

# The Heritage of Arabo-Islamic Learning

*Studies Presented to Wadad Kadi*



ISLAMIC HISTORY AND CIVILIZATION STUDIES AND TEXTS

EDITED BY  
MAURICE A. POMERANTZ  
AND ARAM SHAHIN

BRILL



# The Heritage of Arabo-Islamic Learning

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Maurice A. Pomerantz

Aram A. Shahin

1 The Meccan Prison of 'Abdallāh b. al-Zubayr and the Imprisonment of  
Muḥammad b. al-Ḥanafīyya  
Sean W. Anthony

2 Fragments of Three Umayyad Official Documents 28  
Fred M. Donner

3 Tamīm al-Dārī 42  
Jens Scheiner

4 Friendship in the Service of Governance: *Makārim*  
Abbasid Political Culture 73  
Paul L. Heck

5 *Prinzen Prinzen* 100  
Heinz Halm

6 A New Latin-Arabic Document 111  
Nadia Jamil and Jeremy



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Cover illustration: The illustrated manuscript MS Ahmet III 3206, the *Kitāb Mukhtār al-Ḥikam* by al-Mubashshir b. Fātik (5th/11th century). The detail depicts Solon teaching. Werner Forman Archive/Topkapi Palace Museum.

Library of Congress Cataloging-in-Publication Data

The heritage of Arabo-Islamic learning : studies presented to Wadad Kadi / edited by Maurice A. Pomerantz, Aram A. Shahin.

pages cm. – (Islamic history and civilization ; v. 122)

Includes bibliographical references and index.

ISBN 978-90-04-30590-8 (hardback : alk. paper) – ISBN 978-90-04-30746-9 (e-book) 1. Islamic civilization. 2. Islamic learning and scholarship. 3. Arabic literature—History and criticism. I. Qadi, Wadad. II. Pomerantz, Maurice A. III. Shahin, Aram A.

DS35.62.H47 2016

909'.09767—dc23

2015030290

This publication has been typeset in the multilingual “Brill” typeface. With over 5,100 characters covering Latin, IPA, Greek, and Cyrillic, this typeface is especially suitable for use in the humanities. For more information, please see [www.brill.com/brill-typeface](http://www.brill.com/brill-typeface).

ISSN 0929-2403

ISBN 978-90-04-30590-8 (hardback)

ISBN 978-90-04-30746-9 (e-book)

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## A New Latin-Arabic Document from Norman Sicily (November 595 H/1198 CE)

Nadia Jamil and Jeremy Johns

Of all the remains of the twelfth-century Norman kingdom of Sicily, none is more fascinating to the historian of Islamic culture and society than the documents issued by the *dīwān al-ma'mūr*, the Arabic administration of the Norman kings. In all, less than fifty Arabic and bilingual—Arabic with Greek or Latin—documents are known, counting not only those that survive in their original form, but also the translations of lost originals into Greek and Latin, and the *deperdita* that are merely mentioned in other documents.<sup>1</sup> Most were published at the end of the nineteenth century,<sup>2</sup> and since then eight further original documents have come to light, including one presumed forgery, and the privilege that is the subject of this study.<sup>3</sup> The appearance of a new bilingual document from Sicily would therefore be quite sufficient to justify its inclusion among the *hadāyā wa-l-tuḥaf* offered here to our colleague and friend. But this gift is truly a rarity—the only Arabic document issued by the Empress Constance to survive; the latest original document to survive from her reign, the earliest surviving original document for the islands of Malta and Gozo; the only

- 1 See J. Johns, *Arabic Administration in Norman Sicily: The Royal Dīwān* (Cambridge: Cambridge University Press, 2002), Appendix 1, 301–314, for a catalogue of *dīwānī* documents from Norman Sicily.
- 2 S. Cusa, *I diplomi greci ed arabi di Sicilia pubblicati nel testo originale, tradotti ed illustrati* (Palermo: Stabilimento tip. Lao, 1868–1882; Köln-Wien: Böhlau Verlag, 1982). Although vol. 1 of Cusa's work bears the date 1868, it was not in fact published until 1874; see A. De Simone, "Salvatore Cusa arabista siciliano del XIX secolo," in *La Conoscenza dell'Asia e dell'Africa in Italia nei secoli XVIII e XIX*, ed. A. Gallotta and U. Marazzi, 2 vols. (Naples: Istituto universitario orientale, 1984), 1: 593–617.
- 3 Johns, *Royal Dīwān*, Appendix 1, nos. 8, 15, 16, 17, 18, 27 (the forgery), 32 and 37. For nos. 15–18, see V. von Falkenhausen and J. Johns, "The Twelfth-Century Documents of St. George of Tròccoli (Sicily)," *Journal of Arabic and Islamic Studies* 15 (2015), forthcoming; for no. 37, V. von Falkenhausen and J. Johns, "An Arabic-Greek Charter for Archbishop Nicholas of Messina, November 1166," in *Χρόνος συνήγορος. Mélanges André Guillou* (= *Néa Póμη: Rivista di ricerche bizantinistiche* 8 [2011]), ed. F. D'Aiuto (Rome: Università degli Studi di Roma "Tor Vergata," 2013), 153–168.



surviving Arabic document from Sicily to be written in the elevated chancery genre known as *inshāʿ*; the first compelling evidence that the Norman *dīwān* borrowed from the Almohad chancery; and an eloquent witness to the last days of Islamic culture in Christian Sicily.

## 1 The Historical Background

In this document, Constance, Empress of the Romans and Queen of Sicily (1190–1198), together with her young son Frederick, King of Sicily, Duke of Apulia and Prince of Capua (1197–1250), rewards the entire population of Malta and Gozo, Christians and Muslims alike, for their loyalty to her and to her Norman predecessors by restoring them and their islands to the royal demesne in perpetuity. To that extent, the tenor of the Latin and Arabic texts is largely in accord, but they differ in two principal respects. First, while the Arabic refers vaguely to the opposition of the Maltese to “obdurate enemies of our state”, “hypocrites”, “renegade ingrates” (l. 19) and to the “enemies of our kingdom” (l. 22), the Latin specifies none other than “our enemy William Crassus” (ll. 6 and 10). Second, while the Arabic promises no greater reward than re-incorporation into the royal demesne, the Latin text exempts specifically the Christians of Malta and Gozo and their descendants from the annual tax payable to the royal court that King Roger (reg. 1130–1154) had imposed upon them “for the slaying of a Muslim” (ll. 10–12); no mention is made of either the penalty or its remission in the Arabic text. To understand the significance of these differences, it is necessary to begin with a brief sketch of the historical background.

Before the 1960s, the dominant myth of Maltese identity held that the indigenous inhabitants of Malta and Gozo had been Phoenician. After conversion to Christianity by St. Paul, they had retained their ancient Semitic language and their new Christian religion throughout the centuries of Muslim rule, until they were liberated by Roger I, the Norman count of Sicily, in 1091. This enduring myth owes much to Gian Francesco Abela’s strong differentiation between Malta’s rulers—a succession of foreign powers—and its people—a continuum of Maltese-speaking Christians—a distinction that enabled him and his successors to argue that, long before the coming of the Knights of St. John in 1530, Malta had been ordained by God as a bulwark of Christian European civilization against the spread of Mediterranean Islam.<sup>4</sup>

4 G. Abela, *Della descrizione di Malta isola nel mare Siciliano, con le sue antichità, ed altre notizie libri quattro* (Malta: Paolo Bonacotta, 1647).



However, during the last four decades of the twentieth century, largely through the pioneering work of Anthony Luttrell and Geoffrey Wettinger, it came to be widely accepted that, on the contrary, Christianity had disappeared from the Maltese archipelago during the centuries of Muslim occupation (869–1127), and that Christianity was reintroduced from Sicily in the twelfth century and became the religion of the majority only after the expulsion of Muslims and the immigration of Italians during the thirteenth century.<sup>5</sup> Christian Malta, therefore, came to be seen as having been made not by St. Paul, but by the Normans of Sicily.

In the mid-1990s, the Maltese linguist, Joseph Brincat, first drew attention to a source that confirmed the new orthodoxy: an account of the island given in a geographical treatise, but containing much historical matter, compiled apparently by several members of the al-Ḥimyarī family from the mid-thirteenth until the early-sixteenth century. According to this account, after the capture of Malta by the Aghlabids of Ifrīqiya in 255/869, the island remained an abandoned wasteland (*fa-baqiyat ba'da dhālika jazīrat Mālīṭa khariba* or *khariba*] *ghayr āhila*), visited only for timber, fish and honey, until the year 440/1048–1049, when it was settled by the Muslims, who rebuilt its capital, and then it became even better than it was before (*fa-lammā kāna ba'da sanat arba'in wa-arba'imī'a 'amara-hā l-muslimūn wa-banaw madīnata-hā thumma 'ādat atamma mim mā kānat 'alayhi*).<sup>6</sup>

The apparently independent report of Malta in the mid-970s by the Iraqi traveller, Ibn Ḥawqal, supported the claim that the island was abandoned for more than a century and a half: "One well-known deserted island is Malta,

5 See, in particular, A.T. Luttrell, ed., *Medieval Malta: Studies on Malta before the Knights* (London: The British School at Rome, 1975) and A.T. Luttrell, *The Making of Christian Malta: From the Early Middle Ages to 1530* (Aldershot: Ashgate Variorum 2002). A list of Godfrey Wettinger's publications from 1959 to 1997 may be found in P. Xuereb, ed., *Karissime Gotifride: Historical Essays Presented to Professor Godfrey Wettinger on His Seventieth Birthday* (Malta: Malta University Press, 1999), 185–187.

6 J.M. Brincat, *Malta 870–1054: al-Ḥimyarī's Account and Its Linguistic Implications*, 2nd. rev. ed. (Malta: Said International, 1995), citing al-Ḥimyarī, Abū 'Abdallāh Muḥammad b. Abī 'Abdallāh Muḥammad b. Abī Muḥammad 'Abdallāh b. 'Abd al-Mun'im b. 'Abd al-Nūr, *Kitāb Rawḍ al-mi'tār fi khabar al-aqṭār: mu'jam jughrāfi ma'a masrad 'āmm*, ed. Iḥsān 'Abbās (Beirut: Maktabat Lubnān, 1975), 520. For its complex history of composition, see J. Johns, "Entella nelle fonte arabe," in *Alla Ricerca di Entella*, ed. G. Nenci (Pisa: Scuola normale superiore di Pisa, 1993), 85–88. For the Arab conquest of Malta in other sources, see G. Wettinger, "The Arabs in Malta," in *Malta: Studies of Its Heritage and History*, 2nd ed. (Malta: Mid-Med Bank, 1986), 87–104.

which lies between Sicily and Crete. There are still asses there, which have gone wild, and a great many goats. It also has honey, which people, bringing their own provisions, come to gather, as also to catch the goats and asses. As to the goats, there is scarcely a market for them, but the asses can be taken to the surrounding regions, sold, and put to work.”<sup>7</sup>

The earliest Norman historian to write of Malta, Geoffrey Malaterra, also supported the argument that its inhabitants were exclusively Muslim. His account of the raid launched in 1091 by Count Roger of Sicily against the Maltese islands, and of their temporary subjugation, implies that the ruler and citizens of Malta and Gozo were all Muslims. The only Christians that Malaterra mentions were the large number of foreign captives released from the city of Malta and carried back to Sicily, whence “they all returned home through a number of different countries, depending on where their native lands were.”<sup>8</sup>

A twelfth-century Greek source, initially unnoticed by most historians of medieval Malta, that offers a new perspective upon the origins of the Christian community of the Maltese islands, had already come to light in the 1970s.<sup>9</sup> This is a long poem written by an anonymous Sicilian or South Italian Greek, banished by King Roger to *Melitogaudos*, “Malta-Gozo” a copulative compound referring to the whole Maltese archipelago.<sup>10</sup> The poem is addressed to Roger’s

7 Ibn Ḥawqal al-Naṣībī, *Opus Geographicum (Ṣūrat Al-Ard)*, ed. J.H. Kramers, 2 vols. (Leiden: Brill, 1938–1939) (Bibliotheca geographorum arabicorum, 2nd ser.), 1: 204: *wa-min al-jazā’ir al-mashhūra ghayr al-‘āmira jazīrat Mālīṭa wa-hiya bayna Ṣiqillīya wa-Iqrīṭish wa-bi-hā ilā hādhihi l-ghāya min al-ḥamīr allatī qad tawashshaḥat wa-l-ghanam al-kathīr al-ghazīr wa-bi-hā min al-‘asal ayḍan mā yaqṣidu-hā qawm bil-zād li-shtiyāri-hi wa-li-ṣayd al-ghanam wa-l-ḥamīr fa-ammā l-ghanam fa-taksud wa-l-ḥamīr fa-yumkin al-wurūd bi-hā ilā l-nawāḥī fa-tubā’ wa-tu’tamal*. See A.T. Luttrell, “Ibn Ḥawqal and Tenth-Century Malta,” *Hyphen (Malta): A Journal of Melitensia and the Humanities* 5/4 (1987): 157–160.

8 Goffredus Malaterra, *De rebus gestis Rogerii Calabriae et Siciliae comitis et Roberti Guiscardi ducis fratris eius*, ed. Ernesto Pontieri (Bologna: N. Zanichelli, 1927) (*Rerum Italicarum Scriptores*, 2nd ser., 5), 95–96 (book IV, chapter 16).

9 The only known manuscript is Madrid, Biblioteca Nacional, Cod. Graec. 4577. The edition, English translation and study of the text recently published in Malta has brought the text to general notice, but is not to be trusted: *Tristia ex Melitogaudos: Lament in Greek Verse of a XIIth-century Exile in Gozo*, ed. Joseph Busuttil, Stanley Fiorini and Horatio C.R. Vella (Qrendi, Malta: Best Print Co. Ltd., 2010); S. Fiorini, *Tristia ex Melitogaudos: Objections, Clarifications, Confirmations* (Qrendi: Best Print Co. Ltd., 2010). See the excellent study by Marc Lauxtermann, “Tomi, Mljet, Malta: Critical Notes on a Twelfth-Century Southern Italian Poem of Exile,” *Jahrbuch der Österreichischen Byzantinistik* 64 (2014): 155–176, with full bibliography.

10 Lauxtermann, “Tomi, Mljet, Malta,” 156–157.



vizier, George of Antioch, and begs him to intervene with the king on his behalf. It is likely to have been composed in about 1140–1146.<sup>11</sup> The poet describes a Sicilian conquest and settlement of the Maltese islands that is almost certainly to be identified with the Norman invasion of 1127, hitherto known only from the briefest of mentions by Alexander of Telese.<sup>12</sup> The Sicilian commander, who is not Roger II but George of Antioch,<sup>13</sup> gathered a small naval force, sailed to “Malta-Gozo, the country of Hagar”, and subdued “the godless” by force.

Thereafter, when he saw them invoking only the arch-heretic, the most abominable Muḥammad, he expelled their leaders with all their households and no small number of black people. He selected pious settlers for this place together with a bishop, who, moved by the Hand of Heaven,<sup>14</sup> converted the hateful [mosques] in which they used to invoke Muḥammad into most holy churches, and installed, in place of the most despicable teachers of the Qur’ān,<sup>15</sup> holy and good priests who worship the Holy Trinity in the way of the Fathers.<sup>16</sup>

Read accurately and correctly, this passage supports the case that the inhabitants of the Maltese archipelago were Muslims until, following the conquest of 1127, George of Antioch introduced a community of Christian settlers under a bishop.

After the conquest of 1127, the Maltese islands remained under Sicilian rule and were inhabited by a mixed population of Christians and Muslims. Our document insists (ll. 7–8) that they were held in the royal demesne until the

11 Lauxtermann, “Tomi, Mljet, Malta,” 157.

12 “[Roger II] invaded other islands, one of which was called Malta”: Alexander of Telese, *Ystoria Rogerii regis Sicilie Calabriae atque Apulie*, ed. L. De Nava (Rome: Istituto storico italiano per il Medio Evo, 1991) (Fonti per la storia d’Italia 112), 8, 97.

13 Lauxtermann, “Tomi, Mljet, Malta,” 156 and note 5.

14 *Tristia ex Melitogaudio*, 166, f. 84<sup>r</sup>, line 16: ὁστις κινήθεις δεξιᾶς πρὸς τῆς ἄνω (i.e. “who, moved by the Hand of Heaven”) is curiously translated “who, having departed from the pact of old.” See also 348–349, where it is argued that this non-existent “treaty” (or “pact”) was the *dhimma* imposed upon the Christians of Gozo by their Muslim rulers.

15 *Tristia ex Melitogaudio*, 166, f. 84<sup>v</sup>, line 2: τῶν μουδδῖβων; for the suggestion that the word is coined from Arabic *mu’addib*, meaning “Qur’ānic teacher,” see 349–350. Lauxtermann, “Tomi, Mljet, Malta,” note 6.

16 *Tristia ex Melitogaudio*, 166, f. 84<sup>r</sup>, l. 10–f. 84<sup>v</sup>, l. 6. The translation given here follows Lauxtermann, “Tomi, Mljet, Malta,” 156, and differs radically from that proposed in *Tristia ex Melitogaudio*, 167.

death of King William II (r. 1166–1189). By analogy with the status of Muslim communities subject to the Normans in Sicily and Ifrīqiya, it is often assumed that the Muslims of Malta and Gozo were protected by the Norman *dhimma* and subject to the *jizya*. Similarly, it has been argued that, in much the same way that the Norman kings farmed their demesne lands in western Sicily, until they were granted by William II to the Benedictine abbey of Monreale, as a Muslim reservation, so did they treat their demesne islands of Malta and Gozo.<sup>17</sup> But the strength of an argument by analogy relies upon the degree of similitude between the two objects of comparison and, since virtually nothing is known of the administration of Malta under the Norman kings, nor of its society, such arguments remain perilously weak.

