adab* treatises of an earlier period. Although they appear most frequently in literary and abstract discussions, they may initially have been introduced to express formal or visual appreciation of human types, of objects, or of engineering projects.[10] But they do not seem to have made their way into architectural description. On the other hand, they had been absorbed into literary criticism and were frequently used to express aesthetic judgment of prose or poetic style. Many of the Mamluk authors who write about architecture in fact show a certain ease with the denotative intricacies of these aesthetic terms when applied to literary analysis, which they all practiced and proudly displayed in their soberer books, though they seem not to have been able, or perhaps had no interest in, making the leap from literature to architecture.

Formal and architectural investigations seem to have been outside the intellectual curiosity or scholarly training of Mamluk authors.[11] Because of that handicap, they do not seem to have developed the techniques and terminology to carry out such examinations, and it shows in their texts. They apparently never attempted to transpose familiar aesthetic concepts from the literary domains, with which they were thoroughly familiar, or the less practiced disciplines of philosophy, geometry,

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(Cairo, 1932–39), 13:196, comments that ″although the madrasah′s span from the outside is of the best construction, its interior space is not so impressive″; al-Yunīnī, *Dhayl Mir'āt al-Zamān* (Hyderabad, 1954–61), 1:60, and Ibn Taghrībirdī, *Nujūm,* 7:14, say that ″its *dihlīz* is very wide and very long, while the structure itself is proportionally small.″ See also Badr al-Dīn Maḥmūd ibn Aḥmad al-'Ayni, *'Iqd al-Jumān fī Tārīkh Ahl al-Zamān,* ed. Muḥammad Muḥammad Amīn, (Cairo: 1987–92), 1:44; Ibrāhīm ibn Muḥammad Ibn Duqmāq, *Al-Intiṣār li-Wāsiṭat 'Iqd al-Amṣar,* ed. K. Vollers (Cairo, 1893), 4:35, 53–54, 92–93.

[10]A. I. Sabra in his edition of Ibn al-Haytham, *The Optics of Ibn al-Haytham: Books I-III, On Direct Vision* (London, 1989), 2: 99, discusses the example of the famous essayist al-Jāḥiẓ (767–869) in his *Risālat al-Qiyān* (The Essay on Singer-Slaves), ed. 'Abd al-Salām Muḥammad Hārūn in his *Rasā'il al-Jāḥiẓ* (Cairo, 1965), 2:162–63. Al-Jāḥiẓ explains physical beauty in terms of two aesthetic principles: *tamām* (fullness) and *i'tidāl* (moderation); both are dependent on *wazin* (measure, balance, rhythm) which varies according to every case under consideration. Al-Jāḥiẓ goes on to say that *wazin* also governs the beauty of vessels, furnishings, embroidered textiles, and water channels, all of which have to achieve balance in form and composition *(al-istiwā' fī al-kharṭ wa-al-tarkīb).* (Sabra considered *tamām, i'tidāl,* and *wazin* to be three separate principles, although it seems that al-Jāḥiẓ suggests that *tamām* and *i'tidāl* both derive from *wazin*.)

[11]This area of research is not well covered. One notable pioneer is George Makdisi. His *Rise of Humanism in Classical Islam and the Christian West* (Edinburgh, 1990), passim, presents one of the most thorough discussions of the types of knowledge and kinds of settings available to medieval Islamic ″humanists″ (to use Makdisi′s term). Makdisi (Appendix A, 355–61) provides a summary of Ḍiyā' al-Dīn ibn al-Athīr′s (1163–1239) eight scholarly requisites for poets and *kuttāb* from his *Al-Mathal al-Sā'ir fī Adab al-Kātib wa-al-Shā'ir* (Riyadh, 1983–84), which shows clearly that no visual concerns belonged in those lists.

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music, and the like to the unfamiliar field of architecture.[12] Nor does it seem to have occurred to them to adapt the professional vocabulary that might have been used by the builders to describe the buildings because of the sharp social division that separated them from these craftsmen and artisans and that consequently hindered communication between the two social groups.[13] Philosophical ideas, however truncated or distracted, sometimes did seep into Mamluk texts, but virtually no professional architectural or constructional terms at all found their way into them.[14] The very few and significant exceptions, such as Ibn Shaddād, al-Maqrīzī, and Abū Ḥāmid al-Qudsī, who at times reveal a certain affinity with professional terminology, may have developed their interest in the building crafts after having been exposed to them in some official capacity, such as serving as *muḥtasib* (city inspector) as in the case of al-Maqrīzī, or *shādd* (building supervisor), or some other similar function. It should be stressed, however, that the predisposition of these three to buildings and to the ways they are apprehended by craftsmen was peculiar to them: not all who wrote and also served at some point as building supervisors show either interest or a comparable mastery of professional terminology and modes of description.[15]

When buildings are at all noticed in the Mamluk sources for their visual qualities, they are generally described as unusual or marvelous *(ʻajīb* and *gharīb)* and never further elaborated on, or mentioned for their monumentality and display of wealth, usually expressed in terms such as *kabīr, ʻazīm,* or *fākhir.* Although monumentality is primarily considered an aesthetic and spatial quality in today's architectural discourse, the few references to monumentality in Mamluk sources

[12]A single exception, to my knowledge, can be found in the memoirs of the Iraqi physician ʻAbd al-Laṭīf al-Baghdādī (1162–1231), a very sharp and perceptive resident of Cairo in the later part of the Ayyubid period (he wrote his text in 1204), *Al-Ifāḍah wa-al-Iʻtibār fī al-Umūr al-Mushāhadah wa-al-Ḥawādith al-Muʻāyanah bi-Arḍ Miṣr* (Cairo, 1869), where he uses aesthetic notions to analyze the naturalness and proportionality achieved in the ancient Egyptian statues. This exceptional short treatise deserves a study on its own.

[13]For a discussion of the status of the building professions in the Mamluk society, see my ″Architects and Artists in Mamluk Society: The Perspective of the Sources,″ *Journal of Architectural Education* 52 (1998): 30–37; Doris Behrens-Abouseif, ″Muhandis, Shād, Muʻallim—Note on the Building Craft in the Mamluk Period,″ *Der Islam* 72 (1995): 293–309; and the pioneering Leo Mayer, *Islamic Architects and Their Works* (Geneva, 1956), 20–27.

[14]An interesting example of a philosophical framework is al-Qalqashandī's chapter on *nafs al-khaṭṭ* (″the writing itself,″ used here in the sense of the nature of penmanship) in his voluminous *Ṣubḥ al-Aʻshá fī Ṣināʻat al-Inshā*' (Cairo, 1913-18), 3: 1–149, esp. 41–43, a well structured and competent, if platitudinous, discussion that relies heavily on older texts and poetic quotations.

[15]Badr al-Dīn al-ʻAynī, al-Maqrīzī's rival, who served seven time as *muḥtasib,* is a case in point. For their dates of service as *muḥtasib*, see Aḥmad ʻAbd ar-Rāziq, ″La ḥisba et le muḥtasib en Égypte au temps des Mamluks,″ *Annales Islamologiques* 13 (1977): 115–78, 148–53.

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seem to have been less aesthetically construed and more politically, or at least ideologically, driven. They often bore a competitive edge: the authors mention buildings as comparable in massiveness to those of their patrons that had been built in the realm of the Ilkhanids, the Mamluks' main Islamic rivals, or other less important Islamic powers such as the North African Marinids or the smaller Anatolian principalities.[16] Praising the monumentality of their patrons' buildings was at times coupled with downplaying the monumentality of those of other sovereigns. That buildings served this propagandistic purpose may have been induced by the patrons themselves, especially during the early Mamluk period, when the Mongol Ilkhanid threat was real and the propaganda war between the two sides fierce and multifaceted.[17]

But the emphasis on monumentality may also have reflected a heightened historical awareness among the Mamluk authors, which was expressed in the comparisons encountered in the sources between the Mamluk buildings and famous monuments of both the mythical and historical past including the pre-Islamic period. This too is a pre-Mamluk phenomenon. But it found formal expression in the Mamluk period with the development of a more or less fixed list of venerated ancient monuments that constituted a monumental category in medieval Arabic literature and are often mentioned when the achievements of past nations, a favorite topic in *adab,* are discussed.[18] Many descriptions of contemporary Mamluk monuments refer the reader to one or another of these structures, most frequently to the Īwān-i Kisrā in al-Madā'in (Ctesiphon) in Iraq, the epitome of monumentality which is sometimes brazenly claimed to have been matched or surpassed by the building under discussion.[19]

This practice is more than a literary trope despite its poetic and literary origins and its frequent usage in the sources. The veracity of the comparison itself is much less important to both authors and readers than the historic connection and the contest across time implied in it. The monumental category is a way of reclaiming the golden age inscribed in the Mamluk collective memory at a time

[16]O'Kane, ″Monumentality in Mamluk Art,″ passim.

[17]On various aspects of this heated propaganda war, see my ″Ideological Significance of the Dar al-'Adl in the Medieval Islamic Orient,″ *International Journal of Middle East Studies* 27 (1995): 3–28, esp. 24–28; Adel Allouche, ″Teguder's Ultimatum to Qalawun,″ *International Journal of Middle East Studies* 22 (1990): 437–46; Donald P. Little, ″Notes on Aitamiš, A Mongol Mamluk,″ *Beiruter Texte und Studien* 22 (1979): 387–401.

[18]O'Kane, ″Monumentality in Mamluk Art,″ 500, n. 4; see also my ″Al-Īwān: Ma'nāhu al-Farāghī wa-Madlūluhu al-Tadhkārī,″ *Bulletin d'Études Orientales* 49 (1997): 249–67.

[19]O'Kane, ″Monumentality in Mamuk Art,″ 510 and nn., discusses comparisons made in two Mamluk and Ilkhanid sources between two major monuments—the mosque of 'Alī Shāh in Tabriz and the madrasah of Sultan Ḥasan in Cairo—on the one hand, and the Īwān-i Kisrā on the other.

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when the Mamluk state was showing signs of its ability to recoup some of the glories of that golden age. It had very swiftly defeated the Crusaders and Mongols, asserted its rule over all the Syro-Egyptian territories, and devised a new caliphal legitimacy with the installation of an Abbasid caliph in Cairo after the annihilation of the Baghdadi caliphate by the Mongols in 1258. The culture reacted to these Mamluk victories with renewed hope of recapturing the glorious past and reviving the true caliphate after two centuries of uncertainty, a feeling which lasted well into the fifteenth century. It was reflected in the reorientation of Mamluk historical writing towards a pan-Islamic outlook reminiscent of the writing of the eighth- and ninth-century historians who lived under an at least nominally unified Islamic world.[20] Thus, an entire generation of Mamluk historians—including al-'Umarī and al-Nuwayrī in Cairo and Ibn Kathīr and al-Dhahabī in Damascus—adopted a universal and upbeat approach and covered the entire Islamic world in their writing. A similar historic emphasis is expressed in visual references to the venerated monuments of the early Islamic period which dot the early Mamluk architecture built in the time of Baybars and Qalāwūn and his sons.[21] Both references to the monuments of the past in the sources and to the past in early Mamluk architecture embody and reinforce the rekindled Mamluk sense of historical continuity and represent a conscious effort to give it shape: one in space, the other in words.

If Mamluk sources lacked a developed aesthetic or architectural language, they did have another specialized language at their disposal, and that was the legal language of the w*aqf* (endowment) documents with which they seem to have been thoroughly familiar. The institution of the *waqf,* an old and venerable Islamic legal-fiscal system for organizing charity, social services, and the management and inheritance of real-estate and agricultural land, had by the Mamluk period developed a language and a procedure for documenting buildings that satisfied contractual and legal requirements and reflected both an interest in the purely functional and socioeconomic dimensions of architecture and a specific vision of

[20]See the analysis of Dorothea Krawulsky concerning the change in historical production in the Mamluk period in ″Al-Intāj al-Thaqafī wa-Shar'iyat al-Sulṭah,″ her introduction to Aḥmad ibn Yaḥyá Ibn Faḍl Allāh al-'Umarī, *Masālik al-Abṣār fī Mamālik al-Amṣār: Dawlat al-Mamālīk al-Ūlá* (Beirut, 1986), 15–37, reprinted in a volume of her collected articles, *Al-'Arab wa-Īran: Dirāsāt fī al-Tārīkh wa-al-Adab min al-Manẓūr al-Idiyulūjī* (Beirut, 1993), 94–116.

[21]See my ″Mosaics of the Qubba al-Zahiriyya in Damascus: A Classical Syrian Medium Acquires a Mamluk Signature,″ *Aram* 9–10 (1997–98): 1–13; also my ″Mamluk Throne Halls: Qubba or Iwan,″ *Ars Orientalis* 23 (1993): 201–18, for discussions of Umayyad echoes in early Mamluk architecture. See also Jonathan Bloom, ″The Mosque of Baybars al-Bunduqdari in Cairo″ *Annales Islamologiques* 18 (1982): 50–55; Hana Taragan, ″Politics and Aesthetics: Sultan Baybars and the Abu Hurayra/Rabbi Gamliel Building in Yavne,″ in *Milestones in the Art and Culture of Egypt*, ed. Asher Ovadiah (Tel Aviv, 2000), 117–43, esp. 124–30, for discussions of conscious Fatimid references in the architecture of Baybars' mosque.

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the role of buildings in social and urban space.[22] The description of a building in a *waqf* usually begins with recording its surroundings—the other buildings, streets, and urban artifacts facing or abutting it in all directions. This sets the boundaries of the building and frames it within its urban context. Then comes the sequential description of every individual space in the building as it is seen by a person walking through it. The description ordinarily starts at the entrance and then moves in a set direction, enumerating the various aspects and features of each space in the building. In most cases, the description covers an entire level before moving up to the next. The individual descriptions pay more attention to circulation, especially location of doors, and to the specific functions of parts of the spaces than they do to their appearance. Yet they brought the verbal description of architecture to a sophisticated level where even formulaic expressions carried specific connotations that captured what was culturally important in the structure being described which could affect its monetary value and desirability.

These codified expressions found their way into the descriptions of buildings in the sources. Like the *waqf*s, the historical texts placed very little emphasis on the status of buildings as aesthetic objects to be looked at. They often even ignored it. They cared more about the buildings' contextual effects, experiential qualities, or functional capacity. A building, moreover, was never seen as a separate, stand-alone object: it could only make sense as a component in an urban context or in the landscape, probably a reflection of the prevalent forms of dense layout in the city and scattered pavilion arrangement in the garden. The only exceptions were citadels and isolated caravanserais or *khānqāh*s in the countryside which usually elicited brief comments on their exterior walls and mass and mainly on

[22]Methods for the use of *waqf*s as historical documents in analyzing architecture have been developed by many authors in the recent past. The pioneering scholar was ʻAbd al-Laṭīf Ibrāhīm ʻAlī, ″Wathīqat al-Amīr Ākhūr Kabīr Qarāqujā al-Ḥasanī,″ *Majallat Kullīyat al-Ādāb* 18 (1956): 183–251; idem, ″Al-Wathā'iq fī Khidmat al-Āthār,″ in *Al-Mu'tamar al-Thānī li-al-Āthār fī al-Bilād al-ʻArabīyah* (Cairo, 1958), 205–88. See also Michael Rogers, ″Waqfiyyas and Waqf-Registers: New Primary Sources for Islamic Architecture,″ *Kunst des Orients* 11 (1976–77): 182–96; Muḥammad Muḥammad Amīn, *Al-Awqāf wa-al-Ḥayāh al-Ijtimāʻīyah fī Miṣr (684–923 A.H./1250–1517 A.D.)* (Cairo, 1980); Mona Zakarya, *Deux palais du Caire médiéval: Waqfs et architecture* (Marseilles, 1983); Donald P. Little, ″The Haram Documents as Sources for the Arts and Architecture of the Mamluk Period,″ *Muqarnas* 2 (1984): 61–72; Leonor Fernandes, ″Notes on a New Source for the Study of Religious Architecture during the Mamluk Period: the Waqfiya,″ *Al-Abḥāth* 33 (1985): 3–12. One of the best studies of the architectural particularities of *waqf* formulae and terminology is Hazem Sayed, ″The Rabʻ in Cairo: A Window on Mamluk Architecture and Urbanism,″ Ph.D. diss., MIT, 1987; it is unfortunately still unpublished. For a summary of his research, see his ″Development of the Cairene Qāʻa: Some Considerations,″ *Annales Islamologiques* 23 (1987): 31–53.

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their strength and solidity, as would be expected.[23] Otherwise, hardly any description of an urban façade can be found in Mamluk sources or in *waqf* documents. Only the location of entrances and position of minarets were noted, emphasizing the link between the public space of the street and the building proper. Even interior spaces were seen in the context of their connectivity and functionality and never in an abstracted way as arranged spaces or volumes. Their architectural characteristics were never noticed except to indicate how they were accessed and whether or not they had built-in usable spaces, such as recesses, niches, and alcoves.

Mamluk historical sources and *waqf* documents alike were most concerned with what can be termed the socioeconomic aspects of buildings. They spent most of their energy on discussing patrons, cost, intended functions, capacity for services, and the abundance or inadequacy of the *waqf*s attached to buildings for their upkeep and to support their designated users, and very little on anything else. The form and structure of the source descriptions resembled those found in the *waqf* documents themselves, not only because the two types stemmed from similar literary and legal traditions, but also because many of their authors were also legal experts and may have been personally involved in the redaction of *waqf* documents. The language of one form flowed into the other as authors themselves moved between the two. Many authors even incorporated parts of the *waqf* documents that they had access to, thanks to their position in the administration or the judicial system, in their historical texts describing major buildings, probably because the *waqf* texts already contained in an authoritative style the information they wished to present. This practice in fact has preserved some of the *waqf* texts that otherwise would have disappeared from the record.[24]

Yet there is a small, though structurally and formally significant, difference between the two forms. The chronicles obviously did not have to carry the legal responsibility the *waqf* texts did. They thus were able to adopt a less rigid and formulaic structure and to allow literary tropes and storytelling techniques to permeate their *waqf*-inspired texts and imbue them with informative and entertaining anecdotal, historical, and comparative details.[25] The use of the ″monumental

[23]See my *Citadel of Cairo,* 9–14, 59–60, for an analysis of the texts describing the fortifications of the Cairo citadel.

[24]See, for instance, Ibn ʻAbd al-Ẓāhir, *Al-Rawḍ al-Zāhir fī Sīrat al-Malik al-Ẓāhir,* ed. A. A. al-Khuwayṭir (Riyadh, 1976), 278–79, who copied the section on al-Azhar from an original *waqf* document redacted for the Fatimid caliph al-Ḥākim. Al-Maqrīzī, *Khiṭaṭ,* 2: 273–74, reproduces what appears to be a more complete text from the same *waqf*.

[25]A recent discussion of the purposes and techniques of historical writing in the Mamluk period is Ulrich Haarmann, ″Al-Maqrīzī, the Master, and Abū Ḥāmid al-Qudsī, the Disciple—Whose Historical Writing Can Claim More Topicality and Modernity?,″ in *The Historiography of Islamic*

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category" mentioned earlier is one of these techniques. So are the abundant poetic quotations, which may have been part literary bravado, part expressive tool. The same applies to historical references, mythically based comparisons, and reported conversations which seem often to have been totally fabricated.[26]

This historical reporting laced with *adab* techniques and tropes would have to be seen within the larger framework of the profusion of "literarized" history with a popular bent, observed by some contemporary students of Mamluk history and recently problematized by Ulrich Haarmann as a testing ground for the post-structuralist challenge to the conventional historiographical binary opposition of "narrativity versus facticity."[27] "Narrativity," Haarmann observed, had always enlivened Arabic history writing with its close ties to *adab,* but its treatment by historians varied even during the same time period. Some, like Abū Ḥāmid al-Qudsī, may have intentionally ornamented their accounts to make them more novelistic and enticing, whereas others, like al-Maqrīzī, preferred a more serious, solemn, and learned outlook. The "literarized" modes seem to have expanded in the fourteenth and fifteenth century, when history was apparently a popular subject with a wide readership, judging from the large number of compilations and abridgments of earlier works and of new compositions produced during that period.[28]

The Social and Political Context of Writing on Architecture

The language of the sources dealing with buildings can be summed up as financially concerned, conservatively driven, legally and literarily based, and visually inexperienced, qualities that distinguished the groups to which most of the Mamluk authors belonged. These groups comprised the ulama and the *kuttāb* (the two greatly overlapped in the Mamluk period) and the *awlād al-nās,* or the literarily-inclined sons of Mamluk amirs and soldiers who should be intellectually, socially, and ideologically classified with the ulama and *kuttāb* despite their Mamluk lineage,

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Egypt, 59–75.

[26]See my discussion of a conversation between two powerful amirs of al-Nāṣir Muḥammad, Bashtāk and Qawṣūn, in my "Representing the Mamluks in Mamluk Historical Writing," 72–75.

[27]Haarmann, "Al-Maqrīzī, the Master, and Abū Ḥāmid al-Qudsī, the Disciple," 149–51.

[28]See Ulrich Haarmann, *Quellenstudien zur frühen Mamlukenzeit* (Freiburg, 1970), 129–37; idem, "Auflösung und Bewahrung der klassischen Formen arabischer Geschichtsschreibung in der Zeit der Mamluken," *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 121 (1971): 46–60, esp. 49. A succinct restating of Haarmann's historiographical observations appears in his review of Bernd Radtke, *Weltgeschichte und Weltbeschreibung im Mittelalterlichen Islam,* in the *Journal of the American Oriental Society* 115 (1995): 134. See also Li Guo, "Mamluk Historiographic Studies: The State of the Art," *Mamlūk Studies Review* 1 (1997): 15–43, esp. 33–37.

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Mamluk privileges, and knowledge of the Turkish language.[29] Members of these groups, who can loosely be termed the literati, also formed the reading public for the same sources, which reinforced the development of a closed discourse and facilitated the formation of an endogenous and insular school of history, in which every member was linked in more than one way to the others, and every member´s work was inevitably and immediately measured against the works of others, who practically covered the same terrain.[30] The literati also shared the same general ethos. Their sense of themselves was grounded primarily in educational background, scholarly or chancery specialization, or jurisprudential affiliation *(madhhab)*. But they had little practical notion of group solidarity aside from superficial signs, ranging from dress codes to mannerisms of speech and conduct or their means of memorializing themselves. They nonetheless dominated the production and transmission of knowledge, with the ulama in particular maintaining their hold on the traditional religious functions, which kept them in touch with the people and in a position to affect public opinion. Members of the three groups of literati also controlled the judicial, administrative, educational, and *waqf* services through which they wielded tremendous influence as agents of mediation and arbitration, but hardly ever as agents of social change.[31]

These social groups depended on the Mamluk military elite for their livelihood; the Mamluks patronized and employed them to administer the religious, social, and fiscal systems of the sultanate, because they were the most educated groups. They were, however, excluded from any political decision-making and kept under constant check enforced with the threat of confiscation, arrest, and sometimes exceedingly brutal punishment. This paradoxical situation affected how they expressed their relationship with the Mamluk ruling elite to whom they were financially and socially indebted. A mixture of fear, servility, jealousy, affected flattery, and the occasional diatribe found their way into historical and biographical texts dealing with the Mamluk elite and their achievements and shortcomings. It

[29]See the discussion in Ulrich Haarmann ″Arabic in Speech, Turkish in Lineage: Mamluks and Their Sons in the Intellectual Life of Fourteenth-Century Egypt and Syria,″ *Journal of Semitic Studies* 33 (1988): 81–114, esp. 82–85; idem, ″Joseph´s Law: The Careers and Activities of Mamluk Descendants before the Ottoman Conquest of Egypt,″ in *The Mamluks in Egyptian Politics and Society,* ed. T. Philipp and U. Haarmann (Cambridge, 1998), 55–84.

[30]Donald Little, *An Introduction to Mamlūk Historiography: An Analysis of Arabic Annalistic and Biographical Sources for the Reign of al-Malik an-Nāṣir Muḥammad ibn Qalā'ūn* (Wiesbaden, 1970), 73–99, offers a comparative examination of specific years in the annals of six historians which shows their complicated patterns of interdependence.

[31]For a discussion of these social practices in Damascus in particular, see Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (New York, 1994), 37–54, 108–51.

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colored the ways chroniclers and biographers structured and narrated their prose, and explained its nuances and innuendos.[32]

The Mamluk sources treat architecture, therefore, in a way that reflects not only the personal inclination of an author or the collective social and intellectual structures or even the expectations, tastes, and preferences of the readership. Authors were powerfully beholden to the wishes and interests of their Mamluk patrons and their desire to have their work documented, celebrated, and memorialized. There were certainly sultans, such as Baybars, al-Nāṣir Muḥammad, and Qāytbāy, whose interest in building was pronounced to the point that it affected their rule and how their amirs and notables handled their wealth and expressed their positions in society.[33] Each in his own way and for his own particular set of reasons and preferences endowed the cities of the realm with large numbers of religious, charitable, commercial, military, and palatial monuments. Each also is reported to have been directly involved in the projects he commissioned, sometimes interfering in the planning stages, sometimes dictating the design and decoration of a specific building, and at other times even working on the construction. Commentators on their reigns did not fail to notice this prodigious production and personal involvement and to be impressed by both.[34] Whole sections of the biographies they dedicated to these sultans read like building rolls, recording every project they sponsored in every city of the sultanate. This practice, routine and trivial as it may seem to us, was a historical novelty in the early Mamluk period. This was the first time that an effort was made to list all the building projects and systematically register them in a separate section that could be inserted into what had become an established set of subjects considered essential to the biography of a grandee, especially a sultan: his personal qualities and

[32]For a discussion of the textual techniques these groups used to assert themselves, see my ″Representing the Mamluks in Mamluk Historical Writing,″ 59–75.

[33]David Ayalon went so far as to assert that al-Nāṣir Muḥammad′s predilection for grand building projects drained the Mamluk economy so much that it never recovered; see his ″Muslim City and the Mamluk Military Aristocracy,″ *Proceedings of the Israel Academy of Sciences and Humanities* 2 (1968): 311–29; idem, ″The Expansion and Decline of Cairo under the Mamluks and Its Background,″ in *Itineraires d′Orient: hommages à Claude Cahen,* ed. Raoul Curiel and Rika Gyselen (Paris, 1994), 14–16. The decline of Cairo, which was congruent with the downfall of the Egyptian economy in the second half of the Mamluk period, is complicated and cannot be blamed solely on internal political factors; it still needs a thorough study. Janet Abu-Lughod, *Before European Hegemony: The World System A.D. 1250–1350* (New York, 1989), 224–47, presents a well-balanced synthesis of Egypt′s economic plight in the fourteenth and fifteenth centuries.

