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Pascal Buresi, Hicham El Aallaoui, Travis Bruce

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Pascal BURESI
and
Hicham EL AALLAOUI

Governing the Empire.
Provincial Administration in the Almohad
Caliphate
(1224-1269)

Critical edition, translation, and study of manuscript 4752 of the *Ḥasaniyya* Library in Rabat
containing 77 *taqādīm* (“appointments”)

Travis Bruce (English translation)

Abbreviations

- ‘Abd al-Razzāq: AL-ŞAN‘ĀNĪ, ‘Abd al-Razzāq, *al-Muṣannaf*, 11 vols, Beirut, *al-maktab al-islāmī*, 1987
- DIHA: LÉVI-PROVENÇAL, Évariste (ed., trans., and introd.), *Kitāb akhbār al-Mahdī Ibn Tūmart wa-bidāyat dawlat al-muwaḥḥidīn*, *Documents inédits d’histoire almohade. Fragments manuscrits du legajo 1919 du fonds arabe de l’Escorial*, Paris, Geuthner, 1928
- EF²: *Encyclopédie de l’islam*, Leiden-Paris, E. J. Brill-G. P. Maisonneuve et Larose, 2nd ed., 1960-2009, 13 vols.
- HPIA: HUICI MIRANDA, Ambrosio, *Historia política del imperio almohade*, 2 vols. Tétouan, Editora Marroquí, 1956-1959
- Ibn Ḥibbān: IBN BALABBĀN, Şaḥīḥ *Ibn Ḥibbān bi-tartīb Ibn Balabbān*, 18 vols, Beirut, *al-riṣāla*, 1997
- MG: Mehdi Ghouirgate
- Muslim, *Şaḥīḥ*: AL-NAWĀWĪ, *al-Minhāj sharḥ Şaḥīḥ Muslim b. al-Ḥajjāj*, 18 vols, Beirut, *Dār al-ma‘rifa*, 1999
- NLA: ‘AZZĀWĪ, Aḥmad, *Rasā’il muwaḥḥidiyya. Majmū‘a jadīda (Nouvelles lettres almohades)*, annotated and commented ed. of new Almohad letters, Université Ibn Tufayl, Kénitra, 1995
- NLA 2: ‘AZZĀWĪ, Aḥmad, *Rasā’il dīwāniyya muwaḥḥidiyya*, Rabat, 2006
- RIEIM: *Revista del Instituto de Estudios Islámicos de Madrid*
- ROMM: *Revue de l’Orient musulman et de la Méditerranée*

Phonetic transcriptions

Transcription	Arabic Letter
ā	ا
b	ب
t	ت
th	ث
j	ج
ḥ	ح
kh	خ
d	د
dh	ذ
r	ر
z	ز
s	س
sh	ش
ṣ	ص
ḍ	ض
ṭ	ط
ẓ	ظ
‘	ع
gh	غ
f	ف
q	ق
k	ك
l	ل
m	م
n	ن
h	ه
w, ū	و
y, ī	ي

Table 1: Phonetic transcriptions

Prologue

The conquest of Marrakesh in 1147 by the troops of ‘Abd al-Mu’min ended the Almoravid era in Morocco, but this was much more than a simple change in power at the local level. It constituted, in fact, an essential step in the Maghrib’s emancipation from Eastern centers of influence. This military victory, prepared by more than a dozen partial victories and stinging defeats, resulted also in the death or execution of the last rulers of the Saharan Almoravid dynasty (1071-1147). It represents the moment of birth for the new Empire which, though not always easily, took the place of the toppled regime. More than a principality, less than an Empire, the new power was undergoing transformative growth. It exercised authority over the region of Marrakesh, over the major urban centers of northern Morocco, spreading then over al-Andalus and proceeding simultaneously to the unification of the entire Maghrib, from the Atlantic to Tripolitania. Only the Sahara escaped its grasp, from whence came the Lamtūna-Banū Turjūt, founders of the Almoravid Empire. Despite the new rulers’ affirmation of a total rupture with the previous regime, symbolized in the beheading of the last Almoravid ruler, many elements continued on from one regime to the next. Without them, it would be difficult to understand the development of what can be considered the largest Maghribī-Andalusī empire in history.