The only piece of evidence that does survive for the condition of Muslims in Norman Malta is preserved in the Latin text of the document discussed in this article. Constance's father, King Roger, had imposed an annual tax upon the Christians of Malta and Gozo for killing a Muslim (ll. 10–12), which continued to be collected until 1198 or shortly before. The tax is carefully described as *datam illam* (l. 11), using the perfect participle of the passive verb in the singular, literally "that thing given." But *data* is a technical term, akin to the more common *datio*, used in Sicilian documents to mean a tax paid to the royal fisc.<sup>18</sup> For all the detailed narrative and documentary sources for the Muslims of Norman Sicily, from which it is apparent that the killing of Saracens by Christians was by no means rare, no record survives of a similar tax being imposed in perpetuity as a penalty upon an entire Christian community. The singularity of the Maltese case is only emphasised by comparison with a law of Frederick II, "Regarding secret homicides (*De homicidiis clam commissis*) ... whose authors cannot be found," which decrees that in such cases, should an exhaustive investigation fail to reveal the perpetrator, then a fine should be imposed upon all the inhabitants of the place in which the crime was committed, and paid to the royal treasury.<sup>19</sup> If the victim were a Christian,

17 C. Dalli, "A Muslim Society under Christian Rule," in *Melitensium Amor—Festschrift in honour of Dun Ġwann Azzopardi*, ed. T. Cortis, T. Freller and L. Bugeja (Malta: Gutenberg Press, 2002), 43–44. For the *dhimma* and *jizya* in Norman Sicily, see Johns, *Royal Dīwān*, 33–39.

18 C. Schroth-Köhler, T. Kölzer, H. Zielinski, "Zwei staufische Diplome für Malta aus den Jahren 1198 und 1212," *Deutsches Archiv für Erforschung des Mittelalters* 33 (1977): 508, n. 27.

19 *Die Konstitutionen Friedrichs II. für das Königreich Sizilien*, ed. Wolfgang Stürner (Hannover: Hahnsche Buchhandlung, 1996) (*Monumenta Germaniae Historica, Constitutiones et Acta Publica Imperatorum et Regum* 2, supp.), 181–183, Const. 1 28; trans. J.M. Powell, *The Liber Augustalis or Constitutions of Melfi Promulgated by the Emperor Frederick II for*



the fine would be one hundred *augustales*; if a Jew or Muslim, "against whom we believe that the persecution of the Christians is too great at present," fifty *augustales*. Note that this is presented as a new law, and directed against "future crimes of this kind," not as one of the "preceding laws of the kings of Sicily," and that the fine was to be paid once, not repeated annually in perpetuity. All this tends to suggest that the Muslims of Malta and Gozo may have been afforded a greater measure of protection by the Norman kings than their co-religionists in Sicily, and that the status and treatment of Muslims on the lands of the royal demesne in Malta and in Sicily may not have been as similar as is often assumed.

Be that as it may, the omission from the Arabic text of all mention of the exemption of the annual penalty imposed upon the Christians of Malta for slaying a Saracen—that is, a Muslim—inevitably excites the suspicion that this clause was written exclusively in Latin in order to keep it hidden from the Muslims of Malta. But could those who issued the document, whether its contents were to be promulgated in writing or by proclamation—as was surely the case (see below p. 130)—have really believed that not even one Muslim would understand Latin, and that no Christian would taunt his Muslim neighbors with the news that the penalty had been lifted? As will become clear below, we believe that the use of Arabic in this document has less to do with Malta than with Queen Constance's determination to restore the trilingual Norman chancery to its former glory, as a signal that she was returning the kingdom to the Golden Age over which her father had ruled.

King Tancred (r. 1190–1194) created the County of Malta by granting the Maltese islands out of the royal demesne, apparently for political motives. William II died without issue in November 1189 leaving three rival claimants for his throne. One, Roger, Count of Andria, was swiftly defeated, captured, and executed by the second claimant, Tancred of Lecce, who was the illegitimate son of Roger, Duke of Apulia, the eldest son of King Roger. Tancred was crowned King of Sicily in early 1190 and ruled until his death from illness in February 1194. The third and ultimately victorious claimant was Henry of Hohenstaufen, the son and heir of the German emperor, Frederick Barbarossa (r. 1152–1190). In 1186,

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*the Kingdom of Sicily in 1231* (Syracuse, NY: Syracuse University Press, 1971), 30: "The possessors of that place, in which a crime of this kind is deemed to have been committed, should be punished by a fine of a hundred *augustales* if the one killed was a Christian. If he was a Jew or a Saracen, against whom we believe that the persecution of Christians is too great at present, we decree that the inhabitants of the aforesaid place should be fined fifty *augustales* to be paid to our treasury."

Henry married Constance, the posthumous daughter of King Roger who, on the death of William II, became the only legitimate heir to the Sicilian crown. In April 1191, Henry was crowned emperor by Pope Celestine III, and swiftly marched south into Sicilian territory to enforce his claim to his wife's throne. He entered Palermo in November 1194 and was duly crowned King of Sicily. Henry ruled as King of Sicily until his sudden death in September 1197, which left Constance as queen in her own right. Only in May 1198 was their infant son, the future Emperor Frederick II, crowned King of Sicily. This document was issued in the same year.

King Tancred granted the new county of Malta to Margaritus of Brindisi, admiral of the royal fleet under William II, possibly in order to secure his loyalty in the war of succession against Henry VI.<sup>20</sup> "Margaritus" is a misreading of his Greek nickname, Μεγαρίτης (Megarītēs) or Μεγαρείτης (Megareītēs), indicating his origin as Megara in Attica.<sup>21</sup> How Margaritus entered Norman service is obscure, but he was admiral of the Sicilian fleet by *circa* 1185, and in July 1192, he first appeared as "Admiral Megareītēs of Brindisi, Count of Malta."<sup>22</sup> There is no record of Margaritus's administration of the islands and it is even uncertain that he actually visited his county. In any case, Margaritus's tenure was short-lived, for he was imprisoned soon after Henry VI was crowned King of Sicily in December 1194. Although Margaritus's subsequent fate remains unknown, he lost Malta.<sup>23</sup>

In his place, Henry VI put the first of a succession of Genoese whom the Hohenstaufen appointed as admirals of the Sicilian fleet and counts of Malta.<sup>24</sup> William Grasso, like his predecessor Margaritus, had begun his career as a pirate preying upon Byzantine shipping in the eastern Mediterranean.<sup>25</sup> It was

20 A. Kiesewetter, "Megareites di Brindisi, Maio di Monopoli e la signoria sulle isole ionie," *Archivio Storico Pugliese* 59 (2006): 67–68. This study of the admiral supersedes the earlier studies of R. Francioso "Margaritus de Brundusio (1130–1196)," *Rassegna pugliese di scienze, lettere ed arti* 19 (1902): 343–348; C.A. Garufi "Margarito da Brindisi conte di Malta e ammiraglio del re di Sicilia," in *Miscellanea di archeologia, storia e filologia dedicata al prof. A. Salinas nel XL anniversario del suo insegnamento accademico* (Palermo: Virzi, 1907), 273–282; and Léon-Robert Ménager, *Amiratus—Ἀμνρᾱς. L'émirat et les origines de l'amirauté (XI<sup>e</sup>–XIII<sup>e</sup> siècles)* (Paris: Service d'édition et de vente des publications de l'Education nationale, 1960), 96–103.

21 Kiesewetter, "Megareites," 51–53.

22 Kiesewetter, "Megareites," 51 n. 25, 53 n. 33, 67–68.

23 Kiesewetter, "Megareites," 66, 68.

24 Ménager, *Amiratus*, 111–116.

25 E. Basso, "Grasso, Guglielmo," in *Dizionario Biografico degli Italiani*, ed. A.M. Ghisalberti and M. Pavan, (Rome: Istituto della Enciclopedia italiana, 2002), 58: 716–720, with full bib-



presumably soon after his coronation that Henry appointed Grasso admiral and count of Malta, for Grasso witnessed an imperial charter in September 1197 as *comes Malte totius regni ammiratus*.<sup>26</sup> But after Henry's death on 28 September in the same year, his widow Constance turned against Grasso, as she did against other champions of her late husband's German party in Sicily. In the Latin text of this document, Constance describes Grasso as her enemy, and reveals that she had taken the Maltese islands back into the royal demesne. She remarks "how faithfully and constantly [the Maltese and Gozitans] entered our service against our enemy William Grasso" (l. 6), and recollects "with how great a passion of faith and with what fervent desire for faithful service to us they set themselves against our aforementioned enemy, William Grasso" (l. 10). Her words seem to imply that the islanders had somehow resisted the imposition of Grasso upon them which, if true, would suggest that Grasso or his representative had actually spent time on Malta. It seems likely that the islanders were less loyal to Constance than hostile to an unfamiliar feudal lord, but why Grasso should not be named in the Arabic text remains a mystery and, in the absence of evidence, it would be futile to speculate.

Grasso returned to Genoa where, in 1199 after the death of Constance, Markward of Anweiler, leader of the German party in Sicily, went to persuade him to join his assault against the island, now ruled by Pope Innocent III as guardian of the young King Frederick.<sup>27</sup> Grasso joined Markward, but seems to have devoted himself principally to furthering Genoese interests in the island. So much so that, in 1201, Markward imprisoned Grasso and refused to accede to Genoese demands for his release.<sup>28</sup> After 1198, Grasso seems never to have

liography. See also: Gerald W. Day, *Genoa's Response to Byzantium, 1155-1204: Commercial Expansion and Factionalism in a Medieval City* (Urbana: University of Illinois Press, 1988), 30, 36, 111, 124, 151; Ménager, *Amiratus*, 111-112.

26 Dione Clementi, "Calendar of the Diplomas of the Hohenstaufen Emperor Henry VI concerning the Kingdom of Sicily," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 35 (1955): 210, no. 130.

27 *Innocentii III Romani Pontificis Regestorum sive Epistolarum*, ed. J.-P. Migne (Paris: Garnier, 1890) (Patrologia Latina 214), col. 780-782, 24 Nov. 1199 (Pontificatus anno 11, Ep. 221); Basso, "Grasso," 719. T.C. Van Cleve, *Markward of Anweiler: His Life and Work* (Princeton: Princeton University Press, 1937), 123, places the meeting between Grasso and Markward in Salerno.

28 *Ogerii Panis Annales*, ed. G.H. Pertz, (Hannover: Hahnsche Buchhandlung, 1866) (Monumenta Germaniae Historica, Scriptores 18), 118; Van Cleve, *Markward*, 169 n. 77 and 170; D. Abulafia, *The Two Italies: Economic Relations between the Norman Kingdom of Sicily and the Northern Communes* (Cambridge: Cambridge University Press, 1977), 213.

returned as count of Malta and, by 1203, was succeeded by his son-in-law, the Genoese pirate and noble, Henry Pescatore.<sup>29</sup>

Genoa maintained an interest in Malta throughout the thirteenth century and, as late as 1300, the Aragonese king of Sicily, Frederick III, toyed with the idea of granting it to Genoa in fief. Instead, Frederick permitted the Sicilian noble, Guglielmo Raimondo Moncada, to acquire the Maltese islands. In 1320, the Moncada exchanged Malta for lands in Sicily, and the islands reverted to the crown. Under Aragonese rule, as Tony Luttrell remarks, a clear pattern emerged: "the Crown conceded the islands to royal cadets or Sicilian magnates; the population, anxious to escape exploitation by rapacious and presumably absentee Counts, petitioned for re-incorporation into the *demanium*; the Crown conceded this request in perpetuity, but subsequently in a moment of weakness granted out the County once again."<sup>30</sup> Our document suggests that this pattern began to emerge in the 1190s.

The Moncada did not lose interest in Malta after 1320. In 1392, King Martín granted the county to Guglielmo Raimondo Moncada the Younger, who held it for only a year. In December 1396, Guglielmo again received the islands, but now as a marquisate, only to lose them in November 1397, after which Malta was no longer granted out as a county. One of the Moncada lords of Malta seems to have retained at least part of what was presumably the archive of the Sicilian administration of Malta, for there still survives in the family archive of the Moncada di Paternò in Bagheria the subject of this study—the original Latin-Arabic privilege granted by the Empress Constance and her infant son Frederick to the inhabitants of Malta and Gozo in November 1198.<sup>31</sup>

29 D. Abulafia, "Henry Count of Malta and His Mediterranean Activities: 1240–1230," in *Medieval Malta*, ed. Luttrell, 104–125; repr. in *Italy, Sicily and the Mediterranean 1100–1400* (London: Variorum Reprints, 1987: 111); Hubert Houben, "Enrico di Malta (Enrico il Pescatore)," in *Dizionario Biografico degli Italiani*, ed. A.M. Ghisalberti and M. Pavan (Rome: Istituto della Enciclopedia italiana, 2002), 42: 716–720; Luca Tosin, "Enrico conte di Malta, corsaro genovese," *Quaderni medievali* 60 (2005): 27–54.

30 A.T. Luttrell, "Approaches to Medieval Malta," in *Medieval Malta*, ed. Luttrell, 1–70 (repr. in Luttrell, *Making of Christian Malta*, 1), 45.

31 Most of the family archive of the Moncada, principi di Paternò, comprising materials on paper from the fifteenth to twentieth centuries, was deposited in the Archivio di Stato di Palermo in 1992, leaving the family in possession of the *tabulario* of 428 documents on parchment dated from the twelfth to the fifteenth century. For an account of the Moncada *tabulario*, and for the edition of the earliest forty-nine *pergamene* (including the Latin text of the present document and our Italian translation of the Arabic), see E. Mazzaresse Fardella and B. Pasciuta, *Tabulario delle pergamene della Casa dei principi Moncada di Paternò*, vol. 1: 1194–1342 (Palermo: Società siciliana di storia patria, 2011) (Documenti per



## 2 The Latin-Arabic Privilege and the Traditions of the Norman *dīwān*

The Latin text of this document has long been known,<sup>32</sup> but the recent rediscovery of the original privilege, complete with the Arabic text, makes possible a thorough study of the document against what is known of the traditions of the Norman *dīwān*.

Most of the bilingual documents issued by the Norman *dīwān* combine Arabic with Greek. Arabic and Latin are used only in the great boundary-register (*jarīdat al-ḥudūd*) issued to S. Maria di Monreale in May 1182,<sup>33</sup> and in the late writ of Frederick II dated 20 January 1242.<sup>34</sup> In addition, the Latin-Arabic letter patent dated March 1187 was written by scribes of the royal *dīwān*, for all that it does not concern strictly royal business.<sup>35</sup> Although the sample is small, that all four Latin-Arabic documents produced in the royal *dīwān* date from the reign of William II and his successors, while his predecessors issued most of the Greek-Arabic bilinguals, conforms to the pattern that sees the growing importance of Latin as an administrative language on the island of Sicily from the mid-twelfth century onwards.<sup>36</sup>

The privilege under discussion is the only document containing Arabic known to have been issued by the royal *dīwān* between the death of William II in 1189 and the short-lived and unsuccessful attempt to revive the Arabic *dīwān* in 1242 by Frederick II's minister, Obert Fallamonaca.<sup>37</sup> It is therefore tempting to conclude that Arabic was revived and used alongside Latin in this privilege

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servire alla storia di Sicilia, 1st ser., Diplomatica 36), 12–22. We are extremely grateful to the authors of this important work for inviting us to collaborate in the study of this document, and for generously permitting us to publish an account of it here, and especially to the late Don Giuseppe Moncada di Paternò for his courteous hospitality and for granting us access to the original document.

32 An eighteenth-century copy of the Latin text only, in the Archivio di Stato, Palermo, Sezione Gancia, Archivio dei principi Notarbartolo duchi di Villarosa, vol. 233, ff. 135<sup>a</sup>–138<sup>b</sup>, is edited in the following: Schroth-Köhler, Kölzer, and Zielinski, "Zwei staufische Diplome," 501–521, esp. 518–520; T. Kölzer, *Constantiae imperatricis et reginae siciliae diplomata* (1195–1198) (Köln-Wien: Bohlau, 1983) (Codex diplomaticus Regni Siciliae, 2nd ser., Diplomata regum et gente Suevorum 1/2), D Ks 66, pp. 237–240; T. Kölzer, *Die Urkunden der Kaiserin Konstanze* (Hannover: Hahnsche Buchhandlung, 1990) (Monumenta Germaniae historica: Diplomata regum et imperatorum Germaniae 11/3), doc. 66, pp. 205–208.

33 Johns, *Royal Dīwān*, 186–192 and 313, App. 1, cat. no. 44.

34 Johns, *Royal Dīwān*, 183–184 and 314, App. 1, cat. no. 46.

35 Johns, *Royal Dīwān*, 322, App. 2, cat. no. 23.

36 Johns, *Royal Dīwān*, 207–211.

37 Johns, *Royal Dīwān*, 245–247.

in order to ensure that its content was most readily accessible to the Christians and Saracens of Malta and Gozo to whom it was addressed. However, the Norman *dīwān* had previously made little attempt to match the languages of its Arabic and bilingual documents to those of their intended recipients.<sup>38</sup> We have already suggested that political imperatives in Palermo, not the languages spoken in Malta, necessitated the use of Arabic in this document. Here, we may note that the external and internal features of the Arabic text reveal it to be not so much a continuation of the traditions of the Norman *dīwān* as a unique hybrid that combines well-attested Sicilian elements with previously unattested features.