[34]Behrens-Abouseif, ″Muhandis,″ 293–95, lists a number of instances in which Mamluk patrons, most notably al-Nāṣir Muḥammad, played a direct role in the design of the buildings they sponsored; see also my *Citadel of Cairo,* 186–90, 277–80, for a discussion of al-Nāṣir Muḥammad's involvement in the remodeling of the citadel and its surroundings.

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virtues, his military campaigns, his embassies, his main associates and functionaries, and his buildings and other projects.

This arrangement seems first to have been introduced into the annals of the reign of Baybars I, an indefatigable builder and the first true organizer of the Mamluk state and system. The individual who can be credited with this biographical innovation is ʻIzz al-Dīn Muḥammad ibn ʻAlī Ibn Shaddād (1217–85), an Aleppine scholar and *kātib* who began his career in his native city in the administration of its last Ayyubid ruler, al-Nāṣir Ṣalāḥ al-Dīn Yūsuf. After the Mongol invasion of Syria in 1260–61, he fled to Cairo and as a distinguished refugee was soon serving in Baybars´ administration, in the entourage of the famous vizier Bahā' al-Dīn Ibn Ḥinnā.[35] Ibn Shaddād´s annals of Baybars´ reign, of which only the last third survive, were recently published. Though probably not officially commissioned, they appear nonetheless to have been approved by the sultan and perhaps even compiled from conversations with him. They were, however, completed after Baybars´ death, during the reign of his son Barakah Khān (1276–79) as is clear from the last section. At the end of the annals, Ibn Shaddād affixes an extended and eulogistic biography of Baybars. In it, he provides an exhaustive list of the numerous structures Baybars built all over his sultanate, structure by structure, and city by city beginning with Cairo and moving on to all the Syro-Palestinian cities in which Baybars sponsored building projects.[36] For the royal structures in or around the Citadel of Cairo—that is, where Ibn Shaddād lived and worked—he sometimes even goes a step further and provides measurements or supplies superlatives to convey the quality of particular structures. He also enumerates the architectural components of every palace and *qāʻah* Baybars built for himself, his son Barakah Khān, and his favorite amirs.[37]

In itself, Ibn Shaddād´s list is unusual, but more remarkable is the attention he devotes to space organization and architectural terminology, certainly rare among medieval historians (the only comparable historians are al-Maqrīzī and Abū Ḥāmid al-Qudsī, both of whom lived more than a century later). Two possible explanations can be advanced for this special treatment. First, the list could simply have resulted from the importance Baybars placed on architecture; he might have ordered these detailed descriptions of his most important projects to be included in his inventory of achievements. But this explanation is weakened by the fact that Ibn ʻAbd

[35]On Ibn Shaddād, see Yoel Koch, ″ʻIzz al-Dīn ibn Shaddād and His Biography of Baybars,″ *Annali: Istituto Universitario Orientale, Sezione Slava* 43 (1983): 249–87; P. M. Holt, ″Three Biographies of al-Ẓāhir Baybars,″ in *Medieval Historical Writing in the Christian and Islamic Worlds*, ed. D. O. Morgan (London, 1982), 19–29.

[36]Muḥammad ibn ʻAlī Ibn Shaddād, *Tārīkh al-Malik al-Ẓāhir,* ed. Aḥmad Ḥuṭayṭ (Wiesbaden, 1983), 339–61.

[37]The buildings are analyzed in my *Citadel of Cairo,* 100–31.

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al-Ẓāhir, Baybars′ official biographer, does not include anything comparable in his otherwise extensive encomium, *Al-Rawḍ al-Zāhir fī Sīrat al-Malik al-Ẓāhir*. Alternatively, Ibn Shaddād′s list could have been inspired by his own expertise and interest in architecture, inducing him to dedicate a disproportionate amount of space to the reporting of building projects. His expertise is apparent from the precise and assured language, attention to detail, and professional terminology displayed in describing his patron's structures. Nor was this interest new: it is already discernible in his important compendium on the history and topography of Syria and the Jazīrah, *Al-A'lāq al-Khaṭīrah fī Dhikr Umarā' al-Shām wa-al-Jazīrah,* commissioned by Baybars and written during his reign, probably in recognition of Ibn Shaddād′s knowledge of the various principalities in those two regions and in preparation for their ultimate annexation to the Mamluk sultanate. *Al-A'lāq,* a pioneering work that anticipated al-Maqrīzī's *Khiṭaṭ* in its orientation, structure, and appreciation of architecture, is divided into sections on Aleppo and its environs, Damascus and its surrounding regions (including Lebanon and Palestine), and the Jaziran cities. It includes a systematic list of the major buildings—citadel, main mosque, madrasahs, *khānqāh*s, and caravanserais—for each city and, in the case of the major cities such as Damascus and Aleppo, the history of each structure in detail as well.[38]

The main difference between *Al-A'lāq* and Ibn Shaddād′s biography of Baybars is that the list of buildings in the latter is presented as the final category of Baybars′ achievements and qualities and is meant to complement and perhaps to illustrate or concretize them. It is an innovative modification to the usual structure of eulogistic biographies where the list of architectural projects undertaken by the subject, in addition to providing a record of the patron′s architectural accomplishments, is invested with propagandistic and political import. Ibn Shaddād′s biography inaugurated a new convention in Mamluk royal and princely biographies: it aimed at comprehensiveness and avoided the usual exaggerated and lyrical invocation of key monuments. His successors all begin to record all the building projects of their subjects, not just the highlights, although no one reaches the same degree of detail that Ibn Shaddād achieved. Later chroniclers, such as Ibn Shākir al-Kutubī (1282–1363) in his biographical dictionary *Fawāt al-Wafīyāt* and Ibn Taghrībirdī (1410–70), the fifteenth-century chronicler and son of a Mamluk amir, in his *Nujūm,* give shorter lists of Baybars′ structures with slight differences from Ibn Shaddād′s, but they both eliminate the description of the citadel′s palaces and *qā'ah*s.[39] The details of the buildings that Ibn Shaddād so

[38]For an analysis of the book, see Muḥammad Sa'īd Riḍā, ″Ibn Shaddād fī Kitābihi Al-A'lāq al-Khaṭīrah, ′Qism al-Jazīrah,′″ *Majallat al-Mu'arrikh al-'Arabī* 14 (1980): 124–204.

[39]Ibn Taghrībirdī, *Nujūm,* 7: 191–97; Muḥammad ibn Shākir al-Kutubī, *Fawāt al-Wafayāt wa-al-*

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relished adding to his essential list thus seem to have been a personal quirk, perhaps a sign of some architectural expertise that was not recorded in his biography. They did not reappear in any later account of building projects by Mamluk patrons.

The Architecturally-Conscious Genres

By the end of the fourteenth century, a significant development can be detected in all the sources dealing with architecture, including the usual annals, biographies, and encyclopedias: they begin to show more interest in the sociocultural, symbolic, and expressive import of buildings. No comprehensive explanation of this shift has ever been offered, but several modern historians, notably Oleg Grabar and R. Stephen Humphreys, have tried to connect it to the sheer number of art objects that were being produced for both the upper and middle classes, including the wealthier *kuttāb* and ulama, and the monuments that were crowding urban space and influencing how people viewed and experienced their cities or used their public areas.[40]

Humphreys and Grabar each used this observation to move in a direction that serves his aims. Humphreys, in a thirty-year-old study that is still quoted today by Islamic architectural historians, used architecture in the city to propose an interpretation of the social dynamics that developed between the Mamluk military elite and their indigenous subjects. He ascribed to the Mamluks, especially in Cairo, a heightened awareness of the role buildings can play in enhancing the reputation of their patrons and in assuring their position in the public eye. He saw in the endless rows of monuments whose façades competed along the streets of Cairo ample proof of that understanding, which he called ″the expressive intent″ of Mamluk architecture. He also detected a ″tension″ between the ostentation and striving for visibility of these monuments and their ostensibly pious and charitable functions, and read it as signifying the merger of the political agenda of the Mamluk military elite and the religious expectations and needs of its Muslim population, at least as it was articulated by the literati whose writing constitute our main source of information. Humphreys singled out other sociopolitical measures effected by the Mamluks, such as the reorganization of the court system under Baybars and the tightening of state control over the ulama class, as other manifestations of the same tension he saw in the architecture between the political and the social and religious forces in the Mamluk society.

Grabar′s purpose was very different. He was seeking to classify and understand Mamluk art and architecture and to highlight the sources useful for their study. In an earlier essay, he had noted a correlation between the level of artistic and

Dhayl ʻAlayhā, ed. Iḥsān ʻAbbās (Beirut, 1973), 1:242.

[40]Grabar, ″Reflections on Mamluk Art″; Humphreys, ″Expressive Intent of the Mamluk Architecture.″

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architectural production all over the Islamic world in the fourteenth century, but especially in the Mamluk sultanate, and the appearance in historical treatises of interpretations that linked the degree of cultural sophistication to sponsorship of art and architecture and interest in city life.[41] He identified Ibn Khaldūn and his distinguished student al-Maqrīzī as the two most prominent protagonists of this correlation, and hailed their two famous works, the *Muqaddimah* of the former and the *Khiṭaṭ* of the latter, as its main illustrations.

This new awareness of the sociological significance of architecture makes its impact felt mostly in the language and orientation of the *masālik wa-al-mamālik* and *khiṭaṭ* books, two interrelated literary genres whose resurgence in the fourteenth century is tied in more than one way to the concurrent interest in architecture and urban development.[42] Traditionally, however, neither *masālik* nor *khiṭaṭ* was primarily concerned with the buildings themselves, their forms and functions, and their intended or perceived messages. *Al-masālik wa-al-mamālik* was essentially a loosely defined *adab* type that was developed out of the combination of several scholarly, literary, and administrative genres including *futūḥ* (chronicles of the conquests), travel and *ziyārāt* (pilgrimage) literature, chancery and *kharāj* (taxation) manuals, and *ṣurat al-arḍ* (cartography).[43] Its framework was geographic, bordering on the cosmographic, with a universalistic Islamic scope that rarely ventured outside the frontiers of the Islamic world. Its heyday was the ninth and tenth centuries when a number of outstanding geographer travelers crisscrossed the Islamic world, compiling their depictions of one Islamic world, after its political unity held together by the Abbasid caliphate had passed. Buildings figured in it primarily as unusual and distinguishing features of a region or city. They would be noted in passing in a fashion akin to the way the natural and supernatural *'ajā'ib* of a place, including unusual or ancient monuments, were often mentioned.

The startling early victories of the Mamluks against the Crusaders and the Mongols in the thirteenth century reinvigorated the literati and renewed their trust in Islamic political and territorial unity. The *masālik*'s orientation moved toward the geopolitical, a shift exemplified by the seminal work of Ibn Faḍl-Allāh al-'Umarī

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[41]Oleg Grabar, "Reflections on the Study of Islamic Art," *Muqarnas* 1 (1983): 1–14, esp.10–11.

[42]This new awareness seems to have affected even the traditional form of *adab* collections. A fascinating example is 'Alī ibn 'Abd Allāh al-Bahā'ī al-Ghazūlī (d. 1412), *Maṭāli' al-Budūr fī Manāzil al-Surūr* (Cairo, 1882), which integrates in an unprecedented way a number of architectural elements, such as fountains, tanks, and wind catchers, in the list of topics that an *adīb* needs to be able to discuss and to summon literary quotations about in his function as a literary companion.

[43]André Miquel, *La géographie humaine du monde musulman jusqu'au milieu du 11e siècle* (Paris, 1967–80), 1:267–330; Ulrich Haarmann, "Auflösung und Bewahrung der klassischen Formen," 46–60; idem, review of *Weltgeschichte und Weltbeschreibung im mittelalterlichen Islam,* by Bernd Radtke, *Journal of the American Oriental Society* 115 (1995): 133–35.

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(1301–49), *Masālik al-Abṣār fi Mamālik al-Amṣār,*[44] compiled in the late 1330s when the author was serving as a high administrator at the court of al-Nāṣir Muḥammad, including a stint as the sultan′s private secretary *(kātib al-sirr)* between 1329 and 1332. In addition to geographical surveys of the countries of Islam and their immediate neighbors, al-‘Umarī provides topographic descriptions of important Islamic cities and holy sites and firsthand information on the ceremonies and duties of their rulers and lists of the ranks, functions, and protocols of their officials and caretakers. Buildings in his text are presented in their sociopolitical context as expressions of dynastic and royal pride and splendor and as positive architectural achievements functionally and spatially distinguishing their urban setting. In other words, they are seen as cultural artifacts.

The *khiṭaṭ* form is an almost exclusively Egyptian and significantly more localized genre than the *masālik wa-al-mamālik*. Its cosmocentric focus is often linked to a deep-rooted affinity with Egypt as a homeland which persists in the writing of Egyptian historians from the early Islamic period on.[45] These feelings intensified in medieval times, especially after the establishment of the Fatimid caliphate, which created in Egypt a new and vigorous authority independent of Baghdad.[46] In the *khiṭaṭ* books, they are thought to have found expression in careful and meticulous descriptions of Egypt′s topography, history, and monuments, and particularly Cairo as Egypt's capital and major political, economic, and cultural center. Within this framework, buildings most often appear as urban landmarks examined in the context of their streets and neighborhoods. Their patrons, costs, and circumstances are also noted and their historical significance weighed.

The *khiṭaṭ* genre reached its apogee around the middle of the fifteenth century with Taqī al-Dīn Aḥmad al-Maqrīzī′s *Al-Mawā‘iẓ wa-al-I‘tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār*. Composed between 1417 and 1439/40, this magisterial compendium offers the most elaborate and spirited testimony we have of Islamic Egypt's urban history.[47] In his introduction, al-Maqrīzī describes his book as a ″summary of the

[44]Dorothea Krawulsky, introduction to al-‘Umarī, *Masālik,* 15–37.

[45]The idea that Egypt had a specific character and was a clearly defined entity is the theme of many Egyptian historical and analytical studies. See especially Jamāl Ḥamdān, *Shakhṣīyat Miṣr: Dirāsah fī ‘Abqarīyat al-Makān* (Cairo, 1980–84), passim. More recent studies include Milād Ḥannā, *The Seven Pillars of the Egyptian Identity* (Cairo, 1994); ‘Izzah ‘Alī ‘Izzat, *Al-Shakhṣīyah al-Miṣrīyah fī al-Amthāl al-Sha‘bīyah* (Cairo, 1997); Muḥammad Nu‘mān Jalāl and Majdī Mutawallī, *Hāwiyat Miṣr* (Cairo, 1997); Ṭal‘at Raḍwān and Fatḥī Raḍwān, *Ab‘ad al-Shakhṣīyah al-Miṣrīyah: Bayna al-Māḍī wa-al-Ḥāḍir* (Cairo, 1999).

[46]Claude Cahen, ″Khiṭaṭ,″ *The Encyclopaedia of Islam,* 2nd ed., 5:22; Jack A. Crabbs, Jr., *The Writing of History in Nineteenth-Century Egypt* (Detroit, 1984), 115–19.

[47]Muḥammad ‘Abd Allāh ‘Inān, *Miṣr al-Islāmīyah wa-Tārīkh al-Khiṭaṭ al-Miṣrīyah* (Cairo, 1969), 52–54.

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history of the monuments of Egypt from the earliest times, and of the surviving structures in Fusṭāṭ, and the palaces, buildings, and quarters of al-Qāhirah with short biographies of their patrons and sponsors.″[48] This is the most straightforward definition of a *khiṭaṭ* book we have and a rather truthful and precise description of the scope of the book, which briefly covers Egyptian cities other than the two capitals, expands its range when it deals with Fusṭāṭ, but reserves the most detailed treatment for Fatimid al-Qāhirah and its Ayyubid and Mamluk extensions. Al-Maqrīzī also presents a concise statement of the reasons behind the writing of the book, the most prominent of which is his filial affection toward his country, his city, and even his *ḥārah* (neighborhood), Ḥārat al-Burjūwān in the heart of Fatimid al-Qāhirah, which had prompted him since his youth to collect every bit of information on its history he came across. Miṣr (in this context probably meaning both the country and the city) was, according to him, ″place of my birth, playground of my mates, nexus of my society and clan, home to my family and public, the bosom where I acquired my wings, and the niche I seek and yearn for.″[49]

Al-Maqrīzī′s method was influenced by the sociohistorical theories of his revered teacher, the great Ibn Khaldūn, with whom he studied for a long time.[50] The overarching cycle of the rise and fall of dynasties that formed the basis of Ibn Khaldūn′s hermeneutical framework in explaining historical process seems also to have informed al-Maqrīzī′s thinking and structuring of his *Khiṭaṭ,* albeit indirectly.[51] Al-Maqrīzī seems to have subsumed the Khaldunian structure in his text as a way of classifying and understanding the vast amount of historical, topographic, and architectural material he had collected over the years. He seems to have devised an analogous cycle of prosperity and urban expansion followed by decay and urban contraction to frame his exposition of the fate of Cairo under the successive dynasties that governed Egypt in the Islamic era: the Tulunids, Ikhshidids, Fatimids, Ayyubids, and Qalawunid and Circassian Mamluks. The political fortune of each of these dynasties or families is plotted against the fluctuations of the urban and

[48]Al-Maqrīzī, *Khiṭaṭ,* 1:2–3.

[49]Ibid., 1:2.

[50]Al-Maqrīzī, *Durar al-ʻUqūd al-Farīdah fī Tarājim al-Aʻyān al-Mufīdah,* ed. A. Darwīsh and M. al-Maṣrī (Damascus, 1995), 2:63, 193; idem, *Khiṭaṭ,* 1:50, 2:76, for the passages directly copied from Ibn Khaldūn′s dictation, and bearing dates spanning more than ten years.

[51]The influence of Ibn Khaldūn′s interpretive framework is evident in a number of short thematic books by al-Maqrīzī, such as his treatise on the calamity of the early fifteenth century, *Ighāthat al-Ummah bi-Kashf al-Ghummah,* and his analysis of the rivalry between the Umayyads and the Abbasids, *Al-Nizāʻ wa-al-Takhāṣum fīmā bayna Banī Ummayah wa-Banī Hāshim.* See M. Muṣṭafá Ziyādah, ″Tārīkh Ḥayāt al-Maqrīzī,″ in *Dirāsāt ʻan al-Maqrīzī: Majmūʻat Abḥāth,* ed. M. Ziyādah et al. (Cairo, 1971), 13–22; see also Adel Allouche, *Mamluk Economics: A Study and Translation of al-Maqrīzī′s Ighāthah* (Salt Lake City, 1994).

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architectural prosperity of Cairo in a way that echoes the Khaldunian cyclical view of human history.[52]

In this recursive scheme, architecture constituted the visual, palpable, and measurable signifier of every stage in the historical cycle of the rise and fall of Cairo. Buildings, streets, the entire city, and the whole country were analyzed and meticulously described by al-Maqrīzī, not only because they embodied the obviously idealized past but also because they narrated through their particular architectural and urban forms the history of Egypt under its various rulers. Al-Maqrīzī´s work, under the combined impact of his passionate attachment to his city and the theoretical framework he absorbed from his teacher, is an idiosyncratically melancholy and culturally-oriented architectural and urban history which introduces a new role for architecture as the agency of both personal memories and collective aspirations. Such a powerful evocation of the meaning of architecture will not again be articulated as purposefully as al-Maqrīzī did until Victor Hugo wrote the celebrated chapter ″Ceçi Tuera Cela″ for his medieval novel, *Notre Dâme de Paris,* published in 1832, to convey the role of architecture as the carrier of meaning for historical cultures.[53]

With al-Maqrīzī´s *Khiṭaṭ,* we reach the most elaborate exploration into history writing through the chronicling of buildings and topography that remains an exception in Mamluk historiography. Although the book was copied and abridged numerous times by later Mamluk and Ottoman historians, as evidenced by its more than 185 extant manuscripts, no later Mamluk historian seems to have managed to absorb the method adopted by al-Maqrīzī from Ibn Khaldūn or to capture the mood and intensity displayed in al-Maqrīzī´s text. Mamluk historians continued to produce books on urban and architectural history, such as al-Suyūṭī´s *Ḥusn al-Muḥāḍarah fī Tārīkh Miṣr wa-al-Qāhirah,* or Abū Ḥāmid al-Qudsī's (and not Ibn Ẓāhirah as the published book asserts)[54] *Al-Faḍā'il al-Bāhirah fī Maḥāsin Miṣr wa-al-Qāhirah,* or Ibn Shāhīn al-Ẓāhirī's *Zubdat Kashf al-Mamālik wa-Bayān al-Ṭuruq wa-al-Masālik*. But although they all show an understanding of the sociocultural significance of architecture, they all revert to older methods or frameworks, such as that of *faḍā'il,* or the *masālik* format, or the classificatory listings of early *khiṭaṭ* books with no underlying historical or cultural interpretations.

[52]The most clearly structured cycles are those of Tulunid al-Qaṭā'i' and Fatimid Cairo, al-Maqrīzī, *Khiṭaṭ,* 1:313–26 and 360–65 respectively.

[53]Victor Hugo, ″Ceçi Tuera Cela,″ Livre Cinquième, pt. 2., *Notre Dâme de Paris* (Paris, 1830–32).

[54]As convincingly argued by Haarmann, ″Al-Maqrīzī, the Master, and Abū Ḥāmid al-Qudsī, the Disciple,″ 154–55. Abū Ḥāmid al-Qudsī´s predilection for architecture and urbanism characterizes most of his work. See, for instance, his short treatise, *Al-Fawā'id al-Nafīsah al-Bāhirah fī Bayān Ḥukm Shawāri' al-Qāhirah fī Madhāhib al-A'immah al-Arba'ah al-Ẓāhirah,* ed. Amāl al-'Umarī (Cairo, 1988).

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Conclusion

This essay has attempted to articulate and contextualize the perception of architecture as gleaned from the Mamluk historical sources. For modern historians and architectural historians dealing with these sources, the findings presented here raise a number of methodological and historiographical questions.[55] The formidable architectural production of the Mamluk period suggests that architecture played a substantial role in the display, articulation, assertion, transfer, and symbolizing of wealth, social status, and perhaps other values as well. Most historians and architectural historians normally begin their analysis with this observation and ″read″ the architecture itself—and more readily its inscriptions—for clues about its significance to its society. They then scout the sources to confirm or further their formulations, glossing over the elementary fact that these sources do not necessarily represent common attitudes toward architecture in the Mamluk society at large. This oversight has led to a variety of sometimes conflicting, sometimes impressionistic interpretations, many of which rest on thin historical conjecture, which has prompted some observers to question the validity of the entire exercise of searching for architectural meaning.[56]

Before using the sources for interpreting the meaning of architecture for Mamluk society, one must first understand their peculiarities and commonalities. For, aside from individual quirks, these sources essentially reflect the collective background, education, and social manipulations of their authors and, to a lesser extent, their readers, both of whom were almost certainly restricted to members of the educated classes. What they really and clearly tell us is that, for this influential and vocal group in Mamluk society, architecture was mainly thought of as a tool of political and personal propaganda and of legal and financial gain, as a source of complaint and employment, and perhaps of entertaining anecdotes. But it was puzzling aesthetically and almost meaningless symbolically. The few exceptional observers—‘Abd al-Laṭīf al-Baghdādī, Ibn Shaddād, Ibn Faḍl Allāh al-‘Umarī, al-Maqrīzī, and Abū Ḥāmid al-Qudsī—added primarily sociocultural and historical dimensions to the meaning of architecture, but their dealing with it remained

[55]Some, of course, reject the whole historical method and emphasize the particularity of Islam as a religion in endowing all of its art and architecture with somewhat suprahistorical, spiritual, and esoteric qualities. For a discussion of this demarche with an emphasis on the Mamluk period see Aly Gabr, ″The Traditional Process of the Production of Medieval Muslim Art and Architecture: With Special Reference to the Mamluk Period,″ *Edinburgh Architectural Research* 20 (1993): 133–59.

[56]Bloom, ″Mamluk Art and Architectural History,″ 40, dropped the whole issue by exclaiming, ″It remains to be proven that Mamluk builders gave a hoot about symbolic meaning.″ I am not sure whether he meant ″builders″ specifically or was referring to the entire Mamluk society.

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essentially textual, literal, and unarchitectural. Al-Maqrīzī is obviously a special case. Although he too did not proffer an ″architectural″ understanding of architecture as we conceive of it today, his ingenious induction of the elements of the built environment as historical indices in the service of his overall interpretation of the history of Egypt put him in a class by himself. But this methodological innovation is not why he is usually consulted by modern historians. The exceptional historians otherwise did not really break rank with their social support group, the literati, either intellectually or politically, and therefore cannot be seen as representing a fundamentally different take on the meaning of architecture as seen from their vantage point.

This condition colors all modern explanations of Mamluk architecture which perforce have had to go through the prism of the sources before reaching their conclusions. Thus, we know practically nothing about the views of the architects (or master builders), or the general population for that matter, simply because their voices are never heard in the sources.[57] Conversely, the patrons—either members of the ruling Mamluk class or, to a lesser degree, wealthy merchants and ulama—appear to have played a major or defining role in the conception of architecture and its eventual signification and appreciation. They are not only said to have contributed to the design and decoration of the buildings they commissioned,[58] but they are also presented as the ones whose tastes, attitudes, and preferences habitually gave architecture its extra-artistic and extra-functional significance. Therefore, one could argue that the widespread and accepted scholarly assumption of today that Mamluk architecture should be understood primarily through the roles, aspirations, and circumstances of its patrons is predicated on the peculiar structures and limitations of the sources, as well as on the complex relationships that their authors, as individuals but primarily as social groups, had with the Mamluk elite. Elementary as it might seem, this conclusion helps us keep in mind that, although our views on the signification of Mamluk architecture are tilted toward a large role for the Mamluk ruling class, this bias is intrinsically sustained and probably exaggerated by none other than their sometime satisfied, sometime disgruntled interpreters, the Mamluk historians.[59]

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[57]See my interpretation in ″Architects and Artists in Mamluk Society: The Perspective of the Sources,″ 30–37.

[58]Behrens-Abouseif, ″Muhandis,″ 293–95, reminds us that many early Mamluk patrons, most notably al-Nāṣir Muḥammad, played a direct role in the design of the buildings they sponsored.

