ISLAMIC REFLECTIONS
ARABIC MUSINGS

Studies in Honour of Professor Alan Jones

Edited by
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النجوى السنية لأسنى الجلساء

Gibb Memorial Trust
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The boys from Mezzoisuo: Muslim jizya-payers in Christian Sicily

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One day in August in the late 1170s AD, three brothers reluctantly made their way to the Benedictine monastery of St John of the Hermits in Palermo. Their names were Jabrūn, Ibrāhīm and ʿAbd al-Rahmān, the sons of Mūsā. Although their father’s nickname – Shubʿāt(?) – ‘Greedy-guts’(?) – reveals nothing of his ancestry, the brother of the mother of Jabrūn and Ibrāhīm (ʿAbd al-Rahmān seems to have had a different mother) claimed to belong to the tribe of Lakhm. Despite such pretension to ancient Arab ancestry, the brothers were ‘men of the registers’ (ahl al-jarāʿ id) – what their Christian masters would have called villani, ‘villeins’– and were tied to the lands of St John’s at Mezzoisuo, in the mountains south-east of Palermo. To judge by the amount of grain that they owed each year to their lord, their lands must have been extensive, far too large to cultivate themselves. They presumably employed labourers to cultivate their lands, or else rented them to share-croppers. In any case, the brothers, without obtaining the permission of the abbot of St John’s, had left Mezzoisuo and gone to live elsewhere. Abbot Donatus had retaliated by confiscating their property, thereby forcing them to come to St John’s to seek its return. First, they were obliged to renew their oath of fealty to the abbot by swearing upon the Qurʾān to obey him forever. Thereupon, he forgave them and restored their property. Next, he imposed upon them a jizya of thirty gold quarter-dinars, and a qānum or land-tax of twenty mudds of wheat and ten of barley. The brothers then asked the abbot if they could live wheresoever they wished, but he replied that their request would have be put to the whole chapter of St John’s. All this was set down in Arabic in the form of a legal contract, and the brothers called at least five leading Arab Muslims of Palermo to witness their free and lawful assent to the whole. These witnesses included their maternal uncle from Lakhm, two members of Quraysh, and one of Qays. Finally, Jabrūn and Ibrāhīm, apparently without ʿAbd al-Rahmān, approved in person the written agreement. A copy of the Arabic contract was placed in the archives of St John’s, and eventually came by a circuitous route to the Archivio di Stato in Palermo: that copy is edited, translated and commented upon in the Appendix to this article.1

1 I am extremely grateful to the Director of the Archivio di Stato of Palermo, Dottoressa Giuseppina Giordano, for her permission to publish this document and to reproduce a photograph of it, and to all the staff of the Archivio di Stato for their unfailing kindness and willingness to help. In the interval between the submission and the publication of this article, an Italian edition of the same document has appeared:
This Arabic contract, in which a family of Muslim Arabs swear upon the Qur’an to pay the jizya to a Christian lord, is the only document of its kind to survive. But, in the topsy-turvy world of Norman Sicily, all Muslims owed the jizya to their Christian masters. During the conquest of the island (1061–1092), Muslim communities had been taken under Norman rule by means of an adaptation of the Islamic law and practice governing the incorporation of Christian and Jewish communities.\(^2\) Essentially the same procedure by which the sons of Mūsā submitted to Abbot Donatus can be seen as early as May 1061 in the submission of the Muslims of Rometta, 'who sued for peace ... and, surrendering the city and themselves, with the books of their superstitious law before them, swore an oath of fealty'.\(^3\) In January 1072, at the fall of Palermo, a delegation of city elders led by two qā'idās met Norman leaders and asked them to accept the surrender of the city on terms: the victors were neither to abolish nor to violate the law of the Muslims, nor to introduce new and unjust laws; but, if the citizens chose to remain Muslims, they were to pay the tribute. The Muslims swore according to their own law to abide by this agreement.\(^4\)

