TEXTS, DOCUMENTS AND ARTEFACTS

Islamic Studies in Honour of D.S. Richards

EDITED BY

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AN ORIGINAL ARABIC DOCUMENT
FROM CRUSADER ANTIOCH (1213 AD)*

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Introduction

Although Arabic was widely used as an administrative language in the Latin East, the texts of only three Arabic documents from the Crusader states are known. Two are summarised in the Ta'rīkh Bayrūt by Ibn Buḥtur (fl. c. 828–40/1425–37). In the first, dated to a year equivalent to 1255 AD, the Frankish lord of Saydā grants an arable estate at Qaryat al-Damūr to a certain Ḥajjī, with the consent of two Latin officials of the lordship of Sidon. In the second, dated to 1260 AD, Humphrey de Monfort, lord of Beirut, grants the estate of al-'Amrūsiyya to an unnamed recipient. In this case the name of the scribe is given as Juwāb b. Ya'qūb kāṭib al-qaṭ'a, 'George, son of Jacob, the scribe of the castle [of Beirut]'. The document was written on vellum (raqq), and at the foot of the text was affixed a seal of red wax bearing the device (rank) of the lord of Beirut and an inscription in Latin (bi-l-franqijyia). Although this detailed description demonstrates

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* We are extremely grateful to the Director of the Archivio di Stato, Palermo, Dottorssa Giuseppina Giordano, for permission to study, publish and reproduce photographically this document, and to all the staff of the Archivio for their unflagging kindness and willingness to help. We are also especially grateful to Professor Denya Pringle of Ysgol Hanes ac Archaeolog, Prifysgol Caerdydd, for generously offering invaluable comments and references. Dr Sebastian Brock, Prof. Clive Holes and—especially—Dr Najah Shamaa, all of the Oriental Institute, Oxford, made extremely useful comments on various problems in the text.


2 Both documents are edited and discussed by C. Clermont-Ganneau, ‘Deux chartes des croisés dans des archives arabes’, in his Recueil d’archéologie orientale, 6 vols, Paris, 1903, vi, 1–30, whose reading is to be preferred to that of L. Cliche, the editor of ʿSâibī b. Yaḥyā b. Buḥtur’s Kitāb taʿrīkh Bayrūt, Beirut, 1902, 83–84, 111–112.
that Ibn Buṭur made his summary of both charters from the documents themselves, they are not known to have endured. The third Arabic document from the Latin East is thus the only one to survive in its original form. It is now lodged in the Archivio di Stato in Palermo. The story of how it came there also explains its survival. Soon after the Latin conquest of Jerusalem, the Benedictines began to administer the shrine in the Valley of Josaphat that was believed to be the site of the Assumption of the Virgin Mary. Like the other great shrine churches of the Holy Land, the abbey of St Mary of Josaphat was granted numerous benefactions throughout Outremer and in western Europe. Josaphat was the first of the churches of the Latin East to receive possessions in Norman Italy and, by May 1140, owned thirty-three churches in the kingdom, including the priory of St Mary Magdalene at Messina. After the fall of Jerusalem to Șalâh al-Dîn in 1187, most of the monks of Josaphat sought refuge in various dependences of the mother-house in the East, while others left for the kingdom of Sicily. In 1289, just before the fall of Acre, the patriarch of Jerusalem authorised the abbot of Josaphat to re-establish the monastery in Sicily, and the community migrated permanently to the priory of St Mary Magdalene at Messina. There, Josaphat survived until the fifteenth century, when it was united with the monastery of San Placido at Calonero. Our Arabic document was written in Antioch in March 1213, and lodged in the archive of Josaphat, presumably at Acre. It escaped the destruction of part of Josaphat’s archive by the Muslims in 1255, and later travelled with the remainder of the archive to Messina. On the suppression

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6 Delaborde, Chartes, 105–106, no. 50.
of the monasteries of Sicily, it was transferred to the Archivio di Stato in Palermo in 1877–79.

Our document was first published by Salvatore Cusa in the late nineteenth century, but with many errors and without the promised critical apparatus and translation. Gaetano Trovato, self-styled professor of Arabic language and literature at Palermo University, used Cusa’s text as the basis for a less-than-useful Italian version first published in 1949. Claude Cahen subsequently made a French translation, but without first emending the unsatisfactory Arabic text published by Cusa. And, finally, Jean Richard, in collaboration with Dominique Sourdel and Janine Sourdel-Thomine who worked from a photograph acquired by Henri Bresee from the Archivio di Stato, revised Cahen’s translation and made a new study. Although this unique document has not been neglected, there exists no modern edition of the text, combining photographic reproduction, translation, commentary, and discussion. We have learnt so much from the impeccable editions of Arabic documents published by Donald Richards over the last thirty years that an edition and study of the only surviving Arabic document from the Latin East seems an appropriate way to express our affection and respect.

7 See below, pp. 170–171 for some comments on the fate of our document in the Sicilian archives.
12. It was also the subject of three exceedingly ill-conceived lines in B. Hamilton, The Latin Church in the Crusader States: the Secular Church, London, 1980, 98.
Like the other shrine-churches of the Holy Land, St Mary of Josaphat had relatively few possessions in the East and, after the fall of Jerusalem, found itself in some difficulty. Fortunately, the abbey had received extensive benefactions in the principality of Antioch, including a house in the city itself, which it had held since at least March 1182. In the spring of 1207, abbot Amatus sent the prior Arnald and brother John to Antioch. They found that the abbey’s property had been badly neglected, and agreed with a local Latin priest that he should take it in hand. In May 1207, abbot Amatus confirmed the agreement made between his representatives and the deacon John, son of Elias de Cursalt, a clerk of the Latin patriarch of Antioch, Peter I of Angoulême (1196–1208). John was admitted as a confrater of Josaphat and, in the court of the patriarch, in the presence of many worthy citizens, he was granted ‘a certain neglected estate (guastina) of ours, which is next to the House of the Hospital, in which is situated a certain oratory in honour of the glorious Mother of God, which we find to be ruined and unroofed’. John promised to repair the oratory so that the brothers of Josaphat might celebrate the mass there when they came to Antioch. He also undertook to build a house, to plant trees, to bring the orchard back under cultivation, and to recover any of the church’s possessions that had been alienated. On these conditions, John was to hold the guastina, including the house and the oratory, for the duration of his life.

Our document reveals that the deacon John did not keep his side of the bargain. Six years after he had taken charge of it, the prop-

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14 Kohler, ‘Chartes’, 172–173, no. 64. (We had hoped to publish a new edition of this Latin document from Antonio Amico’s transcription in the Biblioteca Comunale, Palermo, MS Oq.H.ii, ff. 318–19—but that much troubled library was once again closed for restoration.) Neither the prior Arnald nor brother John is mentioned elsewhere. For Cursalt, see below, Commentary l, 4.

15 Richard, ‘Église latine’, 744, assumes that this property was identical to the abbey’s house first mentioned in March 1182—in Antiochia domum unam (Mayer, Varia Antiochena, 120)—but this is far from clear. Note that John undertook to repair the oratory (promissi... oratorium reparare), but to build a house (Trenus etiam domum quandam habere)—not, as Richard insists, à reconstruire la maison. The Arabic document makes no mention of a house, but only of the ruined church. For the location of our guastina, see below, Commentary l, 22.
property was still in ruins and costing John money, so that he was anxious to be rid of it (l. 5). He had approached a Greek Orthodox priest, al-Mawadd li-llāh, and had attempted to persuade him to take over the property and to restore the oratory, even offering to assist him in doing so. But al-Mawadd li-llāh was unwilling to hold the property from John, whose lease was to expire on his death, and would only accept it on the condition that it was granted to him in perpetuity. John tried to find someone else to take over the ruin, but without success (ll. 6–7). He therefore appealed to Paganus, the local prior of St Mary Latin, who was now responsible for the business of Josaphat in Antioch (ll. 8–9). Prior Paganus visited the ruin, and agreed that it was of no use to Josaphat. He therefore sought the consent of Simon, an official of the Latin patriarchate, to transfer the title from John to al-Mawadd li-llāh (ll. 9–10). The property was duly leased to al-Mawadd li-llāh in perpetuity for the annual sum of two dinars, one dinar in cash and the remainder—presumably—in kind. The rent was to be paid in August at the end of each indictional year, but was to be remitted for the first two years in order to help him to restore the chapel (ll. 11–13). Al-Mawadd li-llāh was to begin to reconstruct the chapel immediately and was to maintain it but, so long as he paid on time, he and his heirs were to have complete control of the property, without any interference on the part of Josaphat (ll. 13–18). Were their rights to the property to be challenged by a third party, Josaphat was bound to come to their defence (ll. 18–19). An Arabic contract was drawn up to that effect in the last ten days of March 6721 of the Byzantine era (1213 AD), and a Latin translation of it was read out to prior Paganus and deacon John, who placed their crosses at the head of the Arabic. Their witnesses then signed at its foot, and prior Paganus affixed his wax seal. There were a few lines of Latin at the beginning and end of the Arabic that are likely to have included the inscriptions of Paganus and John, and the signatures of their witnesses. Finally, a notary made an official copy of the contract (without the Latin), and four witnesses testified that it was an exact copy of the original. The original contract was given to al-Mawadd li-llāh, while the copy—our document—was dispatched to the archive of Josaphat.