[59]I am here obviously pushing Ulrich Haarmann's salient observation about the presumed objectivity of the sources to locate their subjectivity in their collective mindset and their complicated relationships to the Mamluk elite. See Haarmann, ″Al-Maqrīzī, the Master, and Abū Ḥāmid al-Qudsī, the Disciple,″ 150. See my full argument on the problem of representation in Mamluk sources in general in ″Representing the Mamluks in Mamluk Historical Writing.″

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Qāytbāy´s Diplomatic Dilemma Concerning the Flight of Cem Sultan (1481–82)

In the spring of 1482, for the second time in as many years, the forces mustered in Anatolia by the Ottoman prince Cem Sultan proved inadequate to wrest the throne from his brother Bayezid. The defeated prince took to flight, eventually finding refuge with the Knights of St. John at Rhodes. His subsequent career as a pawn of European diplomacy, a cudgel with which various Christian potentates could threaten Bayezid into good behavior, is of course of great interest to those studying the dynamics of Ottoman-Latin relations and, indirectly, to the historian of the Mamluks. In the increasingly complex world of Eastern Mediterranean diplomacy, few events were of purely bilateral interest.

It is not Cem´s European career, however, that we shall concern ourselves with in this article, but rather the events of the preceding year. For in the events of fall 1481 through spring 1482 lay what may well have been the final, crowning insult in the steady deterioration of relations between Istanbul and Cairo—the refuge given by the Mamluk sultan Qāytbāy to Cem Sultan after his first defeat.

Contrary to the interpretation of historians such as Gaston Wiet,[1] relations had hardly been cordial in the immediately preceding years. Propinquity always seemed to strain relations, and as far back as the reign of Yıldırım Bayezid I (1389–1402), whose conquests in Anatolia brought the frontiers of the two states ever closer, Cairo had looked with some concern at the activities of their parvenu neighbor. The westward shift of the Ottoman frontier following Tamerlane´s invasion had contributed to a renewal of a distant cordiality, but in the third quarter of the fifteenth century relations were again showing signs of tension. Long gone was the fraternal good feeling that prevailed in the days of Murad II (1421–1451) and Jaqmaq. Although Sultan Īnāl sent a message of pious congratulation to Fâtih Mehmed II (1451–81) on the conquest of Constantinople, that very event can be seen as having marked the beginning of the renewed deterioration; the old power watched warily as Mehmed enjoyed continuing success, and the frontiers of the two states again drifted closer. Their mutual suspicion was played out in a struggle to establish influence over the Dulgadır, one of the last of the semi-independent

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[1]See, for example, his ″Deux princes ottomans à la cour d´Égypte,″ *Bulletin de l´Institute égyptien* 20 (1938): 138–39.

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buffer states. They did for some time cooperate on the matter of the Karamanids, whom each seemed to regard as a nuisance, but even this cooperation had evaporated, and the last Karamanid prince, Kasım Bey, was living in exile in İçel, on the western fringe of Mamluk-controlled Cilicia.[2]

We shall never be able to know with certainty the ultimate target of Mehmed's final campaign as he headed east into Anatolia in the spring of 1481. Perhaps he was renewing his assault on the Hospitallers at Rhodes, but his biographer Tursun Bey asserts that he had decided finally to deal with the Mamluks, and at least one modern biographer agrees.[3] On May 3, after a short illness, the Conqueror died at Gebze.

The lack of any clear guidance for political succession, let alone a principle of primogeniture in Islamic law, had contributed to chaos and civil war in Islamic polities since the murder of the caliph 'Uthmān in 656, and the similar lack of these principles in the Turkic tradition, combined with the practice of distributing territories to family members as appanage, only served to exacerbate the problem in Turco-Islamic lands. The Ottomans had, of course, established a practice of fratricide, by which the son who, upon the death of his father, first reached the capital and secured the support of key elements in the ruling elite would have all his brothers put to death without delay. The practice can be traced to Bayezid I, who had his brother Yakup murdered following his father's death at Kossovo; it was, however, Mehmed II who had it codified, making it not only permissible but praiseworthy or even obligatory as a means to avoid political unrest.[4]

The key to survival, then, if you were a royal prince, was to secure the support of the high military and administrative officers, preferably even before the old sultan died, and to bolster that position by being on the spot as quickly as possible after his death. Complicating the matter was that royal princes were routinely sent

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[2]The exact administrative status of the towns of the western end of Cilicia (Cilicia Trachea or Turk. İçel) at this time is ambiguous, but Ghars al-Dīn Khalīl ibn Sulṭān al-Ẓāhirī (*Zubdat Kashf al-Mamālik wa-Bayān al-Ṭuruq wa-al-Masālik,* ed. P. Ravisse [1893; reprint, Cairo, 1988], 50) states clearly that Mersin and Tarsus at least were dependencies of Aleppo; Popper, however, seems to place Mersin outside Mamluk territory (see *Egypt and Syria under the Circassian Sultans, 1382–1468 A.D.: Systematic Notes to Ibn Taghrî Birdî's Chronicles of Egypt*, University of California Publications in Semitic Philology, vols. 15–16 [Berkeley, 1955–57], 15:11, 17, 51, map 2, 18).

[3]*The History of Mehmed the Conqueror,* edited and translated by Halil İnalcık and Rhoads Murphey, American Research Institute in Turkey Monograph Series, no. 1 (Minneapolis and Chicago, 1978), 156b; Franz Babinger, *Mehmed the Conqueror and His Time,* translated by Ralph Manheim (Princeton, 1978), 402–3.

[4]See Babinger, *Mehmed the Conqueror*, 65–66, and A. D. Alderson, *The Structure of the Ottoman Dynasty* (Oxford, 1956), 25–26, who says that Mehmed's ″Law of Fratricide″ was ″supported by references to the Koran and the authority of the ulema.″

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out, from adolescence on, to learn the business of government by serving as provincial governors. It was, in consequence, advantageous to have a gubernatorial assignment fairly close to the capital.

Mehmed´s death, as we have seen, was rather sudden. Barely fifty, he was apparently well enough to set out on campaign, only to fall ill and die soon after his departure. His two surviving sons, Bayezid and Cem, had been assigned to Amasya and Karaman respectively. Upon the sultan´s death, a revolt at Istanbul among the janissaries was capped by the murder of the grand vizier Karamanî Mehmed, a partisan of Cem; the janissaries, who were mostly supporters of Bayezid, clamored for calling their favorite in from Amasya. The acting grand vizier, no doubt eager to avoid the fate of his predecessor, did everything to expedite Bayezid´s return; in the meantime, Bayezid´s son Korkud was temporarily placed on the throne. With this support, Bayezid arrived and took the throne, probably around 27 Rabī'I/26 May; his brother Cem, who had considerable support among the old Turkish element, was still well out of the way, in Karaman.

If Cem´s posting had made it impossible to secure his position at Istanbul upon Mehmed´s death, it also afforded him a natural base of power from which to contend with his brother for the throne. He had apparently proposed to Bayezid that they divide the empire between them.[5] This proposal Bayezid not unexpectedly rejected, and Cem must have known what to expect, for his father´s ″fratricide″ decree was quite explicit. He was clearly not prepared to calmly await the summons to the capital and the inevitable bowstring, and he seems to have had the support of both Ottoman and Karamanid elements. What happened next has been the subject of much embellishment and controversy. One early account, short on detail but also relatively free of later accretion, is that of the historian Oruç:

> After [Mehmed´s death and the rioting of the janissaries], Bayezid took the throne on Saturday, 19 Rabī'I 886 [18 May 1481]. He sat for a few days and then sent the Beylerbeg of Rumelia to Sofia.
>
> On his side, Cem Sultan, having seated himself on the throne of Karaman and having listened to the advice of some political intriguers *(bir kaç müfsidler sözüne uyup),* set out with his army. He reached Bursa, seized the treasury there, and settled in. Bayezid heard this news, ordered Gedik Ahmed Paşa in from Apulia [where he had been campaigning], and gathered the army. With the janissaries and the *kapıkulları* he set out from Istanbul, and [the two armies] met at Yenişehir. There was a battle and many men died. In the end Cem Sultan´s army fled to Bursa, and Cem himself

[5]Halil İnalcık, ″Djem,″ *Encyclopaedia of Islam*, 2nd ed., 2:529.

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> went back to Karaman. Sultan Bayezid came after him. Cem abandoned Karaman and fled to Egypt. From there he went to the Hejaz.
>
> Sultan Bayezid brought the army back to Gedik Ahmed, and sent him to Karaman. . . . Gedik Ahmed conquered the section of Karaman of the Dış Varsak.
>
> For his part, Cem Sultan, returning from the Hejaz, again arrived in Karaman. With the agreement of the Varsak and Turgut tribes, and [some] tribal chieftains, he again fought with Sultan Bayezid. Cem was unable to stand up to Bayezid and was defeated. He fled, taking to the sea. He reached the land of the Franks.[6]

While there are the usual slight discrepancies concerning the chronology, the battle of Yenişehir took place on or about 22 Rabī'II/20 June.[7] After the battle the victorious Bayezid returned to Istanbul to reassume the throne, which had temporarily been assigned to Korkud as regent until a clear victor should emerge.[8]

Cem, for his part, fled first to Konya, where he gathered up his family, and then fled south. (Indeed, Cem brought his mother with him; she remained at Cairo when he embarked on his further adventures, and died there in 1498, surviving her son by some four years.)[9] Most sources that mention his route at all speak of him going from Konya to Tarsus, which would involve passing either by way of Gülek or Mut-Silifke. The former seems to be suggested by the *Vaki'at-i Sultan Cem*, which speaks of him crossing the Bolkar Range of the Taurus.[10] At Tarsus he was greeted by Kasım Bey, and thence proceeded to Adana and Antioch.

The fugitive prince and the Mamluk sultan now entered into negotiations, probably with the atabeg of Aleppo, Özbeg, acting as an intermediary. Again, establishing a chronology is a bit difficult. The date given by Wiet, April 1481,[11] is obviously wrong. The Damascene Ibn Ṭūlūn reports that by 22 Jumādá I/19 July Cem had received permission the cross the frontier and was already at

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[6]Oruç, *Die frühosmanischen Jahrbücher des Urudsch,* ed. Franz Babinger, Quellenwerke des Islamischen Schrifttums, vol. 2 (Hannover, 1925), 131–32; *Oruç Beg tarihi,* prepared by Nihal Atsız, Tercüman 1001 Temel Eser, vol. 5 ([Istanbul], 1972), 129–30.

[7]*Vaki'at-i Sultan Cem*, ed. Mehmed Arif ([Istanbul], 1330/[1914]), 2.

[8]Sydney Nettleton Fisher, *Foreign Relations of Turkey: 1481–1512*, Illinois Studies on the Social Sciences, vol. 1, no. 1 (Urbana, Illinois, 1948), 17–19.

[9]Gaston Wiet, ″Refugiés politiques ottomans en Égypte,″ *Arabica* 1 (1954): 261.

[10]*Vaki'at-i Sultan Cem*, 3. This would seem to be an odd choice, since it involved a much longer journey before he crossed the mountains and got out of reach of his pursuers.

[11]Wiet, ″Deux princes ottomans,″ 139.

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Damascus.[12] Ibn Iyās, on the other hand, tells us that only in Jumādá II, that is to say 28 July at the earliest, did word of the battle of Yenişehir and of Cem´s arrival at the frontier even reach Cairo.[13] While this might at first seem an improbably long delay, it is in part corroborated by what we learn from the *Vakí´at,* which reports that Cem reached Aleppo on 22 Jumādá I (19 July), where he met with Özbeg.[14] The latter, we may gather from Ibn Iyās, then reported to Cairo.

It would have been interesting to be privy to the deliberations that summer among Qāytbāy and his amirs, for the situation was delicate, and called for the nicest sort of political judgment. To admit Cem would almost certainly offend Bayezid and provide him, if he wanted one, with a *casus belli.* There had been trouble before over fugitives, and Cem was no paltry rebellious governor or amir, but rather a pretender who was a direct threat to Bayezid´s throne and life. How should such a fugitive, or any fugitive, be treated?

Within the context of contemporary political theory there is some guidance on the matter. In his short treatise on geography and administration, al-Ẓāhirī devotes some space to how the Muslim sovereign should deal with fugitives:

> The sovereign should not allow a fugitive from a neighboring monarch to become an intimate, and should not disclose confidential matters to him, but rather should honor him and keep him at a distance.
>
> If the fugitive comes from a monarch in a state of enmity with the sovereign, one of two possibilities is true: either the fugitive is lacking in loyalty, having not perceived the loyalty he owed to his master; or there is some deception, so that he might obtain information about the kingdom, and communicate it to the monarch he supposedly fled; perhaps, indeed, he will sow dissatisfaction among the troops.
>
> If the fugitive comes from a monarch friendly with the sovereign, he should be kept at a distance out of concern for the sensibilities of the monarch from whom he has fled. If the fugitive has a death sentence hanging over him when he seeks refuge, the words of the commander of the faithful come forward: ″Beware that you not obstruct the punishments of God.″ And if he has committed some [other, lesser] crime, and has asked forgiveness for it, it is fitting

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[12]*Mufākahat al-Khillān fī Ḥawādith al-Zamān,* ed. Muḥammad Muṣṭafá (Cairo, 1962), 1:43.

[13]Muḥammad ibn Aḥmad Ibn Iyās, *Badā'i' al-Zuhūr fī Waqā'i' al-Duhūr,* ed. Muḥammad Muṣṭafá (Cairo and Wiesbaden, 1982–84), 3:183.

[14]*Vakí´at-i Sultan Cem,* 4.

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> that the sovereign should intercede and seek to return him to his master.[15]

The gist of this curious and paradoxical advice is that while it is a mistake for the sovereign to associate too closely with any fugitive, it is the fugitive from a friendly neighbor who perhaps merits favor. Cem certainly had a death sentence hanging over him, but one that derived not from any rigid principle of Holy Law, but from a peculiarity of Ottoman dynastic tradition, codified by Mehmed (and confirmed by *fatwá* from the Ottoman ulama, whose authority the Mamluk sultan was hardly obliged to accept). In such a case, Qāytbāy was under some obligation to intercede on the fugitive´s behalf, to attempt to effect some sort of reconciliation.

In the end it was decided to allow Cem to cross the frontier (which technically he had already done) and to be brought to Cairo ″with a few of his men″ *(fī qalīl min ʻaskarih),*[16] although these ″few″ may have amounted to about one hundred men.[17] Qāytbāy clearly did not want to be seen giving refuge within his frontiers to a whole rebel army, merely, as was fitting, to an Ottoman prince. Meanwhile, preparations were begun at Cairo for Cem´s arrival.

The pace of Cem´s entourage south through Syria was a leisurely one; either Cem himself felt no urgent need to get to his audience with Qāytbāy, or Cairo had arranged that his trip be a slow one to allow time to prepare his reception and, no doubt, to define their policies further. Between his arrival at Aleppo and his arrival at Damascus a full month had elapsed, although in part this delay may be owing to the fact that he and many of his entourage had fallen ill. Arriving in Damascus 25 Jumādá II/21 August, he tarried there at least a week, but probably more. Everywhere he went the local officials greeted him warmly and honored him in various ceremonies. He left Damascus around 3 Rajab/28 August, reaching Jerusalem 13 Rajab/7 September.[18] Traveling thence via Gaza, he finally arrived at Cairo in Shaʻbān (i.e., the last week of September at the earliest).[19]

Even upon his arrival at Cairo Cem did not immediately meet with the sultan. First came more receptions and feasts with the various Mamluk amirs. Finally, in a lavish procession he was led up to the citadel. There in the courtyard he finally met with Qāytbāy. The sultan greeted his guest warmly, and showered him with a variety of gifts, including a lavish robe, but pointedly did not stand when receiving

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[15]Al-Ẓāhirī, *Zubdah,* 60–61.

[16]Oruç, *Jahrbücher,* 131–32; İnalcık, ″Djem,″ 529.

[17]Ibn Ṭūlūn, *Mufākahat al-Khillān,* 1:43.

[18]Wiet, ″Deux princes ottomans,″ 139–41; Ibn Ṭūlūn, *.Mufākahat al-Khillān,* 1:43; *Vakiʻat-i Sultan Cem,* 4.

[19]Ibn Iyās, *Badāʼiʻ al-Zuhūr,* 3:185; Ibn Ṭūlūn, *.Mufākahat al-Khillān,* 1:47; *Vakiʻat-i Sultan Cem*, 4.

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him. This was a marked breach of protocol, but Qāytbāy clearly had no intention of further antagonizing Bayezid by treating his wayward brother as he would a fellow sovereign.[20] At least at this juncture Qāytbāy seems not to have decided to back Cem´s claims to the Ottoman throne.

Cem was lodged at the house of Ibn Julūd, the *kātib al-mamālīk* (a civilian official, not one of the Mamluk military aristocracy). In the following two months he attended a round of social functions (he was an honored guest when the *kātib al-sirr*—the ″confidential secretary,″ another civilian official—celebrated the circumcision of his sons), culminating with the *ʿīd* celebration marking the end of the Ramaḍān fast (23 November 1481), which he observed with Qāytbāy at the citadel in the company of the great amirs.[21]

Shortly thereafter Cem asked for the sultan´s leave to go on pilgrimage to the Holy Cities. Not only did Qāytbāy give his permission for the trip, but he gave Cem and his entourage a lavish send-off as well, and provided him with funds for his pious journey.[22] Cem´s departure for the Hejaz must actually have been a bit of a relief for Qāytbāy. It gave him and his amirs more time to consider the situation and what needed to be done next with their awkward guest.[23] Now no decision had to be made immediately: Cem was, after all, not a fugitive at all, but rather a Muslim prince whom they received as he passed through their lands in fulfillment of a religious duty. Who was Qāytbāy to interfere with such a mission? The hard decisions could be put off until later.

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[20]Ibn Iyās, *Badāʾiʿ al-Zuhūr,* 3:185. Ibn Iyās´s account is not quite consistant with that of the *Vakiʿat-i Sultan Cem,* where we are told that there was ″handshaking and embracing″ between the two (musafaha ve muʿanaka idüb); but Qāytbāy does seem to stop short of recognizing Cem as a fellow sovereign, referring to him as ″my son″ *(oğlum)* rather than ″my brother.″

[21] Ibn Iyās, *Badāʾiʿ al-Zuhūr,* 3:185–87, 189; *Vakiʿat-i Sultan Cem*, 4. On the status of the *kātib al-mamālīk* and the *kātib al-sirr*, see Popper, *Notes to Ibn Taghrî Birdîʿs Chronicles*, 15:97, 100.

[22]Ibn Iyās, *Badāʾiʿ al-Zuhūr,* 3:190.

[23]Although Ibn Iyās says somewhat enigmatically that Qāytbāy had ″made up his mind about Cem″ (ʿazima al-sulṭān ʿalá al-Jumjumah). *Badāʾiʿ al-Zuhūr,* 3:187.

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Up to this point, there is little disagreement among our sources about what happened, although many of the major Ottoman sources gloss over or fail entirely to mention Cem´s initial stay in Egypt.[24] While in the Hejaz he seems to have devoted himself to the usual activities of a pilgrim.

Shortly after his return from the hajj in Muḥarram 887/February-March 1482 Cem began to make it clear that he was determined to return to Anatolia to make another bid for the throne. This decision he discussed at a meeting, or several meetings, with Qāytbāy and his inner circle.[25] Ibn Iyās is vague about what had brought about this new resolve; he merely tells us that ″Cem grew restless with his stay at Cairo and sought to return to his country to make war on his brother.″[26] On this point the Ottoman sources, with the exception of Oruç and the Anonymous *Tevarih*, tell us more, and both the *Vaki´at* and the broader chronicles are in agreement. The entreaties of some Anatolian beys, especially of Karamanoğlu Kasım Bey from his own place of exile in İçel, seem to have convinced Cem that he had sufficient support for such a gamble.[27]

These audiences were to affect in the most serious fashion Mamluk relations with Bayezid and his successor, and it is, naturally, over the question of what happened as Cem pleaded his case before Qāytbāy that our sources diverge wildly and significantly. The Mamluk sultan had several possible courses of action:

> *a*. he could have Cem seized and returned to Istanbul, where the bowstring almost certainly awaited him. Such an action would surely please Bayezid, and probably would have resulted in a temporary improvement in relations; perhaps it would have forestalled the war that was to come. The long-term effects are

[24]Of the two manuscripts of Neşri reproduced in facsimile by Taeschner, one, the cod. Manzel, merely says that Cem went to Egypt and thence towards Mecca; the other, the cod. Manisa, omits mention of an initial visit to Egypt at all (*Ğihannümā, die altosmanische Chronik des Mevlana Meḥemmed Neschri,* ed. Franz Taeschner [Leipzig, 1951], 1:221, 2:312), as does Aşıkpaşazade (*Die altosmanische Chronik des Ašıkpašazade,* ed. Friedrich Giese [Leipzig, 1929], 184). The anonymous Ottoman chronicle (*Die altosmanischen anonymen Chroniken ″Tevārīḫ-i Āl-i ʻOs̱mān,″* ed. and trans. Friedrich Giese [Breslau and Leipzig, 1922–25], 1:116–17, translation 2:154–55) makes no mention at all of what Cem did between being driven off in 1481 and the renewal of his campaign in 1482, while Oruç merely says that Cem ″left Karaman and went to Egypt. From there he reached the Hejaz.″ A detailed account of Cem´s pilgrimage does appear in *Vaki´at-i Sultan Cem*, 4–5.

[25]Ibn Iyās, *Badā'i‘ al-Zuhūr,* 3:187.

[26]″Wa-fīhi [Muḥarram 887] taqallaqa Jumjumah ibn ʻUthmān min iqāmatihi bi-Miṣr, wa-ṭalaba al-tawajjuh ilá bilādihi li-yuḥāriba akhīhi [*sic*].″ *Badā'i‘ al-Zuhūr,* 3:192.

[27]*Vaki´at-i Sultan Cem,* 5; Aşıkpaşazade, *Chronik*, 185; Neşri, *Ğihannümā,* 1:121, 2:313. Also see Fisher, *Foreign Relations,* 25–26.

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harder to surmise: in the ″what have you done for us lately?″ atmosphere of international politics, favors (though not offenses) are often soon forgotten.

b. he could keep Cem as his more or less permanent guest, under house arrest. This would have given Qāytbāy a tool in future dealings with the Ottomans. The implicit threat of unleashing Cem at the head of an army might have allowed Qāytbāy to get Bayezid to do Cairo′s bidding in affairs of common concern, and later Latin Christendom would, quite effectively, use Cem in such a fashion when he subsequently became their prisoner. But again the short-term benefits are few, and are offset by the potential of bitter retribution once assassination or natural causes deprived them of their pawn.

c. he could step back and let Cem do as he pleased. Such a course would perhaps have been most in keeping with a policy of neutrality. Neutrality, however, is seldom appreciated by either antagonist.

d. he could, as Cem was certainly urging him to do, send back the fugitive with material support to help him claim the throne. This would be the riskiest policy with a very substantial possible reward: an Ottoman sovereign who owed them his throne. But again, as with the first option, the life-expectancy of the memory of such favors is notoriously short.

In short, Cem had placed Qāytbāy in a quandary. No course of action promised long-term rewards, and some presented definite immediate and long-term hazards.

Some modern scholarship tends towards the belief that Qāytbāy threw his backing behind Cem. Qāytbāy, we are told, not only gave Cem 40,000 ducats for expenses, but furnished him as well with several thousand soldiers. He further sent orders to the governors of Aleppo and Damascus that they should offer Cem similar assistance.[28] The modern source of this story would seem to be Louis Thuasne′s biography of Cem.[29]

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[28]Fisher, *Foreign Relations*, 26; Halil Edhem, ″Hersekoğlu Ahmed Paşa′nın esaretine dair Kahire′de bir kitabe,″ *Tarih-i osmani encümen-i mecmuası* 5 (1914): 204.

[29]″. . . il y fut encouragé par Qaitbay qui voyait avec plaisir les dissensions intestines affaiblir un puissant Etat voisin du sien; aussi engagea-t-il le prétendant à marcher ′où la gloire l′appelait,′ et lui fournait de l′argent et des troupes. Il lui donna quarante mille ducats, deux mille esclaves et quelques places fortes sur les confins du pays de Karamanie. Suivant l′example de leur maître, les gouverneurs de Damas et d′Alep lui remirent chacun dix mille ducats, ainsi qu′une solde à tous ceux qui s′engageaient à servir sous lui.″ *Djem-Sultan: Étude sur la question d′Orient à la fin du XV^e siècle* (Paris, 1892), 51–52.

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Such an interpretation seems in part to be corroborated by contemporary Mamluk historians. Qāytbāy, we are told by the Damascene Ibn Ṭūlūn, equipped Cem and gave him material support against his brother, so that he might wrest the throne from him. He later amends this, however, to say that while Qāytbāy bestowed gifts on Cem and gave him what was appropriate for monarchs, it was said that he was actually trying to act as an intermediary of peace between Cem and Bayezid.[30]

While there is little doubt that Thuasne was true to his sources, it is curious that contemporary Ottoman sources—those written in the time of and for Bayezid, sources with little incentive to gloss over the transgressions and provocations of the Mamluks—make no mention of either the meeting or of the supposed aid offered by Qāytbāy. Both Neşri and Aşıkpaşazade merely tell us that, leaving his mother at Cairo, Cem went north to Adana.[31] Oruç, as mentioned above, again makes no mention of Qāytbāy's attitudes or actions, and simply says that Cem "came back from Egypt and went again to Karaman."[32] Those who believe in Qāytbāy's complicity might argue that the brevity of these works would dictate omission of such detail. But the complicity of the most powerful ruler in the Islamic Eastern Mediterranean could hardly be viewed as trivial and unworthy of comment, especially by those who, as I have said, had every reason to point out outrageous conduct by the Mamluk sultan. There is even an alternate tradition, passed on in some manuscripts of Aşıkpaşazade, which says that when Cem went to Egypt the Mamluk sultan "showed him no regard," and that Bayezid later complained "How strange that the Egyptian showed no friendship with my father, has begun to show hostility towards me, and above all because of them my brother has become prisoner of the infidel!"[33]

Those who would claim some sort of complicity on Qāytbāy's part need furthermore to get around the account of Ibn Iyās, the one chronicler who doubtless had first-hand knowledge of the events at court.[34] Not only is Qāytbāy's conduct blameless in his account, it seems quite laudable:

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[30]Ibn Ṭūlūn, *Mufākahat al-Khillān,* 1:47, 53.

[31]Neşri, *Ğihannümā,* 1:222, 2:313; Aşıkpaşazade, *Chronik*, 185.