Immediately after the conquest of Noto, the last Muslim outpost, in 1092, the Norman leaders proceeded to the division of the spoils. At an assembly at Mazara in 1093, Count Roger of Sicily issued the first registers of the conquered population, which recorded both his own demesne lands and the fiefs granted to his barons.\(^5\) These registers – plateiai (sing. plateia) in Greek, jarā'id (sing. jarīda) in Arabic – listed the names of the heads of households of the 'villeins' granted with a given estate. None of the 1093 registers has survived, but they were probably similar to the Greek-Arabic plateia issued to Palermo cathedral in February 1095.\(^6\) Seventy-five households of

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\(^4\) Malaterra, De rebus gestis, 53: Proximo mane primores, foedere interposito, utrisque fratribus locution accentun, legem suam nullatenus se violari vel reliquere velle dicentes, scilicet, si certi sint, quod non cogantur, vel injustis et novis legibus non attendantur. Quandoquidem fortuna praesenti sic hortabantur, urbis deditionem facere, in s damnando fideles persistere, tributa solvere: et hoc juramento legis suae firmare spoportun.


\(^6\) Palermo (PA), Archivio Diocesano (Arch.Dioc.), no.6; ed. Cusa, Diplomi, no.6,1–3, 695–696; discussion in Johns, Arabic administration, 46–51 and Appendix I no.2.
‘Hagarenes’ were granted with their lands: they were to pay the cathedral a ‘tribute’ (doma) of seven hundred and fifty gold quarter-dinars twice a year, in August and during the winter. In addition, they were to give one hundred and fifty modia of wheat and the same amount of barley. The combination of money tribute with payment in grain closely parallels the cash jizya and grain qânûn imposed by Abbot Donatus upon the three brothers from Mezzoiso.

It is evident from literary and documentary sources such as these that, although no early Arabic source states it explicitly, the tributum, censum and doma imposed upon communities of conquered Muslims at the time of the Norman conquest, and immediately thereafter, are the precise equivalents to the jizya imposed by Abbot Donatus in the late 1170s.

Other sources confirm that the Muslims of Sicily paid the jizya to their Christian masters. In the winter of 1168–69, the Alexandrian poet, Ibn Qalaqis was approached by the Muslims of Syracuse and asked to intercede with a leading official at the royal court in Palermo ‘to lift the jizya that diminishes their possessions and weighs down upon their hopes’.7 The Spanish pilgrim Ibn Jubiayr, who visited Sicily in 1184–1185, noted that the Muslims paid an annual tax (itâwa) in two instalments, and linked it to the complaint that the Christians ‘have come between [the Muslims] and the wealth of the land that they used to enjoy’.8 Ibn Jubiayr also refers to the dhimma or ‘protection’ that the Muslims received from the Christians in return for the jizya – exactly as, in the Dâr al-Islâm, Christians and Jews who paid the jizya received the dhimma of the Muslim state. He writes of the Muslims of Sicily as being ‘under the dhimma of the infidels’, and ‘under the contractual obligation of the dhimma’, and he reports that an Islamism minority amongst the Muslims of Palermo had cut themselves off from their fellow Muslims by rejecting the dhimma, and had thereby sacrificed security for their possessions and families.9 In the 13th and 14th centuries, the jizya was still paid by the Muslim colonists of Lucera in Apulia, whither they had been transported from Sicily by Frederick II. Again in a close parallel to the Arabic contract from the late 1170s, the Muslims of Lucera paid both the gesia (i.e. jizya) and the canon (i.e. qânûn).10

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Although the three brothers from Mezzoiouso were dhimmis and ‘villains’ tied to their lands, they were nonetheless wealthy men. In order to demonstrate this, I must descend to pseudo-science: hence the caveat that, although the following calculations are arithmetically correct, they are based upon so many unsubstantiated assumptions that they are almost certain to be historically inaccurate. Be that as it may; the brothers paid a qânûn of 20 mudds of wheat and 10 of barley. It is not known how the qânûn was assessed, but it may well have amounted to a notional tithe of the harvest. On that basis, the total crop of the brothers’ lands would have been 200 mudds of wheat and 100 of barley. The mudd (Greek modion; Latin modius) was equivalent to the Sicilian salma, which was both a dry measure equivalent to 2.75 hectolitres (7.5 bushels) and an area measure equivalent to 1.75 hectares (4.32 acres) – the idea being that one salma of grain is sufficient to seed one salma of land.\textsuperscript{11} Average yields in 12th-century Sicily were probably approximately 10:1 for wheat and 8:1 for barley. The arable land cultivated for the brothers in any one year would thus have amounted to 20 salme (35 hectares or 86 acres) under wheat and 12.5 salme (22 hectares or 54 acres) under barley. But the brothers are likely to have practised a two- or three-year crop rotation, so that, in any one year, only half or one third of their land would have been under grain. Their total arable holding may therefore have been as great as 114 or 171 hectares (281 or 422 acres) – a large estate by any standards.\textsuperscript{12} Although Latin sources do refer to men like the three brothers as villani, ‘villains’, this indicates their status in law, not that such men were tied to their lands by the bonds of poverty and subsistence.