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16 For an alternative hypothesis, see Richard, ‘Église latine’, 745.
17 Cahen (‘Un document’, 289) is clearly mistaken in his assumption that the
That our document is written in Arabic deserves some comment. Steven Runciman argued persuasively that Crusader Antioch was a profoundly ‘Greek’ society. But, as Claude Cahen cautioned, this should not be allowed to give the false impression that all ‘Greeks’ were ethnically Greek Hellenophones. On the contrary, most of the ‘Greek’ Orthodox, except for a small urban elite, were native Syrians who spoke Arabic and used Syriac as a liturgical language. The priest al-Mawadd li-l-lah clearly belonged to this majority, and that is why our contract was composed in Arabic. But, as the text also makes clear, neither Paganus, the prior of St Mary Latin, nor the deacon John could understand Arabic (l. 23). This in itself is remarkable. But still more extraordinary is that the document should have been composed in Arabic for Josaphat, and that the copy in the abbey’s archive was not Latin. We should rather have expected the contract to have been composed in Latin, and an Arabic copy to have been made for al-Mawadd li-l-lah, so that the original contract would have been deposited in the archive of Josaphat. A possible explanation is that prior Paganus was willing to go to extraordinary lengths on behalf of Josaphat to ensure that their chapel would be restored.

The Arabic term used for the rent to be paid by al-Mawadd li-l-lah is dīmūs, plural dīmūsāt (ll. 12–15, 17–18); his heirs who will inherit the lease to the property are called mutadammāsūn (l. 15); and the verb dammaṣa ‘alā means to ‘lease to’ (l. 10). These terms are all originally derived from Greek, where the neuter form dēmosion, from the adjective dēmosios meaning ‘belonging to the state’, came to have the specialised meaning of a ‘state tax’ and, thence, ‘tax’ in general. In modern Lebanon and Syria, Arabic dīmūs has come to mean an invariable annual payment made for a property to the state or its representative. In our document, dīmūs means the fixed annual rent to be paid by al-Mawadd li-l-lah and his heirs for the lease of the

original contract was composed in Latin, and that our document is a translation. See also Richard, ‘Église latine’, 745.

20 Cahen, ‘Un document’, 288. See also note 17 above.
21 See the final paragraph of this article on p. 169.
property, and it is made absolutely explicit that their rights in Josaphat’s property are heritable and perpetual (ll. 15–16); in short, dīmūs here means an emphyteutic lease.22 Perpetual leases (sing. kīrā’ mu’abbad), roughly equivalent to Roman law emphyteutic leases, are attested in Islamic law but, as argued in the next paragraph, the format of our document does not correspond to any known medieval Islamic lease: it is therefore likely that our document was based upon a Christian Arabic model.23 It is interesting to find the Latin patriarch of Antioch, Peter II of Ivrea (1209–17), less than two years before the date of our document, leasing extensive lands in emphyteusis with the express approval of pope Innocent III.24 Josaphat was not alone in resorting to this less-than-orthodox means of managing its property.

As to its format, our document is unique and no close parallels can be found for its diplomatic structure as a whole: although written in Arabic, it bears little resemblance to a lease composed under Islamic law.25 Nonetheless, it was evidently drawn up by a competent professional scribe, and it is probable that he had a clear model in mind. An opening note establishes the diplomatic status of the document (ll. 1–2). The Christian basmala serves as the invocation in the standard manner (l. 3). Next, instead of the expected opening hādhā mā akrā’ fulān min fulān . . . (‘This is what X leased from Y . . .’),


23 For the concept of lease in medieval Islamic law, see R. Brunschvig, Propriétaire et locataire d’immeuble en droit musulman médiéval (jusque vers l’an 1200), Studia Islamica 52 (1980) 5–40. We are aware of no close parallel for our document in Christian Arabic—nor in Greek, nor in Latin.


comes a discursive narratio giving the circumstances leading to the present contract, delivered in the first person by the deacon John (ll. 4–10). The transition from the narratio to the dispositio is presumably signalled by the phrase wa-dammasa ʿalay-hi al-ahriyūr (l. 10), but at this point the voice still belongs to the deacon John, or possibly to the scribe. An initially shaky switch to the voice of prior Paganus, addressing al-Mawadd li-llāh in the vocative, distinguishes the shart (ll. 14–19). The boundaries described in the hadd do not follow the standard Islamic order beginning with the qibla, but instead start in the east, and then proceed to the west, south and north (ll. 19–22); if it was indeed the direction of prayer that determined the order, perhaps our document adheres to a Christian Arabic tradition that began with the east.26 The corroboratio opens with an abbreviated stock formula—bi-dhulika wa-sihhati-hi—but is otherwise composed ad hoc (ll. 22–24). The datatio follows the Byzantine model, except in the very Arabic use of the last decade of the month (ll. 24–25). The motto wa-bi-llāh al-tawfiq serves as the apprecatio (l. 25). That the scribe has taken trouble to reproduce the exact position of the seal, without describing its appearance, may suggest that he was not routinely familiar with the practice of sealing (l. 26). The witness formulae all follow the same pattern, and appear to be taken straight from the formulary (ll. 26–32).

The main interest of this document is for the light that it casts upon relations between the Latin and the Greek Orthodox churches in Antioch in the early thirteenth century. After the conquest of Antioch by the Franks in 1097, according to the terms agreed between the leaders of the first crusade and the Byzantine authorities, the Latin clergy were to observe their own rite whilst acknowledging the authority of the Greek hierarchy. But, when war broke out with the emperor Alexius in spring 1100, prince Bohemond of Antioch evicted the Greek patriarch and elevated a Latin to his throne. From this time the two churches were effectively in schism in Antioch. A Latin hierarchy was soon established throughout those five provinces of the ancient patriarchate that were in Frankish hands.27 The Latins regarded the Greeks as members of the same catholic church to which they themselves belonged, and Greek Christians were subject to Latin

27 Cahen, Syrie, 308-323; Hamilton, Latin Church, 18–38.
bishops. The Greek parish clergy and monks had religious freedom under their Latin bishops, and most spoke Arabic and used Syriac for liturgical purposes; only the educated urban elite, who spoke Greek and worshipped in churches that used the Byzantine liturgy, are likely to have missed their Greek bishops. The Greek used their own churches—in Antioch, after the expulsion of the Greek patriarch from St Peter’s, the church of St Mary Rotunda—and there was generally no Latin interference with Greek usage or doctrine.

For all that, Byzantium understandably resented the fact that a Latin occupied the throne of St Peter. After the expulsion of the Greek patriarch from Antioch in 1100, the Byzantines had refused to recognise his Latin successor, and had appointed a Greek titular patriarch to the see. At the treaty of Devol in 1107, after defeating Bohemond I in the Adriatic, Alexius had extracted from him a promise that the patriarch of Antioch would thenceforth be Greek Orthodox and appointed by the emperor. But this was never observed by Tancred, the true ruler of Antioch. In 1136–37, John Comnenus almost succeeded in regaining control of Antioch and expelling the Latin patriarch, but was called back to Constantinople before he could do so. During the 1140s and ’50s, the advance of first Zanjī and then Nūr al-Dīn forced the princes of Antioch to depend ever more heavily upon Byzantine support: Claude Cahen described this period of Antioch’s history as ‘le protectorat byzantin’. In 1165, when the young Bohemond III went to Constantinople in search of funds, he was obliged to agree to the restoration of the Greek Athanasius II to the throne in St Peter’s. The Latin patriarch removed himself to the castle of Quṣayr, whence he launched

25 Runciman, Eastern Schism, 100.
27 Runciman, Eastern Schism, 91–97 is still the most readable and succinct account.
31 Cahen, Syria, 410–413.
anathemas against the Latins of Antioch. Neither Greek nor Latin sources discuss the restoration of Athanasius, which was brought to a dramatic end in 1170 by the earthquake that killed him, and so nothing is known of how the Latin clergy of Antioch fared under a Greek patriarch, but there is no suggestion that Athanasius attempted to dismantle the Latin hierarchy. On his death, the new titular Greek patriarch, Cyril II, remained in Constantinople, and the throne of Antioch returned to the Latins.