[32]Oruç, *Jahrbücher*, 130–31; *Oruç Beg tarihi*, 129–30.

[33]"Ol vakıt sultan al-mücahidîn Sultan Mehmed Khan Gazi Allah rahmetine kostu oğlu Bayezid Khan padişah oldu karındaşı Cem Sultan kaçtı Mısır'a vardı Mısır sultanı itibar etmedi Mekke'ye gitti Mısırlı Ka'ba'da oturmağa komadı Mısır'a getirdi Mısır'da dahi komadılar Cem dahi başını aldı kâfir vilayetine girdi. Sultan Bayezid eder: Ne aceb bu Mısırlı babamla dostluk etmediler benimle dahi adavete başladılar hususa ki onların sebebinden karındaşım kâfire esir oldu dedi." Aşıkpaşazade, *Chronik*, 225.

[34]Ibn Iyās was in his mid-thirties at the time, and was very close to many high-ranking amirs. See W. Brinner, "Ibn Iyās," in *EI*^{2}, 3:812–13. Even if he was not an eyewitness to the meeting, his sources of information concerning the proceedings should have been very good indeed.

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> In [Muḥarram 887/February-March 1482] Cem grew restless of his stay in Cairo, and sought permission [to return] to his own country to war against his brother. Qāytbāy gathered the amirs to consult them on the matter; then he had Cem brought in to speak at length with the amirs. The atabeg Özbeg verbally abused Cem, but Cem would not abandon his wish to return home. After the matter was discussed at great length between Cem and the amirs, Qāytbāy adjourned the meeting, having only grudgingly *('alá karh minhā)* given Cem permission to depart.[35]

From Ibn Iyās´s account, not only had Qāytbāy not decided to throw his support behind Cem´s bid to claim the Ottoman throne, but he had in fact tried to dissuade him from this course. Nor do his commanders and his advisers show any approval. The only one Ibn Iyās mentions specifically, Özbeg (who would, ironically, play a major role in the coming war against the Ottomans), speaks to the Ottoman pretender with rude impertinence. If the sultan or his advisers had any sympathy with Cem´s plans or saw any future advantage in them, Ibn Iyās makes no mention of it.

But is this account credible? Certainly Ibn Iyās was in Cairo and the closest of all our sources to the deliberations that winter. Such proximity, however, might also lead him to fabricate an account favorable to his patrons and associates at court. Such is indeed the habit of medieval chroniclers, and caution must rule our judgments. Ibn Iyās was, at the same time, no more to be suspected of such fiddling than his contemporaries among Ottoman historians. They, in fact, were recording not merely the political history of a state, but rather of a dynasty, and hence not just about their patrons´ predecessors, but of the ancestors, and hence had greater incentive to protect the reputations of earlier sultans of the house. The biological discontinuity of the Mamluk regime, particularly in its later years,[36] made it less hazardous for the chronicler to criticize the dead. Far from ignoring or excusing the faults of previous sultans, Ibn Iyās often points to them with relish.[37]

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[35]*Badā'i' al-Zuhūr,* 3:192.

[36]During the earlier phase of the Mamluk state many of the more prominent sultans were themselves the offspring of sultans; by the fifteenth century, however, this was more the exception than the rule. Since Barqūq, the only sultan of note who was the biological offspring of a sultan was Barqūq´s own son Faraj.

[37]It should be noted, however, that Ibn Iyās was writing this section during the reign of Qānṣawh al-Ghawrī (see *Badā'i' al-Zuhūr,* 3:207), who was one of Qāytbāy´s mamluks and, one would presume, loyal to the memory of his master. Even so, in a later section Ibn Iyās is highly critical of

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Furthermore, the account given in the *Vaki'at-i Sultan Cem,* the author of which was no mere chronicler but a close companion of Cem throughout his life,[38] in large part corroborates that of Ibn Iyās. It relates that at a contentious meeting at which permission was at first refused, Qāytbāy ultimately and grudgingly relents, in effect washing his hands of the matter with the words, "Someone wishes to come of his own volition, perform the pilgrimage and depart again; how should we prevent him from doing so?"[39]

Setting aside for the moment the question of the reliability of our various sources, we can approach the question of what is likely, knowing what we do of the people involved. Qāytbāy would certainly have liked to see a friend, or at least a debtor, on the Ottoman throne, but such a goal could as easily have been effected by returning the rebel prince to his brother's justice. None of the sources that claim he helped Cem attribute any credible motive for the preference, although Thuasne speculates that he wished to provoke continued chaos among the Ottomans. The only reason why Cem would be friendlier than Bayezid towards the Mamluks was the strictly after-the-fact one that Qāytbāy had helped him. To assume otherwise would be to propose some sort of trans-Taurine conspiracy between Cem acting as his father's governor at Karaman and the Mamluks. Such a conspiracy is not wholly out of the question, especially with the mischievous Kasım Bey acting as intermediary, but was it likely? Since no evidence for such a conspiracy exists, we are forced back on the notion that the sole connection between Cem and Qāytbāy would be that Qāytbāy had given Cem help.

Qāytbāy was a skillful politician; he would know that gratitude was a poor basis for international friendship. Nor would he be likely to overestimate Cem's chances of success, with or without Mamluk support. All in all, the gains to be had if Cem succeeded hardly seem worth the risk of the consequences if he failed—the certain enmity of Bayezid. It would not have been a wise move, and Qāytbāy, as I have pointed out, was no fool.

Qāytbāy would, of course, have given Cem certain provisions. It was only natural to bestow gifts on so august a person, or to provide an impoverished prince with sustenance while he was a guest; and certainly, once Cem had resolved to return to Anatolia, it was not at all inappropriate to give him provisions and an escort for his trip through Syria. But is there any evidence that Qāytbāy, as we are told, furnished Cem with forty thousand ducats and several thousand soldiers, and ordered the governors of Damascus and Aleppo to add to the levy? Such a

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al-Ghawrī himself. See Brinner, "Ibn Iyās," 813.

[38]See İnalcık, "Djem," 530.

[39]"Bir kişi kendü ihtiyariyle gelüb hac idüb gine gitmek ister biz ne vechiyle men eyleyelim?" *Vaki'at-i Sultan Cem*, 5.

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commitment to direct involvement would have been a bald act of war. The money, of course, might leave no trail, but if several thousand Mamluks accompanied Cem into Ottoman territory, what became of them? There is no mention, anywhere, of Mamluk survivors from Cem´s subsequent defeat straggling back to Syria, nor mention in any Ottoman sources of Mamluk prisoners in Ottoman hands.[40]

But even if Qāytbāy´s culpability rested only in washing his hands of the affair and allowing Cem to do as he would, this was bad enough. Ibn Iyās says that Qāytbāy, when he heard of the failure of Cem´s second expedition, regretted having let him go in the first place, and the same author later adds that Cem´s departure was ″a capital mistake.″[41] Letting Cem loose, and perhaps even not preventing him, on his way north to Anatolia, from recruiting disaffected Turcomans to his cause, was bound to offend the Ottoman sultan. The matter was made all the more serious when Cem reached Adana. There, we are told by our Ottoman sources, he met with Karamanoğlu Kasım Bey and, shortly later, they were joined by Mehmed Bey, the rebellious *sancakbey* of Ankara.[42] Adana, although nominally the realm of the Ramazanoğulları, was clearly considered Mamluk territory: al-Ẓāhirī lists it as a dependency of Aleppo.[43] There is no evidence that Qāytbāy, or his governor of Aleppo, did anything to stop the conspirators from using Mamluk territory as a staging ground for their campaign against Bayezid. Even if Qāytbāy´s actions can be portrayed as having conformed to some standard of accepted practice, they were, by omission if not by commission, not well-considered. No partisan of any cause appreciates neutrality.

Such was Cem´s subsequent career, moreover, that Bayezid would hardly have been well-disposed towards anyone that had facilitated his brother´s return. Not that Cem had much of a chance of winning on the field: he had little support at court, and his combined army of Turcomans had little chance against his brother´s forces. Having crossed back into Anatolia in the spring of 1482, he was again beaten. He fled now, not back to Egypt, but to the Knights of St. John of the Hospital at Rhodes.

We can only imagine the delight of the Grand Master of the Order when Bayezid arrived. Only two years earlier the Hospitallers had been beleaguered in their island fortress by Mehmed´s troops. Here now was a tool which, if used properly, would ensure their security, and few scruples about offending Bayezid

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[40]Ibn Iyās regularly reports the return of survivors of military disasters. See, for example, *Badā'i' al-Zuhūr,* 2:241–43, 341, 3:34–36.

[41]Ibid., 3:195–96.

[42]Aşıkpaşazade, *Chronik*, 185; Neşri, *Ğihannümā,* 1:122, 2:313. The *Vaki´at* makes the offense even more serious—Mehmed Bey and Cem met initially not at Adana, but at Aleppo, and thence proceeded to Adana and their meeting with Kasım Bey.

[43]Al-Ẓāhirī, *Zubdah,* 50–51.

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restrained them. They did allow themselves to be convinced—for a price—by Bayezid´s envoys to remove Cem to Europe. There he was passed among European princes, the carefully-watched house guest of several courts, until his death in 1495. For Christendom, he was a guarantee of Bayezid´s good behavior; as long as the threat existed that he could be put at the head of an army and sent east to claim his throne, Bayezid dared not raise his hand against the West. For the next twelve years the Ottoman advance against Christendom was halted.[44] With any serious campaigning in Europe precluded, Bayezid had not only the time but now the predisposition to direct his attention against the Mamluks.

[44]It is in fact the contention of many historians, most notably Fisher (*Foreign Relations*, 27–35), that Cem´s European exile was the primary factor in determining Bayezid´s relations with Western Christendom. Bayezid was, certainly, accommodating until after 1495.

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Book Reviews

Fāris Aḥmad al-'Alāwī, *'Ā'ishah al-Bā'ūnīyah al-Dimashqīyah* (Damascus: Dār Mu'add lil-Ṭibā'ah wa-al-Nashr wa-al-Tawzī', 1994). Pp. 230.

Reviewed by Th. Emil Homerin, University of Rochester

'Ā'ishah al-Bā'ūnīyah is one of the best kept secrets in the history of Arabic literature. Born into a leading Damascene family of judges, Sufis, and litterateurs during the Mamluk era, 'Ā'ishah received an excellent education, specializing in Sufism and poetry. During her lifetime she exchanged poems with members of the scholarly and political elite, and even had an audience with the Mamluk sultan al-Ghawrī shortly before her death in 922/1516. More amazing still is the fact that 'Ā'ishah al-Bā'ūnīyah is one of the few women in pre-modern Islamic history to have written a substantial amount of Arabic poetry and prose. Among her surviving works in manuscript are a Sufi manual, a poetic rendition of a work praising the Prophet by al-Suyūṭī, and two collections of her own poems, including a *takhmīs* of al-Būsīrī's *Al-Burdah*. This latter work probably inspired her two most famous works in praise of the Prophet, her *Al-Mawrid al-Ahná fī al-Mawlid al-Asná,* and her *badī'īyah,* popularly known as *Al-Fatḥ al-Mubīn fī Madḥ al-Amīn,* both of which were published in the late nineteenth and early twentieth centuries.

Since that time, however, 'Ā'ishah al-Bā'ūnīyah has received little scholarly attention. A few references have been made to her in works of Arab bibliography, while W. A. S. Khalidi gave her a concise entry in the second edition of the *Encyclopaedia of Islam* (1:1109–10). A short notice, with a few of her poems, may also be found in 'Umar Farūkh's *Tārīkh al-Adab al-'Arabī* (1984; 3:926–30), though she is absent from the recently published *Encyclopedia of Arabic Literature* (1998). Nevertheless, over the years, scholars working in Damascus, especially 'Abd Allāh Mukhliṣ (1941), and Mājid al-Dhahabī and Ṣalāḥ al-Khiyamī (1981), have published a handful of articles calling for renewed attention to her life and writings. Based in large part on their work, Fāris Aḥmad al-'Alāwī has published a new study of the poet, together with editions of her *Al-Mawrid al-Ahná fī al-Mawlid al-Asná* (with the editorial assistance of Lu'ī 'Abd al-Ḥakīm Ghannām) and her *Al-Fatḥ al-Mubīn fī Madḥ al-Amīn.*

Al-'Alāwī's study of the life 'Ā'ishah al-Bā'ūnīyah and her immediate ancestors (11–68) consists largely of quotations and paraphrases of Mamluk chroniclers and biographers, including al-Sakhāwī, Ibn al-Ḥanbalī al-Ḥalabī, and al-Ghazzī. He cites some of her poems found in these sources, pointing out their musical qualities

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and ‘Ā’ishah′s obvious tendencies toward Sufism and love of the Prophet. Al-‘Alāwī also notes ‘Ā’ishah′s admiration of al-Būsīrī′s *Al-Burdah*, but he fails to notice Ibn al-Fāriḍ′s influence which looms large in much of her verse. While this material may serve as a basis for further more detailed research, al-‘Alāwī′s review of ‘Ā’ishah al-Bā’ūnīyah′s writings is incomplete and, at times, inaccurate and misleading. For instance, he is unaware of the existence of her Sufi manual or the location of her work *Durar al-Ghā’iṣ,* based on al-Suyūṭī, though both may be found in Cairo′s Dār al-Kutub. Worse still, al-‘Alāwī has confused ‘Ā’ishah al-Bā’ūnīyah′s two separate *dīwān*s as one work. In 1981, Mājid al-Dhahabī and Ṣalāḥ al-Khiyamī described an autographed copy of her *dīwān* in Damascus dating from 921/1515, and containing six poems in praise of Muḥammad, including a *takhmīs* of al-Būsīrī′s *Al-Burdah,* and her famous *badī‘īyah* with her commentary on it. Al-‘Alāwī calls the work *Fayḍ al-Faḍl,* and adds that there are two additional manuscripts of the work in Cairo′s Dār al-Kutub. However, the Damascus manuscript does not bear this title, and had al-‘Alāwī actually seen the Cairo manuscripts he would have learned that they are a totally separate and earlier collection of ‘Ā’ishah′s Sufi verse.

Turning to al-‘Alāwī′s editions of her two poems, one finds a useful introduction to the history of celebrating the Prophet′s birthday, an overview of the *mawlid al-nabī* genre of prose and poetry publicly recited on that occasion, and a long list of those who composed on the subject. This is followed by a short discussion and outline of the contents of the *Al-Mawrid al-Ahná* (65–113). Al-‘Alāwī notes that he has added sections and sub-headings to the work, and then concludes with the shocking revelation that, because of the difficulty of acquiring a copy of the Cairo manuscript autographed by the author, he has chosen to re-publish the 1301/1883 Damascus edition (115–79)! The situation is the same for his edition of her *Al-Fatḥ al-Mubīn*, for which al-‘Alāwī used a 1304/1914 Cairo edition published on the margins of Ibn Ḥijjah′s *Khizānat al-Adab,* instead of the autographed Damascus manuscript (197–212). Al-‘Alāwī does provide a useful review of the *badī‘īyah* genre and its major practitioners (183–95), and his notes to both texts are generally helpful, though typographical errors are frequent throughout the book (but causing more irritation than confusion).

In short, al-‘Alāwī′s *‘Ā’ishah al-Bā’ūnīyah al-Dimashqīyah* may serve as a basic introduction to the life and work of this extraordinary woman and litterateur of the Mamluk period, while making two of her works more accessible. Yet, had al-‘Alāwī actually read and accurately edited some of the valuable manuscript sources, he could have made a far more significant and lasting contribution to the study of Arabic literature.

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Egypt and Syria in the Fatimid, Ayyubid and Mamluk Eras, II: Proceedings of the 4th and 5th International Colloquium organized at the Katholieke Universiteit Leuven in May 1995 and 1996. Edited by U. Vermeulen and D. De Smet (Leuven, Uitgeverij Peeters, 1998). Pp. 311.

REVIEWED BY PAUL E. WALKER, The University of Chicago

Similar to the earlier volume, *Egypt and Syria in the Fatimid, Ayyubid and Mamluk Eras: Proceeding of the 1st, 2nd and 3rd International Colloquium organized at the Katholieke Univeriteit Leuven in May 1992, 1993 and 1994* (Leuven, 1995), issued by the same two editors (and reviewed by Stephen Humphreys in *MSR* II [1998]: 245–48), this is a collection of papers from later meetings of the International Colloquium centered at the Catholic University of Leuven (Louvain). Those assembled in this instance, sixteen in all (ten in French, three each in English and German), again cover a wide variety of, for the most part, unrelated topics in the history of Egypt and Syria for the Fatimid, Ayyubid, and Mamluk periods. By far the greatest portion deal with the Fatimids (eight out of sixteen). A few that ostensibly cover later periods have material on the Fatimids, although at the same time several from the Fatimid section carry some importance beyond that era alone.

One prime example is Heinz Halm's study of all the data about the Nubian *baqṭ* (the pact according to which Nubia was allowed, though continuing to be Christian, to enter into a kind of treaty relationship with the Muslims). Halm's purpose is to trace carefully the exact chronology of the provisions, set by various sources at different periods, which comprise this highly unusual treaty of mutual obligation. Thus, much of what he discusses concerns events prior to the Fatimids and concludes after them, with the eventual termination of Nubian independence and its Islamization under the Mamluks, the *baqṭ* thus rendered obsolete and meaningless.

Still, Mamluk scholarship is poorly represented overall, with only four short papers: two by Vermeulen (one on the caliphal *bay'ah* as given by al-Qalqashandī and another on correspondence of the Mamluk Faraj and the Marinid Abū Sa'īd during the brief stay of Tamerlane in Syria); one by J. Dobrowolski (on the funerary complex of Amir Kabīr Qurqumas in Cairo); and one by M. Van Raemdonck (on a Mamluk helmet now in the Musées royaux d'Art et d'Histoire in Brussels). The Mamluk section of the volume occupies only 46 pages as compared to 73 for the Ayyubids and 176 for the Fatimids. And it seems necessary to admit that the papers dealing with the earlier rather than later periods have greater special interest and value.

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For Fatimid history all the papers are quite useful, including among them M. Brett on the long-term implications of the powerful vizier al-Yāzūrī's fall from grace and execution, which led to sixteen consecutive years of chaos and decline; D. De Smet on the transfer of the head of Ḥusayn from Palestine to Cairo, as well as a second article on the evidence for the possibility of a Druze cult of the Golden Calf; Halm's discovery of important new information about the death of Hamzah, the founder of the Druze religion; J. Richard on Fatimid maritime bases; P. Smoor on Fatimid court poetry; and J. Van Reeth's reexamination of the problem of the reputed fraud practiced in the Holy Sepulchre and that church's destruction by al-Ḥākim.

There are four papers in the Ayyubid section, again each of interest: A.-M. Eddé on the geographical and ethnic origin of the populace of Aleppo in the thirteenth century (information made somewhat less essential by the subsequent publication of her 1999 book *La Principauté ayyoubide d'Alep*); L. Korn on the possible political implication of Saladin's building programs in Cairo, Damascus, and Jerusalem respectively; J. Thiry on the decline of North Africa over the eleventh and twelfth centuries and its causes (many aspects of the issue discussed here concern the Fatimids more than the Ayyubids), and Van Reeth on the evidence surrounding, and the meaning of, the bark kept in the mausoleum of al-Shāfi'ī.

For the most part these are papers of high quality. Each offers a serious contribution and individually they will have to be consulted by anyone working in the specific area covered.

The Mamluks in Egyptian Politics and Society, edited by Thomas Philipp and Ulrich Haarmann (Cambridge: Cambridge University Press, 1998). Pp. xiv, 306.

REVIEWED BY W. W. CLIFFORD, The University of Chicago

The eighteen articles contained herein began as symposium papers delivered at the Werner Reimers Foundation in Bad Homburg in December of 1994. Though characterized by its organizers, Thomas Philipp and Ulrich Haarmann, as a ″small conference,″ the congressional achievement was nevertheless big, presenting a wide range of insights into two principal avenues of current scholarship on *mamlūkīyah:* the structure of elite politics and the cultural divide between ruler and ruled in both Classical (1250–1517) and Neo-Mamluk (1517–1811) Syro-Egypt. While the work is a self-described attempt at forming generally ″an impression of

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the ′state of the art′ of Mamluk studies,″ its primary mission seems to be to account for the ″surprisingly durable″ nature of the Mamluk social system itself.

Were the foundations of this durability principally materialistic or ideological? Amalia Levanoni, in a very serviceable summary [″Rank-and-file Mamluks versus amirs: new norms in the Mamluk military institution″] of her earlier monograph, suggests that changes in the economic circumstances of the ″rank-and-file″ resulted in a proletarianization of Mamluk military culture. She finds the cause of this systemic revolution in the social pathology principally of one individual, Sultan al-Nāṣir Muḥammad, who during his third reign introduced ″rapid advancement and easy access to material plenty.″ The proliferation of these ex-officio paramilitary pressure groups accelerated the anarchy of the fifteenth century.

Ulrich Haarmann′s contribution [″Joseph′s law—the careers and activities of Mamluk descendants before the Ottoman conquest of Egypt″], which represents the third and final revision of a signal paper originally delivered by him at the Seventh Oxford-Pennsylvania History Symposium in Oxford in 1977, argues against such cultural materialism, doubting that the perpetuation of ″the system of Joseph″—inducting aliens into military servitude in Egypt—produced a corresponding cultural apartheid between the ″foreign ruling nobility″ and their ″native subjects.″ Mamluk society was too permeable and dynamic, culturally integrated in part by its own hybridized social spin-offs, the non-Mamluk descendants of the Mamluks—the *awlād al-nās*—who mediated the social process in late medieval Syro-Egypt through their intercultural intellectual, paramilitary, and economic activity. Haarmann delivers a significant collateral blow to David Ayalon′s notion of Mamluk rule by a ″one-generation aristocracy,″ characterizing it as ″a social *absurdum*″ (p. 84). He finds in the fourteenth century many of the *awlād al-nās* in the upper echelons not just of the *ḥalqah* reserve but the regular army as well. So many, in fact, that Haarmann suggests they actually formed for a time their own ″subsidiary . . . military aristocracy″ (p. 66).

Donald S. Richards attempts to split the difference, proposing in his piece [″Mamluk amirs and their families and households″] that the Mamluk/*mamlūk* system was laced together by the group solidarity embedded in the various types of personal relationships, those of a ″contractual nature,″ those that were ″consanguineal″ and ″affinitive,″ as well as mimetic ones like the non-biological ″brotherhood″ of *ukhūwah*. All relational types were ultimately affected, however, by the material circumstance of land-holding. Whether in rural *iqṭā′āt* or urban development property, these families and households relied on rents drawn from agricultural plots, houses, shops, and markets. The conversion of public holdings into private estates and then, if possible, into charitable trusts *(awqāf)* proved a lucrative strategy in the fourteenth century for ensuring familial integrity. This materialist high tide was ″interrupted″ by upheavals in the fifteenth century that

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led to the decay, confiscation, and dissolution of property, particularly family *awqāf*. Richards gives the impression that these various *mamlūk* relational types were coextensive during the Classical period. But what about the balance of social power among them? Richards suggests that it was amidst the upheavals of the fifteenth century that the passing of ″power and status″ visibly altered. The ″collective ethos of the *mamlūks*″ declined and ″the recognition of kinship ties . . . intensified″ (p. 33).

Richards′ focus on the role of the household in the Classical period is reproduced in the several contributions to Neo-Mamluk history, though they disagree to what extent this similarity of form represented an actual cultural revival of Mamluk usages. Like Richards, Thomas Philipp ponders in his article [″Personal loyalty and political power of the Mamluks in the eighteenth century″] the cultural implications of different forms of social solidarity among the politicking post-Classical Mamluks. Multiple, horizontal bonds among *khushdāsh*s were not as strong as vertical, affective ones between sons and Mamluks of one common, immediate master. The indecisiveness of horizontal loyalties in the Neo-Mamluk period may help to explain the rash of *khusdāsh*-related assassinations in the eighteenth century, which became under ʻAlī Bey al-Kabīr an ″acceptable political ploy.″ The Mamluk system, which should perhaps have ended in 1786, remained perversely durable despite such practices. Daniel Crecelius in his article [″The Mamluk beylicate of Egypt in the last decades before its destruction by Muḥammad ʻAlī Pasha in 1811″] sees new recruitment patterns aimed at rebuilding Neo-Mamluk factions as similarly costly. In an argument reminiscent of Levanoni′s about the breakdown of Mamluk political order, Crecelius points out that the beys ″advanced their Mamluks more quickly than normal, took shortcuts in their training.″ Whereas Levanoni sees the Mamluk system falling prey to ambitious ″rank-and-file″ Mamluks in the fourteenth century, Crecelius argues that the Neo-Mamluk beylicate, ″which opened their households to recruits from new territories and new ethnic backgrounds,″ fell prey in its turn to restive ″mercenaries″ in the eighteenth century.

Michael Winter argues in his piece [″The re-emergence of the Mamluks following the Ottoman conquest″] in favor of a kind of cultural re-emergence in the post-Classical Mamluk period through the military household, though he characterizes it as the merging of separate traditions among Circassian Mamluk amirs and Ottoman beys by the eighteenth century into a common ″neo-Mamluk culture.″

Jane Hathaway in her contribution [″′Mamluk households′ and ′Mamluk factions′ in Ottoman Egypt: a reconsideration″] recognizes, too, the importance of the military household as a source of social solidarity in Ottoman Egypt but, unlike Philipp and Winters, is unsure to what extent it reproduced culturally ″comparable structures in the Mamluk sultanate.″ Like Richards, Hathaway sees diversity in

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household forms, everything ″from relatively informal barracks coalitions to highly articulated residence-based conglomerates.″ While these households were perhaps ″neither wholly Ottoman nor wholly Mamluk,″ she feels they represented the ″multifaceted political culture unique to the Ottoman period.″ It is interesting to see that this social solidarity apparently also had legs. While Mamluk households and families had directly controlled the countryside in their own right, efflorescent neo-Mamluk military households, as they drifted from the political center to the provincial periphery, also served directly as ″prototypes″ for local *a'yān* households, allowing them to better dominate their own regions in the eighteenth and nineteenth centuries. In this way, ″the household served as a nexus between centre and province″ to a degree possibly it hadn't in the Classical Mamluk period.