As to the jizya paid by the brothers, it seems to have been high for Norman Sicily. In the contemporary Muslim world, the jizya was imposed on a sliding scale from approximately 1 or 1\textsuperscript{1/2} dinars to 4 or 4\textsuperscript{1/2} dinars per adult male per annum.\textsuperscript{13} At 2\textsuperscript{1/2} dinars each, the brothers would have fallen in the middle of that scale. In Sicily, however, the jizya seems to have been levied on the household, irrespective of the number of adult males that it contained, and not upon individual adult males. Thus, the Hagarenes of Palermo cathedral paid 10 quarter-dinars per household, one third of the sum imposed collectively upon the household to which the three brothers belonged.

\textsuperscript{11} See Jeremy Johns and Alex Metcalfe, “The mystery at Chirchuro: conspiracy or incompetence in twelfth-century Sicily”, Bulletin of the School of Oriental and African Studies 62 (1999): Appendix 1, 1, 4, where 4 ploughlands, azwaį, are sown with 120 mudds, giving 1 zawj as equivalent to 30 mudds, just as 1 iugerum or parcellum was equivalent to 30 salme. See also Vera von Falkenhausen, “L’incidenza della conquista normanna sulla terminologia giuridica e agraria nell’Italia meridionale e in Sicilia,” in Medioevo rurale: sulle tracce della civiltà contadina, ed. Vito Fumagalli and Gabriella Rossetti, Problemi e prospettive: Serie di storia. Istituzioni e società nella storia d’Italia (Bologna: Il Mulino, 1989), 241–243.

\textsuperscript{12} In the unlikely event that the qânûn paid by the brothers was equivalent to 50\% of their crop, their lands would still have amounted to 11.4ha (28 acres).

Insufficient comparative data has survived to judge whether a *jizya* as high as 30 quarter-dinars per household was exceptional amongst landholders of their class.

Norman Sicily was not alone amongst the Christian kingdoms of the Mediterranean in transforming its Muslim subjects into *ahl al-dhimma* and imposing the *jizya* upon them. Ibn Jubayr records that Muslim farmers in the Kingdom of Jerusalem paid a *jizya* of 1 dinar and 5 *qirāt* (¼ of a dinar) a head. And the Muslim subjects of the Iberian kingdoms had to pay a variety of tributes more or less analogous to the Islamic *jizya*. But no similar Arabic contract survives from the Latin East, nor, to the best of my knowledge, from the Iberian peninsula. The document edited below appears to be a unique testament to a Muslim world turned upside down by Christian conquest: where Muslims were *dhimmīs* and forced to pay the *jizya*; where members of an Arab elite were reduced to the legal status of villeins and tied to the land; and where a Benedictine abbot negotiated terms and conditions with his Muslim ‘villeins’, and accepted their oath of fealty sworn upon the Qurʾān.

**Appendix**

St John [of the Hermits, Palermo], Rabiʿ al-Awwal / August [1177–1179]

**Original:** Palermo, Archivio di Stato (AdS), Tabulario della Magione, pergamena no.5.


**Description:** The copy of an Arabic contract, 263–289mm long by 226–287mm wide. The whole document, including the signatures, is written in a single hand, in light brown ink, on thick, heavy parchment. The parchment has been folded or lightly scored to give a wide margin down the right side, but the sheet was not ruled. The script is an angular and rather rough cursive, with very few vowels and irregular use of *maghribī* pointing. The text stops abruptly in the middle of the *kunya* of one of the signatories. There is no trace of a seal. The *verso* is empty except for the stamp of the Archivio di Stato.