The balance of power in Antioch between the Greeks and the Latins did not change significantly until the early thirteenth century. By then, half the Latin patriarchate had been lost to Şalâh al-Dîn, and the Latin church had fled north from Jerusalem, suddenly increasing its concentration in the principality of Antioch. Both the fall of Jerusalem and the Latin capture of Constantinople in 1204 resulted in more direct and greater interference by the pope of Rome in the affairs of the principality. The pope was also closely interested in the rise of the Rubenid kingdom of Cilician Armenia and, during the mid 1190s, had arranged for Levon II to receive the royal title and crown from the western emperor Henry VI in return for union of the Armenian church with Rome. After 1204, the prince of Antioch was relieved from the threat of Byzantine intervention, and free to deploy the Greek church, and even the Byzantine emperor in exile, to his own political ends.

Political structures in Antioch itself also changed when prince Bohemond III was seized by Levon II in 1193. The citizens of Antioch, interpreting this as the prelude to an Armenian attack upon the city, formed a commune under the guidance of the Latin patriarch. The commune, which was predominantly Greek Orthodox

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in composition, was not dissolved after Bohemond’s release and, on
his death in 1201, played a leading role in the struggle for the suc-
cession. There were two contenders: Raymond Ruben, the issue of
the marriage between Bohemond III’s son, Raymond, and Alice, the
niece of Levon II; and the late prince’s younger son, also called
Bohemond. Immediately on hearing of his father’s death, the latter
secured the support of the commune and seized the principality as
Bohemond IV. The Greek population, and some of the Latins, were
anxious to exclude Armenian influence from court. But the Latin
patriarch, Peter I of Angoulême, refused to invest Bohemond. Many
of the Latin nobility had already pledged themselves to support
Raymond Ruben and now fled to join Levon II who hurried with
Alice and Raymond to lay siege to Antioch. Only the intervention
of al-Zahir Ghazi, the Ayyubid ruler of Aleppo, in support of Bohe-
mond, forced Levon to withdraw.  

Levon expected papal support in his struggle with Bohemond IV
for control of Antioch, but Bohemond effectively out-maneuvered
the legates dispatched by Innocent III to negotiate a settlement, and
then did homage for Antioch to the wife of the Latin emperor Bald-
win, thereby legitimising his claim and putting himself on the same
legal footing as Levon.  

Peter of Angoulême had aligned himself
with the Armenian faction in the city against the Greeks, and had
gone so far as to support Raymond’s claim to the principality and
the alliance with Levon. In the winter of 1205–6, Peter fell out with
the papal legate over clerical appointments in the principality, was
deprived of his powers of interdiction and excommunication, and
was himself excommunicated.  

The commune of Antioch, with Bohe-
mond’s support, seized this opportunity to place the Greek Orthodox
Symeon II on the patriarchal throne. Peter submitted to the papal

\[\text{References:}
\begin{itemize}
\item \text{Cahen, \textit{Syrie}, 596–601.}
\item \text{Cahen, \textit{Syrie}, 601–608.}
\item \text{Innocent III, \textit{Regestorum}, ii, 555–559; VIII.1–2 (5 Mar. 1205), 687–692; VIII.119
undated, but probably July 1205). The dates of these and subsequent events are
crucial for this study. They are fixed by the letters of Innocent III, not by the
narrative sources. Note, in particular, that the quarrel between Peter of Angoulême
and the papal legate was well underway by 20 April 1206 (ii, 863–864; IX.52–3),
was continuing in early 1207 (ii, 1083; IX.253), and was over by 9 January 1208
(ii, 1278–1282: X.186); that Innocent had learnt of Symeon’s enthronement before
9 January 1208; that he did not then know of Peter’s rebellion, but became aware
of it by 13 February (ii, 1321–1323: X.214); and that he seems to have heard of
Peter’s death between 9 and 12 July 1208 (ii, 1427–1429: X.108, 110). See Cahen,
\textit{Syrie}, 613, notes 40–41.}
\end{itemize}
legate and was reinstated as the Latin patriarch. He immediately excommunicated Symeon, Bohemond and their followers, and placed Antioch under an interdict. But Bohemond’s Latin supporters were received into communion with the Greek church, and Bohemond sought to ally himself with the Greek emperor Theodore Lascaris of Nicaea.15 Towards the end of 1207, Peter of Angoulême led Bohemond’s Latin opponents in a rebellion and invited Levon into the city, but Bohemond was able to crush the revolt and expel the Armenians. Peter was imprisoned and died before July 1208. Pope Innocent III ordered the patriarch of Jerusalem to excommunicate all the rebels and supporters of the Greek patriarch, including Bohemond, and to supervise the election of a new Latin patriarch, Peter II of Ivrea.14 But Bohemond held out for another four years or more, and Antioch continued to have two rival patriarchs, the Latin Peter II and the Greek Symeon II.15 Before 28 February 1213, however, Symeon had left Antioch and was being harboured by Levon II. In exile, he seems at first to have ruled the Greek church in Antioch from the Latin cathedral of Tarsus, whence Levon had expelled the canons.16 But when Levon won control of Antioch in 1216, and Raymond did homage to the Latin patriarch Peter II and was consecrated prince of Antioch, Symeon, too, was obliged to make submission to the Latin patriarch. He later went to the Byzantine court in exile at Nicaea, and there did penance for having entered into communion with the Latins, before being restored to the Greek Orthodox communion.17

The circumstances surrounding our document thus belong to the height of the conflict between the Greeks and the Latins in Antioch. When the Latin deed of May 1207 was confirmed in the court of

14 Innocent III, Regestorum, ii, 1428–1429; XI110 (12 July 1208).
the patriarch, Peter I of Angoulême, he had been deprived of some of his patriarchal powers and excommunicated by the papal legate, while the throne of St Peter was occupied by the Greek Symeon II. 16 The troubled events of the following decade, with repeated Armenian invasions and local rebellions, may explain why the deacon John was so unwilling to restore Josaphat’s property. And our contract of March 1213 was signed only weeks after Symeon II had fled, leaving Peter I in sole possession of the patriarchal throne.

It is thus striking that, despite the schism between the Latin and the Greek patriarchs, a Latin abbey was nonetheless content to grant its chapel to Greek priest. It may be significant that both Josaphat and St Mary Latin had their origins in Jerusalem, where the history of relations between the Latins and the Greeks had been very different, and far more harmonious, than in Antioch.19 Indeed, the Greeks had had their own altar in the shrine of Our Lady of Josaphat.20 Al-Mawadd lī-l-lāh was evidently not in any sense entering into communion with the Latin church by leasing the property from Josaphat; even though a ruined chapel lay on the land, this was a purely business arrangement.21 But the abbot of Josaphat does not seem to have abandoned his original desire, expressed in the Latin deed of 1207, that the chapel be restored so that his monks might celebrate divine office when they came to Antioch: al-Mawadd lī-l-lāh was not just bound to rebuild the chapel, but he had to begin to do so at once, and the dimīus was remitted for two years in order to assist him to do so. Just as the Greeks had once celebrated the liturgy in the shrine of Our Lady of Josaphat, so the exiled Latins hoped in future to celebrate the mass in the Greek Orthodox chapel of Our Lady al-Shabāba.22

16 See above, note 42.
Palermo, Archivio di Stato (Gancia), Tabulario del monastero di Santa Maria Maddalena, poi San Placido di Caloneri, Pergamena no. 81

Physical description
Maximum dimensions: 426 mm \( \times \) 535 mm. Parchment of medium thickness. While the document was in the archive of S. Placido (see Notes on verso, below), it was sewn into a codex down the left edge, which is now badly damaged. The lower edge of the sheet is badly worm-eaten. There is a crescent-shaped tear on the right edge, at ll. 8–9. Before it was sewn into the codex, the sheet was rolled and flattened on several occasions, leaving multiple folds across its width; it was also folded three times lengthwise. The text is worn along some of these folds. There is no sign that the sheet was prepared by the scribe—no ruled margin, no ruled lines—nevertheless, the text is well organised in evenly spaced, horizontal lines of regular length. The ink is dull, medium to dark brown. The hand is a fluid, practised cursive, with fairly frequent diacritical points, and few vowels (\textit{ica-} is regularly vowelled). The \textit{kursi}, pointed or not, are usually clearly distinguished, but may occasionally be obscured or omitted altogether (most conspicuously in \textit{kif} in ll. 2, 18–19, 23, 25–28 and 30). The letter \textit{kaf} is indicated by a vertical or diagonal stroke, without a cross-stroke, but usually with a miniature, \textit{hamza}-like letter \textit{kaf} written above the letter. The \textit{ra‘} is fairly consistently marked with a caret; \textit{sin} is also marked with a caret, but less regularly. \textit{Fath} and \textit{qaf} are pointed in the standard (‘\textit{sharqi}’) manner. \textit{Taw} marb\textit{at} is consistently written without points. The scribe does not write \textit{hamza} (and we have not referred to its absence, against Classical Arabic—henceforth CA, in the footnotes to the text). The position occupied by the seal on the original (of which this is the copy) is indicated by a crudely drawn circle containing the words ‘The place of the seal’. The signatures of the witnesses are autographs, written in the same ink as the text.