Traditional Sicilian features include the use of Latin and Arabic in a single bilingual document, and the characteristic "Egyptian" script employed by the scribes of the Norman *dīwān* since its importation from Fāṭimid Cairo in *circa* 1130;<sup>39</sup> there is no trace of the Almohad Maghrib or of Andalus in the script of this document. Another typically Sicilian external feature is the wax seal, now missing, but specified in both the Latin and Arabic texts (ll. 13 and 23). Other external features are more ambiguous, in that they are rare in Egypt and the Mashriq but well attested in both Norman Sicily and the Maghrib: the use of parchment instead of paper,<sup>40</sup> and single-spaced lines instead of the generously wide spacing almost universally used in royal or vizierial documents issued by Eastern chanceries.<sup>41</sup>

In addition, half a dozen internal characteristics evidently derive from the traditional practices of the Norman *dīwān* established under King Roger in the 1130s and 1140s and developed under his son and grandson until the mid-1180s. Most conspicuously, the royal titles of Constance and Frederick follow the model first established under King Roger (ll. 16–17, 20). The *ism*, or personal name, of the ruler—*Quṣṭānṣa*, *Fridirīk*; *Rujār*, *Ghulyālim*—is accompanied by the De Hauteville dynastic title *al-malik al-mu'azzam* ("the glorified king"); for Constance, this is inflated to *al-imbiratrīja al-mu'azzama*, reflecting her imperial status. Constance reuses the personal *laqab* of her father, King Roger,<sup>42</sup> *al-mu'tazza bi-llāh* ("the powerful through God"), as well as the pair of supplementary *alqāb* that he also occasionally used, *al-muqtadira bi-qudrati-hi al-manṣūra*

38 Johns, *Royal Dīwān*, 207, 208–209.

39 Johns, *Royal Dīwān*, 275–277.

40 Johns, *Royal Dīwān*, 75 and n. 97.

41 S.M. Stern, *Fāṭimid Decrees: Original Documents from the Fāṭimid Chancery* (London: Faber and Faber, 1964), 103–104.

42 Just as the infant William III had done before her: Johns, *Royal Dīwān*, 269 and n. 61.



*bi-quwwati-hi* ("the potent through His omnipotence, the victorious through His strength").<sup>43</sup> She and Frederick also echo Roger's distinctly Christian style, *al-nāṣir lil-milla al-naṣrāniyya* ("the protector of the Christian community"),<sup>44</sup> adapting it slightly, in part to reflect Constance's relationship to her young son: *al-nāṣira wa-īyyā-hu bi-ʿawn Allāh lil-milla al-masīḥiyya* ("the protector, together with him [Frederick], of the Christian [literally "Messianic"] community, through the help of God").<sup>45</sup> Like Roger and the kings who succeeded him, Constance's title lists the territories over which she rules: *Īṭāliya wa-Nkabardha wa-Qalawriya wa-Ṣiqilliya ...* ("Italy, Langobardia, Calabria, Sicily ...").<sup>46</sup>

Constance also uses two styles not previously attested in the Norman chancery that broadly adhere to the traditional pattern—*al-mustaqbila lil-sumuww bil-qudra al-samāwiyya* ("she who assumes eminence through heavenly power"), and *al-jālisa ʿalā kursī Rūmiyya al-qayṣariyya* ("she who sits on the throne of imperial Rome"). We have not yet been able to find obvious sources for either but suspect that they, like the traditional Norman titles, may have originated among the stock titles awarded to Christian rulers by an Islamic chancery.<sup>47</sup>

The *duʿāʾ* or augural formula, used for the late kings Roger and William II—*qaddasa llāh rūḥay-himā* ("may God sanctify their souls": l. 20)—also finds a close precedent in the formula used in documents of King Roger to commemorate his father, Roger I—*qaddasa llāh rūḥa-hu wa-nawwara ḍarīḥa-hu* ("may God sanctify his soul and illuminate his tomb").<sup>48</sup>

In addition to titulature, four other features of the diplomatic form also derive from traditional Sicilian practice. In common with most bilingual

43 Johns, *Royal Dīwān*, 269.

44 Johns, *Royal Dīwān*, 270–271.

45 Al-Qalqashandī, Abū l-ʿAbbās Aḥmad b. ʿAlī, *Ṣubḥ al-aʿshā fī ṣināʿat al-inshāʾ* 14 vols. (Cairo: Dār al-Kutub al-Khidīwiyya [vols. 1–6], Dār al-Kutub al-Sultāniyya [vols. 7–14], 1913–1922), 6: 173, lists *ʿazīm al-milla al-masīḥiyya*, amongst the titles of the Pope. Compare usage of the Almohad chancery in E. Tisserant and G. Wiet, "Une lettre de l'almohade Murtaḍā au pape Innocent IV," *Hespéris* 6 (1926): 30, l. 7, and 33, l. 14: *qayyim al-milla al-masīḥiyya*.

46 For the word that may have followed *Ṣiqilliya*, see Commentary l. 16.

47 Johns, *Royal Dīwān*, 271. It is possible that these new elements in Constance's Arabic title may have been reserved in the Islamic chancery repertoire for the German emperor, who is not one of the Christian rulers whose titles are discussed by Qalqashandī, *Ṣubḥ*, 6: 174–179. See also Henri Lammens, "Correspondances diplomatiques entre les sultans mamlouks d'Égypte et les puissances chrétiennes," *Revue de l'Orient Chrétien* 9 (1904): 151–187, 359–392.

48 Johns, *Royal Dīwān*, 271.

documents where the Greek or Latin text that precedes the Arabic opens with a pious *invocatio* (l. 16), the *basmala* that one would expect to open an Islamic document is conspicuous by its absence.<sup>49</sup> Towards the end of the document, the *corroboration*—*wa-qad khatamnā-hu lakum bi-khatmi-nā l-mashhūr dalīlan ‘alā ṣiḥḥati-hi wa-tawkīdan li-tafḍīli-hi* (“And we have sealed it for you with our celebrated seal to indicate its validity and to assure its precedence”: l. 23)—closely adheres to the Sicilian formulary.<sup>50</sup> Similarly, the *datatio* (*ta’rīkh*) in typical Sicilian fashion combines the Julian month (*nuwimbir*), with the Byzantine indiction (*al-ḥawl al-thānī*), and the year of the *hijra* (l. 24).<sup>51</sup> Finally, following the standard practice brought to the Norman chancery from Fāṭimid Egypt, the document ends with the *ḥasbala* used by way of *apprecatio*.<sup>52</sup>

More ambiguously, although the document twice refers to itself as a *sijill* (l. 22), an Egyptian term,<sup>53</sup> used regularly for the products of the Norman *dīwān*,<sup>54</sup> but rarely attested in the Maghrib or Andalus,<sup>55</sup> it begins by describing itself as a *ṣaḥīḥ* (“decree”), using a term that at this date is peculiar to the Maghrib and Andalus. We shall return below to the significance of this term.

Despite the characteristically Sicilian features enumerated above, which clearly derive from the traditional practices of the Norman *dīwān*, even the most cursory reading of the Arabic reveals that its language makes a startling departure from the mundane administrative style in which all other surviving documents are cast. Alone among the surviving products of the Norman *dīwān*, this document is composed in the ornate prose style of *inshā’* characterised by balanced, parallel structures, assonance, end-rhyme, and by literary and poetical tropes.

The Arabic text exhibits its pretensions to high scribal art from the outset (l. 16) with a noun-pair—*ṣaḥīḥ imtinān*—that have morphologically identical and rhyming adjectives—*karīm*, *‘aẓīm*—each of which picks up one root-

49 Johns, *Royal Dīwān*, 279.

50 Johns, *Royal Dīwān*, Appendix 1, cat. nos. 13, 33, 34, 35, 36. Note, however, that these earlier versions universally use *ta’kīdan* not, as here, *tawkīdan* (for which cf. Stern, *Fāṭimid Decrees*, 16, l. 20).

51 Johns, *Royal Dīwān*, 76–77.

52 Johns, *Royal Dīwān*, 279–280.

53 Stern, *Arabic Decrees*, 85–90.

54 Johns, *Royal Dīwān*, Appendix 1, cat. nos. 13, 36–39.

55 E.g. R.P.A. Dozy, *Supplément aux dictionnaires arabes*, 2 vols. (Leiden: Brill, 1881), 1: 634;

Federico Corriente, *A Dictionary of Andalusī Arabic* (Leiden: Brill, 1997), 244.



element from the noun it follows (respectively, *rā'* and *mīm*). The royal titles (ll. 17–18) take much of their inspiration from those of former Sicilian models (see above, pp. 122–123); but an altogether different order of linguistic play begins after *ammā ba'd* (l. 18). First, *lammā* introduces a pair of verbs of third radical *ḥā'*, each followed by a preposition attaching to the same referent—*waḍaḥa la-nā wa-ṣaḥḥa 'inda-nā*. These lead to a pair of *mā-min* clauses (ll. 18–19) with matching assonance and consonance in their respective verbs—*ajraytum* and *tamādaytum*—and vocal harmony and syllabic balance in their terminal preposition-phrases—*ilay-hi*, *'alay-hi*. These, in turn, lead into another parallel structure (l. 19) identified by a pair of Form III *maṣdars*—*munāṣaḥa*, *mu'ādāt*—with their internal assonance, and matching referents (*-kum*), each leading into a *lām li-taqwiyat al-'āmil* to introduce a noun or nouns defined by the referent *-nā*, and qualified by the morphologically identical participles—*mu'āhidīn*, *mu'ānidīn*—which also share two of their three root-elements. There follows a parallel pair constructed on two morphologically identical, first-person plural, Form x subjunctives—*nastakhliṣa*, *nastanqidha*—each carrying the same referent (*-kum*), each followed by *min* and a noun of identical syllabic value (*milk*, *ḥukm*), and each employing a third-person plural participle that picks up and complements the balance of assonance and end-rhyme created by the preceding plural participles. The plural participle-ending *-īn* is an aural anchor that also constitutes the terminal binding feature of the more rambling structural parallels that follow. These are set up (l. 19) by *li-takūnū* and its initial resolution, *li-dawlati-nā mukhāliṣīn*. There follow another five complementary resolutions, ending (l. 20 with *bi-ḥabl dawlati-na ākhidhīn*. All open according to the pattern of preposition + noun, with only the third (*wa-ilā l-ibn*) foregoing the referent *-nā*, while all save the second (*wa-li-mamlakati-nā ...* etc.) anticipate the concluding chime of a plural participle ending in *-īn*. This second complement, which trips the rhythm considerably with its own internal balance of phrases alluding to Roger and William, dexterously contrives to echo the aural anchor, *-īn*, of the plural participle, by supplying these kings with the qualifiers, *abī-nā* and *ibn akhī-nā*. The next two parallels (l. 21) are cast in the negative. The first takes the two coordinates, *laysa la-kum ... wa-lā li-*, which are resolved, respectively, on the vocal consonance of *mālik* and *mushārik*. The second takes the coordinates *lā* + first-person plural indicative, then *wa-lā* + the same?), finally balanced, respectively, on the morphological twins, *aḥadan* and *abadan*. The subsequent assurances on the royal succession (l. 21) bring into relief especially the syllabic and vocal harmony of *'adli-nā* and *nasli-nā*, which together constitute a binding feature that echoes through the next development (ll. 21–22).

This is founded, in three phases, on the complementary commands, *fa-thiqū ... wa-shkurū ... wa-'lamū*, introducing clauses of gradually increasing length, the building intensity of each resolved, respectively, on the matching sonorities of *bi-'adli-nā, ... faḍli-hi wa-faḍli-nā, ... sijilli-nā*. The subsequent exhortation, founded on *wa-l-takūnū* (l. 22), generates a double complement co-ordinated by the prepositions *'alā* and *fī*) both components of which echo and mirror structurally the complements to *li-takūnū* in l. 19. The variant here of an addition to the second component ending *mujtami'īn*) of the short tail-phrase *ghayr muftariqīn* enhances the rhythmic interest.

The scribe reserves his most self-conscious efforts for the final flourish (ll. 22–23) and its projection of regal auspiciousness. This development effects a classic canvas of balanced phrasing, rhythmic contrast and complementary stress, all anchored on the matching end-rhyme of feminine singular verbs, which carry the added interest of commanding, alternately, “non-emphatic” and “emphatic” vowel harmonies (hereafter referred to, respectively, as “a” and “b”). Schematically, this development can be broken into three complementary phases:

- (i) beginning *wa-mamlakatu-nā*, where the main aural interest rests on *i'tazzat* (“a”) and *istamṭarat* (“b”);
- (ii) continuing the theme of the auspicious kingdom, with a primary clause anchored on two verbs, *rafalat* (“a”) and *tabakhtarat* (“a”), and a secondary clause concluding *ta'aṭṭarat* (“b”);
- (iii) alluding now to the skies, with a primary clause introduced by *wārat* (“a”), and a secondary clause coordinating *saḥḥat* (“a”) and *amṭarat* (“b”).

At this point, the scribe's excursus into *inshā'* which hitherto dominates, comes to an end; with the conclusion of l. 23 and the reference to the celebrated seal the document returns to the much more familiar language of the earlier Sicilian chancery.

Among the literary and poetical tropes characteristic of *inshā'* we may begin by noting that the reference to *ḥabl dawlati-nā* (“the covenantal rope of our dynasty”: l. 20) relies upon the conceit that a ruler's claim to the religious legitimacy of his authority is figured in terms of a covenantal rope (*ḥabl*) that both offers security to his subjects and binds them to him, an extension of the bond between ruler and God, the *ḥabl Allāh*, itself a Qur'ānic figure (3: 103: *wa-ṭaṣimū bi-ḥabli llāhi jamī'an wa-lā tafarraqu*, “And hold fast, all, to the cable of Allah and do not separate”). The trope originates in pre-Islamic poetry. It was developed by poets of early Islam and the Umayyad era in accordance with its Qur'ānic transformation; it has clear currency in Almohad letters and *ḡahīrs* as



an expression of the strength and religious legitimacy of their rule, and of the obedience owed to them.<sup>56</sup>

In early Arabic poetry, the covenantal rope (*ḥabl*) was conceived as drawing water from a well, figuring the manner in which God, or His legitimate representative on earth, brought life-giving water to his followers. A similar poetical conceit informs the statement that “the rain-clouds of abundance have covered the highest heaven and poured and rained on [our kingdom]” (*qad wārat samā’ al-’ulyā suḥub al-iqbāl fa-saḥḥat ‘alay-hā wa-amṭarat*: l. 23), in that it again figures the beneficent rule of the legitimate ruler as bringing God’s clouds to pour life-giving rain upon His subjects.<sup>57</sup>

Unfamiliar as such ancient Arabian images may be to the modern Western reader, they were so common in the poetical register of Arabic in the twelfth century as to be hackneyed. On the other hand, it comes as rather a shock to find that the Norman kingdom is also imagined as having “strutted and swaggered in the garments of good fortune and perfumed itself in the sweet-scented breeze of might and glory” (*rafalat fī maṭārīf al-sa’d wa-tabakhtarat wa-bi-nasīm riḥ al-’izz wa-l-majd ta’aṭṭarat*: l. 23). Although far removed from the terrible majesty cultivated by King Roger, this strutting trailer of garments is an ancient, poetical figure evoking elevation of a traditional Arab variety. A close parallel appears in a decree (*ṣaḥīḥ*) penned by the famous secretary Ibn al-Abbār (595–658/1199–1260), who began his career in the emirate of Valencia, and spent the last twenty years of his life in Ḥafṣid Tunisia. The decree concerns the reappointment of a certain regional superintendent (*mushārīf*) whom Ibn al-Abbār describes as “swaggering in the diaphanous garb of grace and honor (*rāfilan min malābis al-takrima wa-l-ḥuṣwa fī shufūfi-hā*).”<sup>58</sup>

As a final example of the literary tropes that appear in this document, the Maltese and Gozitans are praised for having kept to the well-trodden path (*sanān*) of loyalty to the Norman kingdom that their ancestors had followed

56 N.M. Jamil, “Caliph and *Qutb*: Poetry as a Source for Interpreting the Transformation of the Byzantine Cross on Steps on Umayyad Coinage,” in *Bayt al-Maqdis: Jerusalem and Early Islam*, ed. J. Johns (Oxford: Oxford University Press, 1999) (Oxford Studies in Islamic Art 9/2), 32–34. See the commentary to l. 20 below, p. 156, for references to this trope in Almohad documents.

57 On the origins and development of this conceit, see Jamil, “Caliph and *Qutb*,” esp. 37–42. On Almohad comparanda, see the commentary to l. 23 below, p. 158.

58 Qalqashandī, *Ṣubḥ*, 10: 307, ll. 9–10. M. Ben Cheneb and C. Pellat, “Ibn al-Abbār (Abū ‘Abd Allāh Muḥammad b. ‘Abd Allāh b. Abī Bakr b. ‘Abd Allāh b. ‘Abd al-Raḥmān b. Aḥmad b. Abī Bakr al-Ḥudāī),” in *Encyclopaedia of Islam*, new edition (Leiden: Brill, 1960–2002), 3: 673.

(ll. 18–19). No less than six of the specimen *ṣahīrs* reproduced by al-Qalqashandī use the same figure, including one example penned by the famous Sevillian Abū l-Ḥasan al-Ruʿaynī (592–666/1196–1267), and its survival in twelfth- and thirteenth-century *ṣahīrs* and letters from the Maghrib and al-Andalus suggests that it belongs to their stock formulary.<sup>59</sup>

Given that none of the other surviving documents issued by the Norman *dīwān* are written in the ornate prose style of *inshāʿ*, how can its sudden appearance in this document be explained?