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حضر ابرهيم وحبرون وأقا بهما16
البهما صحيح هن الاله به(4)17
بسم الله الرحمن الرحيم
الحمد لله حق حمده
لما كان بتاريخ أواخر الأعوام الموافق لآسي18 حضر حبرون واخوه ابرهيم
واخوهما عبد الرحمن بين يدي الاباك ضناط19 آعزه الله صحسن جوان20 عرفوا اولاد
موسى المعروف شعبات21 فاعترفوا ان اباهم وهم من اهل منزل
 يوسف من اهل الجرارد وخلقوا22 بحضرة المسحف انهم من هذا التاريخ
لا يهرون ولا يخونوا مولاهما ولا يخرجوا عن طاعة الكنيسة ابدا وقد
غفر لهم الاباك وعفا23 عليهم ورد24 عليهم الذي اخذ لهم وجعل عليهم
جزية في الحول ثلاثين ربعا25 وقانون عشرين مدفوع وعشرة شعير
وแลوكا الاباك آعزه الله ان يسكونوا حيث يريدوا ويوصلوا
هذا الطلب للكنيسة بسبب ما ذكر اناعتروا جبرون وايهم وعبد
الرحدن واشهدوا على انفسهم طبعين متبعين في صحتهم وعمم سلامتهم بالتاريخ
الذان في ذكره شهد بذلك كلانه26
ابو الفرج(4)26 ابن سلام الخمس27 بانيه
امحمد بن ابي القسم القيسي28
خلال جبرون واخوه المذكرین29
ابو جمعة بن محمد القرشي30
على ابن يعى القرشي31
ابو...32

16 قوسا
17 قوسا
18 قوسا
19 قوسا طباقSee Commentary.
20 قوسا بصخر انSee Commentary.
21 قوسا شنافاتSee Commentary.
22 قوسا وخلقوا
23 قوسا وعلى
24 قوسا ورد
25 قوسا ربعا
26 قوسا أبو الفرج The last letter is not pointed, but Abū ʾl-Faraj is a far more common name than Abū ʾl-Farah.
27 قوسا الأحمى The last letter is not pointed: see Commentary for the reading al-Lakhmi.
Fig. 1: Palermo, Archivio di Stato (AdS), Tabulario della Magione, pergamena no. 5.
Translation

1. Ibrahim and Jabrun were present, and they both agreed to what was imputed
2. to the two of them. [It is] valid — may God be pleased with it(?).
3. In the name of God, the Merciful, the Compassionate; praise be to God, as is His due.
4. When it was of the date of the first days of Rabii’ al-Awwal, corresponding with August,
Jabrun, and his brother, Ibrahim,
5. and the brother of the two of them, ‘Abd al-Rahman, appeared before the Abbot Donatus —
may God strengthen him — at St John’s. They were known [as] the sons of
6. Musa, known as ‘Greedies’guts’(?). They acknowledged that they and their fathers, who were
of the people of Manzil
7. Yusuf, belonged to the men of the registers. They swore in the presence of the Book that,
from this date, they
8. would neither disparage nor be disloyal to their lord, and that they would never part from
obedience to the church.
9. The Abbot pardoned them and forgave them, and handed over to them what had been seized
from them. He imposed upon them
10. each year a jizya of thirty quarter-dinars and a land-tax of twenty mudds of wheat and ten
of barley.
11. They asked the Lord Abbot — may God strengthen him — if they could dwell wherever they
wished, and if they could put
12. this request to the church. Jabrun, Ibrahim and ‘Abd al-Rahman agreed to everything
which is stated [herein],
13. and they have called witnesses for themselves, [that they came], freely [and] willingly, in
good health and perfect well-being
14. on the aforesaid date. There bore witness to all of that:
15. Abu’l-Faraj(?) ibn Salam al-Lakmi(?) being
16. the maternal uncle of the aforesaid Jabrun and his brother. Ahmad ibn Abi I-Qasim al-
Qaysi(?)
17. Abu Jum’a ibn Muhammed al-Qurashi
18. ‘Ali ibn Ya’lal al-Qurashi
19. Abu ...