Despite, or because of France and North Africa’s shared, often painful, past, French researchers passed over the medieval Maghrib during the second half of the twentieth century. The great historical works on this region written over half a century ago in a colonial context have not been renewed. *Governing the Empire* is meant to serve as part of a renewal in North African studies. It aims to correct in part our ignorance of medieval political systems in the Western Mediterranean. With the edition, translation, and study of a specific documentary corpus, seventy-seven provincial appointments preserved in a manuscript in the *Ḥasaniyya* (formerly Royal) Library of Rabat, we will treat a number of themes through the Almohad example, such as the preservation of administrative memory in the medieval Islamic world, the behavior of imperial powers before the advent of the modern state, as well as the means of controlling populations and lands in a territory characterized by the complimentary qualities of vast nomadic spaces and the exceptional vitality of its cities, which were among the most important in the Mediterranean basin at the time.

Introduction

Context

The birth of the Almohad Empire refers as much to myth as it does to history: Ibn Tūmart's journey to the East, his meeting with the Almoravid authorities, the first *bay'a* by his disciples in the Atlas Mountains, the first battles against the plains powers, the death of the Mahdī, and the conquest of Marrakesh. The Almohads have caused much ink to flow. As founders of an excessively bureaucratic Empire, they wrote numerous documents many of which are still extant. Led by a dynasty carried to power by 'Abd al-Mu'min (d. 1162), they surrounded themselves with scholars dedicated to singing their exploits in the form of panegyrics, heroic poems or chronicles. Bearing a complex dogma and original ideology, they rewrote history in their favor, recycling time, directing Maghribī space, and erasing the words of their predecessors to engrave their own. Nevertheless, the originality of the structure that they put into place could not stray from the framework they contributed to formalizing. Therein lies the dialectic of distinction through conformity, i.e. the conformity of distinction, that is at the heart of this study.

A new imperial structure emerged at the end of the eleventh century, one whose political, cultural, artistic, or religious importance historians have often underestimated. Under the aegis of Saharan Berber nomads, the Almoravids, this empire united the eastern Maghrib and al-Andalus – the part of the Iberian Peninsula belonging to *Dār al-Islām*. For the first time in history, a Maghribī power controlled both shores of the Straits of Gibraltar. The Almohads followed the path opened by the Almoravids, reinforcing the political unity of the Maghrib and al-Andalus, with the center of power in North Africa. Both dynasties came from religious reform movements and bear witness, each in its own way, to the growing islamization of the Maghrib to which they contributed. Both empires, moreover, were led by Berber rulers whose power was based on the military strength of confederated Berber tribes. For two centuries, from 1071 to 1269, the capital of this territorial ensemble was Marrakesh, founded by the Almoravids, while al-Andalus, on the other side of the Straits, was home only to secondary capitals.

There were, despite these continuities, significant differences between the two empires. The Almoravids were Saharan nomads from the Ṣanhāja confederation, with their own anthropological specificities. Their tribes were matriarchal—which is atypical for the Islamic world—; women were not veiled and held important social power, while men wore veils over their mouths (*lithām*), whence the sobriquet *mulaththamūn* (“veiled”) given to the Almoravids.

The Almohads, for their part, were sedentary inhabitants of the Atlas Mountains, members of the Mašmūda confederation, with a patrilineal society. Both groups were Berber speakers, and the psychological war lead by the Almohads against the Almoravids has characterized comparisons of the two throughout history.¹ The Almoravids were said to be illiterate. Worse still, concerning legal affairs – viz. justice – they had forgotten the Law by not referring more directly to the Koran and the *Sunna*, preferring exclusively the large compilations of juridical consultations that form the basis of the Mālikī school of law dominant in the Maghrib and al-Andalus since the ninth century. Comparing the Almoravid and Almohad chancelleries, however, reveals that continuing out of the taifa period, a time when writers, poets, and chancellery secretaries acted as “king makers”², *adab*, the classical literary culture at the core of the educated honest Muslim, exerted a strong influence over the Almoravid chancellery, contradicting Almohad accusations of illiteracy. Moreover, the important influence of Berber language during the Almohad period also becomes clear, as shown by the founder of the Almohad movement, Ibn Tūmart, who preached in Berber and wrote his profession of faith in the same language. It was probably not until the reign of the second Almohad caliph, Yūsuf Abū Ya‘qūb (1162-1184) that Ibn Tūmart’s works were translated into Arabic.