Notes on recto
All are omitted by Cusa. \textit{Translata nel X 36, segnata X[?].3 a f. 286—top left, black ink, eighteenth-century? (same hand as similar note on verso)}—\textit{f. 286} has been struck through and overwritten with \textit{fogl. 168\textcircled{o}} in brown ink. In the top right corner is written 286, in the same hand and ink as note (c) on the verso. It has not been possi-
ble to trace the Italian translation mentioned in this note and in verso note (d) below. The folio numbers presumably refer to the codex into which our document was once bound, and from which it was subsequently extracted, probably after entering the Archivio di Stato in 1877.

Notes on verso

All are omitted by Casa. (a) *Hoc est transsumptum [. . . lacuna . . .] h(abe)t p(res)b(is)r Emanuel grec(us)/de Geth[iae?] de Josaphat [. . . lacuna . . .] nel ad ce(n)su[m] pro n(o)b(is) an-/ticie Very faded and damaged; uncertain reading. Lower left of sheet; medium brown ink; thirteenth century? (b) *Josaphet* Upper middle; light brown ink; eighteenth century? (c) *S. Placido f. 286* Upper right; black ink; eighteenth century (same hand as number on recto). (d) *Translata in lingua italiana nel 1773*/e registrata nel X[2]/36 seguito X[3] a foglio) 168/[Unread monogram]. Upper left, below note (c); black ink; eighteenth century? (same hand as similar note on recto). (e) *ARCHIVIO DI STATO/PALERMO/Tarb* mont S./Maria Maddalena/poi S. Placido/di Calonero/Pogg n. 81 Lower right; stamp in black ink with numerals added in blue biro.

Arabic Text

نسخة / الكتاب الأصلي بلا زيادة ولا نقصان / ١ أنهما كان الإمبريور أرنادا بالسيدة الجسمنية قد أُوصى إلى الكنيسة المتروبولية التي هي على اسم السيدة الشوبية ؛ (3) / يكلما يتعلق بها من ارض وبيدريق وكتب لي بذلك سجلا لاهب ومبايعても المنع في يد إلى وقتنا هذا وكنتن أبدا دامين ذائيا لأجل خراب الموضع لانه كنيسة عند ذلك تقدمت إلى القيس

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33 MS appears to say: الروح.
31 MS also appears to have a point over the first letter, i.e.: خوان.
32 Casa: ذلك.
30 The word امرسية is heavily written, perhaps corrected.
33 Casa omits the first letter here.
34 Casa: إمرسية the MS is unpointed.
36 Casa omits; the word is just discernable under the Wood lamp.
المولد له كبرى بن إبراهيم والسألة أن يتسلم الموت ويعمر الكنيسة وعازفته في عمارةها من

البيضاء ليكون ذكرها وذكره والدته فيها دايم فلم يتمثل إلى ذلك الإله في عيب
الموضع له ملكة ثابتة ومؤيداً اذ كان موهوبًا في حبها ذكرها عقب وقعت الامرأ
على هذه الصفة اذ لم أجد غيره يسلمه مني لاجل خراب وذماره الكلي فلم تحقق

الابنور الاجل افرارة يابان بالسيدة الثلاثين قد تسلم تذكر املس السيدة الجنسية بالطائفة
ومعه امراء 71 من الإبروي 72 أفرارة ادام بالسيدة الجنسية ومن جماعة الاخوة بالدير 1 المذكور
ان مهما يفعله من أمور 74 الدلير يكون ثابتة تقدمت الى الله وعرفته ذلك الإمار 75
ومنى الى الوضع
فوجد خراب 76 ورأى ان ما يصبر للدير منه فابه لا يقبل ولا يقصر 11 القسيس
المذكور 77 بين يديه وسمعت له السجل الذي كان له اللتين ودمت عليه الإبروي المذكور

الموضع بوساطة الموتى الذي يهاب الى القدس 12 م يبروس سر سيمون ادام الله 11 حراسه

61 Cusa: كبري بن إبراهيم: see Commentary.
62 Cusa: رجل: see Commentary.
63 MS: يكون.
64 The MS fatwa, as elsewhere, lies well behind the letter اذاء to which it belongs.
65 Cusa: إداه. The dāl does swing up high to descend. Seamlessly joined to the
66 بئر: but the descent is at a diagonal angle (cf., e.g. MS ذن في l. 10; يبدت في l. 13); not a parallel one, which appears to be the practice in this hand for showing
67 unorthodox connections forward into alf. The tashdīd actually appears over the dāl.
69 The MS appears more like: ملكة.
70 Cusa: تاب.
71 MS apparently: موهوبًا.
72 CA: إمر. On such 'pseudo-corrections' by the addition of tamān alf in
73 a circumstantial clause, see Hopkins, Early Arabic, 163–171 and literature there cited.
74 The vowel in the MS is in fact scarcely distinguishable from a fatāh: see the
75 same word in l. 4.
76 MS apparently: الدلير.
77 MS apparently: النور.
78 Cusa omits.
79 Cusa: The jēr is definitely pointed. CA: فوجد خراباً. This omission of hawf
80 نو ré alf, against CA, may reflect the spoken language (see note 39 below); Hopkins,
81 Early Arabic, 160–161.
82 MS apparently: الدلير.
83 Cusa: القص; but the formula here clearly imitates the same occurring above in
84 l. 4.
85 Cusa: حراسه.
يكون الموضع له ملكًا مديدًا، وينقلب مقامه إبداً داهمًا ويقيم في كل عام جهة الديار المذكور
ب miglior دينارين النصف من ذلك دينار واحد نقد العاملة في شهر أيق كله سنة 1081 بعد ما
أطلقنه ديوس ستينون أرثيتا ستينا هذه وهي سنة التاريخ الأول وسنة التاريخ الثاني لتكون
معاوية له في عمارة الهيكل المذكور، بحيث يكون ابتدأ البشرية الديوس جهة 172 دير السيدة
الحسانية من شهر الثاني التاريخ الثالث وقد لزمه أن يعمر الكنيسة ويبدئ في عمارةها من
وزننا هذا ويهم بخدمتها وتحديدها وقيام بداية الديوس كل سنة يسبها في الصلة /14
المعينة
وما دام قاباً بديعًا فلا يكون جهة الديرب ولا ليا بابان الإبرى ولا لن ينوي بعد
162 تدبير السيدة الجمانية إن تناولهابها القسم المذكور ولا ين عم مقامك بوجه
من الوجه 18 ولا يبدد عليك في ذلك دهر واحد و19 وما سواء ولن يكون مقامك
التحكم في هذا الموضع ليحكم سائر التدريس بديوساتهم 204 الإبدية السرادية بسلطة تامة /21
وما نافذ تعرَّم وتعلَّم في حقولك وواعب فاك 11 كيف شيت واختير من غير اعتراض. يقع

160 MS apparently: تقوم
161 نسبة: but the introduction to sin here, though unpointed, is sufficiently raised
to be discerned as a bearer for bā' and cf. below, II. 13 & 18.
162 Cusa:  نقش. but an initial a l f, parallel to the a l f of the preceding word, mā, to
which it is joined, is clear.
163 Cusa: ستا but there is clearly one more kus in the MS.
164 MS apparently: المذكور.
165 Again, the putative dām is scarcely distinguishable from faša.
166 Cusa omits; in the milhâ it is just discernable under the wood lamp.
167 Cusa: لا.
168 Cusa: يرك.
169 Reading yata maintiendu.
170 MS apparently: الموضع.
171 CA: Again, the omission of t và in al f may reflect spoken language (see note 21 above).
172 MS apparently: تقوم
173 Cusa: التحكم. The verb is unpointed: see Commentary.
174 Cusa: بديوساتهم.
175 Reading tu'itt.
176 MS apparently: Cusa: وواجباتك.
177 Cusa: معن مرض but the scribe has raised his pen (to create a kus) after the 'ayn
in a way that he does not, e.g., after the 'ayn in l. 9.
على يوهج من الوجوء ولا على من يقوم مقامك فإن ابن أبي القاسم أو من يقوم.