Commentary

Lines 1–2.
These two short lines begin two-thirds of the way across the page. They are written carelessly,
and the last words of 1.2 – ِsan‘ihun hani‘a ِillahu bi-hi(?) – are almost impressionistic, so that
the reading is uncertain. The identical formula appears in two other private Sicilian documents:
Johns and Jamil, Private documents, no.9 = PA, AdS, Magione no.2; ed. Cusa, Diplomi, 101–
106; and Johns and Jamil, Private documents, no.18 = PA, Arch. Dioc., no.20; ed. Cusa,
Diplomi, 39–43 – as in this case, Cusa makes no attempt to transcribe the phrase. In all three
cases, the hâ’s of the words hani‘a ِillahu resemble gigantic Greek thetas.
The boys from Mezzoisuo

Line 4.

Line 5.
al-abâd Dunât... bi-Ṣan Juwān. Cusa misunderstood this passage: first, by reading the abbot’s name as ‛al-muḥtír, whom he identified as Theobald, first abbot of St Mary’s of Monreale; then, by reading (sic!), ‘screaming that’, perhaps intending (for Classical Arabic [henceforward CA] یصرحون ان) ‘they declare that’, In fact, Monreale never held land at Mezzoisuo, which belonged to the Palermitian monastery of St John of the Hermits – see Paolo Collura, Le più antiche carte dell’Archivio Capitolare di Agrigento (1092–1282), Documenti per servire alla storia di Sicilia, ser.1, 25 (Palermo: Società siciliana per la storia patria, 1961), 303: Mizziliusufu, quod est monasterii Sancti Johannis de Heremitiis Panormi. In July 1177 – one of the years in which the first of Rabî al-Awwal fell in August – the abbot of St John’s was Donatus: Cusa, Diplomi, 120–122. We do not know the year of his death, but his successor, Simon, does not appear before 1184: Lynn Townsend White Jr., Latin monasticism in Norman Sicily, (Cambridge, Massachusetts: The Medieval Academy of America, 1938), 130. As for the writing of Dunât, at first sight, the opening letter appears to be a īṯā, and the second letter is clearly pointed above the line by what appears to be a pair of points (i.e. داذ). Closer examination of this word reveals three details which lead to another conclusion. First, the vertical stroke is noticeably fainter than the rest of the first letter, which raises the possibility that the loop has been retracted by the scribe in order to emphasise it. Second, the first letter has a small but distinct inverted “v” after the loop, now partially obscured by the vertical stroke: this is clearer in the original than in the photograph, because the ink of the loop and inverted “v” is heavier than that of the vertical. Third, the two points over the second consonant are so widely spaced, and at such different heights, as to raise the suspicion that they are not a true pair. Together, these three clues suggest that the first consonant was originally intended to be a dâd (i.e. داذ), and that a vertical stroke was added to it inadvertently, when the scribe added the verticals to the other īṯā’s in the phrase. It is also conceivable that the scribe stumbled over whether dâd or Ẓā was the more appropriate transliteration for the plosive ‘d’ in Donatus: see Simon A. Hopkins, Studies in the grammar of early Arabic based upon papyri datable to before 300AH/912AD. London oriental series 37 (Oxford: Oxford University Press, 1984), §39, §41.

The spelling san instead of the more usual sant or shant is intriguing, and seems to indicate movement away from Latin sanctus towards Italian san – San Giovanni degli Eremiti. For St John’s in the 12th century, see: White, Latin monasticism, 123–130; and Carlrichard Brühl, Rogerii II regis diplomata latina, Codex diplomaticus Regni Siciliae: ser.1, Diplomata regum