Some cultural continuation from the Classical to the Neo-Mamluk periods can be detected. According to Nelly Hanna [″Cultural life in Mamluk households (late Ottoman period)″], inventories of the private library holdings in military households reveal that Neo-Mamluk beys, like Classical Mamluk amirs, ″were not completely ignorant of their cultural environment,″ that they, indeed, attained a level of intellectual and cultural sophistication not often associated with men engaged constantly in political violence. Hanna observes cultural continuities in terms of the numbers of books in Turkish, of orthodox religious titles as well as less orthodox Sufi literature, and of scientific titles (medical/veterinary, astronomical, alchemical). These beys, while not involved in ″intellectual production,″ did preserve the ″classical traditions. ″ More than that, they became a veritable source, like the ulama, for ″cultural transmission″ of those traditions by opening their private libraries to the public.

Contributors generally agree that both Mamluk and Neo-Mamluk military elites expressed social solidarity through segmentation into discrete and independent military households. They vary, however, on the degree to which the continuation of this Mamluk social form into the Neo-Mamluk period represented revival of Classical Mamluk cultural usage. The articles on military household/familial dynamics, which compose about half the volume, are clearly its core. But one can note approvingly the excellence of other related scholarship contained herein. Both Jonathan Berkey [″The Mamluks as Muslims: the military elite and the construction of Islam in medieval Egypt″] and Ulrich Haarmann [″The late triumph of the Persian bow: critical voices on the Mamluk monopoly on weaponry″], for instance, offer up thought-provoking discussion of the problems surrounding Mamluk cultural innovation in the Classical period. For the Neo-Mamluk period, Doris Behrens-Abouseif [″Patterns of urban patronage in Cairo: a comparison between the Mamluk and the Ottoman periods″] and André Raymond [″The residential districts of Cairo's elite in the Mamluk and Ottoman periods (fourteenth to eighteenth centuries″] reveal many continuities in the urban cultural landscape

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of Cairo. Behrens-Abouseif has determined, for instance, that many of the commercial and *waqf*-designated properties in the Ottoman period were ″already in existence during Mamluk times and often even belonged to Mamluk *waqfs*.″ Both ages supported religious construction, though Mamluk educational institutions gave way to neighborhood mosques and *sabīl-maktab*s in the Ottoman period. It was principally the lack of ″imperial vision″ in the Ottoman period that ensured that ″the Mamluk heritage was maintained and preserved until modern times.″ Raymond for his part finds ″a striking continuity″ from the thirteenth through seventeenth centuries in the urban distribution of elite residential areas, especially their continued domination of terrain from al-Qāhirah into the southern suburbs.

While Raymond′s article showcases sophisticated technical analysis of residential patterns in Cairo, the volume as a whole reveals no new critical method in the interpretation of Mamluk social history akin, say, to Michael Chamberlain′s social theoretical interpretation of Mamluk Damascus as a knowledge-based society. The collection is a superb glance back at the traditional social analysis that has brought the field of Mamluk Studies to the forefront of Islamic history but fails to anticipate the interpretive method of the ″new″ social history beginning to poke its nose under the tent.

Dīwān al-Muwashshaḥāt al-Mamlūkīyah fī Miṣr wa-al-Shām. al-Dawlah al-Ūlá (648–784 H./1250–1382 M.). Edited by Aḥmad Muḥammad ʻAṭā (Cairo: Maktabat al-Adab, 1999). Pp. 440.

Reviewed by Mustapha Kamal, The University of Chicago

Initially the *muwashshaḥāt* (or strophic poetry) was unique to the poetry cultivated by Andalusian poets. Because of its form and meters, the *muwashshaḥāt* has caused many debates among scholars; until now, there is no agreement as to whether the genre is derived from classical Arabic poetry (especially Abbasid poetry) or adapted from a native Iberian tradition preserved continuously since Roman times.[1] Whether or not one can scan the *muwashshaḥāt* by applying the canonical meters discovered by al-Khalīl ibn Aḥmad al-Farāhīdī (d. 174/791) is disputed by scholars, and the way in which the *muwashshaḥah* genre made its way into Egypt and the Levant has yet to be fully explained. But we do know that *muwashshaḥāt* were widely cultivated under the Ayyubids.

[1]Otto Zwartjes, *Love Songs From al-Andalus* (Leiden, 1997), 5–171.

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One of the most important theorists of the genre in pre-modern times was Ibn Sanā' al-Mulk (d. 609/1212) and, as his *Dār al-Ṭirāz fī 'Amal al-Muwashshaḥāt* proves, he studied both their meter and form extensively. For Ibn Sanā' al-Mulk, a *muwashshaḥah* is a series of words strung together in order to fit a special meter. If a *muwashshaḥah* is composed of six *aqfāl* and five *ajzā',* i.e., if it begins with a refrain, it is considered complete; but if it contains only five *aqfāl* and five *ajzā',* i.e., if it does not begin with a refrain, it is called acephalous or bald.

While the writings of Ibn Sanā' al-Mulk and others did much to foster an appreciation of this poetry, there has remained a gap in our knowledge of its later development under the Mamluks as well as a persistent prejudice against Mamluk literati and their contributions to Arabic literature in general. 'Aṭā´s book is therefore a welcome addition to the scholarly literature. In spite of the author´s announced intention to collect the Mamluk *muwashshaḥāt* in two volumes, only a single volume has appeared to date. It consists of three parts: the first records the output of Egyptian poets, the second that of Syrian poets, and the third of poets who visited Egypt between 648/1250 and 784/1382.

This book goes a long way toward addressing the prejudices about Mamluk literary culture which are still widespread among historians of Arabic literature, even among Arab scholars, in spite of the efforts of Muḥammad Kāmil al-Fiqī, Shawqī Dayf, 'Umar Mūsá Bāshā, Muḥammad Zaghlūl Sallām, Bakrī Shaykh Amīn, 'Abduh 'Abd al-'Azīz Qulqaylah, and others.[2] Mainstream historians of Arabic literature still describe Mamluk poetry as ″decadent, pallid, worn out, and lacking authenticity.″[3]

In this compilation, one is struck by the overwhelming number of vernacular *kharjah*s (pp. 73, 76, 106, 161, 172, 230, 236, 255, 290, 340, and 350), and the absence of non-Arabic ones, except for the following (p. 350):

> Halakī in qāla: yuq
> Yā insān ṭurkhān sinī yughmā sakam sanī.
> [What if he said: ″No″?
> O you, magnificent one, as you´re my booty, I´ll sodomize you
> time and again.]

The way in which these *kharjah*s are located in the *muwashshaḥāt* contradicts al-Ḥillī´s theory equating *kharjah* and *qufl*.

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[2]See Th. Emil Homerin´s important article ″Reflections on Arabic Poetry in the Mamluk Age″ in *Mamluk Studies Review* 1 (1997): 63–85.

[3]Ibid., 71.

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Reading this collection of *muwashshaḥāt*, we can only admire the skill and poetic versatility of two towering figures: al-Maḥḥār (d. 711/1311) and al-Ṣafadī (696–764/1297–1363). Al-Ṣafadī excels when he composes two *muwashshaḥāt.* In the first one, the hemistichs of every *bayt* (strophe) rhyme with one another (pp. 329–30); then to every line in this *muwashshaḥah,* al-Ṣafadī adds another hemistich. The new rhyme-words rhyme with one another. Thus, the rhyme-words in the first *bayt* of the first *muwashshaḥah* read as follows: *mālī, ḥālī, qāli*, and *thānī.* In the corresponding strophe of the second *muwashshaḥah,* the last two hemistichs of the first *bayt* read as follows: *mālī*/*bilā manāmi*, *ḥālī*/*bi-al-ibtisāmi*, *qāli*/*khawfa al-ti'āmi*, and *thānī*/*ba'da al-anāmi.*

With al-Ṣafadī, we see a tendency that will become a major trend in the poetic renaissance that al-Bārūdī (d. 1322/1904) and Shawqī (d. 1350/1932) spearheaded in the last decades of the nineteenth century, i.e., the poetic emulation of great texts. Al-Ṣafadī emulates al-Maḥḥār's *muwashshaḥah* (p. 237) whose opening line is:

> Mā nāḥat al-wurqu fī-al-ghūṣūnī illā hājat 'alá taghrīdihā law'atu al-ḥazīni
> [The turtledoves cooed on the branches causing the sorrows of the lovelorn one to flare up]

in his own *muwashshaḥah* (p. 275) which opens as follows:

> Mā tanqaḍī law'atu al-ḥazīnī aṣlan wa-law salā illā li-ḍarbin min al-junūni
> [The passion of the lovelorn one cannot come to an end, even though he forgets his sorrow, unless he has lost his mind].

Al-Maḥḥār himself had emulated Aydamur al-Maḥyawī's *muwashshaḥah* (p. 238 n.):

> Bāta wa-summāruhu al-nujūmu sāhir fa-man turá 'allamaki al-sahar yā jufūn
> [The stars were his only companions,
> who then taught you sleeplessness, O my eyes?]

This emulation is manifest especially in *muwashshaḥāt* whose rhyme scheme is particularly complex. An instance is given by al-Maḥḥār (p. 186):

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Ariqtu li-barqin lāḥa min dūni ḥājirī fa-ajrá dumū‘ī min shu’ūni maḥājirī
[I lost sleep over lightning that flashed between my (distant])beloved and me, causing my tears to flow)]

Another tour de force is al-Ṣafadī´s use of paronomasia (Ar. *jināS*). For example, the following *bayt* (p. 276):

Fī rīqihi ladhdhatu al-sulāfi lā fī ka’si al-mudām
Ra’aytu lī minhu fī irtishāfi shāfī min al-saqām
Aqūlu wa-al-ṣamtu fī i‘tikāfi kāfī ‘inda al-malām:
[His lips taste better than real wine
In them, I found cure to my disease.
And I say, when silence is the best answer to reproaches:]

In these three lines, the poet makes the three hemistichs rhyme with each other both horizontally and vertically. First he makes the first and middle hemistichs of each line rhyme with each other horizontally: *al-sulāfi* and *lā fī; irtishāfi* and *shāfī; i‘tikāfi* and *kāfī*. Then he makes the first hemistichs of the lines rhyme vertically: *al-sulāfi, irtishāfi* and *i‘tikāfi;* then the middle hemistichs rhyme: *lā fī, shāfī,* and *kāfī*. Then, he makes the last hemistichs rhyme: a*l-mudām, al-saqām,* and *al-malām*. This in itself would be considered a tour de force, but al-Ṣafadī takes the challenge a little further. In each line he creates a paronomasia between the rhyme-word of the first hemistich and the only word composing the second hemistich, e.g., *al-sulāfi* and *lā fī; irtishāfi* and *shāfī;* and *i‘tikāfi* and *kāfī*—as if the second word were coined by amputating a part of its predecessor.

In spite of its undeniable contribution to Mamluk literary studies, ‘Aṭā´s book suffers from a few imperfections. In his very short preface, he mentions the Khalilian meter of each *muwashhaḥah*. The truth is that al-Khalīl´s system does not apply to most of the *muwashshaḥāt* recorded in this collection. It suffices to look at the *muwashshaḥāt* on pages 195 and 198. ‘Aṭā has a moralistic approach to *kharjah*s. Most of the time, he comments on the wanton meaning of the closing line(s) with the following sentence: ″Kharjah kāshifah mājinah fāḥishah fāḍihah″ [revealing, brazen, obscene, and infamous *kharjah*]. ‘Aṭā considers that al-Ṣafadī´s sixth *muwashshaḥah* (p. 288) is homoerotic, whereas the ending strophe clearly mentions an adulterous woman complaining about her jealous husband. The book is full of typographical errors and incorrect vowelling. Sometimes the mistake is due to an incorrect reading of the line. For example, ‘Aṭā reads the following line (#33, p. 348):

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Wa-ghadatin qad sabāhā man ḥusnuhu al-badra ḍāhá
[A young woman was conquered by him whose beauty outshines the moon]

as

Wa-ghadatin qad sabāhā min ḥusnihi al-badru ḍāhī.

This reading does not make sense and breaks the rhyme between *sabāhā* and *ḍāhá*.

The present book has partially filled a serious gap in Mamluk literary studies. It complements Sayyid Muṣṭafá Ghāzī´s *Dīwān al-Muwashshaḥāt al-Andalūsīyah* (1979).

Aḥmad Ṣubḥī Manṣūr, *Muqaddimat Ibn Khaldūn: Dirāsah Uṣūlīyah Tārīkhīyah* (Cairo, 1998). Pp. 508.

Reviewed by Otfried Weintritt, Cologne University

This rather lengthy book comprises several parts that together form an intellectual and social biography of Ibn Khaldūn. It begins with a detailed account of his scholarly and political life and follows with an explication of the *Muqaddimah* and the various ways it has been read critically, detailing primarily Ibn Khaldūn´s discussion of the notion of *'umrān* (civilization). But the author´s chief interest is in asking a question as yet unposed by scholars: Why was the last period of Ibn Khaldūn´s life marked by so little intellectual activity?

During his time in Egypt (1382–1406) Ibn Khaldūn´s experiences were clearly not reflected in his scholastic output, which diminished substantially. His historiographic-literary interests had of course already found meaningful expression in the *Kitāb al-'Ibar*, including the famous *Muqaddimah*. When he arrived in Cairo, then, Ibn Khaldūn had essentially finished much of his life´s work, leaving really only a subsequent autobiography to compose. In this autobiography he certainly referred to Egypt, but only in passing. One might have reasonably expected that Ibn Khaldūn would have at least revised the *Muqaddimah,* if not penned an entirely new piece, to reflect the fundamental differences he observed between the geopolitics of Egypt, the *umm al-'umrān,* and those regions further west upon which his famous cycle of the rise-and-decline of tribal, kin-based dynasties was originally based.

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The reasons, Manṣūr presumes, are embedded in Ibn Khaldūn´s fundamental acceptance of the Sufi belief in the unity of the creator *(ʻaqīdat waḥdat al-fāʼil)*. This doctrine, that God as the originator of all human actions, good or bad, negates man´s free will, actually explains not only Ibn Khaldūn´s intellectual abstinence but increasing social seclusion during his Egyptian phase. Put simply, Ibn Khaldūn was reluctant to revise works—the *Muqaddimah* and the *Tārīkh* particularly—that formed a resume of his own frustrated ambitions in establishing political power for himself. They memorialized not his, but God´s decision not to bring him to high office (p. 496). Ibn Khaldūn´s ancestors had proven unable to found a dynasty themselves; his own efforts were equally devoid of success, despite his outstanding mental abilities *(ʻabqarīyah)*. Influenced already by his own view that the state can only be established and maintained through a tribal sense of solidarity *(ʻaṣabīyah),* Ibn Khaldūn now embraced with Sufic conviction the notion that he had failed because God had neither chosen him as His divine instrument nor provided him any *ʻaṣabīyah* with which to sustain his own extraordinary intellectual skills.

The issue of *ʻaṣabīyah* itself in any case complicated any real hope of meaningfully revising a work like the *Muqaddimah*. Egypt was a long-settled agrarian society, enjoying both centralized power and a stable population—an *arḍ-shaʻb-dawlah*—which exuded a sense of place *(waṭan)* unknown to the nomadic societies with which Ibn Khaldūn was familiar. Indeed, as a place where tribes were few and politically powerless, Egypt must have appeared to Ibn Khaldūn the antithesis of the *ʻaṣabīyah*-driven tribal societies he had previously analyzed. In evaluating the Egyptian case, therefore, Ibn Khaldūn would have had to acknowledge that the model of Islamic civilization upon which he had built his intellectual reputation had only limited heuristic value after all.

Manṣūr also speculates that Ibn Khaldūn´s abiding enthusiasm *(taʻaṣṣub)* for his Maghrib homeland may have further inhibited his revision of the *Muqaddimah*. This is suggested by his inclusion in the *Kitāb al-ʻIbar* of Berbers, along with Arabs and Persians, as people significant in the historical formation of Islamic civilization. Yet of the seven chapters of the *ʻIbar* the Berbers appear only in the final two, a possible reflection of Ibn Khaldūn´s overwrought pride in his Maghribi origins.

Manṣūr further argues that Ibn Khaldūn may also have been alienated by his inability to achieve judicial reform while he was Malikite chief judge in Egypt. His principal aims were to abolish both bribes and the indiscriminate charge and counter-charge of unbelief within the Egyptian scholastic community. In this, Ibn Khaldūn was doomed yet again to failure. The judicial system of contemporary Egypt was replete with corruption, justice a virtually unknown quantity. The variety of schools of law in Egypt, unlike in the univocal Malikite Maghrib,

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encouraged a corrupt trade in *fatwá*s that resulted in a welter of contradictory legal scholarship. As a chief judge, Ibn Khaldūn could neither work under these conditions nor alleviate their irregularities. This was to prove his undoing.

These frustrations, according to Manṣūr, led Ibn Khaldūn to choose a conspicuously secluded life in Egypt marked by misanthropy, his colleagues apparently reciprocating his social distancing. He was viewed by them as unscrupulous, the product no doubt of his practice of *'aqīdat waḥdat al-fā'il*. He was seen, too, as a master of hypocrisy, a skill employed notably to win the favor of Sultan Barqūq in spite of having penned a *fatwá*—at the behest of Barqūq's rival, Mintash—charging him with unbelief.

Manṣūr feels that Ibn Khaldūn's general reticence in his autobiography about the country and people of Egypt reflected ultimately his feelings of superiority over his Egyptian colleagues and his refusal to become Egyptianized like other newcomers (e.g., Ibn al-Ḥājj al-Maghribī). Even the continued wearing of his native clothing can be interpreted as emblematic of Ibn Khaldūn's allegiance to his original Maghribi identity. Despite his alienation from the Egyptian intelligentsia, many of whom he did not even appear to have known, Manṣūr believes that Ibn Khaldūn's intellectual marginalization in Egypt, including his failure to generate disciples, can be lain at his own feet. He simply did not want to use his talents any further after having finished the *Kitāb al-'Ibar*. Manṣūr is inclined to see in Ibn Khaldūn's intellectual stagnation a reflection of his Sufic belief in the unity of the creator, which he illustrates with the common saying "rabbunā 'āyiz kidā." In this regard, the author mentions a report from the historian al-Sakhāwī that Ibn Khaldūn spent his final years on the banks of the Nile in the company of female singers and young men *(al-shudhūdh al-jinsī)* (p. 499).

The author's portrait of Ibn Khaldūn possesses one final thrilling, perhaps criminal stroke. While one cannot rule out natural causes in his apparent sudden death, Ibn Khaldūn may in fact have been the victim of foul play. The author notes that five other high-ranking scholars died during the political turmoil between 1387 and 1402, all possibly murdered. The chief culprit, Manṣūr believes, was a confidant of Sultan al-Nāṣir Faraj, Ibn Ghurāb, whose own death followed shortly that of the curmudgeonly Ibn Khaldūn.

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QĀSIM ʻABDUH QĀSIM, *ʻAṣr Salāṭīn al-Mamālīk: al-Tārīkh al-Siyāsī wa-al-Ijtimāʻī* (Cairo: ʻAyn lil-Dirāsāt wa-al-Buḥūth al-Insānīyah, 1998). Pp. 390.

REVIEWED BY THOMAS HERZOG, University of Halle

The book under review, written by Qāsim ʻAbduh Qāsim, head of the Department of History at the University of Zaqāzīq (Egypt), is part of a series of the author's recent works devoted to Ayyubid and Mamluk history and covers at least partly some of the subjects already discussed in his early publications: *Māhīyat al-Ḥurūb al-Ṣalībīyah* (Cairo, 1993); *Dirāsāt fī Tārīkh Miṣr al-Ijtimāʻī* (Cairo, 1994); *Al-Ayyūbīyūn wa-al-Mamālīk: al-Tārīkh al-Siyāsī wa-al-ʻAskarī* (together with ʻAlī al-Sayyid ʻAlī) (Cairo, 1995); *Al-Sulṭān al-Muẓaffar Sayf al-Dīn Quṭuz, Baṭal Maʻrakat ʻAyn Jālūt* (Damascus, 1998); *Al-Khalfīyah al-Aydiyūlūjīyah lil-Ḥurūb al-Ṣalībīyah: Dirāsah ʻan al-Ḥamlah al-Ūlá, 1095–1099M* (Cairo, 1999); *Taṭawwur Manhaj al-Baḥth fī al-Dirāsāt al-Tārīkhīyah* (Cairo, 2000).

In general, Qāsim's study seems to have been conceived as an introduction to Mamluk history for students and educated laymen. The author uses a gripping narrative style writing history with a strong focus on the personal careers of some of the most important Mamluk sultans. Unfortunately, Qāsim slips at times into metaphysical interpretations of history, as, for example, when he speaks of the "historical mission" of the sultan Quṭuz, or into melodramatic utterances in the style of Jirjī Zaydān when he deplores the murder of the same sultan with the words: "Hākadhā jā'at nihāyat baṭal min abṭāl tārīkh al-muslimīn, kāna mil' al-ʻayn wa-al-qalb, aḥabbahu al-nās . . ." (p. 111).

In contrast to his promise to cover the history of the Mamluk Empire, Qāsim's book is a history of Egypt and of Egyptian society during the Mamluk period. Especially in the second part of the book nearly all examples focus on Egypt and Cairo; the Bilād al-Shām is practically absent from the study. As the title notes, the author's work is subdivided into two parts: political and social history. The first part of his study is divided into nine chapters: (1) The historical conditions of the rise of the Mamluk sultanate; (2) The political basis of the Mamluk sultanate; (3) Quṭuz: from mamluk to sultan; (4) The Mongol threat; (5) The battle of ʻAyn Jālūt; (6) The end of a hero; (7) Baybars and the constitution of the Mamluk state; (8) The reign of the Qalawunids and the end of the Crusaders' presence; (9) The state of the Circassian Mamluks. The second part of the book is divided into eight unnumbered chapters (Introduction; Andalusian travellers in Cairo; Egypt in the *Riḥlah* of Ibn Batuta; Markets and everyday life; Religious minorities and Egyptian society; Religious festivals and public feasts; Everyday professions; Famines, epidemics, and economic crises).

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As indicated by these titles, Qāsim´s work presents some peculiar features. First, in his presentation of the political history of the Mamluk sultanate, it is astonishing to see that he focuses on the first eighty years of Mamluk rule. Whereas the author narrates the history of the Bahri sultanate over about a hundred pages, he sums up the history of the Burji sultanate as a period of utter decline in less than twenty pages. Second, Qāsim´s special interest in Quṭuz (nearly fifty of the one hundred and fifty pages of the book´s first part deal with Quṭuz´s approximately two-year reign) is due to the fact that chapters 1–6 of his study are an exact reproduction of a large part of his monograph on this sultan, published in Damascus in the same year as the book under review (he doesn´t mention his own publication). The author´s concentration on the founders of the Mamluk sultanate is certainly exaggerated, especially with regard to his strongly negative description of the Circassian sultanate.

Whereas the first part of Qāsim´s study owes its structure to its chronological organization, the second part of his book appears to be somewhat unorganized. There is no obvious logical link between the different chapters of the second part. This part of his work resembles a collection of essays clumsily glued together rather than part of an integrated scholarly study. After a somewhat repetitive introduction to Mamluk society, the author inserts two chapters dealing with the reports of Andalusian travellers to Egypt and Cairo. These accounts inform us about the concept of *riḥlah* in the Islamic Middle Ages, but do not contribute much to our understanding of Mamluk society. After these two generally informative, but not very well integrated chapters, Qāsim presents the social history of Egypt and Cairo throughout the 267 years of Mamluk rule through the prism of market life. Here his descriptive method gives valuable, detailed information, usually supported with precise citations from Mamluk Arabic sources. The author introduces the theme of the religious minorities in Mamluk society in the following chapter, which is generally informative but again poorly linked to the preceding chapters. Similarly in the following chapters the reader is provided rich information about secular and religious feasts as well as on the different professions of everyday life but is deprived of an analytic approach based in modern historical methodology.

The author introduces his main thesis in his introduction and repeats it often throughout his study: the historical role of the Mamluks was the defense of the Arab and Muslim World against the Mongol threat and the colonialist ambitions of Europe which, according to Qāsim, began with the Crusades (p. 5). But ″once the external threats—the Frankish crusader entity *(al-kiyān al-franjī al-ṣalībī)* and the heathen Mongols—had disappeared, the Mamluk sultanate became a political and economic burden . . . and transformed itself into a monster that did not deserve to be saved″ (p. 6). According to the author, the intrinsic problem of Mamluk rule was the way in which Mamluk sultans ascended to power: Qāsim

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underlines in every chapter of his work that a political system whose leaders acquired power only by force following the principle of ″the rule to the victor *(al-ḥukm li-man ghalab)*″ was destined to internal disorder and political, economic, and cultural decay. To his mind it was the merely formal legitimation of Mamluk rule by the Abbasid puppet caliphs of Cairo ″that brought about hypocrisy in the political life of the Arab World, a phenomenon under whose consequences we suffer to the present day″ (p. 6).

The didactical repetitiveness with which the author reproduces every twenty pages his principal thesis cannot conceal that the reasons for the decay of Mamluk rule—the beginning of which Qāsim dates quite arbitrarily to the beginning of the Burji sultanate—are much more complex than he would have us believe. For instance, it is regrettable that he introduces one important cause for the decay of Mamluk society—the natural catastrophes and the plague at the end of the fourteenth century—only in the last chapter of the second part of his study. Finally the author does not explain how the Mamluk sultanate managed to remain in power for more than two and a half centuries while it was plagued by anarchy and corruption.

Qāsim´s book is very much source-based and leaves the impression that the author ignores most of the contributions of recent Western and Oriental scholarship (the most recent reference to a Western work dates from 1979; the Arabic secondary literature cited dates, except for the author´s own works, almost exclusively from the 1960s and 1970s). Although Qāsim´s book is largely descriptive and often quite repetitive, it may be of some interest for Western scholars not always at ease with Arabic sources because of his extensive use of printed and manuscript source materials, even if, just as Western scholarship did for a long time, he refers much too often to al-Maqrīzī (to whom he dedicated his *Taṭawwur Manhaj al-Baḥth fi al-Dirāsāt al-Tārīkhīyah*). But again, Qāsim seems to accept the sources at face value instead of critically contextualizing and evaluating them, just as, unfortunately, still too many Western scholars do.

Despite all criticism Qāsim´s book may be a useful introduction to the Mamluk era. His gripping narrative style and his extensive use of source materials render his book valuable reading for a wide circle of readers, especially when used in combination with other historical studies.

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Muḥammad al-Shushtāwī, *Mutanazzahāt al-Qāhirah fī al-'Aṣrayn al-Mamlūkī wa-al-'Uthmānī* (Cairo: Dār al-Āfāq al-'Arabīyah, 1999). Pp. 355.