Of course, it is not that comparable ornate Arabic prose was unknown in Norman Sicily. On the contrary, Norman Palermo had its own flourishing Arabic literary culture. The Sicilian Muḥammad ibn Ḥafṣ wrote the *Sulwān al-muṭāʿ* in Palermo in 1159–1160, and may have dedicated it to the hereditary leader of the Muslim community of Sicily, the *qāʾid* Abū ʿAbdallāh Ḥammūd ibn Muḥammad.<sup>60</sup> The latter's son, the *qāʾid* Abū l-Qāsim Muḥammad, was patron to the Alexandrian poet Ibn Qalāqīs whose works, including *al-Zahr al-bāsim* and his *Tarassul*, are good examples of ornate Arabic prose composition.<sup>61</sup> Ibn Qalāqīs also dedicated poems to the Queen Regent Margaret and the young King William II, and to the *qāʾid* Richard, one of the leading crypto-Muslim eunuchs of the administration.<sup>62</sup> His patron, the *qāʾid* Abū l-Qāsim, himself occasionally served the royal administration and twice appears as one of the directors of the royal *dīwān*.<sup>63</sup> However, because this document is not only written in the *inshāʿ* style but, as we shall see below, is cast in the diplomatic form of the *ṣahīr* we believe that it must have been composed by a trained secretary and not by a jobbing man of letters brought into the royal *dīwān* for this specific task.

59 Qalqashandī, *Ṣubḥ*, 10: 301, l. 5; 302, ll. 8–9; 304, ll. 12–13; 306, ll. 1–2, and 11: 10, l. 16; 14, l. 1. See also E. Lévi-Provençal, *Trente-sept lettres officielles almohades* (Rabat: Institut des Hautes-Études Marocaines, 1941), 180: the reference in Letter 30, 583/1187, to *sanān al-sharʿ*; see M. Fierro, “al-Ruʿaynī (Abu ʿl-Ḥasan ʿAlī b. Muḥammad b. ʿAlī b. Muḥammad b. ʿAbd al-Raḥmān b. Ḥayṣam),” in *Encyclopaedia of Islam*, new edition (Leiden: Brill, 1960–2002), 8: 573–574.

60 Johns, *Royal Dīwān*, 234–242.

61 Ibn Qalāqīs, *al-Zahr al-bāsim wa-l-ʿarf al-nāsim fī madīḥ al-ajall Abī l-Qāsim*, ed. ʿAbd al-ʿAzīz b. Nāṣir al-Mānīʿ (Riyadh: Jāmiʿat al-Malik Saʿūd, 1984); *Tarassul Ibn Qalāqīs al-Iskandarī*, ed. ʿAbd al-ʿAzīz b. Nāṣir al-Mānīʿ (Riyadh: Jāmiʿat al-Malik Saʿūd, 1984).

62 Ibn Qalāqīs, *al-Zahr al-bāsim*, 22–24; *Dīwān Ibn Qalāqīs*, ed. Sihām ʿAbd al-Wahhāb Furayḥ (Kuwait: Maktabat al-Maʿālī, 1988), 145–147, no. 36. See also Johns, *Royal Dīwān*, 233 and nn. 87–88.

63 Johns, *Royal Dīwān*, 234–235.



Although none have survived, there is good reason to assume that the Norman *dīwān* did write decrees and especially letters to Muslim rulers in a much more elaborate prose register than that used in ordinary administrative documents. Al-Maqrīzī, probably drawing upon the lost work of the Zīrid historian Ibn Shaddād, who visited Palermo in 1156, describes how in *circa* 1126 Roger II offered the vizierate to Abū l-Ḍaw' Sirāj, his *kātib al-inshā'* who wisely declined to stand in the way of George of Antioch. Abū l-Ḍaw' came from the distinguished Palermitan family which provided successive *qāḍīs* of Palermo in the mid-twelfth century and was part of the circle of the Ḥammūdīd leaders of the Muslim community of Sicily. He was the correspondent and recipient of the verses of the Zīrid historian and poet Abū l-Ṣalt Umayya. Abū l-Ḍaw' was also a competent poet in his own right, who served as a court poet to King Roger until at least the 1140s. If he did indeed hold office as *kātib al-inshā'* then he or his bureau must have been responsible for the correspondence between Roger and the Fāṭimid caliph al-Ḥāfiz. Only one letter from the caliph to Roger survives; it is written in the ornate rhymed prose style, which Roger's letters to the caliph would undoubtedly have sought to equal.

Abū l-Ḍaw' and his office is also likely to have been responsible for diplomatic correspondence with the Zīrids, which seems to have begun in the late eleventh century and to have continued until the Norman conquest of Mahdiyya and the expulsion of the Zīrids in 1148. When diplomacy failed—and it is worth noting that the correspondence continued even when relations had reached breaking point<sup>64</sup>—the same office would have composed the letters of appointment (*'ahd* or *sijill*), sent with a robe of office (*khil'a*), to the local Muslim governors (*'āmil* or *wālī*) appointed by King Roger over the North African coastal cities captured during the 1140s.<sup>65</sup> For example, at Gabès in 542/1147–1148, on the death of the ruling Arab dynast, Rushayd ibn Kāmil of the Banū Jāmi' his *mawla*, Yūsuf, seized power and wrote to Roger offering to surrender Gabès to him in return for “a robe of office (*khil'a*) and a letter of appointment (*'ahd*) to the government (*wilāya*) of Gabès as your representative (*nā'ib*), as

64 For example, Ibn al-Athīr, *al-Kāmil fī l-ta'rīkh*, ed. C.J. Tornberg, 13 vols. (Beirut: Dār Ṣādir, 1979–1982; repr. of Leiden: Brill, 1851–1876), 10: 530 (511 H); trans. D.S. Richards, *The Chronicle of Ibn al-Athīr for the Crusading Period from al-Kāmil fī l-Ta'rīkh. Part 1. The Years 491–541/1097–1146: The Coming of the Franks and the Muslim Response* (Aldershot: Ashgate, 2006), 186.

65 See the comprehensive and thoughtful study by M. Brett, “Muslim Justice under Infidel Rule,” originally published in the *Cahiers de Tunisie* 43/155–156 (1995): 325–368, and then republished with extensive revisions in his *Ibn Khaldun and the Medieval Maghrib* (Aldershot: Ashgate Variorum, 1999: XIII).

you did for the Banū Maṭrūḥ in Tripoli. Roger sent him the robe and the letter. He donned the former and had the letter read out to an assembly of the people."<sup>66</sup> The ceremonial aspects of this procedure make it likely that the letter of appointment was cast in a suitably high register.

It is, therefore, possible to explain the use of the ornate prose of *inshā'* by a scribe of the Norman *dīwān* by arguing that letters must have been written in this style since the mid-1120s if not earlier but are no longer extant, and that this document is exceptional only in that it has survived. To do so, however, would be to ignore the fact that it is unique not just for the register of its language, but also for its diplomatic form.

The opening words of the Arabic text—*hādhā ṣaḥīr karīm* ("This is a noble decree": l. 16)—identify it as a *ṣaḥīr*, for, however much it may insist elsewhere that it is a *sijill* (l. 22), this is the standard opening formula for the *ṣaḥīr*. All the mid-fourteenth-century examples reproduced by al-Qalqashandī have this opening,<sup>67</sup> and he seems to imply that all *ṣaḥīrs* began this way in the past.<sup>68</sup> If so, then the openings must have been omitted from the earlier examples that he gives.<sup>69</sup> Elsewhere, however, he discusses the countless variety of *ibtidā'āt* ("openings") used in the oldest *ṣaḥīrs*.<sup>70</sup> It may be that the opening of this document, which dates from a fairly advanced stage in the evolution of the form, uses the formula that was already emerging as standard.<sup>71</sup>

The term *ṣaḥīr* connotes "help," and implies that through this type of decree the ruler gave assistance or support to its recipient. The term seems to have gained currency under the Almohads (1130–1269). It was originally synonymous with, and finally replaced, the term *ṣakk*—from which English "cheque" derives—established by the Almoravids (1062–1147) to denote the type of royal or emiral decree which could be bestowed, for example, on state officials to confirm their appointment or reappointment, or to reward faithful service. The

66 Ibn al-Athīr, *Kāmil*, 11: 120 (542 H); trans. Richards, *Ibn al-Athīr. Part 2. The Age of Nur al-Dīn and Saladin* (Aldershot: Ashgate, 2007), 14.

67 Qalqashandī, *Ṣubḥ*, 11: 6–28.

68 Qalqashandī, *Ṣubḥ*, 11: 4.

69 Qalqashandī, *Ṣubḥ*, 10: 299–307. All the early *ṣaḥīrs* that he reproduces are clearly missing elements, including reference to the ruler and the date. See also note 73 below.

70 Qalqashandī, *Ṣubḥ*, 10: 299–300.

71 Two *ṣaḥīrs* discussed by A. Azzaoui, *Nouvelles lettres almohades*, 2 vols. (Kénitra: Publications de la Faculté des Lettres et des Sciences Humaines, 1995) (Textes et documents 2), 1: 391–395, both 637/1239–1240, open with the formula, *hādhā ṣaḥīr karīm*. An earlier *ṣaḥīr* (ibid., 1: 347, 614/1217–1218) refers to itself in the same way, after an introduction composed of the *basmala*, followed by a *taṣliya* and a *ḥamdala* according with the caliph's 'alāma.



*ẓahīr* was not limited to Muslims, but could also be extended to Christians and Jews.<sup>72</sup>

In his treatise *Adab al-kātib* ("The Art of the Scribe"), most probably composed during the reign of the Ḥafṣid al-Mustanṣir (reg. 1226–1242), Abū Bakr ibn Khaldūn (d. 1283), grandfather of the celebrated historian, gives details of the earliest Ḥafṣid documentary forms that are not discussed by al-Qalqashandī, and which Evariste Lévi-Provençal demonstrates to be continuations of an older Almohad tradition. In the seventeenth chapter on *amthilat al-mukhāṭabāt* ("models for letters"), Abū Bakr gives a generalized schema for royal documents which, he says, applies in full to the letter (*kitāb*), and, with certain elements omitted, to the "*ṣakk*, now called *ẓahīr*"<sup>73</sup>

من فلان - باللقب - أمير المؤمنين بن أمير المؤمنين ... ثم تقول: أيّدكم الله بنصره وأمدّهم بمعونته إلى الشيخ أبي فلان - أو إلى أبي فلان - أو إلى الأسيّخ والأعيان والكافة من بني فلان - أدام الله كرامتهم وتوفيقهم بتقواه. سلام عليكم ورحمة الله تعالى وبركاته. أمّا بعد حمد الله ... وبعد تمام الصّدْر تكون منه الوصيّة بتقوى الله وبما يجب. هذا إذا كان كتاباً وإذا كان صكّاً - ويسمّى الآن ظهيراً - فلا يكون فيه صَدْرٌ ولا وصيّة ولا اسم المكان الذي كُتب منه.

'From so-and-so—with the honorific—Commander of the Faithful, son of the Commander of the Faithful' ... Then you say: 'May God support them with His aid and succour them with His assistance; to the Shaykh, Father of so-and-so—or to the Father of so-and-so—or to Shaykhs x, or Notables y, or all the sons of z, may God prolong their honour and felicity for their piety to him. Greetings to you, and the mercy of God and His benedictions. And following praise of God (*ammā ba'da ḥamd Allāh*) ... [leading to the preamble into the main matter (*ṣadr*)]. When the latter is done, there should come from him an exhortation to fear God and do the necessary. That is if it is a letter (*kitāb*). If it is a decree (*ṣakk*)—what is now called *ẓahīr*—there is no preamble into the main matter, nor exhortation, nor mention of the place whence it was written.<sup>74</sup>

72 M. El Mansour, "Zahīr," in *Encyclopaedia of Islam*, new edition (Leiden: Brill, 1960–2002), 11: 387–388; Qalqashandī, *Ṣubḥ*, 10: 299–307, 11: 6–28.

73 E. Lévi-Provençal, "Un recueil de lettres officielles almohades: étude diplomatique, analyse et commentaire historique," *Hespéris* 28 (1941): 12–16; E. Lévi-Provençal, "Le traité d'Adab al-kātib d'Abū Bakr ibn Khaldūn," *Arabica* 2 (1955): 280.

74 Lévi-Provençal ("Receuil," 14) gives an Arabic transcription of Ibn Khaldūn's schema with French translation.

This passage, apart from the useful confirmation that what had once been the *ṣakk* was then called the *ṣahīr*, would be a little vague on its own. But it allowed Lévi-Provençal to develop a far more precise schema for the diplomatic form of letters and decrees based upon comparison with the *Trente-sept lettres officielles almohades*, that may be summarized as follows:

1. (i) Designation of the ruler in whose name the document is expedited;  
 (ii) Appropriate titles and augural formula (*du'ā'*) for the ruler;  
 (iii) Designation of the recipient(s) and appropriate augural formula (*du'ā'*);  
 (iv) Salutation.
2. Doxology: Ubiquitous repetition of *ammā ba'd* to move through the sequence of *ḥamdala*, prayers and benedictions.
3. (i) Introduction of the main matter (*ṣadr*),<sup>75</sup> typically with *wa-hādhā kitābu-nā ilay-kum/ wa-kitābu-nā ilay-kum/ wa-innā katabnā-hu ilay-kum* ("Here is our letter to you").  
 (ii) The place from which the document is issued. From the time of Abū Yūsuf Ya'qūb (1160–1189), the exhortation to fear God—*taqwā llāh*—was added at this point.<sup>76</sup>
4. Main body of the letter: variable length; rhythm and end-rhyme vary as the text develops.
5. Conclusion—sometimes introduced by *wa-ʿalā l-jumla fa-qad* ("in sum ..."); but more often with *wa-aʿlamnā-kum bi-dhālik* ("and we have informed you of that") or the like. Normally, an affirmation of divine unity and benedictions of farewell.
6. The date, usually at the very end of the letter, introduced by *kutiba fī ...*

In this document, in lines 16–18, after the standard opening for the *ṣahīr*, the traditional Sicilian titles and augural formulae occupy the place of Part 1 (i)–(ii). Then, the recipients are named, with the appropriate *du'ā'* (1(iii)). There is no salutation (1(iv)). Part 2 is represented by *ammā ba'd* (l. 18) but, following the standard practice of the Norman *dīwān*, the Islamic formulae of the doxology are omitted. What follows (ll. 18–22) is evidently the main body of the decree (*ṣadr*: Part 4), but it opens abruptly and without introductory formulae (Part 3)—precisely those sections which Abū Bakr ibn Khaldūn (in

75 Lévi-Provençal comments that this is the point from which compilers collecting documents often tend to begin to quote, omitting the first two parts of the decree: "Receuil," 16, ll. 9–11.

76 Lévi-Provençal, "Receuil," 17.



the passage cited above) says are appropriate to a letter (*kitāb*) but not to a decree (*ṣahīr*).

The development of the main text (ll. 18–22) corresponds, *grosso modo*, to the model of the *ṣahīr*. In line 18, *lammā waḍaḥa la-nā wa-ṣaḥḥa 'inda-nā* signals the *expositio* (*iblāgh*), the explanation of the circumstances that led to the issue of the decree.<sup>77</sup> In the following line, *ra'aynā ... an* indicates the *petitio* (*qiṣṣa*), setting out the ruler's intentions (ll. 19–20). The *dispositio* (*ḥukm*: ll. 20–21) is marked at the end of line 20 by *li-dhālika umira bi-katb hādḥā l-ṣahīr al-sharīf al-athīr*. All three parts are regularly attested in the earlier *ṣahīrs* cited by al-Qalqashandī and in the Almohad letters studied by Lévi-Provençal.<sup>78</sup> After the *dispositio*, comes what may well be a *sanctio*, opening with a mild exhortation to trust in God—*fā-thiqū bi-llāh* (l. 21), but ending with a fiercer admonition to be united, not divided, in the destruction of the enemies of the kingdom (l. 22).<sup>79</sup> Interestingly, the end of the text is marked by a Sicilianized version of the standard formula that introduces the *ṣadr*—*wa-sijillu-nā h[ādhā i]lay-kum*: “Here is our charter to you” (l. 22). Throughout the text, the scribe develops a varying sequence of rhythm and end-rhyme. Even after he has signalled its end, he cannot resist a final, extended poetical flourish (ll. 22–23).<sup>80</sup>

Part 5 is introduced by the standard Sicilian *corroboratio* (*khatt al-sharīf*) explaining how the seal may be used to validate the decree (l. 23; see also above, p. 122). It is followed by a lacunose phrase beginning *wa-jumlatu-hu ...*, which is clearly cognate with the occasional Almohad conclusion *wa-'alā l-jumla ...*

What immediately follows is mostly lost. The first three or four words of the phrase have been cut away, and all that survives is the conclusion—*sā'ā[t] min al-layl wa-l-nahār*. The reference to “hours of the day and night” is reminiscent of phrases in the more hyperbolic augural formulae that follow the titles of the Sicilian ruler (here, *al-ḥaḍra*, “the royal presence”), such as “may God perpetuate his days” (*khallada llāhu ayyāmahā*) or “may God perpetuate his reign and his days” (*khallada llāhu mamlakatahā wa-ayyāmahā*),<sup>81</sup> or even the

77 The Fāṭimid *manshūr* also marks the *expositio* with *lammā* and complement: Stern, *Fāṭimid Decrees*, 109–112.

78 Qalqashandī, *Ṣubḥ*, 10: 302, 304, 305 (see also the later decree in *ibid.*, 11: 9–10); Lévi-Provençal, *Trente-sept lettres*, 18 (Letter 7, 547/1152), 35–36 (Letter 10, 548/1153), 57 (Letter 13, no date), 73–74 (Letter 16, 552/1157). Additional aspects of diction occurring in ll. 18–22 of this document are worth highlighting, as, within the context of this frame, they strengthen the case for Almohad inspiration: see Commentary, ll. 18–22 of the document.