مقامك تأخرت عن أديان الدُيوس في الوقت المعين حسبما شرح وصارت سنة ايا ستان ودخل في الآخر وله خمسة عشر يوما كان له الدبر المقدس من بيض على الموضع 18 ويوستقي ديوسه عن اخوه ويبدع الوضع إلى جنبه عند ذلك فإن 96 هو العيد بالله قد اما 100 اد فختص هذا الكتاب 101 لان اعتبارك 102 بسبب هذا الموضع لم يقوم مقامك لم يسلم 103 إلى هده.

الكتاب كان على جهة الدبر المقدس صد 103 المعب ودفعه والقيام عنك وعلم يقوم مقامك بالحجاج.

وتبينت الموضوع في يد ويد من يقوم مقامك بلا ضرر ولا غرامه ويخيط 104 بهذا الموضوع.

وجمعه حدود اربعة 105 الأول من الشرق إلى الشارع المسلوك والثاني من الغرب ينتهي إلى الساحة والخارج 106 إلى تحت الغماد الانجر الكبير 107 والثالث من 108 القبلة ينتهي إلى بيوت وستبان باني الكامبلري والي بستان بري بن مكلام 109، والرابع من الشمال ينتهي أيضا إلى الشارع المسلوك والي أرض الاست دام اكاس 110 الذي 110 هو يومن في يد ورثة الديووس رمانوس وفي هذا الحد فتحة الباب إلى الشارع المسلوك للدخول إلى هذا الموضوع والخروج عنه.

وبذلك وضعته 109 17 كتب ها هذا الكتاب حجة ببدك واستنبفا جابيك 110 بعد أن قرى 111 على

أنا الابيور بابا وعلي 113 أنا الشمس حآن وترجم علينا وفهمنا ووضعنا صبياننا بيدينا 112

104 MS: 19, 23, where it is completely absent.
105 112 This is the one instance in the document where an incontrovertible damma appears; but it is so very exaggerated that it does not encourage the assumption that other dammas were never intended in the text.
في 14 أعلاه سأنا من شهد علينا فيه، واكدنا أنا الأبرور باباً بالإخوة الشعبي في منتهاء 112 وكتب في العشر الأخر من شهر ذار، التاريخ الأول لباري في سنة ستة عشرة، وسماه مية / 111
واحد وعشرين سنة العالم وبالله التوفيق. وفي الكتاب الأصلي الذكر خطوته باللاتيني في أعلاه وفي منتهاء فيه شهادة النوميوكس 116 كتبه الفقس. 117 (وضع بالتحم). قال ابن أسطفال بن ين الد خيطي / 118 هذا النص: على الكتاب الأصلي وجدتهم لما. 120 للظا ومعينا بليا زيادة ولا نقصان وبصية، بل في النص غيروف. هذه النص: على الكتاب الأصلي وجدتهم لما للفظا ومعينا وقليلا وقليلا. 121 قال ابن أسطفال بن ين الد خيطي / 118 هذا النص: على الكتاب الأصلي وجدتهم لما. 120 للظا ومعينا وقليلا وقليلا. ذات النص: على الكتاب الأصلي وجدتهم لما. للفظا ومعينا وقليلا وقليلا. 121 قال ابن أسطفال بن ين الد خيطي / 118 هذا النص: على الكتاب الأصلي وجدتهم لما. 120 للظا ومعينا وقليلا وقليلا. ذات النص: على الكتاب الأصلي وجدتهم لما. للفظا ومعينا وقليلا وقليلا. 121 قال ابن أسطفال بن ين الد خيطي / 118 هذا النص: على الكتاب الأصلي وجدتهم لما. 120 للظا ومعينا وقليلا وقليلا. ذات النص: على الكتاب الأصلي وجدتهم لما. للفظا ومعينا وقليلا وقليلا. 121 قال ابن أسطفال بن ين الد خيطي / 118 هذا النص: على الكتاب الأصلي وجدتهم لما. 120 للظا ومعينا وقليلا وقليلا.

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111 CA: —MS unpointed.
112 CA: —MS unpointed.
113 CA: —MS unpointed.
114 CA: —MS unpointed.
115 CA: —MS unpointed.
116 CA: —MS unpointed.
117 CA: —MS unpointed.
118 CA: —MS unpointed.
119 CA: —MS unpointed.
120 CA: —MS unpointed.
121 CA: —MS unpointed.
122 CA: —MS unpointed.
123 CA: —MS unpointed.
124 CA: —MS unpointed.
Translation

1/Copy 2/of the original document, without addition or omission.
3/† In the name of the Father, the Son, and the Holy Ghost. 4/I, Žawān (i.e. John), deacon of the church of holy Mar Baṭrus (i.e. St Peter), declare the following After Amād (i.e. Arnald), prior of [Our] Lady of Gethsemane, had granted to me the ruined church that goes by the name of [Our] Lady al-Shabūba(?), 5/with the land and all else that pertains to it, and written for me a document in Latin to that effect, the place remained in my possession until this our time. And I have always and forever borne personally the expense arising from the dilapidation of the place, because it is a church. I therefore approached 6/the priest, al-Mawādḍ li-llāh Kīr Yaray ibn Ayraqlī (i.e. ‘the Friend of God, Sir Priest, the son of Heraclius’?), and I asked him to take over the place, and to restore the church, and [offered] to assist him in restoring it with my own means, so that I and my parents might be commemorated in it forever. But he would not agree to that from me, until 7/and only until [such time as] the place became his absolute property in perpetuity—for it had been given to me according to the terms mentioned. The matter was left at that, because I could not find anyone else who would take it over from me, because of its dilapidation and total state of ruin. Therefore, after ascertaining 8/that the most excellent Brother Bāyān (i.e. Paganus), prior of [Our] Lady [St Mary] Latin, had taken over the management of the properties of [Our] Lady of Gethsemane in Antioch, and had authority from Brother Adām (i.e. Adam), prior of [Our] Lady of Gethsemane, and from the chapter of the brothers of the aforesaid monastery, 9/so that whatsoever he were to do regarding the affairs of the monastery would be confirmed, I went to him and told him of that matter. He proceeded to the place, and found it a ruin, and judged that no benefit would come to the monastery from it, neither small nor great. So I brought 10/the aforesaid priest into his presence, and handed over to him the Latin document that belonged to me. The aforesaid prior leased the property to him with the consent of al-mawālā al-dāyān of the church of holy St Peter, Ser Šimūn (i.e. Ser Simon)—may God perpetuate 11/his guardianship!—so that the place would permanently become property belonging to him, or to whomsoever will take his place, always and forever. In the month of August of each calendar year (‘ām), every year (sana), he will pay for the church, to the part of the afore-
said monastery, the sum of two dinars—half of that, one dinar, in ready money—after the dimūs has been remitted him for two years—this year in which we now are, the year of the 1st Indiction, being the first of the two, and [the other] the year of the 2nd Indiction—in order to assist him in rebuilding the aforesaid church. Thus, the start of the payment of the dimūs to the 15/monastery of [Our] Lady of Gethsemane will be from the month of August in the 3rd Indiction. It will be incumbent upon him to rebuild the church, to begin its reconstruction from this our time, and to concern himself with its care and restoration, and with the payment of its dimūs each year at the time 11/specified. As long as he continues to pay his dimūs, neither the part of the monastery, nor I, the prior Paganus, nor anyone who is entrusted after me with the management of [Our] Lady of Gethsemane, will have cause to look for [any further return] from you, O aforesaid priest, nor from anyone who takes your place, for 15/whatsoever reason; nor the right to take from you a single dirham more, or anything else besides, in that regard. As of now, you, and whosoever takes your place, has control over this property, so that all the mutadamwūn [who come after you], with their perpetual and eternal dimūsāt, can exercise absolute 19/authority, while you [and those who come after you] may build and construct according to your rights and your needs, as you wish and as you choose, without yourself, or whosoever takes your place, meeting any obstruction whatsoever. But if you, O priest, or whosoever takes 17/your place, should fail to pay the dimūs within the appointed time, as explained [above], and should a year pass, whatever year that might be, and should even only fifteen days of the next have passed, it will be for the part of the holy monastery to repossess the place 18/and to exact the dimūs in full, whereupon it will return the place to your control. Should it happen—God forbid!—that anyone seek to challenge the validity of this document, or to trouble you on account of this site, or [to trouble] whosoever takes your place, or whosoever is given 19/this document, the part of the holy monastery must reject the accuser and repel him, and come to your defence, or to that of whosoever takes your place, with the [proper] proof, and will confirm that the site belongs to you, or to whosoever takes your place, without loss or penalty. There surround 20/this place and enclose it four boundaries: the first, on the east to the open road; the second, on the west, ending at the open space and the neglected estate that is below the big, baked-brick gh.mādh.n;
the third, on the south, ending at the house and garden of tāni l-Kāmilāri (i.e. John the Camel-driver) and at the garden belonging to Yarā ibn M.r.k.āytm (?). The fourth, on the north, also ends at the open road and at the the land of al-Sitt Dām Akās (i.e. the Lady Dame Agatha?), which is at this time in the hands of the heirs of the scribe Ṛumānūs (i.e. Romanos); and, in this [fourth] boundary is the gate to the open road, giving entrance to this place and exit from it. And [as witness of?] that, and in validation of it, this document has been written for you as a proof in your hand, and a means of verification for you, after it was read to me, Paganus the prior, and to me, John the deacon, and it was translated [aloud?] for us, and we had understood it, and set down our crosses with our own hands at the top of it. We asked those who bore witness for us [to sign? it, and I, Paganus the prior, confirmed it with the wax seal at the very end. It was written during the last decade of the month of March, in the 1st Indiction, in the year six thousand, seven hundred and twenty one, the year of the Creation [1213 AD]. And prosperity is from God. The aforesaid original document contains lines of Latin, at its beginning and end, and the deposition of the scribe, written by the priest. The place of the seal I, Istafan (i.e. Stephen), son of..., son of..., have compared this copy with the original document, and I have found them both, in letter and spirit, to be with neither addition nor omission; and to the veracity of that I have penned my hand. al-qass Ījīs ibn al-qass Ighrīghār (i.e. George the priest, son of Gregory the priest), have compared this copy with the original document, and I have found them both, in letter and spirit to be with neither addition nor omission; and to the veracity of that I have penned my hand. Ījīs ibn Istafān ibn Arīstād (i.e. George, son of Stephen, son of Aristedes?), have compared this copy with the original document, and I have found them both similar in letter and spirit; and to the veracity of that I have penned my hand. Šamīl ibn al-nūmākūs Bādrus ibn Hāliyā (i.e. Samuel, son of the scribe Peter, son of Elias), have compared this copy with the original document, and I have found them both in letter and spirit to be with neither addition nor omission; and to the veracity of that I have penned my hand. the scribe...[to th?]at... which I wrote in my hand, to this copy, without addition or omission....
Commentary