Reviewed by Leonor Fernandes, American University in Cairo

The title of this book on places of promenade or recreation during the Mamluk and Ottoman periods raises the expectations of the reader eager to learn more about the social life of the inhabitants of Cairo during these periods. From the very first chapter, however, it becomes clear that al-Shushtāwī is not really interested in the social life of the inhabitants of Cairo but rather in urban development. Indeed, the author chooses to focus primarily on the development of urban centers which, as he mentions, became favorite places of residence and promenade during the periods under discussion. Al-Shushtāwī's painstaking effort to compile information from primary and secondary sources is remarkable. The reader is taken on a tour of the most important loci of entertainment such as the river Nile, ponds, islands, canals, and belvederes, but is left to ponder why people chose to go to such places and what type of social activity went on there. The reader has to wait for the last chapter where an attempt is made to put these places in a social context. However, no real analysis is provided and the reader is left with questions about places classified as *"mutanazzahāt."* For instance, visiting a religious foundation as a place of promenade in order to have "a good time" may not mean much to the reader and certainly requires an explanation (pp. 33, 39).

Al-Shushtāwī 's descriptions of the urban development of the islands of al-Rawḍah, al-Jazīrah al-Wusṭá, Jazīrat al-Dhahab, and al-Warrāq are quite interesting to follow. The island of al-Rawḍah is given particular attention (pp. 52–84) since it had become the favorite place for recreation and entertainment during the Mamluk period. It is there, we are told, that people used to go to celebrate weddings, seasonal festivals, and other unspecified festivities. There is a great deal of literature about this island. For instance, medieval scholars often wrote poetry describing the beauty of al-Rawḍah with its gardens and palaces. Passages from this literature are included in the last chapter . Al-Shushtāwī also mentions that al-Suyūṭī himself had been inspired by the beauty of al-Rawḍah and that he had issued a *fatwá* in 896/1491 stating that it was illegal for people to build on the shores of al-Rawḍah. Al-Shushtāwī claims that al-Suyūṭī's concern was to preserve the beauty of the island so it would remain a pleasure for the viewer, and a place of promenade (p. 52). However, the *fatwá,* whose title was "Al-Jahr bi-Man' al-Burūz 'alá Shāṭi' Nahr," was actually concerned with a point of law and not esthetics.

Urban space on the islands and areas around ponds and canals had become favorite places of residence for the elite who built their palaces and mansions there. Such places were often visited by people from all walks of life. Often, says

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al-Shushtāwī, people would visit at the invitation of the elite, who would open their doors for the masses to enjoy their gardens in an attempt to enhance their public image.

The last chapter of the book deals with what should have constituted the core of the study, that is, the social aspect of the *mutanazzahāt*. Here, the author decided to provide the reader with his definition of the word *mutanazzahāt,* which he refers to as being places where people could go to relax and enjoy a good time during special occasions such as seasonal festivals and religious feasts. This long chapter (pp. 269–353) is divided into four sections, each dealing with one sort of entertainment. The author focuses on the activities associated with places such as the Nile, ponds, belvederes, canals, and islands, where people would congregate. He also discusses what he refers to as the aberrant behavior *(al-amrāḍ)* associated with or resulting from celebrations taking place in such locations. Among the celebrations resulting in the gathering of large crowds he mentions religious occasions such as the birth of the Prophet and the procession of the *maḥmal*. Other festivities were associated with the Nile flood and had a national character, such as Wafā' al-Nīl. One of the sections deals with Coptic festivals which had assumed a national character and were celebrated by both Christians and Muslims, for example 'Īd al-Shahīd, Īd al-Nawrūz, and Īd al-Ghiṭās. The author mentions that the celebrations of Nawrūz and Ghiṭās had been discontinued by the middle of the Mamluk period, while those associated with the Nile survived even after the Ottoman conquest of Egypt. Due to the symbolism attached to some of these festivals, the author should have examined them in their changing cultural context. Reference to Huda Lutfi's article "Coptic festivals of the Nile: aberrations of the past?"[1] would have been useful.

This book is easy to read despite its numerous typographical errors and repetitions. The author should be given credit for attempting to take us back to this distant past and offering us a glimpse of the social life of Mamluk society. On the whole this is an interesting contribution to the field of Mamluk studies. A bibliography and an index would have been helpful.

[1] *The Mamluks in Egyptian Politics and Society*, ed. Thomas Philipp and Ulrich Haarmann (Cambridge, 1998).

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Muḥammad Fatḥī al-Shā'ir, *Al-Sharqīyah fī 'Aṣray Salāṭīn al-Ayyūbīyīn wa-al-Mamālīk* (Manūfīyah: Dār al-Ma'ārif, 1997). Pp. 208.

Reviewed by Niall Christie, University of Toronto

This book presents a survey of the Egyptian province of al-Sharqīyah during the Ayyubid and Mamluk eras (564/1169–923/1517). The medieval Egyptian province of al-Sharqīyah lay, as the name implies, on the eastern side of the Nile delta, to the south of the province of al-Daqahlīyah. It originally occupied the entire area east of the Damietta branch of the Nile from the southern border of al-Daqahlīyah all the way to Cairo, but in 715/1315 the southern portion of the province was separated from it, becoming the province of al-Qalyūbīyah. Throughout the period the capital of Sharqīyah was Bilbays.[1]

Muḥammad Fatḥī al-Shā'ir opens his study with an examination of the development and geography of the province, from ancient times up to the end of the Mamluk sultanate. He then discusses the administration of the province and its role as a channel for communications (particularly by pigeon post) and the transport of snow and ice between Syria and Egypt.

The second part of al-Shā'ir's study concerns itself with the political and military role of the province, examining in particular Crusader activity in the area, its role in the rise of the Ayyubid and Mamluk sultanates, and the relations of these sultanates with the Bedouin of the area, both peaceful and otherwise. Some consideration is also given to the activities of brigands and instances of internal strife during the period.

The third part of the book focuses on the economic history of al-Sharqīyah. The author gives an overview of the *iqṭā'* (feudal estate) system under the Ayyubids and Mamluks, before proceeding with a description of how this system was administered in al-Sharqīyah. He then considers a number of other important features of the economic life of the province. He lists the canals and dams which were the responsibilities of the sultan, describes the most important crops grown in the area and also considers mines, local industries, and trade. The last part of this section discusses the economic effects of plague and famine on the province.
The next part of al-Shā'ir's work considers the social life of the province. He examines the major social groups living in the area, giving attention in turn to the Mamluk elite, the Bedouin tribes, the religious and scribal classes, the merchants, craftspersons, *dhimmī*s (tolerated non-Muslim communities under Muslim rule), and the peasantry. He then discusses the role of the province as a hunting retreat for the Ayyubid and Mamluk elites.

[1]G. Wiet and H. Halm, "Al-Sharḳiyya," *The Encyclopaedia of Islam*, 2nd ed., 9:356–57.

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The last major part of al-Shā'ir's work focuses on the religious and intellectual life of the province. He considers the role of various institutions, including *madāris* (legal schools), *makātib* (Quran schools), and *masājid* (mosques) before describing the religious and intellectual elite. He gives examples of noted individuals of the area, including teachers, poets, and judges. He then considers the sufis of the area, noting particularly famous groups and individuals.

Al-Shā'ir concludes that much of the importance al-Sharqīyah enjoyed during the period derived from its geographical position, forming as it did a gateway between Egypt and the other countries of the Middle East. This importance manifested in a number of ways, most notably in its becoming a center both of political significance for the Bedouin, and of commercial and intellectual activity.

The book has a large bibliography, which includes some works by European scholars. There is also a useful appendix containing tables describing the *iqṭā'āt* and *awqāf* (religious endowments) of the province, including their areas and incomes. A contents list is also included at the back.

Al-Shā'ir uses an extremely wide range of medieval Arabic sources in his study. His selection of sources includes works by historians, geographers, biographers, and writers of secretarial manuals. He also supports his primary material with a number of works by Middle Eastern and European scholars. As implied above, the number of European works used is small, but given that al-Shā'ir's emphasis is on information contained in the primary sources, this is not a major problem. However, use of a wider range of secondary material might have resulted in a more well-rounded study.

Al-Shā'ir's work is a valuable contribution to the scholarship of Ayyubid and Mamluk Egypt. It is a wide-ranging survey of a number of different topics in the history and development of the province, and as such it provides a useful framework for further study of the area.

MUḤAMMAD AL-TŪNJĪ, *Bilād al-Shām ibbāna al-Ghazw al-Maghūlī* (Beirut: Dār al-Fikr al-'Arabī, 1419/1998). Pp. 200.

REVIEWED BY JOHANNES PAHLITZSCH, Freie Universität Berlin

While appearing to promise a study of the thirteenth century Mongol campaigns against Syria, this short book really serves only to invoke for modern Muslims the struggles of that age in order to reawaken their patriotic spirit and rouse them to a defense of their modern Arab homeland. For now, as then, maintains the author,

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Muḥammad al-Tūnjī, the covetous eyes of its enemies continue to be directed at al-Shām (pp. 5–6). Only the last third of the book actually embraces the subject matter of its own title. In reality, al-Tūnjī has produced little more than a nebulous overview of the Mongol conquests of the Islamic world.

The author begins with the foundation of the Mongol Empire under Chingiz Khān (pp. 10–46), describing the society and culture in its heyday. Al-Tūnjī´s verdict ultimately is that the Mongols have always been a primitive people lacking much cultural development—in contrast to the bedouin and Arab hill tribes who, following Ibn Khaldūn, remained generally superior to sedentary populations (p. 19). The cruelty manifested by the Mongols in their conquests is prime evidence, the author believes, of their primitive nature.

In discussing Chingiz Khān himself, al-Tūnjī has evidently not consulted a single one of his more recent biographies.[1] In particular his evaluation of the ″Great *Yāsa*″ is accomplished without specifying any primary source or even reflecting the doubts raised by David Morgan some years ago about the actual existence of a written legal code in Chingiz Khān´s day.[2] Furthermore, the author gives only short shrift to the turbulent history of the post-Chingizid division of the Mongol Empire into vast territorial appanages among his sons.

While attempting to explore the contours of Mongol religion (pp. 49–62) al-Tūnjī manages only to produce a general catalog of their shamanistic beliefs and contacts with other religions such as Buddhism and Christianity. Yet again, the authors fails to avail himself of any of the available secondary scholarship, such as Jean Richard´s study of papal missionary efforts among the Mongols.[3] The author can seem to find nothing more important to say about the subsequent conversion and advance of Islam under the Mongols except that history will not easily forgive them for the overall destruction they have wrought on Islamic civilization (p. 59).

The middle part of the book takes up Hülagü´s conquest of the Middle East (pp. 65–126). Al-Tūnjī believes that the Mongol prince was tasked originally by the Grand Khān Möngke to vanquish the Assassins, conquer Iran, conquer the Abbasid heartland, and then subjugate Syria and Egypt. He fails, however, to address the signal issue of whether Möngke intended these conquests to constitute

[1]For example, the biography by Paul Ratchnevsky, *Genghis Khan: His Life and Legacy* (Oxford, 1991).

[2]David O. Morgan, ″The ´Great Yāsa of Chingiz Khān´ and the Mongol Law in the Īlkhānate,″ *Bulletin of the School of Oriental and African Studies* 49 (1986): 163–76.

[3]Jean Richard, *Le Papauté et les missions d´Orient au Moyen Age (XIIIe–XVe siècles)* (Rome, 1977).

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an empire proper for Hülagü.[4] The author argues principally that the ″Arab *ummah*″ was subjected in this period not only to a Mongol threat but to an equivalent Crusader one as well. Each conquest effort, he claims, relied primarily on Arab disunity for its success and aimed not only to occupy and exploit the region but exterminate its inhabitants as well. Al-Tūnjī′s effort at equating these two threats is merely another attempt at invoking for the modern Muslim reader the image of the Arab world under threat of foreign domination, especially from its old nemesis—the West. The Crusaders were after all of much less importance for Syria in this period than the Mongols and, unlike them, did not generally massacre Muslim populations (if one excepts the conquest of Jerusalem).

Al-Tūnjī is particularly interested in tracing the unequivocally pro-Mongol posture of indigenous Christians to the successful Mongol strategy of using *dhimmī*s as regional catspaws. Despite Hülagü′s actions at Baghdad and Damascus, only the slaying of the Christian population during the reduction of Aleppo exposed true Mongol intentions towards these *dhimmī* communities. While al-Tūnjī fails to consider the potential role of Christians in facilitating the fall of Abbasid Iraq, he does comment on the situation of the *dhimmī* population in neighboring Ayyubid Syro-Egypt. Because these Christian groups developed excellent relations with the Ayyubids, they were never tempted to cooperate with the Crusaders. What Christian transgressions transpired in Damascus are represented by al-Tūnjī as merely spontaneous, isolated attacks by a handful of individuals (p. 142). In short, he completely denies any tension between the Damascene Muslim and Christian communities. This is not entirely accurate. For instance, Hibat Allāh ibn Yūnis ibn Abī al-Fatḥ, a Christian treasurer in Ayyubid employ and no doubt a leader in the Melkite community of Damascus, used his wealth and influence to advance rather brazenly the interests of his co-religionists, most notably in renovating and expanding St. Mary′s Church. His zealotry proved his undoing, however. According to the historian Abū Shāmah, he was suspended from office and chained publicly to the portal of St. Mary′s, charged with misusing his office to subjugate Muslim interests to Christian ones.[5]

Al-Tūnjī has little to say, however, about the relationship of such *dhimmī* communities with subsequent Mamluk regimes. On the whole, he seems to think their interests were not greatly harmed despite his rather surprising claim that the

[4]For Möngke and his expansionist policy, cf. Thomas T. Allsen, *Mongol Imperialism: The Politics of the Grand Qan Möngke in China, Russia, and the Islamic Lands, 1251–1259* (Berkeley, Los Angeles and London, 1987).

[5]Abū Shāmah al-Maqdisī, *Al-Dhayl ʻalá al-Rawḍatayn,* ed. Muḥammad Zāhid ibn al-Ḥasan al-Kawtharī (Beirut, 1974), 156.

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Mamluks were less tolerant of other religions than the Ayyubids (p. 144).[6] His interest in the Mamluks themselves centers more around their crucial victory at the battle of ʻAyn Jālūt. Al-Tūnjī argues chiefly that, unlike the Abbasid caliph al-Mustaʻṣim, al-Malik al-Ẓāhir Baybars played a savior-like role in Islam by both unifying the region and demonstrating that the Mongols could be vanquished through decisive action. The author is offended by traditional historical works that denigrate this crucial Mamluk victory by minimizing the number of Mongol troops involved. To that end, al-Tūnjī wildly estimates the force left behind by Hülagü in Syria at 100,000 men (p. 161). More recent studies that have shown the Mongol occupation force to have been quite small—12,000 to 20,000 men—are ignored.[7] The author displays similar carelessness in treating the scholarship surrounding other issues. His coverage of the installation of the Abbasid caliphs in Aleppo and Cairo, for instance, overlooks Stefan Heidemann´s important work.[8] Also, his treatment of the long Mamluk-Ilkhanid struggle for Syria after ʻAyn Jālūt (pp. 173–90) manages to ignore Reuven Amitai-Preiss´s important work on this period.[9] The last Mamluk victory over the Mongols in 1303 provides al-Tūnjī one final opportunity to celebrate the unity of Arab arms over foreign aggression.

All in all, al-Tūnjī´s book, though based on older, standard works on Mongol history such as Saunder´s *History of the Mongol Conquests,* provides a generally reliable presentation of facts.[10] Its chief shortcoming lies in its failure to incorporate the research of more recent publications, even David Morgan´s general history.[11] Moreover, al-Tūnjī presents no new findings himself. Presumably, this was not his objective in the first place, given his prior background in literary history (p. 6). The author seems to have intended this book to rise above simple narration to consider social and religious developments, but even as a general introductory text it fails to achieve what any good handbook might—enabling students to delve more deeply into selected matters. Moreover, in spite of the seemingly non-partisan

[6]For the situation of the Christians under Mamluk rule cf., for example, Christian Mueller and Johannes Pahlitzsch, ″Baybars I and the Georgians in the Light of the Two New Arabic Documents from the Archive of the Greek Orthodox Patriarchate of Jerusalem,″ in *The Mamluks in Egyptian and Syrian Politics and Society,* ed. Amalia Levanoni and Michael Winter (forthcoming).

[7]Cf. Reuven Amitai-Preiss, ″ʻAyn Jālūt Revisited,″ *Tāriḫ* 2 (1992): 119–50, with references to the older literature.

[8]Stefan Heidemann, *Das Aleppiner Kalifat (A.D. 1261): vom Ende des Kalifates in Bagdad über Aleppo zu den Restaurationen in Kairo* (Leiden, 1994).

[9]Reuven Amitai-Preiss, *Mongols and Mamluks:the Mamluk- Īlkhānid War, 1260–1281* (Cambridge, 1995). Not mentioned is also Peter Thorau, *The Lion of Egypt: Sultan Baybars I and the Near East in the Thirteenth Century,* trans. Peter M. Holt (London and New York, 1992).

[10]Published in London, 1971.

[11]David O. Morgan, *The Mongols* (Oxford and Cambridge, MA, 1986).

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depiction of events, the underlying intention of the author is readily discernible. Al-Tūnjī consciously presents Saladin and Baybars as role models able to vanquish foreign threats through their geopolitical unification of Syria. Only through such unity and decisiveness, the author insists, will modern-day, would-be conquerors of al-Shām be forestalled. It is perhaps for this reason that al-Tūnjī tries to minimize *dhimmī* pro-Mongol partisanship so as not to be seen as critical of the current Christian-Muslim condominium.

MAḤĀSIN MUḤAMMAD AL-WAQQĀD, *Al-Yahūd fī Miṣr al-Mamlūkīyah fī Ḍaw' Wathā'iq al-Jinīzah 648–923 H./1250–1517 M*. (Cairo: al-Hay'ah al-Miṣrīyah al-'Āmmah lil-Kitāb, 1999). Pp. 471.

REVIEWED BY JOSEF W. MERI, University of California, Berkeley

Arabic studies that sensitively treat the history of the Jewish communities of the Near East are rare. Indeed, the history of Near Eastern Jewry has only recently become a legitimate topic of inquiry in the Arab and Islamic Middle East outside the bounds of traditional scholarship, which ordinarily focuses on Jewish and Arab nationalist ideologies in the modern context. Before the advent of political ideologies and nation states, Oriental Jews were integrated into the social, economic, and political life of their societies. The pre-modern context offers many fine illustrations of the complex social and economic relations and the professional and informal religious and spiritual associations that characterized inter-faith relations. During the Mamluk era in particular (648/1250–923/1517), scholars, theologians, historians, and travelers produced a cornucopia of historical, legal, and literary writings, which shed light on the economic, social, and political conditions under which Egyptian Jewry lived. This was also the most significant period for the development of the Jewish faith in the post-Talmudic period, when Islamic rituals and customs influenced Jewish prayer and other rituals and some Jews, including the descendants of the great Jewish physician and theologian Maimonides (1135-1204), were attracted to various forms of mysticism.

One noteworthy critical examination of the history of Jewish life in the Islamic world, which fortunately does not succumb to ideology, is Maḥāsin Muḥammad al-Waqqād's *Al-Yahūd fī Miṣr al-Mamlūkīyah fī Ḍaw' Wathā'iq al-Jinīzah* (The Jews in Mamluk Egypt in light of the Cairo Geniza documents). This is the first serious historical study to make effective use of the Arabic sources by presenting a thorough and balanced discussion of Egyptian Jewry and their participation in

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Egyptian society during the Mamluk era. By contrast, traditional studies do not, for instance, adequately consider the relatively uncommon occurrences of violence perpetrated against Jews. Waqqād sensitively grounds her discussion of such instances in her sources. Her work is an admirable achievement, exemplified by her meticulous and effective use of Arabic historical, literary, and legal sources as well as the Jewish sources upon which the works of Mann, Goitein, Cohen, and others rely. She has also made effective use of Jewish sources, including Judeo-Arabic and Arabic texts, though for Hebrew she generally relies on secondary sources or translated collections such as of Geniza documents and travel accounts.

This study is divided into four primary chapters in addition to an introduction, conclusion, table of contents, and appendices. The introduction provides a historiographical overview of the types of sources concerning the Jews of Egypt and a brief discussion of their status from early Islamic times in pre-Mamluk Egypt. As Waqqād observes in her introduction, the most notable authors writing on the history of Near Eastern Jewry are Jewish. However, the publication of this study underscores the need for international collaborative projects focusing on the history of the Jewish communities of the Near East. Chapter 1 explores the status of the Jews in the Mamluk state and the positions they held. Chapter 2 turns to their economic status, their professions, and trade activities. Chapter 3 looks at the internal organization of the various Jewish communities (Rabbanites, Karaites, and Samaritans) and their religious leadership and judiciary. Chapter 4 provides an overview of the Jewish family, holy days, and religious festivals.

While this study is methodical and logically ordered and the research meticulous, the footnotes and citation of western publications are inconsistent and sometimes works are poorly cited, as has come to be expected of much historical scholarship in the Middle East. Moreover, the editors could have been much more diligent in preventing typos and spelling mistakes, particularly in the citation of western sources.

Occasionally Waqqād displays uncritical moments, when for instance she interjects without proper attribution the mythical statement, which is grounded only in European Christian polemical sources against Judaism, that Jews employed Christian and Muslim blood during the preparation of Passover matzo (p. 378). Moreover, Waqqād takes for granted the twelfth-century Jewish sage and physician Moses Maimonides′ conversion to Islam (p. 59) without mentioning that his conversion was coerced. (Cf. Ibn al-Qifṭī′s (d. 1248) biographical account).

One of the most interesting sections of this book, which gives an intimate sense of the involvement of Egyptian Jewry in their society, is the section on *ziyārah* (pilgrimage) (pp. 393-95). Waqqād′s discussion of Jewish pilgrimage to Jerusalem *(aliyah)* seems rather inadequate. *Aliyah* is the religious commandment of pilgrimage to Jerusalem, which Jewish men observed during the Holy Days of

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Passover, the Festival of Weeks (Shavuot) and the Feast of the Tabernacles (Succoth). After the destruction of the Second Temple in 70 C.E., *aliyah* ceased to be incumbent upon Jews. Apart from the residents of Palestine, pilgrimage to Jerusalem was largely the province of wealthy merchants, theologians, and communal leaders and proved to be impossible for the vast majority of Near Eastern and European Jews, who hardly possessed the resources. It was only after the expulsion of the Jews from Iberia in 1492 and the Ottoman conquests of the early sixteenth century that Jewish immigration and pilgrimage significantly increased. When pilgrimage proved impractical for Oriental Jews, they found it necessary to develop alternate pilgrimage centers, which, although in terms of religious significance never surpassing Jerusalem, served to socially integrate them within their places of residence, as did the adoption of customs and rituals also practiced by Muslims. Although Holy Days were the most important occasions for the performance of *ziyārah,* it was performed regularly. Few recorded accounts of Egyptian Jews making pilgrimage to Jerusalem exist. Surviving Geniza accounts mention that Dammūh was one such place of pilgrimage for the Jews of Egypt. Such places as Dammūh served as alternative places of pilgrimage (p. 396). Here, Waqqād might have referred to Goitein´s discussion of Dammūh in *Mediterranean Society*.

Noteworthy is the appendix, which contains a number of Arabic and Judeo-Arabic documents, the latter translated into Arabic by the author.

Waqqād effectively and quite convincingly demonstrates that the Arabic sources reveal Jews enjoyed a relatively peaceful and stable state of coexistence with their Muslim neighbors and were integrated into many aspects of social and economic life. Overall, this study represents a significant and successful attempt to represent the history and society of the Jews of Mamluk Egypt and should be a welcome addition to the library of scholars of the medieval Near East and those interested in interfaith issues.

BAYBARS AL-MANṢŪR AL-DAWĀDĀR, *Zubdat al-Fikrah fī Tārīkh al-Hijrah: History of the Early Mamluk Period.* Edited by D. S. Richards (Beirut: United Distributing Co., 1998). Pp. 488.

REVIEWED BY LI GUO, University of Notre Dame

The work published here is Baybars al-Manṣūrī´s (d. 725/1325) account of the first sixty years of the Mamluk sultanate, from its formative years (650/1251) to the year 709/1310, which marks the beginning of Sultan al-Nāṣir Muḥammad ibn

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Qalāwūn´s third reign. It constitutes the most important and original portion of the author´s famous *Zubdat al-Fikrah fī Tārīkh al-Hijrah,* a history of Islam in the tradition of al-Ṭabari and Ibn al-Athīr. This edition is, as the editor points out, ″a long overdue contribution to the study of the Mamluk state and . . . one more building block to be put in its place in the whole edifice of Mamluk historiography″ (p. xiii); and it is most welcome indeed.

The English introduction provides the reader with sketches of the author´s biography and a survey of his works, as well as a discussion of the importance of the *Zubdat al-Fikrah* and the author´s place in early Mamluk historiography. Richards stresses the particular difficulty in establishing Baybars al-Manṣūrī´s relationships with other contemporary historians because of the peculiar, if not unique, nature of his writing, ″which is consciously literary and poetic and therefore not immediately easy to compare with some of the more sober Mamluk historians″ (p. xxiii). This coming from a member of the Mamluk elite, whose mother tongue was not Arabic but who managed, nevertheless, to acquire ″to a notable degree the literary and religious culture″ (p. xv) of the Arabs, is truly fascinating. The fact that the *Zubdah* also contains a considerable amount of autobiographical material also helps to distinguish Baybars al-Manṣūrī from many of his fellow Mamluk historians. Modern scholars have long noted that Baybars al-Manṣūrī´s accounts of the events are unique in many ways. Donald P. Little, in his ground-breaking study of early Mamluk historiography,[1] has verified that Baybars al-Manṣūrī´s *Zubdah* offers many accounts of the events in which he had participated or which he had witnessed. Shah Morad Elham´s study, prepared under the tutelage of the late Ulrich Haarmann and remaining to date the only monograph in a Western language that is dedicated to Baybars al-Manṣūrī,[2] further reveals that the *Zubdah* is very different from the work of the more famous and mainstream historian al-Nuwayrī. My spot check of the present edition further confirms that a substantial number of Baybars al-Manṣūrī´s accounts are drastically different from those of other contemporary authors such as al-Jazarī, al-Yunīnī, and Ibn al-Dawādārī. In addition, Richards also observes that Baybars al-Manṣūrī gives a ″relatively large amount of space to events in Spain and North Africa″ (p. xxiv), the source of which remains unidentified. Surely we have here, in Baybars al-Manṣūrī, a historian with his own experience, his own sources, and his own voice.