**Line 6.**

Māsā ʾl-maʿrūf Shubʿāt. The *laqab* is pointed on all three letters, and a miniature ʾayn is written below the letter ʾayn to indicate that it is unpointed. Sh.bʿāt suggests a possible plural of shubʿā, meaning a ‘belly-full’; hence I tentatively propose the translation ‘Greedy-guts’. The Sicilian verb *sciabbāchāri*, ‘to stuff oneself with food and drink’ has been said to derive from Arabic *sh.b.*. — Salvatore Giarrizzo, *Dizionario etimologico siciliano* (Palermo: Herbita Editrice, 1989), 301. However, it seems more probable that the verb was formed from the noun *sciabbica* < Arabic *shabāka*, meaning ‘net’, attested from the early 14th century: Girolamo Caracausi, *Arabismi medievali di Sicilia*, Supplementi al *Bollettino* del Centro di studi filologici e linguistici siciliani 5 (Palermo: Centro di studi filologici e linguistici siciliani, 1983), 324–25. Note that the modern Sicilian surnames *Sciábà*, Sābato etc. are said to derive from Hebrew *shabāt*, although a Greek medium would also be possible: Girolamo Caracausi, *Dizionario onomastico della Sicilia*. Repertorio storico-etimologico di nomi di famiglia e di luogo, Lessici siciliani 7–8, 2 vols (Palermo: Centro di studi filologici e linguistici siciliani, 1993), 2:1398, 1486; Girolamo Caracausi, *Lessico greco della Sicilia e dell'Italia meridionale (secoli X-XIV)*, Lessici siciliani 6 (Palermo: Centro di studi filologici e linguistici siciliani, 1990), 507.

**Lines 6–7.**


**Line 7.**

al-maṣḥaf, i.e. al-maṣḥaf al-sharīf, ‘the Noble Book’, the Qurʾān.

**Line 8.**

lā yihawwínū wa-lā yakhūnū mawlā-hum wa-lā yakhrūjū. Note the sequence of three formally subjunctive/jussive verbs, each introduced by the particle lā, where CA would require the 3rd person masculine plural indicative ending -āna. This may indicate the influence of dialect. See Hopkins, *Early Arabic*, §138a.i and notes.

**Line 9.**

alladhī ukhidha la-hum, clearly meaning ‘that which was taken from them’. The use of the particle lī-, where one would expect min, is remarkable, and might imply an ellipsis on the lines of alladhī ukhidha [min hum wa-huwa] la-hum, ‘that which was taken [from them that] belongs to them’.

**Line 10.**

As so often with numerals, the grammatical structure is uncertain; the meaning, however, is clear enough. The phrase could be construed thus: jizyātun fi ʾl-hawlī thalāthina rubāʾiyy[a]n] wa-qāmnun ʾishrīna muḍḍa qamhin waʾ-asharātī [a-mdādi] shaʾīrin – bringing it into line with one CA possibility by conceding only the absence of two tanwin alifs and the ellipsis of a genitive plural noun after ʾashara. But it is perhaps more likely that the phrase represents an
uninflected equivalent to CA ... ʾishrīna muḍdan qamḥan ... ʾasharati [amdādīn] shāʾirīn, i.e. with appositional/tanvīz, rather than genital, constructions following the numerals. There may be dialectal influence here, but precisely what that would be is unclear. (Regarding the difficulty of distinguishing an intended status constructus from an appositional construction in cases like this, and similar problems of identification in modern dialects, see Hopkins, Early Arabic, §85c:ii and notes, §86a, §167g and note 20, §167h and Remark, §176 and note 4, and §177. Hopkins finds that the bulk of the evidence suggests that structures are appositional, and this seems also to be so in Norman Sicily. The presence of a tanwin alif in abadan in l.8 is a singular occurrence in this document and scarcely serves as an indicator in this respect; it is perhaps best taken as a morpheme understood to be integral to the adverb, rather than as an indication of case – in which case this, too, may represent a living dialectal feature, not classical influence; see Joshua Blau, A grammar of Christian Arabic, based mainly on South-Palestinian texts from the first millennium, Subsidia 27–29 (Louvain: Corpus scriptorum Christianorum orientalium, 1966–1967), 323–324, 327A; Hopkins, Early Arabic, §166a, §167 and note 2, and §168.)

That the jīza is to be paid fi ʾl-hawl may indicate that it is to be paid annually at the start of each indictional year on 1 September. Although al-indiquts was the standard Arabic term for the indictional year, al-hawl was a common alternative: see Johns, Royal dīwān, Chapter 3 ii.