Line 4.

'...the deacon of the holy church of St Peter, John...'. John the deacon is known only from this document and from Kohler, 172–173, no. 64, where he appears as *Joannes diaconus, filius domini Heliae de Cursalt, vir omni bonitate repletus. Cursalt or Cursat was the Latin name for the castle of Qasayr (Qal'at al-Zaw; mod. Kursat, near Soflar) that lay approximately 20 km south-southeast of Antioch (Cahen, *Syrie*, 167–168). St Peter's was the cathedral of Antioch, and had been taken over from the Greek Orthodox in 1100 as the seat of the Latin patriarch.


'The ruined church that goes by the name of [Our] Lady *al-Shabūba(?)*. This is clearly the *oratorium ad honorem gloriosae Genetricis Dei* which prior Arnald and brother John found ruined and without roof in 1207 (Kohler, 'Chartes', 172–173, no. 64). The word here read as *al-Shabūba(?)* is problematic. The article and the letters *shin, bā* and *wāw* are clear enough, but the rest of the word is uncertain. There is a clear point beneath the penultimate letter, but the 'bearer' has the aspect of a *qāf*, and looks rather like a 'Maghribi'
fā’. The final letter has the aspect of ḍāl, but it is not impossible to construe it as unrounded tāʾ marbūṭa; confusingly, there appears to be a point beneath this, too. If the word is an epithet of al-Sayyida, and does read al-shabūba, then it could refer to her youthfulness: both Cahen (‘Un document’, 286) and Richard (‘Église latine’, 746) take it to be an Arabic word meaning ‘la Vierge’. But it may rather be an unidentified Antiochene placename, on the model of al-Sayyida al-Jasmiyya in the same line.

Lines 4–5.

lammā kāna . . . qad awhaba-nī . . . wa kataba . . . wa-baqiya—reading the ṣūūr of wa-baqiya to mark the apodosis after lammā followed by the pluperfect (otherwise, the ṣūūr of wa-kataba could be read in the same way: Blau, Christian Arabic, 451). Cahen’s translation indicates that he sees differently the structure of this sentence (‘Un document’, 286).

Line 5.

ṣijill lātīnī = the Latin deed of May 1207 (Kohler, ‘Chartes’, 172–173, no. 64).

Line 6.

‘The priest, the Friend of God, Sir Priest son of Heraclius’. Of the priest’s name, only the reading of his kunya—al-Mascadd li-l-lāh—is certain. Casa (Diplomii, 740, no. 178) reads Kermari ben Abrakili and, on that basis, Cahen (‘Un document’, 288, note 7) suggests Kyrr(?) Marri(?) fils d’Ibriqili—but there are obstacles to this. The priest’s name certainly begins with kāf, but the second letter (without a caret) may be either ṯāʾ orẓāy, and the third is initiated with a tip from below, unlike any other indisputable initial mīm in this document, so that it is most likely to be ṭāʾ, ṯāʾ, ṭhāʾ, nūn or yāʾ. The fourth is certainly a rāʾ (with a caret), but the final yāʾ might signal -ā, -ay or -i. However, since his name is not recognizably Arabic or Syriac, and since he is of the Greek Orthodox rite, he may well have had a Greek name, which makes Cahen’s suggestion particularly attractive: that it is prefixed with the standard medieval Greek indeclinable title Kūρ < κύριος. Moreover, because he was a priest, he may well have been called ‘the priest’ (ἰερεύς) in Greek as well as in Arabic—Kır Ŷaray. As to his father’s name, the word is without points and the possibilities are therefore legion. One possibility, however, is more Greek than any of the alternatives: Ayraqiši > Ἰρώκλειος,
‘Heraclius’—*Kir Yaray ibn Ayraqiṭi*, ‘Sir Priest son of Heraclius’. But this is pure hypothesis.

*min rahlī,* ‘with my own means’. Cusa reads *riṭī*. The first letter has a faint caret to distinguish it as *rā*’, but the second is unpointed.

Cahen translates ‘pour ma part’, but without discussion, perhaps reading *riṭī*, as a ‘part’ or ‘portion’, but this seems strained: see E.W. Lane, *An Arabic-English Lexicon*, London 1863–93; repr. London, 1984, 1044c–1045a. Since the second letter has no point, we prefer to read *raḥlī*, in the sense of ‘belongings’, ‘possessions’, etc. by synecdoche from ‘all the possessions of a dwelling or homestead (raḥl)—a sense anciently attested e.g. in C.J. Lyall, ed. and trans., *The Mufaddalyyāt. An Anthology of Ancient Arabian Odes Compiled by al-Mufaddal Son of Muhammad According to the Recension and Commentary of Abū Muḥammad al-Qāsim Ibn Muhammad al-Ashārī*, 2 vols, Oxford, 1918–21 i, 549; ii, 214, no. 68, of Mutanmin, v. 15, 1st hemistich: ḏāḥtablūn li-mā ḏī raḥlī-hi ghuyru zummalin...*, which Lyall translates ‘Ready to give freely all that he had in his possession, no niggard...’, commenting that *raḥl* here seems to have the meaning of an abode or habitation rather than saddle or saddle bags; incidentally, very much the sense that it would have had in the thirteenth-century Mediterranean, where *raḥl* was most commonly used to mean a farm or village—cf. ‘everything that is carried on the rahl or camel-saddle’: Lane, *Lexicon*, 1053c; and Dozy, *Supplément*, i, 516.