The edition is based on the only two extant manuscripts (British Library Ms. Add. 23325 and Yale Ms. n. 1277 [Landberg 758]). Collation was made against

[1] *An Introduction to Mamlūk Historiography: An Analysis of Arabic Annalistic and Biographical Sources for the Reign of al-Malik an-Nāṣir Muḥammad ibn Qalā´ūn* (Montreal, 1970), 4-10.

[2] *Kitbuġa und Lāǧīn: Studien zur Mamluken-Geschichte nach Baibars al-Manṣūrī und an-Nuwairī* (Freiburg, 1977).

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Badr al-Dīn al-'Aynī's *'Iqd al-Jumān fī Tārīkh Ahl al-Zamān,* a fifteenth-century chronicle that is known to have borrowed heavily from Baybars al-Manṣūrī. Some passages not found in the two manuscripts, but preserved in the *'Iqd,* are provided here as supplements (pp. 419–31). The edition is of the highest quality. It is diligently executed, with a generous textual apparatus, such as variant readings from the manuscripts, clarification of difficult passages, meters of the verses, etc. Very useful indexes include personal names, place names, and technical terms.

MAḤMŪD SĀLIM MUḤAMMAD, *Ibn Nubātah: Shā'ir al-'Aṣr al-Mamlūkī* (Damascus, Beirut: Dār Ibn Kathīr, 1999). Pp. 243.

REVIEWED BY THOMAS BAUER, Universität Münster

Good news first. In a series called *Silsilat al-A'lām* comprising monographs on the life and work of great poets, writers, and scholars of the Arab world, a volume has been dedicated to Ibn Nubātah al-Miṣrī (686–768/1287–1366), the only poet of this age who has been granted this honor so far. But whoever might have hoped that this would be a sign of a new, less prejudiced, and less ideologically distorted appreciation of Mamluk poetry will be disappointed. Even those who at least expected some new factual insights will hardly be satisfied. Maḥmūd Muḥammad's book adds little if anything to 'Umar Mūsá Bāshā's groundbreaking study *Ibn Nubātah al-Miṣrī: Amīr Shu'arā' al-Mashriq* (Cairo: Dār al-Ma'ārif, 1963, 1992). Two monographs about a man whom I would reckon without hesitation among the greatest pre-modern Arabic poets are certainly not too much, since even many basic facts about his work and biography remain to be elucidated. Let me only mention Ibn Nubātah's difficult but stimulating relation to al-Ṣafadī, his role as a writer of *inshā'*, and his achievements as an anthologist. But all these subjects are either only mentioned in passing or are not even touched upon in Muḥammad's book. Instead, the author limits himself to retelling the well-known facts about "the poet and his age" (pp. 7–23), "the content of his poetry" (pp. 24–130), and "his poetical style" (pp. 131–211). One can determine that everything that is found in Muḥammad's book has already been said (and often much better) by 'Umar Mūsá Bāshā, and everything that cannot be found in Bāshā's study is equally absent in Muḥammad's.

There would hardly remain any reason for saying more about this book were it not for the fact that, due to its author's distorted conception of literature and his complete ignorance of literary theory, this book turns out to be not a work *about*

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Ibn Nubātah but rather a lampoon *against* him. Since Muḥammad′s view of literature in general, and of the literature of the Mamluk period in particular, is still widespread (cf. Th. Emil Homerin in MSR 1 (1997): 71), some more detailed notes may be appropriate.

In his preface, the author apparently criticizes the notion of Mamluk literature as a phenomenon of ″decline consisting only of ornament and play with words″ (p. 5). But instead of refuting this attitude, Muḥammad does his best to corroborate it. ‘Umar Mūsá Bāshā, in his unsurpassed study, succeeded in recognising Ibn Nubātah′s *tawriyah*-saturated style as an exciting innovation that considerably added to the referential potential of Arabic poetry, and by comparing this sort of style to symbolism managed to demonstrate the modernity of Ibn Nubātah and to foster a better understanding of Mamluk poetry in general. Though Muḥammad mentions Bāshā′s study in his bibliography, his book gives the impression that Bāshā′s monograph was never written. Instead, Muḥammad′s book is a sad relapse into the belief that the only aim of literature is the ″natural expression of true emotions.″ This attitude is a trivialised and deformed version of the aesthetics of Western romanticism and was used by ″orientalists″ to disparage (and to protect themselves from the fascination of) an imagined ″Orient″ of irrationalism, ornament, and secret promises. In a process of self-colonialisation these notions have been adopted by some Arab intellectuals and directed against their own cultural heritage. It is surprising and disappointing that these things are still discussed. But exactly these ideas form the core and very essence of Muḥammad′s book. With every line of Ibn Nubātah′s poetry the author asks the question if it can be read as the ″natural expression of genuine feelings,″ or, to put it somewhat provocatively, if it is *kitsch* (which is obviously the author′s real literary ideal). To test the authenticity of the feelings behind a line he uses a well-known scheme. Since rhetorical devices such as *jināS* and *tawriyah,* according to his conviction, cannot arise from ″authentic feelings,″ one has only to look for such devices in order to find out if an elegy springs from real grief or constitutes merely professional craftsmanship (what great damage has been caused by considering both as incompatible!). By applying this method Muḥammad tries to show that there is more ″true feeling″ behind Ibn Nubātah′s famous (and really astounding) elegies on the death of his own children than behind his elegies on several princes, but I am afraid that this conclusion is reached mainly by overlooking the quite reasonable amount of *tawriyah*s even in Ibn Nubātah′s poems dealing with personal affairs. Whatever the case may be, I guess that Muḥammad must feel rather uncomfortable with his position as associate professor of Mamluk and Ottoman poetry. The poetry of these (and not only these) periods needs a different aesthetic approach and cannot be reasonably evaluated with an unreflective longing for *kitsch*.

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In order to present an example that shows how terribly Ibn Nubātah is misunderstood in this book, but also to give an idea about what could be done with his poetry, I would like to take a closer look at four lines that Muḥammad particularly dislikes and ruthlessly criticises. According to him, they are ″far away from truth . . . without apparent impression of a specific emotional experience″ (p. 163). These lines form the introduction to the *nasīb* of a poem in praise of al-Malik al-Mu'ayyad Abū l-Fidā' (*Dīwān Ibn Nubātah*, p. 4):

> qāma yarnū bi-muqlatin kaḥlā'ī / 'allamatnī al-junūna bi-al-sawdā'ī//
> rasha'un dabba fī sawālifihī al-nam-/-lu fa-hāmat khawāṭiru al-shu'arā'ī//
> rawḍu ḥusnin ghannā lanā fawqahu al-ḥal-/-yu fa-ahlan bi-al-rawḍati al-ghannā'ī//
> jā'iru al-ḥukmi qalbuhū liya ṣakhrun / wa-bukā'ī lahū bukā al-khansā'ī//

Though a highly complex text like this is even more untranslatable than poetry normally is, I shall venture the following try:

(1) Gazing with dark eyes that taught me madness in consequence of *black (eyes)* / melancholia, there came
(2) a young gazelle on the cheeks of whom ants are crawling so that the poets´ minds are seized by the raptures of love.
(3) A garden of beauty is his face, above which jewelry sings for us—welcome to the lush garden full of rustling / *garden of the singer*!
(4) He treats me with harshness, his heart is (hard as) stone / *ṣakhr* for me, and my weeping for him is like the weeping of al-Khansā'!

Taken at face value these four lines form a quite ordinary, conventional but well formed *ghazal* depicting the fascination of the beautiful beloved and the pains of the lover. But what seems so conventional at first sight is in fact a very complex piece of art. Each line contains a *tawriyah,* the form of *double entendre* that was so popular in Ayyubid and Mamluk times that Ibn Ḥijjah even called the whole period the ″age of the *tawriyah,*″ and Ibn Nubātah was unanimously considered the era´s chief master of the technique. The *tawriyah* makes use of the fact that many words have more than one meaning, and it must be constructed in a way that although only one of its meanings is primarily intended, the hearer/reader is made aware of the other, non-intended meaning of the word. In the case of these four lines, we have no less than three different kinds of *tawriyah*. In the first line, the lyrical I is obviously going mad because of the black eyes of the beloved.

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However, *sawdā'* means also ″black bile, melancholia″ which enables a medical interpretation of the line. Since the context points to the primarily intended meaning, we are confronted with a *tawriyah mubayyanah*. The situation in the next line is more complex, obviously too complex for Muḥammad, whose knowledge of the poetic tradition does not prove sufficient to understand it. Again dominated by Western standards of the nineteenth century, in this case in the field of sexual morals that have even forcefully been changed by the colonial powers, Muḥammad does not recognize that the beloved is of the male sex and that the ″ants″ that are creeping up his cheek are not a simile for ″crumbs of her perfume″ but for ″his downy beard,″ one of the main subjects of Arabic love poetry from the time of Abū Tammām until the middle of the nineteenth century (cf. my *Liebe und Liebesdichtung in der arabischen Welt des 9. und 10. Jahrhunderts* [Wiesbaden 1998], 225–80; see 264 f. for many references to further comparisons between the beard and ants in the love poetry of the ninth and tenth centuries). The comparison is not new at all, but Ibn Nubātah adds a *tawriyah* by stating that the downy beard ″seizes the minds of the poets.″ By mentioning the word *shu'arā'* the hearer becomes aware of the fact that *al-naml* is, just as *al-shu'arā'*, the name of a surah of the Holy Quran. This form of *tawriyah*, which becomes only conspicuous by means of another *tawriyah*, is called *tawriyah muhayya'ah*. Muḥammad cannot see any relation between the names of the surahs and a *ghazal*; it is only ″mannerism″ (p. 163) to seek relations between things that have nothing to do with each other. Well, ants are, as I said, a very common image in love poetry, and I can think of one or another relations that could possibly be found between poetry and poets. And we will see later how the Quran comes in.

The third line adds the acoustic dimension to the optic one. The beloved's face is a garden (a common image), but a garden is only perfect when birds sing in it. Instead of birds, the beloved's garden here is filled with the rustling of his adornment (perhaps his earring); therefore it is a *rawḍah ghannā'* which one can interpret as ″a garden, a singer.″ That is how far Muḥammad came, stating that the whimsical poet ″describes the garden as one of singing that comes from singing″ (p. 163). This note, intended to mock Ibn Nubātah, falls back on its author by proving his lack of the linguistic competence to understand Ibn Nubātah's poems. The intended meaning of *ghannā'* is not that derived from the root *gh-n-y*, but that from the root *gh-n-n*. *Ghannā'* can also be the feminine of *aghann* and means as an epithet to a garden ″abounding with herbs in which the winds murmure by reason of the denseness of its herbage″ (cf. Lane, s.v., adapted). It is an old Arabic expression for a *locus amoenus* and therefore makes excellent sense in this line. The *tawriyah* in this case is a *tawriyah murashshaḥah* in which the context (″singing″) points to the not intended meaning (″singer″). It is no shame to fall into the trap of a

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tawriyah murashshaḥah, as Muḥammad did here, as long as one does not blame the poet for one´s own misunderstanding.

The fourth line complains about the reluctance and harshness of the beloved whose ″heart is of stone (*ṣakhr*),″ a very common theme of love poetry. As a result, the lover must weep, and the poet compares his weeping to that of the pre-Islamic poetess al-Khansā' who spent many years composing elegies on the death of her beloved brother whose name was Ṣakhr. Since the brother´s name is clearly not intended by the word *ṣakhr* in the first hemistich, this is a *tawriyah murashshaḥah* again.

It is not true that these lines are really ″mannered.″ They contain only a single *jināS* (*ghanná–ghannā'*) and are, provided an average acquaintance with poetic language, not particularly difficult to understand if one disregards the *tawriyrah*s. And this is quite possible, since the lines yield perfect sense even without thinking about melancholia, the Quran, and al-Khansā's brother. But of course the *raison d'être* of these verses lies in their *tawriyah*s, much to the dislike of Muḥammad who holds that it is the task of the poets to produce a straightforward expression of emotions (for which purpose, by the way, no poets are needed at all). But what if emotions are not a straightforward thing? Feelings do not exist independently from the culture of which their bearer forms a part. Emotions have their social and situational context, find their cultural interpretation, have their own history, and carry in themselves their own ambiguities. This was, in some way or another, already known to the Arab love poets of the preceding centuries. Never, however, could this factual complexity be transformed into poetry with such literary complexity as it was by the use of the *tawriyah* in the Mamluk period. In these four lines, Ibn Nubātah succeeds in an unprecedented way in providing a broader context for the feelings of love and to put them in the frame of other emotions and of the factors that constitute the condition of human emotionality. From line one we can infer that there is a biological basis to feelings. In line two we are referred to the Quran, which not only talks about emotions evoked or pretended by poets (Q. 26:225: ″al-shu'arā' . . . fī kulli wādin yahīmūn″—this *āyah* is clearly alluded to in Ibn Nubātah´s line), but is in itself a text that has always been experienced as loaded with extreme emotionality that eventually even led to the death of its readers (in the case of the *qatlá al-Qur'ān*). From religious emotions we are taken to emotions caused by nature as reflected in garden and flower poetry, alluded to in line three. And finally, and probably as a sort of climax, the emotions of love are paralleled with those of grief caused by the death of a close relative in line four. Perhaps it is not only the well-known parallel between love and death that is suggested here, but also the historical depth of feelings by alluding to the names of two historical figures. The reader is thus referred to the biological, religious, natural, and historic dimension of emotions. It is a stupid criticism to say that the

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elements hinted at in the form of the *tawriyah* have nothing to do with the ″authentic″ feelings of love. Instead, it is quite obvious that the subject of love is consciously avoided in the images which are hinted at by the secondary meanings of the *tawriyah*s, or rather the theme of love is accompanied by a subtext in a way similar to the technique of the *leitmotiv* in Wagner′s *Ring,* where the music provides for a second textual layer that interprets, comments, and often counteracts the layer of discursive language. What is achieved in the *Ring* by music is achieved in Ibn Nubātah′s poetry by the ambiguity of the *tawriyah* that enables the poet to create a second textual thread that accompanies, reflects, and adds to the primary text. Ibn Nubātah may not always be so successful with his *tawriyahs* as in the quoted example, but his poems are always interesting and mark an achievement that clearly opens a new and fascinating chapter in Arabic literary history, and, since I do not recall any obvious parallels in other literatures, even in the history of world literature.

In any case, there remains a lot to be said about Ibn Nubātah, but not much about Muḥammad′s superficial and prejudiced text. Instead of wasting one′s time with this book it should be spent much more profitably by reading Ibn Nubātah′s poetry itself. And anyone who wants to read a book about this poet can be advised to read ‘Umar Mūsá Bāshā′s outstanding study, which still remains one of the best books on Mamluk poetry.

Aḥmad Qadrī al-Kīlānī, *Al-Malik al-‘Ālim Abū al-Fidā’, Malik Ḥamāh.* Introduction and Notes by ‘Abd al-Razzāq Kīlānī (Damascus: Al-Maṭba‘ah al-‘Ilmīyah, 1998). Pp. 112.

Reviewed by Niall Christie, University of Toronto

This book is an edition of a biography of Abū al-Fidā’, one of a number of biographies of notables of Ḥamāh written by the scholar Aḥmad Qadrī al-Kīlānī (1886–1980), who was himself a native of the city. An introduction and notes are supplied by the editor, ‘Abd al-Razzāq Kīlānī, who knew the author personally. This is the first printed edition of the work itself, which up until this time existed only in manuscript.

Abū al-Fidā’ was an Ayyubid amir, historian ,and geographer. Born in Damascus in 672/1273, he was a cousin to Maḥmūd II, the prince of Ḥamāh. He witnessed the siege of Marqab (Margat) in 684/1285 and took part in a number of later campaigns against the Crusaders. His account of the fall of Acre to al-Ashraf

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Khalīl in 690/1291 is particularly well known. When the Ayyubid principality of Ḥamāh was suppressed in 698/1299 he remained in service to its Mamluk governors, and eventually managed to secure the governorate for himself in 710/1310. He was appointed sultan of Ḥamāh by al-Nāṣir Muḥammad in 720/1320, continuing to rule until his death in 732/1331. His best known works are a universal history covering the pre-Islamic period and Islamic history to 729/1329, *Mukhtaṣar Tārīkh al-Bashar,* and a geography, *Taqwīm al-Buldān.*[1]

'Abd al-Razzāq Kīlānī's introduction occupies the first quarter of his edition of Aḥmad Qadrī al-Kīlānī's work. He gives a description of the origins and history of the Ayyubid sultanate up to and including the sultanate of Abū al-Fidā' at Ḥamāh. 'Abd al-Razzāq Kīlānī's choice of sources is fairly narrow, relying primarily on Abū al-Fidā's *Mukhtaṣar Tārīkh al-Bashar* and the chronicle *Al-Bidāyah wa-al-Nihāyah* by Ibn Kathīr (d. 774/1373), as well as the modern *Mawsū'at al-Tārīkh al-Islāmī* by Aḥmad Shalabī. The introduction then proceeds with a description of the life and works of Aḥmad Qadrī al-Kīlānī himself, written from the perspective of a man who knew him personally, and including a number of personal anecdotes. Several of Aḥmad Qadrī al-Kīlānī's associates are also described in footnotes to this part. The information presented in the introduction is primarily descriptive, with little discussion of the material.

The major part of the rest of the work consists of Aḥmad Qadrī al-Kīlānī's biography of Abū al-Fidā'. The first part of this is a chronological account, describing his birth, upbringing, education, character, military experiences, and career in Damascus, before giving an account of his gradual achievement of the governorate and then sultanate of Ḥamāh. Al-Kīlānī then presents a number of panegyric poems written for Abū al-Fidā', before describing other actions he performed during his life, most particularly his pilgrimages and visits to Jerusalem. The works of Abū al-Fidā' are also discussed, including sources, content, translations, and publication details. Finally, he describes Abū al-Fidā's death, elegies written to his memory, and the architectural remains from the construction he conducted during his life. The narrative is almost entirely descriptive, with al-Kīlānī making little attempt to analyze the material. However, this is not his purpose. He presents a biography of Abū al-Fidā', seeking merely to describe his activities and achievements, not to carry out a detailed examination of his motives or any other deeper topics. Footnotes by 'Abd al-Razzāq Kīlānī explain individual points in the narrative, providing useful supplemental information, but the editor has not made any further attempt to update al-Kīlānī's work to take account of more modern scholarship.

[1]H. A. R. Gibb, ″Abū 'l-Fidā',″ *The Encyclopaedia of Islam*, 2nd ed., 1:118–19.

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Al-Kīlānī makes use of a number of Arabic sources in his account of Abū al-Fidā's life. His major source is Abū al-Fidā's *Tārīkh,* but he also makes considerable use of the biographical dictionary *Durar al-Kāminah* by Ibn Ḥajar al-'Asqalānī (d. 852/1449) and takes some information from other sources. However, although he cites page and volume numbers, he does not cite which editions of works he is using, nor is there a bibliography given in the book, something which might create difficulties for future research on the passages cited. Al-Kīlānī generally allows the sources to speak for themselves, quoting large sections of text and often allowing them to form a significant part of the narrative. His particular reliance on Abū al-Fidā's own account makes his biography seem somewhat one-sided. On the other hand, it also gives the reader an insight into Abū al-Fidā's major preoccupation, the achievement of the sultanate over Ḥamāh. However, the work might have benefited from more balanced use of the sources.

The book concludes with an afterword by 'Abd al-Razzāq Kīlānī, in which he assesses Abū al-Fidā's achievements, most particularly his ability to preserve the Ayyubid sultanate at Ḥamāh despite the fact that the Ayyubid dominance of Egypt and Syria had been extinguished by the Mamluks considerably earlier. The afterword also concludes the historical survey of the Ayyubid sultanate begun in the introduction.

Al-Malik al-'Ālim Abū al-Fidā: Malik Ḥamāh is a useful book, for two reasons. Firstly, it provides a basic, clear, thematic account of the life of the sultan. Abū al-Fidā' has been given relatively little attention by modern scholarship.[2] Hence this book draws welcome attention to this important figure which has been mostly lacking up to this point. Secondly, the book is useful as a collection of Arabic texts related to the life and works of Abū al-Fidā', making it worthy of examination by scholars wishing to conduct further research on the sultan.

[2]The most notable exception to this is a partial translation of the *Tārīkh* by P. M. Holt, entitled *The Memoirs of a Syrian Prince: Abu'l-Fidā', Sultan of Ḥamāh (672–732/1273–1331),* Freiburger Islamstudien, vol. 9 (Wiesbaden, 1983).

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The Cairo Heritage: Essays in Honor of Laila Ali Ibrahim. Edited by Doris Behrens-Abouseif (Cairo and New York: American University in Cairo Press, 2000). Pp. 341.

REVIEWED BY BETHANY J. WALKER, Oklahoma State University

This high-quality festschrift offers a fitting tribute to one of the most influential figures in Cairene studies. As a social historian, art historian, educator, and conservationist, Laila Ali Ibrahim has impacted scholarship on the ″Mother of the World″ on many levels. Her commitment to and love for Cairo are evident in several key articles and monographs on the historic city, in her many years of activism to save its monuments and neighborhoods, and in her generosity towards resident and visiting scholars, among whom are the contributors to this volume.

The essays in this festschrift represent a good mix of Egyptian and non-Egyptian scholarship on the city. The authors regularly cite one another, and the overlap of themes and references makes for a coherent, well-structured text. The volume is organized into four sections, all of which illustrate Laila Ali Ibrahim′s intellectual interests and scholarly contributions. Each examines Cairo from a different vantage point, beginning with a bird′s eye view of the city as a whole, going then to its monuments and the furnishings of those monuments, and concluding with the dilapidated state of the modern neighborhoods collectively known as ″Islamic Cairo.″ The sections are tied together by the common theme of *waqf* and its impact, for good or bad, on the medieval and modern city.

Part One, entitled ″History,″ examines the historiography of Cairo, in which al-Maqrīzī plays a particularly visible role. Jean-Claude Garcin′s article ″Outsiders in the City″ appropriately opens the volume with a discussion of the character of the Mamluk city, whether it was a foreign and colonial creation forced on Egyptians or, rather, a natural stage in the development of the larger Egyptian state. To this end he considers the integral roles played by the outsider/newcomer in Islamic history and argues that the Mamluks were ″acceptable strangers″ whose monumental urban creations were reflections of indigenous state development. His ″inner outsider″ is, thus, a useful model for art history and should be introduced to the debates on the character of Mamluk art, which emphasize its ″renaissance″ of classical Islamic styles.

Because of his centrality to Cairene historiography and to Mamluk studies as a whole, al-Maqrīzī is the subject of two articles by Nasser Rabbat and Sabri Jarrar. Rabbat assesses al-Maqrīzī′s *Kitāb al-Mawā'iẓ wa-al-I'tibār bi-Dhikr al-Khiṭaṭ wa-al-Āthār* as a product of *khiṭaṭ* writing (descriptions of the planned urban quarter) and traces the evolution of this genre from *faḍā'il* (merits of cities) and *tarājim* (biographies of urban notables) literature to *masālik* (historical topography)

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treatises. He suggests that what distinguishes al-Maqrīzī from other *khiṭaṭ* writers is his overarching theory of history, heavily influenced by Ibn Khaldūn, and his concern, like that of Ibrahim, for recording Cairo's monuments before they disappear. Although the heavy and at times awkward prose makes Jarrar's article difficult to read, his suggestion that al-Maqrīzī's unique contribution was in his "alternative, architectural approach to history" (p. 32) is thought-provoking. Jarrar argues that the Mamluk historian uses the concepts of *khiṭaṭ* (in this case "streets") and *āthār* (structures on those streets) to construct a hierarchical system of describing Cairo's urban space. Al-Maqrīzī's *Khiṭaṭ*, however, is not nearly as systematic in its descriptions of streets and monuments as Jarrar would have us believe. The amount of detail and the extent of storytelling (poetry, various asides, and "gossip") in al-Maqrīzī's accounts depended on the sources that were at his disposal. Moreover, an explanation for al-Maqrīzī's interest in "urban realism," to use Jarrar's phrase, is missing from this essay.

The volume's editor, Doris Behrens-Abouseif, rounds out Part One with an essay on the Mamluk sultans' use of family *waqf* to supplement amiral incomes. Not only does the author's new data challenge the traditional understanding of the economic position of the *awlād al-nās*, but I believe it will be useful for explaining the financial mechanisms behind the urban patterns achieved in Cairo in the early Mamluk period.

Part Two, "Architecture and Urban History," focuses on Cairo's monuments and the institutions that created them, and what impact they had on urban design. Most of the articles in this section relied on *waqfīyāt* as primary sources, *waqf* being the primary institution through which the urban fabric was transformed. As with Part One, this section opens with a theoretical essay. In his trademark oratorial style, Oleg Grabar presents a model for explaining the architectural inscriptions that punctuate the old city's landscape, suggesting that people write on buildings primarily to explain the building's purpose. He claims that the most significant contribution of Islamic architecture was the semantic function of architectural inscriptions, in which writing was part of the building's fabric. If so, we should extend Grabar's argument to the level of the city: such inscriptions were also an integral part of the urban fabric. Thus, they should be read as a source of information on what patrons valued in their city, what they found beautiful in it, and how they hoped to transform it.

The five following articles address specific architectural problems and are concerned with identifying or dating particular monuments. In his essay on the Ibn Ṭūlūn minaret, Tarek Swelim revives the controversy over the date of the extant minaret, suggesting that the base is Ayyubid and the *mabkharah* early Mamluk. Finbarr Flood, in his study of al-Nāṣir Muḥammad's Bāb al-Sa'āt on the Citadel, illustrates another way in which Umayyad architecture, and specifically

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the Great Mosque of Damascus, influenced the monuments of Qalawunid Cairo. On the basis of written sources, Flood argues that the Cairene gate served the same purpose as the gate of the same name in Damascus: to provide access from the congregational mosque to the palace. In an act of historical and literary wizardry, Howayda al-Harithy identifies the Turbat al-Sitt described by al-Maqrīzī with the Qubbat wa-Īwān al-Manūfī of the Southern Qarāfah. According to al-Harithy, what stands today are the remains of a *qubbah-zāwiyah* complex and the earliest identified domed *zāwiyah* of the Mamluk period. In keeping with the volume's theme of recording disappearing monuments, Chahinda Karim tries to reconstruct the original appearance of the mosque of Ulmās al-Ḥājib, which the author claims is the earliest surviving congregational funerary mosque in Egypt. The debate over the origins of the Mamluk *qā'ah* reappears in Bernard O'Kane's analysis of the influence of domestic on religious architecture. This well-argued essay, which traces the evolution of Cairo's sacred architecture to the fifteenth century through the adoption and adaptation of such spatial and decorative devices as the widened *qiblah īwān* and the *kurdī,* could have benefited from the inclusion of floor plans.