Qānūn is derived from Greek kanōn, which had already come to mean ‘assessment for taxation’ or ‘taxes’ before the Islamic conquest of Egypt and Syria: Henry George Liddell and Robert Scott, A Greek-English lexicon, 9th edn., ed. Henry Stuart Jones and Roderick McKenzie (Oxford: Oxford University Press, 1940), 875, col.b, (6). Very soon after the conquests, qānūn al-kharāj already meant both the registers and lists recording the land-taxes, and the cadastral survey on the basis of which the land-tax was assessed: Yvon Linant de Bellefonds, Claude Cahen, and Halil Inalcik, ‘Kānūn,’ in Encyclopaedia of Islam, 2nd edn. (1975), 556–62. Here, by ellipsis, qānūn has apparently become the land-tax paid by those registered in the qānūn al-kharāj. In Sicily, Latin canon with this same meaning seems to be a back-formation from the Arabic qānūn: see the combination of canon et gesia (qānūn and jīza) in the sources cited in note 10 above.

The rubāʾi, or quarter-dinar, is the Arabic term for the Sicilian tari, a gold coin which, under Roger II and William I, had had a standard weight of 1.05 g., but which, under William II (1166–89), came to vary greatly in weight: Lucia Travaini, La monetazione nell’Italia normanna, Nuovi studi storici 28 (Rome: Istituto storico italiano per il Medio Evo, 1995), 75, 134.

For the mudd, see note 11 above. Note that the price of one salma of wheat tended to be in the region of 10 tari; a salma of barley, 7 tari: Illuminato Peri, Uomini, città e campagne in Sicilia dall’XI al XIII secolo (Bari: Laterza, 1978), 219–31.

Line 13.

ashhadāʾ ʾalā anfusi-him tāʾiʾina mutaharriʾina fi šihḥati-him wa-ʾamimi salāmati-him: an unusual, even unique, variant of a standard formula. The phrase ashdhāʾ ʾalā anfusi-him (and variants), ‘He has called witnesses to testify to his obligation’, which here opens the formula, occurs frequently in Egyptian papyri of the 3rd–5th centuries A.H.: Adolf Grohmann, Arabic Papyri in the Egyptian Library. Volume Two: Legal Texts (Cairo: 1936), 124, no.105, 1.3; see also, nos 98, and 106–12. In the Egyptian papyri, the equivalent formula typically runs: ...wa-
dhālīka fi ʿiḥḥati ʿuqūlī-himā wa-abdānī-himā wa-jawāzī umūrī-himā ṭāʾiʾiʾayni ṭālibayni ḍhayra mukrāhayni wa-lā mujbarayni wa-lā muḍtahadayni, ‘... and this in soundness of mind and body and capacity for transacting their business, voluntarily, demanding [it], without compulsion and not against their will and not under constraint’: Grohmann, *Arabic Papyri in the Egyptian Library. Volume One: Protocols and Legal Texts* (Cairo: 1934), 146, no. 54, l. 111. Or, again: ... fi ʿiḥḥati min ʿaqlī-hā wa-badānī-hā wa-jawāzī umūrī-hā ṭāʾiʾiʾatn ḍhayra mukrāhīna wa-lā mujbarātīn ṭālibaṭtn ṭāghibatīn, ‘... in a state of sound mind and body, and capable of transacting her business, voluntarily, without compulsion and not against her will [but] demanding [and] desiring [it]’: Grohmann, *Arabic Papyri ... Volume One*, 169, no. 57, l. 19–20: see also nos 58–62, 65–66, 68, 70–72, and Grohmann, *Arabic Papyri ... Volume Two*, nos 73–76, etc. The most common Sicilian version of this formula is bi-ḥālī ʿiḥḥatin wa-tawʾīn wa-jawāzī amrīn, ‘in a state of good health, free will, and capacity for business’: e.g. Johns and Jamil, *Private documents*, no. 18 = PA, Arch. Dioc., no. 20, ed. Cusa, *Diplomi*, 39–43; *Private documents*, no. 23 = PA, Arch. Dioc., no. 23, ed. Cusa, *Diplomi*, 44–46. But the Sicilian formula closest to the Egyptian examples cited above also contains the unusual phrase found in the present document. It occurs in a contract of sale from Palermo, dated to 526/1132 – asshādā bi-jamīʿī mā fī-hi ʿalā anfūsī-himā ṭāʾiʾiʾaynī mutabarīʾiʾaynī rādiyaṭīna mutasarrīʾiʾaynī fi ʿiḥḥati ʿuqūlī-himā wa-abdānī-himā wa-ʿamūnī salāmatī-himā wa-jawāzī umūrī-himā : Johns and Jamil, *Private documents*, no. 5, l. 2–3 = PA, Arch. Dioc., no. 9, ed. Cusa, *Diplomi*, 6–12. Elsewhere in the same document (l. 29), the formula appears in an abbreviated version: wa-humā bi-ḥālī ʿiḥḥatin wa-ʿamūnī salāmatīn wa-jawāzī amrīn. Medieval Latin translations of similar clauses in Arabic deeds of sale include the following: confessi fuerunt ... venditor ... et emptor ... quod hoc fuit de voluntate ipsorum et sano iure: Johns and Jamil, *Private documents*, no. 4 = PA, AdS, San Martino delle Scale, no. 191, ed. Henri Bresc, “La propriété foncière des Musulmans dans la Sicile du XIIe siècle: trois documents inédits,” in *Del nuovo sulla Sicilia musulmana* (Roma, 3 maggio 1993), ed. Biancamaria Scarica Amoretti, Fondazione Leone Caetani, Giornata di Studio 26 (Rome: Accademia Nazionale dei Lincei, 1995), 94. All such formulae are intended to establish that the contracting parties were in a state of physical and mental well-being, free from all constraint, and legally competent to do make the contract.