*Line 7.*

‘...for it had been given to me according to the terms mentioned’, i.e. for the duration of John’s life, whereas al-Mawadd ḍī-llāh was insisting upon an heritable lease in perpetuity.

*dāthārī-hi* The reading is certain; while the meaning of *dāthār*—in the sense of *dathūr/tadāthūr/indīthār*, i.e. ‘ruinous condition’—is clear from the context, this form has not gained currency in the dictionaries.

*Line 8.*

‘The most excellent Brother Paganus, prior of [Our] Lady [St Mary] Latin’. *Al-abriyūr* < Latin prior, see Commentary 1. 4; *afrār* < French frère; *Bāyān* < Latin Paganus or French Païen (cf. Cusa, *Diplomi*, 242, l. 10: Bāyān di-Ghurj = 201, l. 25: Paganus de Gorgis (Gorges, Manche). Cahen nods when he remarks that Bāyān is the standard Arabic transliteration of the name of Balian d’Ibelin, lord of Nablus and Ramla (‘Un document’, 290, note 12)—in fact, he appears in Arabic
sources as Bāliyān ibn Bārizān. That St Mary Latin had taken charge of the affairs of Josaphat in Antioch is confirmed by Latin documents of August 1254, February 1263 (Kohler, ‘Chartes’, 181–82, no. 73, and 188–90, no. 80), and August 1264 (Delaborde, Chartes, 117–119, no. 57). Paganus was presumably the local prior for Antioch and not the prior of the mother-abbey, which had by now relocated to Acre.

‘Brother Adam, prior of [Our] Lady of Gethsemane’. This is probably the same Brother Adam who witnessed the Latin deed of 1207 (Kohler, ‘Chartes’, 172–173, no. 64). He appears as prior of Josaphat—the abbey itself—in March 1212: Delaborde, Chartes, 95–96, no. 46.

Line 9.
‘...no benefit would come to the monastery from it...' (...mā yasīru li-l-dayri min-hu fā’ida ...): here, the particle of denial mā seems to refer to the future: for other examples, see Blau, Christian Arabic, 303–304 and note 10.

Line 10.
‘The Latin document that belonged to me’ = his copy of the Latin deed of May 1207 (Kohler, ‘Chartes’, 172–173, no. 64).

‘The aforesaid prior leased (dammasa) the property to him’. The verb dammasa is coined from the noun ḏimūs, pl. ḏimūsat < Greek ὅμοσ, originally meaning ‘public [tax]’, but here (ll. 12–15, 17–18) meaning a fixed annual rent to be paid for the leases: see discussion above, p. 162.

Lines 10–11.
‘Al-mawla al-dayyān of the church of holy St Peter, Ser Simon—may God perpetuate his guardianship!’ Cahen translates al-mawla al-dayyān as '[le] maître juge' but makes no comment on this official ('Un document', 286). Richard, following Cahen but not wholly understanding him, suggests that Simon was a judge delegated by the patriarch and by his chapter to adjudicate in temporal matters ('Église latine', 748). Note that the Latin deed of March 1207 (Kohler, ‘Chartes’, 172–173, no. 64) was also confirmed in the court of the patriarch. Although it is possible that Simon was a lay judge, dayyān is used in Spanish Arabic for the Christian office of dean (Dozy, Supplément, i, 482b) and, although this usage is not attested in the Latin East (unless in this unique Arabic document), the context makes it likely that Simon was an ecclesiastical official charged with the adminis-
tration of the patriarchate’s temporalities, such as an archdeacon. The failure of Peter I of Angoulême to fill the vacant office of the archdeacon of the patriarchate had been one of the bones of contention between him and the papal legate in 1205–1206, and the office must have been filled after his reconciliation in 1207: Innocent III, Regestorum, ii, 1278–1282 (X.186: 9 Jan. 1208). Whatever his office, Simon is not otherwise known. (The temptation to identify Ser Simon with the patriarch Symeon II must be resisted: not only are his titles inappropriate to a patriarch but, by March 1213, Symeon had already long fled Antioch: see above, pp. 168–169 and note 46).


*all sana bi-sababi-ha:* because a point is clearly visible below the second kursi of the latter noun (in l. 12), we have upheld Cusa’s reading of this formula, which is repeated in l. 13—i.e. taking the pronominal suffix -ha to refer to the church, although this is somewhat strained, especially in this first instance, where the last reference to the church is remote. But, this is the only point visible in either occurrence of the formula, and may rather indicate the preposition *bi*, with the point slightly misplaced. In which case, a more natural reading might be the idiom *all sana bi-sanati-ha*—a reinforced expression meaning ‘every year’, current in the Levant today.

‘In the month of August of each calendar year (‘am), every year (sana), he will pay . . . the sum of two dinars—half of that, one dinar, in ready money (naqṣ al-mu‘amala)—12 after the dimūs has been remitted him for two years (sana‘ayn)—this year (sanatu-nā hādīhi, in which we now are, the year of the 1st Indiction (sanat al-ta‘rikh al-aqwa‘al), being the first of the two, and [the other] the year of the 2nd Indiction (sanat al-ta‘rikh al-thālīth)—in order to assist him in rebuilding the aforesaid church. Thus, the start of the payment of the dimūs . . . will be from the month of August in the 3rd Indiction (sanat al-ta‘rikh al-thālīth). Cusa and Cahen (‘Un document’, 286) both failed to make sense of this passage. The key is to be found in ll. 24–25 where document is dated according to the Byzantine calendar to 6721, Indiction I (al-ta‘rikh al-aqwa‘al). Here, the scribe has struggled hard to distinguish between the ‘year’ (sana), the ‘calendar year’ (‘am) starting in January, and the ‘indictional year’ (sanat al-ta‘rikh) that began on 1 September. The dimūs was to be paid in arrears at the end of each indiction. Note that the dimūs amounted to two dinars, half of
which was to be paid in cash, not ‘2½ dinars dont 1 comptant’ (see Sourdel-Thomine, ‘Épigraphie’, 190); the remainder was presumably to be paid in produce. The dinar is not to be understood as the Islamic dinār, but as the Latin besant (Cahen, ‘Un document’, 292): a gold coin, struck by the Latin kings in imitation of Fāṭimid dināris. The dinars to which our document refers were probably struck in the mint of Tripoli, with a nominal gold content of 12 carats: D.M. Metcalf, Coinage of the Crusades and the Latin East in the Ashmolean Museum, Oxford, 2nd rev. edn, Cambridge, 1995, 150–152 and pl. 19. The remittance of rent for an introductory period is a standard feature of such leases (Richard, ‘Église latine’, 746). The first payment was due in August 1215.

Line 14.
wa-lā bi-man yaqūmu maqāma-kā: clearly standing for wa-lā ‘alā man . . .;—presumably a lapse of concentration (cf. l. 16 where concentration is sustained); bi- appears to stand as an object-marker of the type noted below in l. 18.

Lines 15–16.
‘. . . you, and whosoever takes your place, has control over this property, so that all the mutadammisūn [who come after you], with their perpetual and eternal dimūsāt, can exercise absolute authority, while you [and those who come after you] may build and construct according to your rights and your needs, as you wish and as you choose, without yourself or whomsoever takes your place, meeting any obstruction whatsoever’. This clause establishes the perpetuity of the emphyteuteic lease. The mutadammisūn—the masculine sound plural of the active participle of tadammūsa, another verb formed from the noun dimūs (see above, Commentary l. 10)—are here the future heirs of al-Mawadd li-llāh, who will inherit from him the perpetual rights in Josaphat’s property. Cahen’s translation is difficult to reconcile with Cusa’s text, and is substantially different from our reading: note his insistence that our document is not an emphyteuteic lease (‘Un document’, 292, note 16)—see the discussion above, pp. 162–163.

fa-in anta . . . (cf. l. 18: fa-in huwa . . .): on the use, after in, of pronominal subjects of a conditional clause, rather than a verb—apparently far more common in early South Palestinian Arabic (henceforth ASP) than in CA—see Blau, Christian Arabic, 589–590 and notes; Hopkins, Early Arabic, 250.
Line 17.
\textit{wa-la} ‘lā hamsa ‘ashara ya‘uman. This idiomatic use of \textit{wa-la}—i.e. ‘even as little as’ or ‘even as much as’ according to context—has wide currency in the Levant, and elsewhere, today, although the Levantine literature conspicuously lacks examples. There is one marginal Palestinian reference in J. Blau, \textit{Syntax des palästinensischen Bauerndialektes von Bir-Za‘ar, auf Grund der “Volkserzählungen aus Palästina” von Hans Schmidt und Paul Köhle}, Beiträge zur Sprach- und Kulturgeschichte des Orients 13, Walldorf-Hessen, 1960, 253. The idiom is also carried by M. Hinds and S. Badawi, \textit{A Dictionary of Egyptian Arabic}, Beirut, 1986, 803.