79 See also Commentary, l. 22.

80 See also Commentary, l. 22.

81 Johns, *Royal Dīwān*, 153, 156 n. 32, and 166.

wish expressed on the hem of King Roger's mantle that God may grant him "pleasure of days and nights without end or decline" (*ṭib al-ayyām wa-l-layāl[ī] bi-lā zawāl wa-lā ntiqāl*).<sup>82</sup> More plausibly, the fragmentary allusion to days and nights once expressed the eternal validity of the document itself, as exemplified by a decree of the Fāṭimid al-Zāhir dated 415/1024) that will endure "through the passing of days and ages" (*'alā marr al-ayyām wa-l-duhūr*).<sup>83</sup>

Part 6, introduced by *kutiba 'alā yad kātibi-nā* (l. 24), corresponds to the *datum* (*ta'rīkh*), which follows the traditional Sicilian pattern, naming the scribe, and recording the date according to multiple calendars. The document ends with the standard Sicilian use of *ḥasbala* by way of *apprecatio*.

It is clear from this analysis of its diplomatic structure that this document is essentially a *ḡahīr* into which standard elements from the Sicilian formulary have been incorporated. It remains to explore how this may have happened. There are two possible explanations: either this is the only example to survive from a tradition of *ḡahīrs* established in the Norman *dīwān* at some time after 1130; or this document represents a diplomatic form newly introduced from the Almohad sphere at the very end of the century. We incline strongly towards the second possibility for two sets of reasons.

The first has to do with the history of the royal administration during the last decade of the twelfth century. For most of the reign of William II, the administration had been in the hands of a triumvirate of royal familiars, led by Archbishop Walter of Palermo, the Vice-chancellor Matthew of Salerno and a third member, typically a leading churchman. Walter and Matthew appear to have been well-matched rivals, but in 1183, when Pope Lucius III elevated the see of Monreale to an archbishopric, and Archbishop William joined the royal familiars, he gave the advantage to the Vice-chancellor Matthew. On the death of William II, Matthew rapidly brought Tancred of Lecce to the throne.<sup>84</sup> Walter's death in 1190 confirmed Matthew's triumph.

82 T. Al Samman, "Arabische Inschriften auf den Krönungsgewändern des Heiligen Römischen Reiches," *Jahrbuch der kunsthistorischen Sammlungen in Wien* 78 (1982): 31–34.

83 Stern, *Fāṭimid Decrees*, 15–22, esp. 16, ll. 25–27. The translation is Stern's. A very similar statement occurs in a much later Moroccan *ḡahīr*, dated 1146/1734, renewing the exemption of a Sherifian family from certain charges, which is to remain valid and unviolated by any person "for the passage of nights and days and periods and years" (*'alā mamarr al-layālī wa-l-ayyām wa-l-duhūr wa-l-a'wām*): Alfred Bel, "Un *ḡahīr* Chérifien du Sultan 'Abdallāh, Fils de Moulaye Ismā'īl," *Journal Asiatique* (11th ser.) 9 (1917): 283–290.

84 *Ryccardi de Sancto Germano Notarii Chronica*, ed. Carlo Alberto Garufi (Bologna: N. Zanichelli, 1938) (*Rerum Italicarum Scriptores*, 2nd ser., 7/2), 5–6.



Tancred, who was principally preoccupied with the military defence of his kingdom on the mainland, now restructured the *curia*. The office of Chancellor, dormant since 1169, was revived and awarded to Matthew. As royal familiars, Tancred appointed Matthew and two of his sons, Archbishop Nicolas of Salerno and Count Richard of Ajello. In effect, Tancred thus made Matthew his prime minister and, when campaigning on the mainland, his viceroy of Sicily.

Matthew, who had been trained in the royal chancery under William I, and had rebuilt the archives of the *dīwān* after their destruction in the rebellion of 1161,<sup>85</sup> did not now neglect the fiscal administration, which was reconstituted on the traditional, trilingual model. Eugenius, a Greek man of letters and master of the *duana baronum*,<sup>86</sup> whose father and uncles had been leading royal administrators, was appointed *regius amiratus*, and entrusted with the entire fiscal administration. Three new chamberlains represented the three cultures of the kingdom. Tancred's Greek chamberlain, Alexius, was brought from Lecce and made master chamberlain. Darius, a Latin from Campania who had long been at court, became palace chamberlain and master of the *duana baronum*. But for the representative of Arabic culture, the choice was less straightforward.

The sudden failure of royal authority that had followed William's death had released the Latin citizens of Palermo to attack their Muslim neighbours. Many were killed and the survivors fled into the mountains of western Sicily, where their refuges became the centres of the Muslim rebellion that smouldered on until the middle of the thirteenth century.<sup>87</sup> During the baronial revolt of 1161, an earlier lapse of royal power, the Christian mob had directed their violent rage not just against the Muslim citizens of Palermo but in particular against the crypto-Muslim eunuchs of the royal administration: "None of the eunuchs

85 Johns, *Royal Dīwān*, 21 and n. 49, 177 and n. 34, p. 180.

86 The office, based at Salerno, responsible for the administration of the mainland provinces of the kingdom, except Calabria: Johns, *Royal Dīwān*, 206–207.

87 *Annales Casinenses*, ed. G.H. Pertz (Hannover: Hahnsche Buchhandlung, 1866) (Monumenta Germaniae Historica, Scriptores 19), 314: *Panormi oritur inter Christianos et Sarracenos dissentio. Sarraceni, multa suorum strage facta, exeunt et inhabitant montana*. See also *Ryccardi de Sancto Germano*, 9; Peter of Eboli, *Liber ad honorem Augusti sive de rebus Siculis: Codex 120 II der Burgerbibliothek Bern; eine Bilderchronik der Stauferzeit*, ed. T. Kölzer and M. Stähli (Sigmaringen: Thorbecke, 1994), 49, ll. 85–87; Roger of Howden, *Chronica*, ed. W. Stubbs, 4 vols. (London: Longman, 1868–1870) (Roll Series 51), 3: 169; [Roger of Howden], *Gesta Regis Henrici II*, ed. W. Stubbs, 2 vols. (London: Longman, 1867) (Roll Series 49), 2: 141. The best secondary account of the revolts remains the almost untraceable F. Maurici, *L'emirato sulle montagne. Note per una storia della resistenza musulmana in Sicilia nell'età di Federico II di Svevia* (Palermo: Centro di documentazione e ricerca per la Sicilia antica, 1987).

whom [the rebels] could find escaped .... Many of the Muslims who were collecting fiscal dues in the *dīwān* ... were killed."<sup>88</sup> In 1189, even though the mob failed to occupy the royal palace, many of its Muslim or crypto-Muslim servants suffered or fled from its persecution, significantly depleting the staff of the Arabic administration and the *dīwān*. The leader of the palace Saracens, the eunuch *qā'id* Richard, disappears at this time, and far fewer Muslim royal servants appear after the death of William than during his reign, and do so far less frequently.<sup>89</sup> Nonetheless, by July 1191 Abdeserdus, whose Latin name presumably derives from an Arabic original such as 'Abd al-Sayyid, had emerged as the new palace chamberlain and master of the *duana baronum*.<sup>90</sup> In 1194, when Henry made his triumphant entry into the royal palace, it was the crypto-Muslim eunuchs who ceremonially consigned to him the royal treasure chests and their keys, and explained the accounts and revenue.<sup>91</sup>

However, the Arabic administration no longer dominated the treasury and the *dīwān* as it had under William II. A Greek *amiratus*, Eugenius, had replaced the Muslim *qā'id* Richard, and another Greek, Alexius, was master chamberlain, an office previously reserved for a Muslim eunuch, while Abdeserdus was merely master of the *duana baronum*. After 1193, the offices of chamberlain and master of the *dīwān*, which under William II had typically been held by the same Muslim eunuch, were separated. The *dīwān* was given greater autonomy as against the *camera*, but its directors and staff were Greek, not Muslim.<sup>92</sup> Under Tancred and his widow Sibylla, we cannot know whether this decline of the Arabic administration was provoked by the anti-Saracen pogroms of the Latin mob in 1189, or by mistrust of the rebellious Muslims, or both. It is significant, however, that in his celebration of Henry's triumph, the *Liber ad honorem Augusti*, Peter of Eboli depicts both the palace Saracens and the trilingual Norman chancery in a distinctly negative light. The Muslim eunuchs who lay the royal treasure before Henry are not merely *neutri* but *Putifares*, a reference to

88 "Hugo Falcandus," *Liber de regno Siciliae*, ed. G.B. Siragusa (Rome: Istituto storico italiano per il Medio Evo, 1897) (Fonti per la storia d'Italia 22), 57; trans. G.A. Loud and T. Wiedemann, *The History of the Tyrants of Sicily by "Hugo Falcandus" 1154-69* (Manchester: Manchester University Press, 1998), 109-110.

89 Johns, *Royal Dīwān*, 228-234 (Richard), 244-245 (after 1189).

90 H. Zielinski, *Tancredi et Willelmi III regum diplomata* (Köln-Wien: Böhlau, 1982) (Codex diplomaticus Regni Siciliae, 1st ser., Diplomata regum et principum e gente Normannorum 5), no. 17, pp. 40-41.

91 Peter of Eboli, *Liber ad honorem Augusti*, 197, ll. 1317-1328.

92 E. Jamison, *Admiral Eugenius of Sicily: His Life and Work and the Authorship of the Epistola ad Petrum and the Historia Hugonis Falcandi Siculi* (London: Oxford University Press, 1957), 105-109. (On the question of the *quaestores*, see now Johns, *Royal Dīwān*, 204-206.)



the *Putiphar eunuch Pharaonis ... vir aegyptius*, who had wrongly imprisoned Joseph.<sup>93</sup> The famous image of the trilingual chancery is carefully associated with that of the villain of the piece, the Chancellor Matthew, doing evil: three pairs of scribes, Greek, Saracen and Latin, are framed by an arcade while, in the fourth arch, Matthew secretly writes a letter offering Tancred the throne: "I, Matthew, offer you, O Tancred, that which if you do not come immediately, another will enjoy. Do not delay, but come with your two sons, come to receive the royal sceptre! Do not delay! Break your oath! Set aside your wife! I who write to you will give you the realm. Through me will you reign. Through me will the realm be given to you."<sup>94</sup> Peter even gives the celebrated *populus trilinguis* of Palermo a negative charge, as the citizens first despair, and then give themselves up to internecine violence.<sup>95</sup>

It is thus hardly surprising that, shortly after Henry VI came to power at Christmas 1194, he decapitated the Sicilian administration. Matthew's son, Archbishop Nicholas of Salerno, who led the *familiares regis* after the death of his father in 1193, was arrested with his two brothers, and Margaritus of Brindisi, the *amiratus* Eugenius, the chamberlain Alexius, and many others, including Tancred's widow, Sybilla, and their surviving children.<sup>96</sup> The prisoners were sent north to Germany. The reorganization of the kingdom's administration to serve Henry's interests had already been entrusted to his imperial chancellor, Conrad of Querfurt, who now set about allocating the highest posts to Germans.<sup>97</sup> Frederick of Hohenstadt was made master chamberlain. Henry's military commanders were given mainland fiefs and a variety of administrative responsibilities under the chancellor's oversight: the imperial seneschal, Markward of Anweiler, was duke of Ravenna and the Romagna, Margrave of Ancona, and later count of Molise; Conrad of Urslingen became duke of Spoleto and *vicarius regni Siciliae*; Diepold of Schweinspeunt, count of Acerra; Conrad of Lützelinhard, count of Molise. In Palermo, the trilingual chancery was abol-

93 Genesis 37: 35 and 39. The Egyptian name *Putifar* may have had an unpleasant sound to Latin or Romance ears, conjuring up associations with negative words such as *putrefacere/putrefare*, "to stink," or even *putiferio* (deformation of *vituperium/vituperio*), a "row" or "uproar."

94 Peter of Eboli, *Liber ad honorem Augusti*, 58–61 (ff. 101<sup>b</sup>–2<sup>a</sup>).

95 Peter of Eboli, *Liber ad honorem Augusti*, 45, ll. 56–57, 49, ll. 84–99.

96 See the long discussion in Jamison, *Admiral Eugenius*, 122–143.

97 Jamison, *Admiral Eugenius*, 120–121, 146–148. See also T. Ertl, *Studien zum Kanzlei- und Urkundenwesen Kaiser Heinrichs VI* (Vienna: Österreichischen Akademie der Wissenschaften, 2002) (Österreichische Akademie der Wissenschaften, philosophisch-historische Klasse, Denkschriften 303, Forschungen zur Geschichte des Mittelalters 4), 50–96.

ished, and Henry VI issued imperial charters written only in Latin; none was Arabic or Greek or bilingual.

The death of Henry VI in September 1197 left Constance, the daughter and heir of King Roger, sole monarch in her own right. She immediately moved against her late husband's German commanders; Markward of Anweiler and Conrad of Urslingen were ejected from the kingdom. At the same time, Constance initiated an extensive reform of the fiscal administration. The centralized system towards which Conrad of Querfurt had been working was dismantled. The office of master chamberlain of Apulia and the Terra di Lavoro, which had been in abeyance since *circa* 1170, was revived and given to the *amiratus* Eugenius. Calabria and Eastern Sicily were administered by a branch of the *dīwān* based in Messina. A second branch in Palermo was made responsible for Western Sicily.<sup>98</sup>

So brief was the reign of Constance that neither the full details, nor the long-term implications of these reforms can be discerned, but the clear impression remains of an energetic effort to reform the fiscal administration in the interests of the Sicilian kingdom. Above all, Constance was determined to demonstrate that she had re-established continuity with the Norman kingdom by acting "in imitation of our father, the Lord King Roger of sacred memory, and of our nephew, King William [II] of pious memory"—a refrain repeated in many charters, not just in this document.<sup>99</sup>

This brief sketch of the history of the royal administration between the death of William II and that of Constance suggests that the Arabic administration was significantly weakened from 1189 until 1197. Neither Tancred, nor his widow Sibylla, nor Henry VI, is known to have issued any document in Arabic. Either the chancery no longer had secretaries and scribes capable of drafting and copying Arabic documents, or it decided to cease issuing documents in Arabic. In either case, the *adab al-kātib* that had been cultivated in the Norman *dīwān* from the 1130s until the death of William II would soon have been lost. The brief reign of Constance saw a vigorous attempt to restore the fiscal administration to the eminence that it had enjoyed before 1189 and, remarkably, her trilingual chancery began again to issue documents in Latin, Greek, and Arabic. But the diplomatic forms and secretarial traditions of the Arabic chancery had largely

98 Jamison, *Admiral Eugenius*, 61–63. See also T. Kölzer, *Urkunden und Kanzlei der Kaiserin Konstanze, Königin von Sizilien (1195–1198)* (Köln-Wien: Böhlau, 1983) (Studien zu den normannisch-staufischen Herrscherurkunden Siziliens. Beihefte zum "Codex diplomaticus regni Siciliae" 2), 8–30, 46–52.

99 Kölzer, ed., *Constantiae ... diplomata*, 12<sup>20–13</sup>, 16<sup>4–6</sup>, 51<sup>11–13</sup>, 61<sup>4–5</sup>, 85<sup>14–15</sup>, 86<sup>11–13</sup>, 94<sup>10–12</sup>, 163<sup>10–11</sup>, 165<sup>2–4</sup>, 204<sup>12–13</sup>.



been lost in the period of decline from 1189–1197, and had to be recreated by means of imports from outside the island. Two generations earlier, King Roger's Arabic chancery had imported scribes, diplomatic forms and bureaucratic structure from Fāṭimid Egypt but, with Cairo in Ayyūbid hands, that source was no longer open to Sicily, and Constance's ministers had to turn elsewhere.

The second set of reasons for believing that the document under discussion represents a diplomatic form newly introduced from the Almohad sphere at the very end of the century concerns the dramatic increase in Sicilian activity in the western Mediterranean that occurred in the 1170s and 1180s. The Arabic administration of Norman Sicily before the death of William II shows no trace of influence from al-Maghrib al-Aqṣā or al-Andalus. Script, diplomatic form, formulary, and bureaucratic structure all came from the Fāṭimid sphere—from Cairo and, to a lesser extent, from the Fāṭimid successor states of Zīrid Ifrīqiya and Kalbid Sicily. This is best explained by the close diplomatic, commercial and cultural relations between Cairo and Palermo that prevailed from *circa* 1120 until the fall of the Fāṭimids to Ṣalāḥ al-Dīn. Indeed, so close were the ties between Norman Sicily and the Fāṭimids that the Sicilian attack upon Alexandria in 1174 was in part an attempt to restore the dynasty, and was co-ordinated with a pro-Fāṭimid rising in Upper Egypt.<sup>100</sup> Conversely, the small contribution made by the Almohads to the Arabic administration of Norman Sicily and, indeed, to all aspects of the Arab facet of the Norman monarchy, is best explained by the fact that there was almost no contact between the Normans and the Almohads before the 1170s. The Almohad conquest of the Ifrīqiyān coast in the late 1150s to mid-1160s,<sup>101</sup> the Sicilian raid upon Almohad Ifrīqiya in 1163,<sup>102</sup> and the defection of the eunuch *qā'id* Peter in 1167,<sup>103</sup> did nothing to bring the two courts closer together. But, after the fall of the Fāṭimids and the rise of Ṣalāḥ al-Dīn,<sup>104</sup> when Egyptian ports were closed to Sicilian ships, Sicily turned increasingly towards the western Islamic world.

100 Ibn al-Athīr, *al-Kāmil*, 11: 399 (569 H), 312–314 (570 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 218–219, 229–230.

101 The best and most thoroughly documented account is that of H.R. Idris, *La Berbérie orientale sous les Zīrides, Xe–XIe siècles*, 2 vols. (Paris: Librairie d'Amérique et d'Orient, Adrien-Maisonneuve, 1962), 1: 379–404.

102 Michele Amari, *Storia dei Musulmani di Sicilia*, 2nd ed., rev. C.A. Nallino, 3 vols. (Catania: R. Prampolini, 1933–1939), 3: 499–500.