**Line 15.**

The boys from Mezzoiuso

Line 16.
wa-akhibu 'l-madhkarayn. Although there is the slightest kink between the wāw and the ħā' that could be taken as a kursī - i.e. reading either wa-akhir[ay]-hi 'l-madhkarayn, 'and his two aforementioned brothers', or wa-akhir[ay]-hi 'l-madhkarūn 'and his aforementioned brothers' (see Hopkins, Early Arabic, §84.ii, for how the dual can alternate with the plural in non-CA strata) - I prefer the third possibility: that this is a non-CA, possibly dialectal, equivalent to CA khālu Jabrīna wa-akhir-hi 'l-madhkarayn 'the maternal uncle of the aforesaid [pair], Jabrūn and his brother' (see Hopkins, Early Arabic, §163a for the invariable use of akhū where the CA case system requires akhi). If so, it would seem that Abū 'l-Faraj was the maternal uncle of Jabrūn and Ibrāhīm, but not of Abū al-Rahmān. In support of this, note the awkward construction in ll.4-5: Jabrūn wa-akhir-hu Ibrāhīm wa-akhir-humā 'Abd al-Rahmān, 'Jabrūn, and his brother Ibrāhīm and the brother of the two of them 'Abd al-Rahmān', instead of the far simpler Jabrūn wa-akhir-hū (or a non-CA alternative) Ibrāhīm wa-akhir-hū 'Abd al-Rahmān, 'Jabrūn and his two brothers, Ibrāhīm and 'Abd al-Rahmān'.

al-Qaysī(?). The pen rises exceptionally high after the qāf, so that there is some doubt as to the reading of this nisba. But al-Qaysī is exceedingly well-attested in Norman Palermo: Johns and Jamil, Private documents, no.2 = ed. Cusa, Diplomi, 613. Private documents, no.3 = PA, AdS, Magione no.110; ed. Bresc, “Propriété foncière”, 91 (2 individuals). Private documents, no.6 = Cap. Pal. no.4; ed. Cusa, Diplomi, 61 and 67 (4 individuals). Private documents, no.9 = PA, AdS, Magione no.2; ed. Cusa, Diplomi, 101. Private documents, no.19 = PA, AdS, Cefalù no.22; ed. Cusa, Diplomi, 493.

Lines 17–18.

Line 19.
Abū...: the text stops abruptly in the middle of a witness’s kunya.