Line 18.
\begin{quote}
\textit{am ēnāya-ka … am li-man … am li-man … cf. the examples adduced by Blau, \textit{Christian Arabic}, 413–423, in his discussion of the uses of \textit{li} in ASP to introduce determinate direct objects, which he relates to the loss of case endings and Aramaic influence.}
\end{quote}

Lines 20–21.
The boundary-description (\textit{ḥadd}). The Latin deed of 1207 (Kohler, ‘Chartes’, 172–173, no. 64) remarks only that the property lay \textit{juxta domum Hospitalis}, ‘next to the House of the Hospital’. (Had the scribe intended not ‘the House of the Hospital’, but ‘a house’ belonging to it, then he would most likely have written \textit{juxta quamdam domum} or similar. The Hospital owned six or more houses in Antioch: see the list in Cahen, \textit{Syrie}, 522—who renders this particular \textit{domus} as ‘hôtel’—where the references are to J. Delaville Le Roulx, \textit{Cartulaire général de l’Ordre des Hospitaliers de s. Jean de Jérusalem}, 4 vols, Paris, 1894–1906, i, 38, 144, 148, 574, 613.) The House of the Hospital is not mentioned in our document, but it lay \textit{in circuitu Beatæ Marīae} (Delaville Le Roulx, \textit{Cartulaire}, i, 9)—presumably St Mary Rotunda—in the north-east of the city, close to the foot of Mount Silpius, near to the churches of St John Chrysostom and St Mary Latin (Cahen, \textit{Syrie}, 130–131). In September 1194, Bohemond III confirmed a gift made to the Hospital of the old \textit{gastīna} adjoining it: the two properties were on the same public road and had a wall in common (Delaville Le Roulx, \textit{Cartulaire}, i, 693, no. 986). We have been unable to identify any of the boundary-markers, the reading of some of which poses considerable difficulties.

\textit{wa-‘l-kharāba allāti taḥta al-gh.mādh.n al-ājwar al-kāhir}, ‘… and the neglected estate that is below the big, baked-brick \textit{gh.mādh.n}’—an
obscure passage, which Cahen makes no attempt to translate. Given
the adjoining gastiæae (in Kohler, ‘Chartes’, 172–173, no. 64; and
Delaville Le Roulx, Cartulaire, i, 693, no. 986) the reading kherāba =
khirba is almost inescapable, although the rā’ has no caret and the
letter read as bā’ is unpointed. The scribe has carefully written a
tashdīd on the rā’ of al-ājurr. He has also clearly indicated the kāf of
al-kabīr. Thus, it is the meaning of word al-ghumādhn that is the miss-
ing key to the problem. Although the word is not at face value
Arabic, one could force such readings as: ghamādhn, ‘buildings’ <
*ghamādin (but see Blau, Christian Arabic, 108), plural formed from
al-ghumādn (itself a plural form when regarded as Arabic), the legendary
pre-Islamic palace at San‘ā’; or ghamādhn, ‘houses not on the public
road’ < *ghamādin (see Blau, Christian Arabic, 108, for dhāl < dād),
highly problematic plural of *ghamādn = ghāmid, pl. ghawāmid. (See
Blau, Christian Arabic, 282–283 and notes, for adjectives of the form
fu‘il qualifying, against CA, both masculine and feminine nouns.) We
prefer, however, to regard it as a foreign import. Given its imme-
diate association with ājurr, ‘baked-brick’, itself Arabised from Persian,
the proximity of gh.mādhn to Persian khumādhn, ‘brick-maker’s kiln’ is
highly striking. An alternative might be to seek a derivation from
Greek: e.g. ghamādhn < χομάτων (technically a diminutive), ‘bank’,
Lexicon, 9th edn, ed. H.S. Jones and R. McKenzie, Oxford, 1940,
2014.

ilā buyyūt wa-bustān Yānī al-Kāmilāri: on the phenomenon of two or
more nomina regentia preceding one women rectum, against CA, see Blau,
Christian Arabic, 345, note 2; Hopkins, Early Arabic, 176–177 and notes.

Yānī al-Kāmilārī < Greek Ἰωάννης [ὁ] Καμηλάριος, ‘John the Camel-

Yarā ibn M.r.k.lāy.m (or possibly M.r.d.lā); Cahen reads ‘Yārī fils de
Mardalā’, without discussion. Yarā might derive from Greek ierōς,
‘priest’ (see above, Commentary I. 6), but we can suggest no plausible
derivation for his father’s name.

ard al-Sitt Dām Akās alladhī . . . , ‘the land of the Lady Dame Agatha(?)
that . . . ’ Although this reading is inevitably uncertain, we are fairly
confident that the letters are correct. Cusa reads something like ard
al-s.r.dām ’dhay al-dayr, ‘the land of al-s.r.dām ’dhay the convent’,
which is meaningless and wrong. Cahen attempts only ‘la terre de
Sire (?) . . . ’ (but Arabic Sīr never takes the definite article: see I. 10).
For the reading terminal tā’ in al-Sitt, compare tathbit in I. 19: no
ra' in the document resembles this letter. For Dām, see e.g. Dāma Barghāritā al-Nāṣrāniyya bint al-rākibja al-Karkaniyya, ‘Dame Margaret the Christian, daughter of the nun from Agrigento’, in Palermo in 1183 (Cusa, Diplomi, 491–493). For Akās, although there is no miniature letter to confirm the kāf, this is the standard shape of kāf-ālāf throughout the document, whereas dāl and dhāl are always separated from following alif; for the terminal sin, compare especially dimās early in l. 17. That Akās comes from Latin Agatha or Greek Ἄγαθη is conjecture. (For ‘invariable’ alladhī—here relating to the feminine noun and—see Hopkins, Early Arabic, 240–241 and notes.)


Lines 23–24.

‘[Paganus and John] set down our crosses with our own hands at the top [of the document]’: they presumably also added their Latin inscriptiones see below, Commentary l. 25.

Line 25.

‘The aforesaid original document contains lines of Latin, at its beginning and end, and the deposition of the scribe (al-nūmikūs) written by the priest’. The original seems to have borne the inscriptiones of Paganus and John at the head of the Arabic text, and other lines of Latin—perhaps the witnesses—and its foot, in addition to the deposition by the Arab scribe, who was a priest.

Line 26.

The place of Paganus’s wax seal is indicated by a circle containing the words ‘The place of the seal’.

Lines 26–30.

The names of the witnesses to the accuracy of the translation. These are written for the most part without points, and are often extremely difficult to decipher.

Istafan (< Greek Στέφανος, ‘Stephen’) ibn al- (?—Cusa does not transcribe, but the word has the shape of al-Hayy, the Exile’, or similar—could it be Alakhīs < Greek Ἀλέξης or similar?) ibn al- (?—Cusa, al-Latinè; Richard, ‘Église latine’, 745, note 11, al-Ladikhi— but the word has rather the shape of al-Muṣṭanī or similar)—possibly a Greek.

al-gass fīqīs ibn al-gass Lghīghūr < Greek Γεώργιος ὁ νικός Γρηγορίου, ‘the priest George, the son of the priest Gregory’, or similar—a Greek.
Jirjis ibn Iṣṭafān ibn Aristād > Greek Γεώργης ὁ γιος Στεφάνου τοῦ γεωργίου Ἀριστείδη, ‘George, son of Stephen, son of Aristedes’.

Samwil ibn al-nūmīkūs Bādrus ibn Hāliyā < Greek Σαμουήλ ὁ γιος τοῦ νομικοῦ Πέτρου τοῦ γεωργίου Ἡλίου, ‘Samuel, son of the scribe Peter, son of Elias’.

Line 32.
A very fragmentary line, omitted by Cusa, containing what seems to be the subscription of another witness. All that can be read of his name is the word al-nūmīkūs < Greek ὁ νομικός, ‘the scribe’.
Plate 1: Palermo, Archivio di Stato (Gancia), Tabulario del monastero di Santa Maria Maddalena, poi San Placido di Calonerò, Pergamenno no. 81, recto.
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Plate 2: Palermo, Archivio di Stato (Gancia), Tabulario del monastero di Santa Maria Maddalena, poi San Placido di Calonerò, Pergamena no. 81, verso.
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