103 Johns, *Royal Dīwān*, 226–228.

104 There is no indication that the invasion of Ifrīqiya in 568/1173–1174 by a force of Turks under Sharaf al-Dīn Qarāqūsh, a *mamlūk* of Taqī al-Dīn 'Umar b. Shāhanshāh, Ṣalāḥ al-Dīn's nephew, was seen as a threat in Palermo. Ibn al-Athīr, *Kāmil*, 11: 389 (568 H) and 519–522 (581 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 211, 310–312.

The Norman monk, Robert of Torigni, reports that in 1179 a Sicilian fleet happened upon the ship carrying the daughter of the Almohad caliph who was to be married to a Muslim ruler. William II, delighted with this opportunity to make peace, restored her to her father, and received in return the two cities of Mahdiyya and Zawīla.<sup>105</sup> In the following year, when the Almohad caliph arrived in Mahdiyya after putting down a rebellion in Ifrīqiya, he found a Sicilian ambassador awaiting him, and concluded a ten-year truce (*ṣulḥ*).<sup>106</sup> In 1181, an Almohad embassy visited Palermo to confirm the peace.<sup>107</sup> The Almohad historian al-Marrākushī has a different perspective upon the same story: William was so afraid of Abū Ya'qūb Yūsuf that he paid him tribute (*itāwa*);<sup>108</sup> the Almohad ruler agreed to a truce on the condition that William paid him an annual sum, as stipulated in the treaty.<sup>109</sup> Modern European historians have dismissed this as fiction and insisted that, on the contrary, it was the Almohads who paid tribute to the Sicilians,<sup>110</sup> citing Peter of Eboli's account of the palace eunuchs presenting their accounts to Henry VI—"Here, what the Calabrian, here what the African owes, etc."—regardless that, later in the same poem, Henry's chancellor receives tribute from such unlikely tributaries

105 Robert of Torigni, *Chronica*, ed. Richard Howlett (London: Longman, 1889) (Roll Series 82/4), 285 (s.a. 1179): *Rex Marroc, in cujus potestate est tota Africa, et etiam Sarraceni, qui sunt in Hispania, mittebat filiam suam, ut quidam rex Sarracenorum duceret eam in uxorem. Quam stulus et galeae regis Siciliae invenerunt et adduxerunt ad dominum suum; unde rex laetus pacificatus est cum patre ejus, illa reddita; et pater ejus reddidit regi Siciliae duas civitates, scilicet Africam et Sibiliam, quas Sarraceni abstulerunt Willelmo regi Siciliae, patri istius regis*; D. Abulafia, "The Norman Kingdom of Africa and the Norman Expedition to Mallorca and the Muslim Mediterranean," in *Anglo-Norman Studies 7: Proceedings of the Battle Conference 1984*, ed. R.A. Brown (Woodbridge: Boydell Press, 1985), 43–44 (repr. in Abulafia, *Italy, Sicily and the Mediterranean*, xii); D. Abulafia, "The Reputation of a Norman King in Angevin Naples," *Journal of Medieval History* 5 (1979): 135–147, esp. 140–142.

106 Ibn al-Athīr, *Kāmil*, 11: 468 (576 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 274.

107 *Annales Casinenses*, 312 (s.a. 1181): *Dominus noster rex fecit treguam apud Panormum cum rege Maxamutorum usque ad decem anns mense Augusto*. Amari (*Storia*, 3: 527 n.) and Abulafia ("Reputation of a Norman king," 142) seek to conflate the two embassies, that of Sicily to Mahdiyya and that of the Almohads to Palermo, into one, which to us seems unjustified and unnecessary.

108 The same word that Ibn Jubayr uses for the *jizya* imposed by the Normans upon the Muslims of Sicily: Ibn Jubayr al-Kinānī, *Rihlat al-Kinānī*, ed. W. Wright, rev. M.J. de Goeje (Leiden: Brill, 1907), 324; Johns, *Royal Dīwān*, 36, 47.

109 Al-Marrākushī, *Kitāb al-Mu'jib fī talkhīṣ akhbār al-Maghrib*, ed. R.P.A. Dozy, 2nd rev. ed. (Leiden: Brill, 1881), 181–182.

110 Jamison, *Admiral Eugenius*, 120; Abulafia, "Norman Kingdom of Africa," 44.



as Persia, India and Egypt—not to mention England.<sup>111</sup> In fact, there is no reason to believe that either the Almohads or the Sicilians paid tribute to the other, and both seem to have been equally eager for peace. The Sicilians were anxious to resume their lucrative grain trade with Ifrīqiya. Undoubtedly, as David Abulafia has observed, Sicily was granted warehouses and commercial privileges in the two towns, not rule over them.<sup>112</sup> For their part, the Ifrīqiyans and their Almohad rulers would have been especially glad of Sicilian wheat, for civil war and drought was causing chronic, severe famine throughout Ifrīqiya.<sup>113</sup>

That the ten-year truce of 1179 still held in January 1185 is confirmed by the Spanish pilgrim, Ibn Jubayr, who was then in Trapani awaiting passage home. Reporting the contradictory rumours about the destination of the large fleet that the Sicilians were assembling in Trapani, Ibn Jubayr, a staunch Almohad supporter, wrote that, while most believed it to be destined for Constantinople, some said Alexandria, others Mallorca, and yet others said that William's target "was Ifrīqiya, in violation of his peace treaty ... but no assumption could be less likely, for there is all the semblance of his abiding by his oath."<sup>114</sup> Even so, relations between the two courts can scarcely have been friendly, because a short while earlier William had placed under house arrest the hereditary leader of the Muslims of Sicily, Abū l-Qāsim b. Ḥammūd, on the charge—the false charge, says Ibn Jubayr—of corresponding with the Almohads.<sup>115</sup>

Although the two courts were not at open war, they were already on opposite sides over the Almoravid Banū Ghāniya of Mallorca.<sup>116</sup> As early as June 1178,

111 Peter of Eboli, *Liber ad honorem Augusti*, 197, ll. 1317–1328; 229, ll. 1567–1570; 230–231.

112 Abulafia, "Norman Kingdom of Africa," 44.

113 Ibn al-Athīr, *al-Kāmil*, 11: 468 (576 H), 520 (581 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 274, 310; Ibn al-Athīr, *al-Kāmil*, 12: 116 (591 H); trans. Richards, *Ibn al-Athīr. Part 3. The Ayyubids after Saladin and the Mongol Menace* (Aldershot: Ashgate, 2008), 22.

114 Ibn Jubayr, *Riḥla*, 337: *wa-min-hum man yaz'amu anna maqṣada-hu Ifrīqiya ḥamā-hā llāh nākithan li-'ahdi-hi fī l-silm bi-sabab al-anbā' al-mūḥisha al-ṭārī'a min jihat al-Maghrib wa-hādhā ab'ad al-ḡunūn min al-īmkan li-anna-hu muḡhir lil-wafā' bil-'ahd*. ("There are those that claim that his target was Ifrīqiya [may God protect her!], in violation of his peace treaty, on account of the grievous news emanating from the Maghrib; but this can hardly be entertained when he shows all the signs of being true to his oath.") The distressing news was the capture of Bougie by the Banū Ghāniya (see n. 121 below).

115 Ibn Jubayr, *Riḥla*, 341; Johns, *Royal Dīwān*, 241.

116 For general accounts of the rebellion of the Banū Ghāniya against the Almohads, see: A. Bel, *Les Benou Ghāniya, derniers représentants de l'empire almoravide, et leur lutte contre l'empire almohade* (Paris: E. Leroux, 1903), *passim* (still indispensable despite its many faults); and, more succinctly, G. Marçais, "Ghāniya," in *Encyclopaedia of Islam*, new edition, 2: 1007–1008; R. Le Tourneau, *The Almohad Movement in North Africa in the Twelfth and*

King Alfonso II of Aragon had planned a joint naval expedition against Mallorca with William II of Sicily.<sup>117</sup> A large Sicilian fleet bound for Mallorca actually set sail in 1180–1181, but the expected Genoese reinforcements never materialized, and the fleet was dispersed and partially destroyed by storms.<sup>118</sup> Two years later, the Almohad Abū Ya'qūb Yūsuf sent an ambassador to Ishāq b. Muḥammad b. Ghāniya in Mallorca urging him to submit to the Almohads lest the Balearic Islands be conquered by the Christians,<sup>119</sup> but Ishāq died a martyr-pirate in 579/1183–1184. Ishāq's son and successor, Muḥammad, offered to submit to the Almohad caliph, and was therefore deposed and replaced by his anti-Almohad brother, 'Alī. Muḥammad and the Almohad commander sent to receive the surrender of Mallorca were both imprisoned.<sup>120</sup>

'Alī b. Ghāniya now attacked the Almohads where they were weakest by invading Ifrīqiya, and capturing Bougie in November 1184.<sup>121</sup> Thereafter the Banū Ghāniya continued to disrupt Almohad rule in Ifrīqiya until 635/1237–1238.<sup>122</sup> Meanwhile, another of 'Alī's brothers had seized power in Mallorca, Tashfīn, who ruled under Almohad suzerainty until 1187. In that year, 'Alī sent yet another brother, 'Abdallāh, from Ifrīqiya to Mallorca. He ousted Tashfīn and ruled in 'Alī's name until the Balearic Islands were finally captured by the Almohads in 1203.<sup>123</sup> According to Ibn Khaldūn, 'Abdallāh crossed from Ifrīqiya to Mallorca via Sicily, where he was given a fleet with which he landed in Mallorca and captured the island.<sup>124</sup>

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*Thirteenth Centuries* (Princeton: Princeton University Press, 1969), 72–75, and J.M. Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 98–101, none of which are free from error.

117 J. Miret y Sans, "Itinerario del Rey Alfonso I de Cataluña, II en Aragon," *Boletín de la Real Academia de Buenas Letras de Barcelona* 2 (1903–1904): 404: Alfonso grants half of Mallorca to a certain Count Andefonso or Alonso *si vos stolium Regis Siculorum, sicut promisistis, adducere poteritis cum quo terram illam de manibus paganorum liberare possimus* (citing Archivo de la Corona de Aragón, Varia 2 de Alfonso I, f. 66); Abulafia, *Italy, Sicily and the Mediterranean*, Addenda et Corrigenda 4.

118 [Bernardo Maragone], *Gli Annales Pisani di Bernardo Maragone*, ed. M.L. Gentile, *Rerum Italicarum Scriptores*, 2nd ser., 6/2 (Bologna: N. Zanichelli, 1930–1936), 72–73.

119 Bel, *Benou Ghānya*, 24.

120 Bel, *Benou Ghānya*, 25–30.

121 Ibn al-Athīr, *al-Kāmil*, 11: 507–508 (580 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 301–302. Bel, *Benou Ghānya*, 31–47.

122 Ibn al-Athīr, *al-Kāmil*, 11: 519–522 (580 H); trans. Richards, *Ibn al-Athīr ... Part 2*, 310–312; Ibn Athīr, *al-Kāmil*, 12: 116 (591 H), 146–147 (595 H); trans. Richards, *Ibn al-Athīr ... Part 3*, 21–22, 43–44. Bel, *Benou Ghānya*, 49–186.

123 Bel, *Benou Ghānya*, 67–72.

124 Ibn Khaldūn, *Kitāb al-'Ibar wa-dīwān al-mubtadā'*, 7 vols. (Cairo: al-Maṭba'a al-Miṣriyya,



These isolated and sporadic anecdotes, references, and reports are not easily strung onto a narrative thread. Nonetheless, it is clear that, from 1179 until at least 1187, Norman Sicily was more actively involved in the western Mediterranean, and for a longer period, than at any time in its history. A shipwreck, not design, may have brought the secretary of the Almohad governor of Granada, Ibn Jubayr, into the Norman palaces of Messina and Palermo in 1184–1185, but it is Sicily's rapprochement to the Almohad sphere that best explains the accusations against Abū l-Qāsim b. Ḥammūd, himself a sometime servant of the royal *dīwān*,<sup>125</sup> and the first appearance in Palermo of the prominent family of al-Andalusī.<sup>126</sup> Now, as never before or after, was the moment when the Sicilian *dīwān* was open to influence from the Almohad chancery. When the Arabic administration was refurbished under Queen Constance, it would have been almost automatic for the secretary who drafted this document, in the ruins of the trilingual chancery that was only just beginning to recover from the damage done since the death of William II, to reach for an Almohad model.

Who that secretary was, we cannot know. While the Latin text was "written by the hand of Ysaías the notary and our faithful [subject] (*fidelis*)" (ll. 12–13), who is a well-known Latin scribe,<sup>127</sup> the Arabic copyist—"our scribe and our faithful [subject] Paul"—appears only on this one occasion (l. 24). As we have already seen, his hand shows him to have trained in the Sicilian *dīwān*, for he was skilled in the script that, sixty years earlier, had been imported from Fāṭimid Cairo.<sup>128</sup>

There is no reason, however, to assume that Paul also composed the Arabic text. We are in little doubt that the easy familiarity with Islamic formulae of whoever did so demonstrates that he was, or had been, a Muslim; but the Christian name Paul could well conceal one of the crypto-Muslim servants of

1284/1867–1868), 6: 194. Bel, *Benou Ghânya*, 71; M. Amari, *Biblioteca arabo-sicula, ossia raccolta di testi arabici che toccano la geografia, la storia, le biografie e la bibliografia della Sicilia. Traduzione italiana*, 2 volumes and 2 appendices (Turin: E. Loescher, 1880–1889), 2: 238–239, n. 4.

125 Above, p. 141 and n. 115; Johns, *Royal Dīwān*, 234–235.

126 B. Rocco, "Andalusi in Sicilia," *Archivio Storico Siciliano* (3rd ser.) 19 (1970): 270; H. Bresc and A. Nef, "Les mozarabes de Sicile (1100–1300)," in *Cavalieri alla conquista del Sud. Studi sull'Italia normanna in memoria di Léon-Robert Ménager*, ed. E. Cuozzo and J.-M. Martin (Rome and Bari: Laterza, 1998), 155–156; G. Mandalà and M. Moscone, "Tra latini, greci e 'arabici': ricerche su scrittura e cultura a Palermo fra XII e XIII secolo," *Segno e testo: International Journal on Manuscripts and Text Transmission* 7 (2009): 185.

127 Kölzer, *Constantiae ... diplomata*, D Ks. 42, 149–153. See also Kölzer, *Urkunden und Kanzlei der Kaiserin Konstanze*, 53, 64, 72, 73.

128 Above, p. 122.

the court. Nor is it necessary to suppose that the secretary who composed this document was a Spaniard who had trained in the Almohad chancery, for all of its Almohad characteristics could have been transmitted to Sicily in a *ṣahīr*, and borrowed from the page by a Sicilian secretary.

The early death of Constance cut short her efforts to restore the Norman kingdom and its administration, and the refurbishment of the Arabic *dīwān* no sooner began than it was abandoned. For more than forty years thereafter, no Arabic document was issued by the kingdom, until Frederick II's minister, Obert Fallamonaca, attempted to reconstitute the Arabic administration by importing scribes from Ḥafṣid Ifrīqiya.<sup>129</sup> Frederick's *dīwān* was no more successful than his mother's, and the tradition of Arabic administration reintroduced to Sicily by his grandfather King Roger now finally disappeared from the island.