Waqf is the focus of the next four essays in this volume. These essays as a group are methodologically the strongest part of the volume. The authors suggest ways in which the Mamluks and Ottomans rezoned, revived, and otherwise transformed the city through creative manipulation of the *waqf* system. In recreating the history of a fifteenth-century *qaysarīyah* that no longer exists, Husam Ismail makes a strong case for the extensive use of *istibdāl* in the Mamluk and Ottoman periods and demonstrates ways it which it transformed *waqf*-"protected" properties on the *qaṣabah*. Mamluk success in re-urbanizing Cairo through the manipulation of the *waqf* institution is the subject of Sylvie Denoix's article. She argues that *waqf* made possible the rejuvenation of the *qaṣabah* by putting a variety of income-producing properties in the neighborhood, thereby diversifying the local economy. In a similar vein, Leonor Fernandes presents several fifteenth-century examples of the ways that *istibdāl,* the semi-legal exchange of *waqf* properties, not only transformed entire urban quarters but made *awqāf* themselves possible. She demonstrates how *istibdāl* worked as a legal process and suggests that it was well suited to the Mamluk's urban policies of the period, when "downtown" land was scarce and the economy was troubled. In André Raymond's study of a seventeenth-century *sabīl* near Bāb Zuwaylah, it was outright sale of an endowed property that allowed it to exchange hands, making possible its financial survival.

The second section of the volume closes as it began, with a theoretical essay on architectural esthetics. In this case the author, Khaled Asfour, considers the relevance of Mamluk architecture to contemporary Arab architectural design, bringing attention to the ways in which the medieval architects personalized their edifices. It was the tension between innovation and tradition in the façade, decorative

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program, and articulation of internal space, Asfour contends, that made Mamluk monuments an integral part of the urban fabric. His emphasis on the relationship of building façades to the thoroughfares is particularly relevant to programs for the old city's revival, as presented later in the book.

Part Three of the Ibrahim festschrift, "Decorative Arts," deals with the production structure of ceramics and glassware. With the publication of wasters of Ayyubid and Mamluk lusterwares from Fusṭāṭ, Abd al-Ra'uf Ali Yusuf is able to demonstrate that Cairo, as well as Damascus, was a center of production for luster-painted pottery. Moreover, on the basis of stylistic analysis, he suggests that a variety of wares produced in the Mamluk period were fired together in the same kilns. While such kiln debris as wasters is critical new data, neither of these theories on Mamluk ceramics is new. Yusuf's bibliography is a bit out-of-date, particularly in light of laboratory techniques that are now widely used. Petrographic analysis, in particular, has discredited the old argument that migration of potters accounts for the wide distribution and decentralized production of the more expensive glazed wares, such as lusterware.[1]

J. M. Rogers' study of Mamluk glass surveys the archaeological evidence for its distribution and export. He suggests, on the basis of decorative and materials analysis, that there were workshops that specialized in enameling, using ready-made glass blown elsewhere. The poor quality of the generic dedicatory inscriptions in Arabic that decorate many vessels leads Rogers to believe there was no central control for the production of "secular" glass. A comparison with identical inscriptions from other media, however, suggests that changes in the market, rather than the structure of production, may account for variation in inscriptional content and calligraphic quality.[2] To better illustrate his arguments, photographs of the glass vessels in question would have been welcome.

In the final section of the volume, "Preservation of the Urban and Architectural Heritage," representatives from the World Bank, Harvard University's Department of Urban Planning and Design, and the American University in Cairo suggest ways in which to arrest and repair the decay of "Islamic Cairo." Ismail Serageldin's economic analysis of urban renewal reminds the reader that saving the historic core of Cairo is possible only through city-wide renewal projects. He calls for a revitalization of the economic base of the old city by using cultural heritage

[1]Scott Redford and M. James Blackman, "Lustre and Fritware Production and Distribution in Medieval Syria," *Journal of Field Archaeology* 24 (1997): 1–15; Robert B. Mason, "Medieval Egyptian Lustre-painted and Associated Wares: Typology in a Multidisciplinary Study," *Journal of the American Research Center in Egypt* 34 (1997): 201–42.

[2]For this alternative interpretation based on an analysis of contemporary sgraffito ware, see Bethany Walker, "The Ceramic Correlates of Decline in the Mamluk Sultanate: An Analysis of Late Medieval Sgraffito Wares," Ph.D. diss., University of Toronto, 1998, 199–277.

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methods. Given the current move towards eco-tourism, the development of archaeological heritage sites, and the participation of academics in NGOs, his models for report-writing and fund-raising are appropriate and timely. Based on a graduate seminar offered at Harvard University, François Vigier strongly urges that project directors maintain the concept of *ḥārah*, which is the most important unit of the medieval city, when planning improvements in circulation (streets) and parking in Islamic Cairo. His emphasis on the integrity of the medieval quarter echoes statements made by Denoix and Asfour earlier in the volume.

The concluding essay in the volume is a bittersweet tribute to Islamic Cairo by John Rodenbeck. Like Vigier, Rodenbeck strongly supports area conservation, with an emphasis on streets and neighborhoods, over the restoration of individual monuments. He is critical of recent restoration designs that do not take into account entire neighborhoods, such as the USAID-funded project administered by the American Research Center in Egypt. The author overlooks, however, the very successful restoration of Bayt Suhaymī, an ARCE collaboration, that has included the cleaning and repavement of Darb al-ʻAṣfūr (just off of the *qaṣabah*), as well as the economic revival of the block of shops facing the house.

Rodenbeck emphasizes that in spite of the many conferences convened and organizations formed since the 1980s to address the decline of the old city, few of their initiatives have been put into action, and the medieval quarters of Cairo may be gone by the next generation. His sobering message has resonated with this scholar, who recently took a dozen Oklahoma State University students for their first visit to Islamic Cairo: ″those of us will disappear who were once able to recognize that neither memory nor legend can ever take the place of the real thing″ (p. 338).

Although occasional grammar mistakes and missing words, the result of poor editing, detract from the book, this festschrift is a well-balanced, multi-disciplinary contribution to scholarship on Cairo. Mamluk specialists will find it a valuable addition to their libraries.

War and Society in the Eastern Mediterranean, 7th–15th Centuries. Edited by Yaacov Lev (Leiden, New York and Cologne: E. J. Brill, 1997). Pp. 410.

REVIEWED BY W. W. CLIFFORD, The University of Chicago

This assembly of fourteen variegated inquiries into the characteristics of the medieval Middle Eastern military institution is taken, the editor readily concedes, ″from a

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broad perspective″ and with an ″arrangement″ that might appear ″arbitrary.″ The consequence of such broadness and randomness is predictable. Lev´s volume, like other collections of its kind, suffers a good deal from topical fragmentation, particularly among the first half dozen so-called ″early Muslim period″ offerings—a highly diverse mix of technological, literary, and administrative perspectives that, whatever their individual merits, seem collectively to add or clarify little about the institutional structure or process of the medieval Syro-Egyptian military. Only Lev´s contribution, ″Regime, Army and Society in Medieval Egypt, 9th–12th Centuries,″ really brings us anywhere near this goal. He considers principally the troubled emergence of the institution of military slavery in the Tulunid-Ikhshidid period. Despite uncertainty about the long-term macroeconomic impact of military slavery, particularly on urban development, Lev is otherwise unequivocal in his conclusion: ″In fact, the destructive nature of the institution of military slavery was manifested already during the Tulunid-Ikhshidid period″ (p. 150). The article affords him a natural opportunity to reiterate his long-standing complaint about the consequences of such a system on the later Fatimid state. Indeed, Lev´s chief purpose in this article seems to be to rediscover in the Tulunid-Ikhshidid ninth–tenth centuries his earlier prejudice against a system he believed ultimately responsible for the Fatimid twelfth-century collapse.

Lev achieves much better results with a more coherent cache of Mamluk-related offerings. Both Anne-Marie Eddé and Reuven Amitai-Preiss consider the composition and dynamic of the military class in thirteenth–fourteenth century Syro-Egypt, providing collaterally a welcome critique of David Ayalon´s long-enshrined reconstruction of the early Mamluk military institution. Eddé revives in her article ″Kurdes et Turcs dans l´armee ayyoubide de Syrie du Nord″ one of the key issues Ayalon no doubt believed he had settled—the significance of Kurds in the late Ayyubid military structure. She suggests that ethnic antagonisms not just between Kurds and Turks but among Turkish and non-Turkish (e.g., Armenian) *mamālīk* effected ties of loyalty among the Syrian soldiery. Moreover, while the Syrian army on the brink of the Mamluk period could still be considered dominated by Turks, an important role continued to be played by Kurds, whose influence actually increased after 1250–51/648 as a result of a concatenation of socio-political circumstances: loss of power by the free-born Turkish families associated with the Zangids, adherence of Syrian Turks to the new Mamluk regime in Cairo, and the continued loyalty of Kurdish families like the Qaymarīyah to the Syrian Ayyubids.

Eddé is moved at the end of her piece to temporize her conclusions, claiming her remarks represent only a ″slight nuancing of D. Ayalon´s perspective on the Ayyubids″ (p. 236). Perhaps. But no such disclaimer can be applied to Amitai-Preiss´s head-on confrontation with yet another aspect of the Ayalon legacy, at the beginning of his article ″The Mamluk Officer Class During the Reign of Sultan Baybars.″

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Grappling with an issue left conspicuously unaddressed in his earlier book,[1] Amitai-Preiss reveals here finally his unreserved support for the position long espoused by R. S. Humphreys *contra* David Ayalon concerning the institutional origins of the Mamluk army.[2] In what constitutes perhaps the most important, certainly controversial, statement in the whole of the Lev volume, Amitai-Preiss observes candidly: ″Even taking into consideration . . . the reservations of Ayalon, it appears that Humphreys is correct on a number of important points: the early Mamluk army (at least after A.D. 1260) was bigger, better organized and more centralized than its Ayyubid precursor. Humphreys is right in attributing these ´reforms´ to a large degree to Baybars´s need to create a military machine capable of dealing with the ongoing [Ilkhanid] menace. . . .″ (p. 269).

In fact, Amitai-Preiss takes his cue in this article from a topic raised initially by Humphreys and later reconsidered by Robert Irwin—the composition and underwriting of the senior officer corps under Baybars. He affirms that while the Mamluk military establishment was not exclusively of slave origin, many of the officer class were *mamālīk*, the Ṣāliḥī and Ẓāhirī amirs particularly enjoying the lion´s share of Baybars´s munificence. Amitai-Preiss´s extrapolation about the foundation of Baybars´s power rightly stresses his attempts at making stakeholders in his regime of all officer grades, even amirs whom he characterizes as ″unaffiliated . . . nobodies.″ In re-evaluating Baybars´s consolidation of power over his Mamluk colleagues it is perhaps time to recognize finally his true political skills, not as a despotic leg-breaker but rather as a consummate deal-maker.

Yehoshua Frenkel´s contribution, ″The Impact of the Crusades on Rural Society and Religious Endowments: The Case of Medieval Syria (Bilad al-Sham),″ dovetails neatly with Amitai-Preiss´s, demonstrating just how Baybars underwrote economically this consolidation of power. Just as Ayyubid and early Mamluk regimes continued the Crusader practice of allocating assets and properties to fund religious establishments in Syria so, too, they embraced the Latin Kingdom´s policy of enserfment, continuing to convert local cultivators *(fallāḥūn)* into sharecroppers *(muzāri'ūn)* in order to guarantee better their system of military land assignment. Though clearly controverting shari'ah this practice, Frenkel opines, proved ″a powerful device to forge bonds of loyalty between the *sultan*s and the *amir*s″—just as suggested by Amitai-Preiss.

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[1]Reuven-Amitai Preiss, *Mongols and Mamluks: The Mamluk-Īlkhānid war, 1260–1281*. Cambridge Studies in Islamic Civilization (Cambridge, England, 1995).

[2]See, R.S. Humphreys, ″The Emergence of the Mamluk Army,″ *Studia Islamica*, 45 (1977),:67–99; 46 (1977): 147–82; David Ayalon, ″From Ayyūbids to Mamlūks,″*Revue des Etudes Islamiques* 49 (1981): 43–57; reprinted in *Islam and the Abode of War: Military slaves and Islamic adversaries* (Aldershot, 1994): 43–57.

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The contributions by John Masson Smith, Jr., and Bernadette Martel-Thoumian shift focus away from the military institution itself to consideration of its operational art. Smith's contribution "Mongol Society and Military in the Middle East: Antecedents and Adaptations" is actually a strategic consideration of Mongol logistical and tactical shortcomings in their thirteenth–early fourteenth-century Syrian campaigns, but can be considered a kind of rejoinder to Amitai-Preiss's prior observations in his book, *Mongols and Mamluks,* about the relative merits of the two opposing forces in Syria. Most interestingly Smith, who did not have access to *Mongols and Mamluks* at the writing of his article for this volume, attempts to argue for the very Mamluk military superiority that Amitai-Preiss attempted to deny in his book. Whereas Smith believes that in light of their larger horses, armor, swords, and high-speed archery, "[m]an for man, and horse for horse, the Mamluks were better than the Mongols" (p. 255), Amitai-Preiss earlier wrote: "Taken as a whole, the Mongols were not significantly inferior soldiers to their Mamluk enemies, in spite of certain differences in arms, horses and tactics."[3]

Smith and Amitai-Preiss are even more diametrically opposed on the issue of the logistical limitations of Syria itself to Mongol military operations. Smith stresses the "ecological constraints" of climate and geography on the availability of water and fodder sufficient for "a short campaigning season for a [Mongol] force big enough to meet strategic requirements" (pp. 254–55). Amitai-Preiss, however, minimized these considerations, insisting that "[l]ogistical problems did not prevent the Mongols from invading Syria with large forces, nor do they fully explain [their] withdrawal . . . when the Mongols did succeed in occupying the country."[4]

The compact excellence of Smith's article contrasts with the slower-paced artisanship of Bernadette Martel-Thoumian's piece "Les dernières Battailles du grand émir Yašbak min Mahdī." While Smith vigorously diagrams the operational problems confronting the Mongol army in Syria, Martel-Thoumian attempts a more subtle sketch of the operational competence displayed by the late Mamluk military institution on the Syro-Mesopotamian frontier. While not fruitless, her long and elaborate narration of events threatens at times to overwhelm the reader, nearly camouflaging her principal insight, that while possessing superior numbers and probably comparable equipment, the Mamluks somehow proved militarily incompetent in dealing with Dhū al-Qadr and Aqquyunlu challenges between 1468/872 and 1481/885. Why? Martel-Thoumian is ultimately better at raising the question than answering it. Her general conclusion, that the manpower costs and

[3]Amitai-Preiss, *Mongols and Mamluks*, 229.

[4]Ibid, 229.

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political humiliation attendant on these defeats opened the province of Aleppo to the possibility of future (i.e., Ottoman) invasion, seems rather patented as well.

In sum, Mamlukists are undoubtedly the victors in this volume, which in spite of its cost is worth obtaining for both its historical and historiographic insights into the institutional problems of war-making in late medieval Syro-Egypt.

QĀSIM ʻABDUH QĀSIM, *Al-Sulṭān al-Muẓaffar Sayf al-Dīn Quṭuz, Baṭal Maʻrakat ʻAyn Jālūt* (Damascus: Dār al-Qalam, 1998). Pp. 176.

REVIEWED BY AMALIA LEVANONI, University of Haifa

This book is the seventy-first volume in the series *Aʻlām al-Muslimīn* (Celebrated Muslims) and is dedicated to the figure of Sultan al-Muẓaffar Quṭuz (1259–60), the fifth sultan of the Mamluk state (1250–1517). It has six chapters, a preface and a summary.

The author places at the center of the discussion of Sultan al-Muẓaffar Quṭuz´s curriculum vitae the principal issue with which historians and historical philosophers have been occupied for years: Man´s desires as a reason for deeds in history. In other words, have ″history´s heroes,″ by their intended actions, been the cause of historical events or was it the forces and processes embodied in history that have brought about its movement in a direction over which ″the heroes″ had little control? However, it is clear also that celebrated men in history reflect in their actions the values of the society in which they live and therefore their deeds all move towards a historical consequence compatible with the desire of society. Based on these arguments, the author feels that Sultan Quṭuz, too, was a product of contemporary Muslim society and that despite his short period of rule, the course of history moved in only one direction, that of his decision to protect Islam and the Arab region *(al-minṭaqah al-Arabīyah)* from the enemies of Islam. Quṭuz took the stage of history to fulfill the role designated for him, that is, to lead the Muslims to victory over the Mongols at the battle of ʻAyn Jālūt. These are the main arguments developed by Qāsim in the six chapters of the book.

The first chapter is a review of the political situation in the Muslim states on the eve of the battle of ʻAyn Jālūt in the face of the Mongol threat from the east and the Crusader threat from the west. Adopting the traditional perception of leadership in Islam that one of the principal roles of political leaders is to protect Islam from threats from without by means of jihad, the author maintains that the Ayyubids and the Mamluks after them played an identical historical role. The

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moment the Ayyubids stopped playing this role, adopting a policy of coexistence with the Crusaders, their purpose ended and some new factor was supposed to take their part on the stage of history (pp. 20–22). Evidence of this is that the Mamluks succeeded in vanquishing the Crusaders, who had invaded Egypt in the Seventh Crusade led by Louis IX (648/1249), while the Ayyubids were otherwise engaged in internal political conflicts.

The second chapter sets out in detail the Mamluk system and the management of the military, political, and religious administration in the Mamluk state in order to explain the background against which Quṭuz progressed from mamluk to sultan.

The third chapter focuses on Quṭuz´s rise through the Mamluk ranks until, as sultan, he led the Mamluk army into battle against the Mongols, who had just laid waste the Islamic countries in the east.

While Chapter Four deals with the Mongols, from the beginning of the conquest of Bukhara in 1220 up to the battle of ʻAyn Jālūt, the fifth chapter describes the battle of ʻAyn Jālūt itself and attempts to determine its historical importance for Islam. Qāsim´s assessment is that the victory over the Mongols did nothing to change the destiny of Islam, as held by scholars, especially the Europeans, because the sheer size of the Muslim population in the east was such that it prevented the Mongols from destroying it! In contrast, a real threat was posed to Islam by the Crusaders in the Arab region because their objective was to settle the region with European immigrants (pp. 17, 120–22).

The sixth chapter describes the circumstances of Quṭuz´s death, and more precisely, his murder by Mamluk amirs from a rival faction, al-Baḥrīyah. Apart from violence and bloodshed in the power struggles that were characteristic of the mamluk factional system, the author notes that since Quṭuz had mounted the stage of history to play a definite historical role, its completion necessitated his departure (p. 158).

This study is problematic for a number of reasons. First, it leans heavily on a meta-historical theory which assumes that Islam is the only true faith and thus is destined for universal dominion. This hypothesis is the basis of traditional Islamic historiography and has been perceived as driving the course of Islamic history. Accordingly, the rise and fall of dynasties, like the Ayyubids and their replacement by the Mamluks, did not change the course of history. Dynasties appear on the stage of history and disappear from it to serve the purpose of this basic assumption. This perception has prevented the author from dealing analytically and critically with the primary sources he relies on. Thus the author has not discussed effectively contradictions in the primary sources regarding the events of the battle of ʻAyn Jālūt and has not dealt with the issue of the inclusion of folkloristic myths and legends in historical narrative. Moreover, he has not referred to the vast body of modern research conducted over recent decades on the Mamluks´ relations with

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the Crusaders and Mongols, and more specifically, on the battle of ʻAyn Jālūt. The important studies by P. M. Holt, D. Ayalon, D. O. Morgan, P. Jackson, R. Amitai-Preiss, and others have not been deemed worthy of mention.

This book is therefore a narrative reflecting what is written in the primary sources on the subject in question and is loyal to the value perceptions expressed in them (see pp. 14, 15, 22, 33, 83, 84, 89, 101, 104, and elsewhere). These failures apart, a number of instances were noted in this book of citations from primary sources and of references to modern studies without the author making mention of them (pp. 25, 32, 33).

The principal contribution of this book is, therefore, that it is likely to serve as a primary source for research on myths in contemporary societies that are built around historical figures, figures from the Middle Ages for example, in order to foster present-day ideologies and values.

MAS'ŪD AL-RAḤMĀN KHĀN AL-NADWĪ, *Al-Imām Ibn Kathīr: Sīratuhu wa-Mu'allafātuhu wa-Manhajuhu fī Kitābat al-Tārīkh* (Damascus and Beirut: Dār Ibn Kathīr, 1999). Pp. 353.

REVIEWED BY AMINA ELBENDARY, The American University in Cairo

In the very first volume of this journal Li Guo lamented the lack of adequate biographies of even the major Mamluk historians. Such studies, he argued, would help ″frame Mamluk history not only in political, social, military and institutional, but also personal and intellectual terms.″[1] And indeed a biography of Ibn Kathīr promises to be not only the story of such an influential man′s life, but also a glimpse into a whole school of Mamluk intellectuals and their relationships with each other and with the powers of the time. This latest biography of Ibn Kathīr by Mas'ūd al-Raḥmān Khān al-Nadwī falls short of such expectations.

The book is divided into two sections, the first dealing with Ibn Kathīr′s biography and his writings and the second dealing with his methodology in *Al-Bidāyah wa-al-Nihāyah*.

The author has diligently extracted all references to Ibn Kathīr′s life and work from the historian′s own writings, mainly from his *Al-Bidāyah wa-al-Nihāyah*. He has also studied almost all of what the medieval biographical dictionaries have to say about Ibn Kathīr. Thus the first sections of this present volume read as a

[1]Li Guo, ″Mamluk Historiographic Studies: The State of the Art,″ *Mamluk Studies Review,* 1:43.

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remarkable and detailed *curriculum vitae* of the Mamluk historian. Hence we know many of the books Ibn Kathīr studied, the ulama he studied with, and the students who eventually studied under his tutelage. We get a glimpse of the social and political ties that bound various schools and generations of ulama together. The author details all the works Ibn Kathīr is said to have authored, including those which are mentioned in medieval sources but have not survived. The picture that emerges of Ibn Kathīr is of a man whose intellect spanned a wide array of disciplines and genres: from Quranic studies to hadith, and from history to poetry.

Yet while the author hints at various squabbles between ulama, some of which had their effects on Ibn Kathīr's career, he does not proceed from there to contemplate the political power plays that informed a Mamluk historian's career. Especially frustrating is the lack of analysis of Ibn Kathīr's relationship with Ibn Taymīyah and its implications for their scholarship. The same is true of references to Ibn Kathīr's relationship with ruling authorities, which is not treated in depth by the present author. The historian's views on *al-isrā'īlīyāt* and his scathing criticism of scholars of "the people of the book," while repeatedly referred to in the present volume, are not at all analyzed with reference to the historical context in which they occurred.

Though al-Nadwī proposed to offer a *"sīrah"* of Ibn Kathīr, the reader is left knowing rather little about the man and his personality. And as the author's own meticulous footnotes attest, this is not simply a question of the availability of primary sources and their inherent biases. There is a lot that could have been read between the lines to offer a more lively portrait of this scholar who continues to influence the way historians read Mamluk history.

The second part of the book deals with Ibn Kathīr's methodology in writing *Al-Bidāyah wa-al-Nihāyah*. This section stands well on its own as a historiographic study of Ibn Kathīr's *magnum opus*. And indeed it appears to have been previously published by the author in 1980.[2]

Here al-Nadwī offers a useful summary of the various chapters of *Al-Bidāyah* as well as a thorough analysis of the different sources on which Ibn Kathīr relied in writing each of them. He also points out how Ibn Kathīr proceeded to critique these sources while composing the book so that the text is not simply a compilation of previous writings on Islamic history. Al-Nadwī discusses which sources Ibn Kathīr relied on, and how, and which sources he avoided and why. Al-Nadwī argues that Ibn Kathīr preferred to rely on sources whose authors were, like him, well-versed in religious studies (p. 319).

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[2] *Ibn Kathīr al-Mu'arrikh: Dirāsah Taḥlīlīyah li-Kitābihi al-Bidāyah wa-al-Nihāyah* (Aligarh, 1980).

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Ibn Kathīr′s rich scholarly background made his *Al-Bidāyah wa-al-Nihāyah* a hybrid text between history and hadith. Al-Nadwī points out, as is evident upon a careful study of the text, how Ibn Kathīr′s scholarly background in religious studies and particularly in hadith and *tafsīr* influenced his historiography. This is especially evident in the chapters dealing with early Islam and the Prophet Muḥammad′s *sīrah* (pp. 166, 319–320). From al-Nadwī′s analysis we get the impression that Ibn Kathīr was first and foremost an alim before being a historian.

In *Al-Bidāyah* Ibn Kathīr often digresses from the topic he has been discussing to the extent of adding anecdotes and fables that in al-Nadwī′s view do not belong in a general history book. But luckily for the modern historian he took after Ibn al-Jawzī in recording weird and unusual events including natural disasters, plagues, and price increases—that in addition to events of high politics as well as social and cultural developments (pp. 279–280).

Despite al-Nadwī′s references to many of Ibn Kathīr′s sources he did not compare *Al-Bidāyah wa-al-Nihāyah* to other works in this genre of universal history which could have highlighted the historian′s originality as well as served to place him in an intellectual and historical context.

In both sections of the book al-Nadwī′s pursuit seems to have been carried out in almost total isolation from the contemporary disciplines of history and Arabic studies; the author does not refer to any modern secondary sources of Mamluk history. Similarly, he does not engage in any debate with modern schools of historiography. Indeed in his preface to the second section of the present book, dated March 1979, al-Nadwī complains of the lack of sources available to scholars of Islamic and Arabic studies in Indian libraries.

Mas‘ūd al-Nadwī has produced an interesting if rather traditional account of Ibn Kathīr′s life and career. In general, the book—especially in its first sections—is infinitely more descriptive than analytical. The author does not push any of his findings further to their logical conclusions. The book does, however, with its careful record of Ibn Kathīr′s writing and the sources he relied on, pave the way for a more modern (perhaps even postmodern) biography of Ibn Kathīr.

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