### Transcription

*The document is written on a parchment with maximum dimensions of 493 mm wide by 307 mm high. The left margin only was ruled. There was originally a deep plica beneath the Arabic text, but this has been largely cut away leaving only a narrow strip. The wax seal referred to in ll. 13 and 23 was presumably attached through that part of the plica that has been excised, and is now missing. There is no evidence of signatures, unless the fact that the plica was ruled indicates that it had been prepared for one or more signatures. The parchment is deeply creased from being folded, and there are two large holes that impair the Latin text. The beginning of l. 24 in the Arabic text was lost when the plica was trimmed. Only one side of the parchment is used and there are no notes on the verso. At the top of the recto, the year "1198" has been added by an early modern archivist. The Latin text is written in a pale brown ink, the Arabic in a darker, richer brown ink.*

*The Latin text is edited by Mazzaresse Fardella and Pasciuta, Tabulario ... Moncada, doc. no. 3, pp. 29–32, and accompanied by our Italian translation of the Arabic. For earlier editions of the Latin text from an eighteenth-century copy, see n. 32 above.*

1.   ✠ IN NOMINE DEI ETERNI ET SALVATORIS NOSTRI IHESU CRISTI,  
      AMEN

129 Johns, *Royal Dīwān*, 244–246.

2. Constantia d(e)i gr(ati)a Romanor(um) Imp[eratrix] semp(er) Aug(ust)a et Regina Sicilie una cum K(arissi)mo filio suo Fred(er)ico eadem gr(ati)a Rege Sicilie, ducatus Apulie et principat(us) Capue. In solio Imp(er)ialis et) Regie
3. excellentie constitutis cordi nob(is) es[t, in] om(n)es fideles n(ost)ros affluentiam n(ost)re lib(er)alitat[is] ext[ender]e set illos potissimu(m) clem(en)ti(us) et) altius intueri quos sincera fides et specialis devotio et) d(omi)no
4. patri n(ost)ro magnifico Regi Rogeri[o rec]olende memorie, et n(ost)re maiestati Mo(n)strat om(n)imod[o] deservire. Inde est, q(uod) nos attendentes fidem et) sincer[am] devotione(m) quam erga p(ro)genitores n(ost)ros
5. pie recordatio(n)is et) erga celsitudi[nes nostras] et) honorem corone n(ost)re univ(er)sus pop(u)l(u)s toti(us) Insule Malte et) tocius Insule Gaudisii tam christi)ani quam [s]araceni fideles n(ost)ri illibatam semp(er) serva-
6. re consueverunt, nichilomen(us) p(re) oc(u)li[s nostre] serenitatis gratum habentes et) acceptu(m) quam fid[eli]t(er) et constant(er) se habuere in n(ost)ra fidelitate cont(ra) inimicu(m) n(ost)r(u)m Guill(elmu)m Crassum, considerantes
7. eciam qua(m) fructuose in an(te)a nob(is) et) h[eredibus n(ost)]ris ip(s)i poterunt deservire, de consueta benignitate n(ost)ra eo(rum) ecia(m) m(er)itis suffragantib(us) ad n(ost)r(u)m demaniu(m) eos duxim(us) revocandos sicut fu-
8. erunt temp(or)e Regis Guill(elm)i nepotis n[ostri] bone memorie. Promittim(us) (i)g(itur) et) p(re)senti p(ri)vilegio concedim(us) univ(er)sis ho(min)ib(us) Malte et) Gaudisii tam christi)anis q(uam) saracenis fidelib(us) n(ost)ris q(uod) eos et tota(m)
9. Insulam Malte et) Gaudisii semp(er) in n[ostro] demanio tenebim(us), nu(m)q(uam) eas deinceps in baroni(a) vel in comitatu alicui ho(min)um daturi, set semp(er) in n(ost)ro habentes demanio, nob(is) et heredibus
10. n(ost)ris tantu(m) volumus e(ss)e subiectos. R[ecole]ntes eciam qua(n)to ardore fidei et) ferventi desid(er)io p(ro) n(ost)ra fidelitate cont(ra) p(re)dictu(m) ini(mi)cu(m) Guill(elmu)m Crassu(m) se opposuere, indulsim(us) et) remisim(us) o(mni)bus
11. christi)anis Malte et) Gaudisii p(er)petuo et) h[eredibus] eo(rum) de solita munificentie n(ost)re gr(ati)a datam illam quam ip(s)i christi)ani occasione cui(us)dam int(er)fecti saraceni a(n)nis sing(u)lis n(ost)re curie solv(er)e
12. tenebant(ur) a te(m)p(or)e d(omi)ni pat(ri)s n(ost)ri pi[e record]atio-



- (n)is. Ad hui(us) aut(em) n(ost)re concessio(n)is et remissionis memoriam et) inviolabile firmam(en)tum, presen[s pri]vilegiu(m) p(er) man(us) Ysaye notarii (et) fidelis
13. n(ost)ri scribi et n(ost)re maiestatis si[gillo cere]o iussimus insigniri.
14. Data i(n) Panor(mo) felici u[rbe anno dominice] Incarnationis Mill(e-sim)o Cent(esim)o Nonogesimo octavo, Regnante d(omi)na n(ost)ra Constantia divin[a fav]ente clem(en)tia Roman(or)um Imp(er)at(r)ice semp(er)
15. Aug(ust)a, et Glo(rio)sa Regin[a Sicilie ann]o Regni ei(us) q(ua)rto, felicit(er) amen. Regn[iq(ue) d[omi]ni Frederici eadem gra(ti)a illustrissimi [et excellenti]ssimi Regis Sicilie, ducat(us) Apulie
16. et principat(us) Capue Ka[rissimi filii nostri a]nno p(ri)mo, p(ro)spere, AmeN Mense Novemb(ri)s sec(un)de Indictionis.

16 هذا ظهير كريم وامتنان عظيم امرت بـ[كتبه] لامبرطريجة المعظمة قسطنطصه

17 المعتزة بالله المتقدرة بقدرته المنصورة بقو[ت]ه الجالسة على كرسي رومية القيصرية

المالكة وولدها الملك المعظم فردريك لايطالية وانكبرذة وقلورية وصقلية [...]ية المستقبلية للسمو بالقدرة السماوية

18 الناصرة واياه بعون الله للملة المسيحية لجميع من بمالطة وعودش من النصارى والمسلمين سددهم الله اما بعد فان لما وضع لنا وصح عندنا ما اجرتم من الامانة [و]الطاعة اليه وما تماديت من سنن من سلف

19 لكم من الآبا والاجداد في المشايعة عليه ومناصحتكم لاوليائنا المعاهدين ومعاداتكم لاعدا دولتنا المعاندين راينا و[ب]الله توفيقنا ان نستخلصكم من ملك المنافقين ونستنقذكم من حكم الكف[رة] المارقين لتكونوا لدولتنا مخلصين ولملكنا كما كنتم

20 من ايام الملك المعظم رجار ايننا وايام الملك المعظم غليالم بن اخينا قدس الله روحهما والى الابن مناصحين وبخدمتنا لايزدين ولاعداينا نابذين وبجبل دولتنا اخذين لذلك امر بكتب هذا الظهير الشريف الاثير لتعلموا به

21 ان ليس لكم بعد الله سبحانه سوانا مالك ولاملكنا [خلده الله في الحكم عليكم مشارك لانحكم عليكم احدا ولا ...] لخاصة مملكنا ابا طول عمرنا في اماننا وعدلنا وبعد وفاتنا [في] ترث الملك من نسلنا فثقوا بالله سبحانه وبعدنا

22 واشكروه تعالى على جزيل فضله وفضلنا واعلم[و]ا قدر ما ضمنناه من اصلاح

أحوالكم في سبجلنا ولتكونوا علي خدمتنا متفقيين وفي دمار اعدا مملكتنا مجتمعين غير  
مفترقين وسبجلنا هـ[إذا] ليكم ومملكتنا قد اعتزب بالله واستنصر

23 ورفل في مطارف السعد وتبخرت وبنسيم ريح العز والمجد تعطرت قد وارت سما  
العليا سحب الاقبال فسحب عليها وامطرت وقد ختمناه لكم بختنا المشهور دليلا  
عل[ى] صحته وتوكيدا لتفضيله وجملته ليثب

24 [...] [...] [...] ساعا] ت من الليل وال[نـهـ]ار كتب على يد كاتبنا وثقتنا بولس بتاريخ  
اواخر نومبر للحول [الثا] في الكاين في سنة خمس وتسعين وخمس مائة حسبنا الله  
ونعم الوكيل

### Translation

#### *Latin*<sup>130</sup>

[1] In the name of eternal God and of our savior Jesus Christ. Amen.

[2] Constance, by the grace of God, ever-majestic Empress of the Romans and Queen of Sicily, as one with her most beloved son, Frederick, by the same grace, King of Sicily, Duke of Apulia, and Prince of Capua. Established upon the throne of imperial and royal [3] excellence, it is our pleasure to extend to all our loyal subjects the abundance of our generosity, but to regard most mercifully and deeply those whom true loyalty and particular devotion [4] demonstrate in every way to serve eagerly the cause of remembering our lord and father, the magnificent King Roger, as well as our own majesty. Directing our attention towards the faith and genuine devotion which, in respect to our forebears [5] of pious memory, and in respect to our titles and the distinction of our crown, the whole people of the entire island of Malta and of the entire island of Gozo, our loyal Christian and Saracen subjects alike, have ever been [6] accustomed to preserve, no less regarding them as worthy of thanks in the eyes of our serenity, and having marked how faithfully and constantly they entered our service against our enemy William Crassus, and considering [7] too how fruitfully, in times gone by, they have been able eagerly to serve us and our heirs, it is thence that we, in accordance with our accustomed liberality even in favoring their deserts, have admitted them into our demesne,

130 We are grateful to Hugh Lack, once of St. Hugh's College, Oxford, for providing an indispensable working draft of the English translation of the Latin text.

recalling them back just as they [8] were at the time of our nephew King William of fond memory. We therefore pledge, and with the present privilege accord, to the whole population of Malta and Gozo, to our loyal Christian and Saracen subjects alike, that [9] we will forever retain within our demesne them and the entire island of Malta and Gozo, that never hereafter will we grant them to the barony or county of any man, but that we wish, forever maintaining them in our demesne, [10] that they always be subject to us and to our heirs. Recollecting too with how great a passion of faith and with what fervent desire for our faithful service they set themselves against our aforementioned enemy William Crassus, we have, for all the [11] Christians of Malta and Gozo, in perpetuity, and for their descendants as well, in accordance with the customary grace of our munificence, conceded, and remitted, that tax which those same Christians were being held accountable to our court, year by year, for the slaying of a Saracen, [12] from the time of our lord and father of fond memory. Moreover, for the commemoration of this concession and remission of ours, and for its unchallengeable reinforcement, we have commanded that the present privilege be written by the hand of Ysaïas the notary and our faithful servant], [13] and distinguished by the wax seal of our royal majesty.

[14] Given in the prosperous city of Palermo in the year 1198 of the Lord's incarnation, while by propitious heavenly mercy reigns our Lady Constance, ever-majestic [15] Empress of the Romans and glorious Queen of Sicily, providentially in the fourth year of her sovereignty. Amen. Also, prosperously, in the first year of the reign of our aforesaid Lord Frederick, by the same grace most illustrious King of Sicily, Duke of Apulia, [16] and Prince of Capua, our dearest son. Amen. In the month of November, second Indiction.

### *Arabic*

[16] This is a noble decree and a great privilege drawn up by the order of the glorified empress Constance, [17] the mighty through God, the powerful through His power, the victorious through His strength, who sits on the throne of imperial Rome, reigning with her son, Frederick, the glorified king of Italy, Lombardy, Calabria, Sicily, [and ...], who assumes eminence through heavenly power, [18] the protector, together with him [viz. her son], of the Christian community through the help of God, to all the Christians and the Muslims of Malta and Gozo—may God guide them! And now to our topic. Because we are clear about and certain of the fealty and obedience you have shown to [the throne, and] your keeping to the path trodden by forebears [19] of yours, fathers and grandfathers, in complying with it[s (viz. the throne's) authority], and your sincerity towards our sworn supporters and your opposition to the obdurate



enemies of our state, we have seen fit—as God grants us prosperity—to remove you from the fief of the hypocrites and to deliver you from the rule of the renegade ingrates in order that you may be sincere to our state and to our kingdom, as you have been [20] since the days of the glorified king Roger, our father, and the days of the glorified king William, the son of our brother—may God sanctify their souls—and [that you] may be true in your intentions to our] son, and cleave to our service, spurning our enemies and clinging to the covenantal rope of our dynasty. Therefore has it been commanded that this august and noble decree be written so that you may know thereby [21 that you have no lord save us, after God—may He be praised—nor is there in our dominion—may God perpetuate it—anyone who shares in ruling over you. We will set no one over you, nor ever [give authority over you] to noble feudatories of our kingdom, for as long as we live [you shall be] under our protection and justice and, thereafter, [shall belong] to the royal legacy consisting in our offspring. Therefore trust in God—may He be praised—and in our justice [22] and be grateful to Him most high for His abundant grace, and for our grace, and know the extent of what we have vouched safe in the reform of your circumstances in our charter (*sijill*). And be you agreed on our rule and united, not divided, in the destruction of the enemies of our kingdom. [Here is our charter to you. Our kingdom has been empowered by God and has taken Him as defender, [23] and has strutted and swaggered in the garments of good fortune, and has perfumed itself in the sweet-scented breeze of might and glory. The rainclouds of abundance have covered the highest heaven and poured and rained on it. And we have sealed it [viz. this charter] for you with our celebrated seal to demonstrate its validity and to assure its eminence; and its aggregate ...] be confirmed [24] ... .. hours of the night and the day. It was written by the hand of our scribe and our faithful servant Paulus on the date of the last days of November of [the second] indiction being in the year five-hundred-and-ninety-five. God is sufficient for us. How excellent a representative is He!

### Commentary

#### Latin

l. 1

- Approximately one third of Constance's surviving charters begin with an *invocatio*. More than half of those employ the formula *In nomine sancte et individue Trinitatis, amen*, and less than a half, most issued together with the

young Frederick in 1198, use *In nomine Dei eterni* etc. (Kölzer, *Constantiae ... diplomata*, DD Ks. 34, 35, 52, 53, 56, 58, 62, 63, 64).

l. 2

- The *intitulatio* pairing her young son, Frederick (b. 26 December 1194), with Constance was used after his coronation in May 1198, and takes this form from August 1198 onwards (Kölzer, *Constantiae ... diplomata*, DD Ks. 59–64). Frederick does not bear the title *rex Romanorum*, the office to which Henry VI's brother, Philip of Swabia, had been elected by the German princes in March 1198.
- *In solio imperialis et regie* opens the *arenga*. For parallels see H.M. Schaller, "Die Kanzlei Kaiser Friedrichs II. Ihr Personal und ihr Sprachstil," *Archiv für Diplomatik* 4 (1958): 313–314, 315. The frequency with which first Tancred and then Constance dwell upon their occupancy of their ancestral *solium*, a word rarely used in the documents of their predecessors, suggests that they felt less than secure there: King Roger uses *solium* once in 80 documents (C. Brühl, *Rogerii II. regis diplomata Latina* [Köln-Wien: Böhlau, 1987] [Codex diplomaticus Regni Siciliae, 1st ser., *Diplomata regum et principum e gente Normannorum* 2.1], 121<sup>6</sup>); Tancred and William III 15 times in 42 documents (Zielinski, *Tancredi et Willelmi III ... diplomata*, 9<sup>6</sup>, 11<sup>4</sup>, 27<sup>3</sup>, 33<sup>3</sup>, 33<sup>7</sup>, 35<sup>4</sup>, 47<sup>3</sup>, 47<sup>13</sup>, 58<sup>8</sup>, 60<sup>9</sup>, 67<sup>4</sup>, 67<sup>14</sup>, 83<sup>3</sup>, 83<sup>16</sup>, 103<sup>3</sup>), and Constance 11 times in 66 (Kölzer, ed., *Constantiae ... diplomata*, 22<sup>5</sup>, 38<sup>5</sup>, 70<sup>3</sup>, 85<sup>3</sup>, 103<sup>2</sup>, 137<sup>17</sup>, 169<sup>8</sup>, 179<sup>9</sup>, 190<sup>12</sup>, 210<sup>1</sup>, 238<sup>3</sup>).

l. 4

- *Monstrat* is superimposed on a now illegible word, and is in a darker ink and in larger letters, but probably written by the same hand.
- *Inde est, quod nos ...* begins the *disposition*—a standard opening.

l. 5

- *erga ... honorem corone nostre*—for the identification of the crown with the kingdom itself, still unusual at this date, see P. Classen, "Corona imperii. Die Krone als Inbegriff des römisch-deutschen Reiches im 12. Jahrhundert," in *Festschrift Percy Ernst Schramm: zu seinem siebzigsten Geburtstag von Schülern und Freunden zugeeignet*, ed. Peter Classen and Peter Scheibert, 2 vols. (Wiesbaden: Franz Steiner, 1964), 1: 90–101. In the Arabic, the throne (*al-kursi*) plays the same role (see lines 17 and 18).

l. 6

- *fidelitate*: the word is given a superfluous abbreviation mark for *fidelitate(m)*.
- *contra inimicum nostrum Guillelmum Crassum* ... for William Grasso, see above pp. 118–120. *Crassus* (as also in l. 10), is a personal name derived from the Latin *crassus*, “fat” etc., Italianised as “Grasso.”

l. 8

- *tempore regis Guillelmi*—in the days of King William II (reg. 1166–1189).

ll. 10–12

- *indulsimus et remisimus ... datam illam quam ... annis singulis nostre curie solvere tenebantur*: For a discussion of the meaning of *data*, see above, p. 116.

l. 12

- *Ad huius autem nostre concessionis* ... opens the *corroboratio*.
- For the scribe Ysaías, see above p. 143.

l. 13

- The seal is missing.

ll. 14–16

- The *datatio* omits the month and the indictional year from its usual position and places it instead at the very end of the Latin text. The month and indictional year are also supplied in the Arabic *ta'rikh*, alongside the year of the *hijra*. Such cooperation between the two texts in establishing the full date is typical of the bilingual products of the Norman *dīwān*: see Johns, *Royal Dīwān*, 76–77 and 362 (Index).

#### Arabic

l. 16

- The first, short line of the Arabic text is so written as to fill the end of the line occupied by the last words of the Latin text; therefore, as might be expected, the Latin text was written before the Arabic.



- On the lack of the *basmala*, see above, p. 124.
- For the use of *ṣahīr*, see above, pp. 124 and 130–132.
- ... *amarat bi[-katbi-hi a]l-* ...: the letters in brackets are unclear; but the diacritical points for the *rā'* and *tā'* are clearly visible. There is a similar phrase in line 20 (*umira bi-katb* ...).
- Most of the diacritical points are provided in this first line of the Arabic text, though they become sporadic as the document continues.
- For the Arabic titles of Constance and Frederick, see pp. 122–123 above.
- The second *rā'* of *imbiraṭrīja* bears a caron.
- The complete absence of written *hamza* is sustained throughout the document (see further at l. 19).

## l. 17

- The *rā'* of *al-Manṣūra* and *Rūmiyya*, and each *sīn* of *jālis*, *kursī*, *al-mustaqbala lil-sumuww* and *al-samāwiyya* all bear carons.
- There are four instances of medial *alif* being joined from the top to following *lām*; other cursive liberties, such as joining non-connecting letters are regular features of this document and will receive little further comment here.
- The word following *Ṣiqilliya* is highly worn and only the termination—... *iya*(?)—can be seen clearly. It may be another epithet for Constance, or else another territory of the kingdom, such as *Alamāniya*. But although *Alamāniya* seems later to have regularly been added to Frederick's territories e.g. Cusa, *Diplomi*, 604, no. 190; al-Ḥamawī, *al-Tārikh al-manṣūrī*, ed. Abū l-ʿĪd Dūdū and ʿAdnān Darwīsh [Damascus: Majmaʿ al-Lughā al-ʿArabiyya, 1981], 190), in 1198 he had not yet become king of Germany. Indeed, these titles (from *al-muʿazza bi-llāh* on) are so close to those of King Roger in the famous quadrilingual inscription of 1149 (J. Johns, "Lapidi sepolcrali in memoria di Anna e Drogo, genitori di Grisanto, chierico del re Ruggero," in *Nobiles Officinae: perle, filigrane e trame di seta dal Palazzo Reale di Palermo*, 2 vols., ed. Maria Andaloro [Catania: Giuseppe Maimone, 2006], 1: 519–523) that it is tempting to follow it and restore *wa-lfrīqiya*, not least because the eye of faith can sometimes make out a loop that could be the *qāf* of *Ifriqiya*. However, Sicily's African territories had been lost for nearly forty years by 1198, so this would be no more than another example of this document evoking the golden age of the De Hauteville monarchy.

l. 18

- Carons appear over the *rāʾ* of *nāṣira* and *naṣārā* and the *sīn* of *muslimīn*.
- The initial letter of *Ghawdish* (Gozo bears no point, but neither does a miniature subscript *ʿayn* identify it as such; the Greek *Gaudos* etc.), Latin (*Gaudisium* etc.) and Maltese *Ghawdex*), all indicate that initial *ghayn* must be intended.
- *faʿin lammā*—a departure from the norms of Classical Arabic (CA), which would require the particle *inna* to be followed by an accusative noun or by a pronominal suffix, customarily introducing a factual clause. For this phenomenon, see S.A. Hopkins, *Studies in the Grammar of Early Arabic* (Oxford: Oxford University Press, 1984), §173 and notes, who associates it with the common absence of a case-system in varieties of Arabic outside CA (ibid., §163), and with a probable fusion of *an* (أَنْ) with *anna* (أَنَّ) and *inna* (إِنَّ) (ibid., §279). Inasmuch as grammatical case in this document is transparent, however, it seems broadly to conform with CA, with only very few clear deviations (see further below). Slight divergences from CA seem to coexist casually here with a general adherence to its norms.
- *lammā waḍaḥa la-nā wa-ṣaḥḥa ʿinda-nā* signals the *expositio*: see above, p. 133.
- *waḍaḥa*: the verb is marked with a *fatha* over the *dād*.
- The *alif-lām* of *al-amāna*, which takes the form of a very short downward vertical stroke, followed by a slight leftward curve and, rise and a longer downward stroke slanting left, is not easy to read. (A similar formation of *alif-lām* occurring twice in l. 20 permits recognition there of the largely unpointed *al-ibn* and *al-athīr*.) The following *alif* of *al-amāna* and remainder of the word, with the *nūn* clearly pointed, is just visible under the crease with the Wood's Lamp.
- *saddada-hum Allāh* echoes an invocation with established currency in the Almohad repertoire. In the letters studied by Lévi-Provençal it is regularly applied to recipients: *Trente-sept lettres*, 1 (Letter 1, no date), 36 (Letter 10, 548/1153), 62 (a variation using the verbal noun—Letter 14, 551/1156), 160 (Letter 27, 580/1184), 170 (Letter 29, 581/1185), 183 (Letter 30, 583/1187); see also, Azzaoui, *Nouvelles lettres almohades*, 347, l. 14, (from a *ṣaḥīr* of 614/1217–1218).
- The *ʿayn* of both *ammā baʿd* and *al-ṭāʿa* is marked by a miniature subscript *ʿayn*.
- *ammā baʿd* signals the main body of the decree (*ṣadr*): see above, pp. 132–133.
- The deviation *al-ṭāʿa ilayhi* is interesting. The CA norm is to use the preposition *li*, i.e. *al-ṭāʿa la-hu*. This switch runs counter to the tendency observed by

- Hopkins (*Early Arabic*, §107b), who finds no certain example of the suppression of *li* by *ilā* in his papyri, and notes that it is only of marginal occurrence in the Arabic of South Palestine (ASP); see J. Blau, *A Grammar of Christian Arabic, Based Mainly on South-Palestinian Texts from the First Millennium*, 3 vols. (Louvain: Secrétariat du Corpus scriptorum Christianorum Orientalium, 1966–1967) (Corpus scriptorum Christianorum Orientalium 267, 276, 279 = Corpus scriptorum Christianorum Orientalium, Subsidia 27–29), 2: 251, n. 40, who notes the inverse phenomenon of the suppression of *ilā* by *li* and speculates that this may indicate a fusion of the two prepositions. Because Blau finds that *ilā* does not supplant *li* in ASP, he is more inclined to see it as a disappearance of *ilā*. See l. 20, where an alternative substitution of *ilā* for *li* occurs.
- *mā tamādaytum min sanan etc.*: the phrase is a little problematic. It seems reasonable to read *sanān* (“path”), since keeping to a well-trodden path or *sanān* is a recurring ideal in early documents of the type called *ṣaḥīr* on which, see more above, pp. 127–128): e.g. Qalqashandī, *Ṣubḥ*, 10: 301, l. 5; 302, ll. 8–9; 304, ll. 12–13; 306, ll. 1–2, and 11: 10, l. 16; 14, l. 1. As to the verb *tamādā*, this is normally used in the sense of persisting in, or continuing to do something, requiring the use of a preposition (*bi*, *fī*, or *‘alā*). Here, however, there is a clear sense that the verb is conceived as taking a direct object and meaning: “the path of your forebears) on which you have proceeded” or, more literally, “that on which you have proceeded consisting in the path of your forebears”). There is support for this reading from Dozy who notes the construction: *al-tamādī li-wajhi-hi*, which he translates as *continuer sa marche*, “to proceed on one’s way” (*Supplement*, 2: 583 b, s.v. مدى vi). This construction, using the verbal noun with *li* (known as *al-lām li-taqwiyat al-‘āmil*, “the *lām* that strengthens the regent”), expresses the relationship between a verb and its object (see W. Wright, *A Grammar of the Arabic Language*, 3rd ed., rev. W. Robertson Smith and M.J. de Goeje, 2 vols. [Cambridge: Cambridge University Press, 1967], 2: 61–62, §29, esp. §29[b]). Dozy’s example comes from al-Marrākushī, *Muḥib*, 84, which offers a good, contemporary comparison for *tamādā* as it occurs in this decree. For the probable Almohad model for this document, see above, pp. 124–134 and 139–143.
- *man salafa / la-kum*: the word *man* is clearly marked with a *fatha* as shown; Edward W. Lane, *An Arabic-English Lexicon*, 8 parts in 2 vols. (London: Islamic Texts Society, repr. 1984), 1: 1408a, s.v. سلف I carries a comparable combination of *salafa* + *li*.



l. 19

- The orthography for the *alif-lām* + *alif-madda* of *al-ābā'* is effected seamlessly: a vertical line down for *alif* curves slightly left and rises in a parallel vertical for the *lām*. The pen descends on that same parallel, curves slightly leftward again then turns back to rise rightward in a diagonal which cuts through the *lām* and then through the *alif* just above its center, thus achieving the next *alif*. It continues along this diagonal till it achieves a height a little above that of the initial *alif*, and then turns back on itself once more in a gentle downward oblique to the left so as to cap the top points of both *alif* and *lām*, thus achieving the *madda*. The *alif-lām-alif* of *al-ajdād* is achieved in exactly the same way, bar only the absence of the final leftward cap to form a *madda*.
- The question of *Hamza*—while there is every sign in this document that the glottal stop is a marginal concern, the conscious composition of *madda* surely indicates a certain observance of *Hamza*—albeit in lightened form—rather than its disappearance. Indications to this effect are consistent: where *hamza* would not have a *kursī* in CA, a blank does occur (as here *al-ābā'* and *li-a'dā* respectively for CA *al-ābā'* and *li-a'dā'*), but there is no proof of grammatical abuse. Otherwise, *hamza* is consciously rendered as a pointed *yā'* (as here لا ولياينا), where in CA it would sit on the *kursī* of *yā'* (لا وليائنا), arguably indicating weakening of the glottal stop but not necessarily a breakdown of case. There is nothing to indicate from the orthography of رايانا (*ra'aynā*) here that the *hamza* is not somehow recognised conversely, see Hopkins, *Early Arabic*, § 78b); and the same can be said for every other instance here where *alif* stands for CA *hamza*. In short, while the consistent accommodation of a vernacular norm of pronunciation may be inferred, nothing indicates substantial departure from the grammatical rules of CA. (For comparative literature on the orthography of weakened *hamza* and related implications see Hopkins, *Early Arabic*, §§ 19–21.)
- *ra'aynā* ... *an* indicates the *petitio*: see above, p. 133. The *rā'* of *ra'aynā* is marked by a caron.
- [*bi-l*]lāh—the diacritical point of the *bā'* is visible beneath the crease.
- The *sīn* in *nastakhliṣa* and *nastanqidha* is marked by a caron.
- *milk* is provided with *kasra* and *sukūn* as indicated.
- *al-kafara*—the end of the word is worn but, after close inspection, this seems the likeliest reading.
- *li-takūnū li-dawlati-nā mukhālīṣīn wa-li-mamlakati-nā kamā kuntum*—the *lām* that strengthens the regent is necessarily used here twice attaching to *dawlati-nā* and *mamlakati-nā* in their capacity as objects which have been

rhetorically fronted (Wright, *Grammar*, 2: 69c). Note that in l. 19 the third object in this lengthy sequence (*al-ibn*) is buttressed instead by *ilā*.

l. 20

- A caron appears over the second *rā'* of *Rujār*.
- *al-malik al-mu'azzam*—see above, p. 122.
- *qaddasa llāhu rūḥay-himā*—see above, p. 123.
- The phrase *wa-ilā l-ibn munāṣihīn* continues the sequence beginning with *li-takūnū* in l. 19, but uses *ilā* instead of *li*. Wright, *Grammar* vol. 2, p. 63B, notes how in “more modern Arabic” *ilā* is often used instead of *li* to strengthen the regent. This is another clear instance of the former supplanting the latter rather than *vice versa* and seems to suggest some conceptual fusion between the two prepositions in this variety of Arabic at least (see also the notes to l. 18 on the question of *ilā* versus *li*).
- The orthography of the *alif-lām* of *al-ibn* and *al-athīr* is covered in the notes to l. 18 above.
- لأعدائنا and لا ئذین CA : لاعداينا and لا يذین corroborating the notes to l. 19 on *hamza*).
- The use of the verb *lādha* in relation to obedient service also appears in Qalqashandī's model *ṣahīr*: *Ṣubḥ*, 10: 305, ll. 10–11: *li-man lādha bi-aknāf al-ṭā'a*. See also Lévi-Provençal, *Trente-sept lettres*, 179 (Letter 29, 581/1185): *wa-lādhū bil-i'tiṣām bi-hādhā l-amr al-sa'īd*.
- The reference to the secure, legitimizing bond of divinely endowed rule (*ḥabl*), discussed above (p. 127), has an established place in the Almohad repertoire: e.g. Qalqashandī, *Ṣubḥ*, 10: 302, l. 15; Lévi-Provençal, *Trente-sept lettres*, 3 (Letter 1, no date), 17, l. 1 (Letter 7, 547/1152), 57, l. 4 (Letter 13, no date). In the context of rule that is perceived to be illegitimate (*bāṭil*), the bond is portrayed as weak and treacherous: *ibid.*, 117 (Letter 21, 555/1160).
- *li-dhālika umira bi-katb hādhā l-ṣahīr al-sharīf al-athīr* signals the *dispositio*: see above, p. 133.
- ... *umira bi-katb* ...—despite the serious wear here, the words may just be read. The *rā'* is just a suggestion, but confirmed by a caron; the bearer of the preposition *bi* is also just visible.
- The orthography of medial *hā'* in *ṣahīr*, taking the form of a vertical shaft piercing an ellipse is a marked contrast to the medial *hā'* of *ṣahīr* in l. 16.
- For parallels to the adjective *athīr* applied to the document, see: Lévi-Provençal, *Trente-sept lettres*, 15, l. 5 (Letter 6, 544/1149), 94, l. 8 (Letter 18, 553/1158); in both cases, a letter from the recipients is referred to as *kitāb-kum al-athīr*

## l. 21

- ... ان ليس: Reflects “lightened أن” (*an al-mukhaffafa*), rather than the more usual CA أن + the *ḍamīr al-shān* (i.e. أنه). See the notes to l. 18 above regarding لما فان.
- Two occurrences of سبحة for سبحانه appear here, surely representing the ancient orthographic practice of *scriptio defectiva*. The very high frequency of this phenomenon with regard to interior long vowel, *ā*, especially, perhaps explains تراث here, too, as a representation for تراث (see Hopkins, *Early Arabic*, §§ 9–10 and the literature cited there).
- A caron is marked over the *sīn* of *laysa* and *siwā-nā* and *nasli-nā*.
- *Shadda* and *sukūn* are placed over *nuḥakkim* ‘alay-kum, as indicated. It is a little unclear whether or not the short, bold, oblique stroke beneath the *kāf* of *nuḥakkim* is meant to represent *kasra* cf. l. 19, the *kasra* beneath *milk*).
- The transparently grammatical marking of the object احدا (*aḥadan*), especially, sustains the overall sense of general conformity with the rules of CA (although the considerable evidence as to the frequency with which *tan-wīn alif* may be present or absent whatever the syntactic environment does caution against complacency. See Hopkins, *Early Arabic*, §§ 165–171 and the literature cited there).
- A miniature ḥā’ appears under the ḥā’ of *aḥadan*, a miniature šād under the šād of *li-khāṣṣa*, and a miniature ‘ayn under the ‘ayn of *ba’d*.
- What immediately precedes *li-khāṣṣa* has become too worn to be legible, but the context suggests something to the effect of empowering.
- *fa-thiqū bi-llāh* may indicate the beginning of a *sanctio*, which continues into l. 22: see above, p. 133.

## l. 22

- A variant of an exhortation to be grateful and unite, which occurs, for example, in an early *ṣaḥīḥ* cited by Qalqashandī, *Ṣubḥ*, 10: 305, ll. 1–3. See also Lévi-Provençal, *Trente-sept lettres*, 6, ll. 6–8 (Letter 3, dated 543/1143), 12, ult.–13, ll. 1–2 (Letter 5, no date), 15, l. 15 (Letter 6, dated 544/1149); 71 (Letter 15, dated 551/1156) offers a variant where the recipients are told that they have received these tidings in order to induce them to be grateful to God and good to one another.
- واعلم[و] one can just discern the base of the *wāw* and the top of the *alif*.
- A caron appears over the *rā*’ of *qadr* and of *damār*.
- A *shadda* is supplied for *ḍamannā-hu* as indicated.
- For the use of *sijill*, see above, pp. 124 and 130.



- على : CA. This is the one instance where the scribe supplies unnecessary pointing. A miniature *ʿayn* appears under the initial letter of this preposition.
- أعداء : CA. consistent with observations on *hamza* in the notes to l. 19).
- [هذا] وسجلنا هـ—the bracketed letters are very worn. The *hāʾ* is long, as with the *hādhā* that opens l. 16. What remains visible thereafter—a slight rise and the beginning of a fall—conform with a move to create a *dhāl* and, thereby, *hādhā*. There is not enough room to suppose that anything other than another *alif* (for *ilay-kum*) need be supplied. In Almohad and later *ṣahīrs*, this formula typically introduces the *ṣadr*: see above, pp. 131–133.

## l. 23

- *rafalat ... wa-tabakhtarat*—see above, p. 127.
- *wa-tabakhtarat*—each *tāʾ* only is pointed here.
- *wa-bi-nasīm riḥ al-ʿizz*—the fold partially obscures *riḥ*, which is nonetheless clearly visible on close inspection, its *rāʾ* like that of *rafalat* and *al-mashhūr* topped by a caron.
- *qad wārat samāʾ al-ʿulyā* etc.—the same trope appears in the Almohad repertoire as an expression of divine grace for propagating their true, unifying mission. An extended, highly poetical example occurs in Lévi-Provençal, *Trente-sept lettres*, 92, ll. 14–16 (Letter 17, 552/1157): rainclouds sent by the All-Merciful are induced by the winds to pour their abundant waters over every hill and vale. See above, p. 127.
- سماء : CA. conforming with observations on *hamza* in the notes to l. 19).
- The *sīn* of *nasīm*, of *samā* and of *suḥub* is topped by a caron.
- *wa-qad khatamnā-hu* etc. introduces the *corroboratio*: see above, pp. 124 and 133.
- The loss of text immediately after ليثبت creates problems and, in fact, no points are supplied for a *yāʾ* in this verb. Therefore, we have no certain subject for the verb; nor do we know whether the verb is active or passive, nor even the precise connotation of the verb, which might be the document's registration. The lack of comparable documents contributes to this difficulty.
- *wa-jumlatu-hu ...* is clearly cognate with the occasional Almohad conclusion *wa-ʿalā l-jumla ...*: see above, pp. 132 and 133.

## l. 24

- ... sāʿā[t] min al-layl wa-l-nahār: see above, pp. 133–134.
- وال[نه]ار—the *rāʾ* is obscure (as are the bracketed letters) but we could just discern the caron that marks it.

- *kātib-nā wa-thiqat-nā*—a precise calque of the standard Latin formula *notarius et fidelis noster* used indiscriminately of all Constance's scribes (see ll. 12–13).
- *Bawlus*: despite the temptation his name holds, there is no reason to think that the scribe was Maltese; he was writing in Palermo and his script is that used in the royal *dīwān*. See above, pp. 122 and 143.
- For the *ta'riḫ*, see above, pp. 124 and 134.
- خمس مائة and الكائين – respectively, CA (again conforming with observations on *hamza* in the notes to l. 19).
- The *sīn* of *bawlus* is marked by a caron.
- ... *sanat khams* ...—although the extreme fluidity of the cursive joins here makes it difficult to be absolutely certain, we are inclined to read use of *khams* rather than *khamsa*, in conformity with CA.
- For the final *ḥasbala*, see above, pp. 124 and 134.

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