There is another important link between these two Berber-founded empires: despite their geographic origins, both regimes referred to the Arabic East. A prince with the title of *amīr al-muslimīn* (“Prince of the Muslims”) ruled the Almoravid Empire, a title modeled after *amīr al-mu‘minīn* (“Prince of the believers”), which was adopted by the caliph ‘Umar (634-644), a close companion to the Prophet and his second successor. This refusal to carry a title of caliphal rank reveals that the Almoravid ruler did not claim the leadership of the entire community of believers, only a “diverted” authority over a portion of *Dār al-Islām*. The religious reform that he defended was part of an extreme legalism and referred back through a series of acts to the superior authority of the Abbasid caliph in Baghdad, thus in particular opposition to the Shiites and as a continuation of the eleventh century. It accorded an essential role to the Mālikī jurists for legitimating political decisions taken by the rulers and so placed the Maghrib and al-Andalus in the lap of the East. The Almoravids accepted a subaltern place for the territories their reformist dynasty led and drew even a glorifying theme or legitimacy from the dependence and theoretical respect that they gave the signs of recognizing the central Iraqi power.

¹ N. BARBOUR, “La guerra psicológica”.

² B. SORAVIA, *Les fonctionnaires épistoliers*.

The Almohad Empire (1130-1269), on the other hand, was led by a caliph who manifested his “universalist” ambition of guiding the entire *Dār al-Islām*, and who rivaled in his titles, prerogatives, legitimacy, and, more generally, ideologically, the Abbasid caliphs in Baghdad (750-1258) and the Fatimids in Cairo (969-1171). The Almohads’ religious reform came out of a kind of “encore revelation” and reproduction of the “Muḥammadan” act that recast in a way the original Islamic empire in the West. In a religion that presented itself as an end result, Muḥammad being the seal of the prophets, in a history where the weight of tradition dominated and innovation was automatically seen as “condemnable,” the only possible reform meant coming as close as possible to the constantly rebuilt referential model during the first decades of the Muḥammadan revelation and the emergence of the caliphate (612-end of the seventh century). Pushed to its extreme under the Almohads, this tendency led to a repetition of the origins, in a cyclical and eschatological perspective, with the Muslim historical present merging with its beginnings.

The messianic dimensions of Almohad power are confirmed first in the *mahdī* status attributed to the movement’s founder; this Shiite-inspired term had strong eschatological connotations. Fictitious genealogies, a concession to the constraints of the period that accorded importance to the nobility of one’s ancestry, traced the bloodline of not only Ibn Tūmart (d. 1130), but also the first caliph, ‘Abd al-Mu’min (r. 1130-1162) back to ‘Alī, the prophet’s son-in-law and cousin.³ Finally, more generally, the terminology of early Islam was applied almost systematically as a veneer onto the history of the Almohad Islamic West. After the Mahdī (the end time), the caliphal era begins again (which follows immediately on the initial era of the Muḥammadan prophecy).⁴ The first four Almohad caliphs, at the beginning of the thirteenth century, thus received the title *rāshidūn* (“orthodox”), on coins and in textual sources, like the first four caliphs of Sunni Islam – Abū Bakr (632-634), ‘Umar (634-644), ‘Uthmān (644-656) and ‘Alī (656-661). Their military expeditions were likewise described in the same terms as the *futūḥāt*, the “conquests” of the first generation sanctified by the *Sunna*.⁵

³ M. FIERRO, “Las genealogías de ‘Abd al-Mu’min”.

⁴ See M. García Arenal’s brilliant and complete treatment of messianism and mahdism in the medieval Maghrib, *Messiansim and Puritanical Reform*. See also M. Fierro, “Sobre monedas de época almohade”, 465: “En suma, el mahdismo de Ibn Tūmart era, ante todo, una fórmula político-religiosa para crear un Estado. De hecho, este tipo de mahdismo no es sino la actualización — post-Muḥammad — del modelo profético de los orígenes del islam”.

⁵ For the precise references of the chronicle texts, see P. Buresi, “La reaction idéologique dans la péninsule Ibérique”.

Moreover, in this messianic context, the Almohads reinvented a relic: a copy of the Koran (*muṣḥaf*) attributed to ‘Uthmān⁶ is systematically mentioned in textual sources and was the object of a cult on the part of the dynasty alongside the book (*muṣḥaf*) written by the Maḥdī Ibn Tūmart.⁷ These two precious copies were shown during military parades, carried on the backs of a white she-camel and a mule. They were both kept in the sanctuary mosque of Tinmāl, the burial place of Ibn Tūmart. In this manner, and many others, the Almohad caliphate was totally “orthodox.” Referring exclusively to the Koran and the *Sunna*, it proclaimed its absolute orthodoxy. There could, moreover, be no other, since Almohad Maḥdism was molded on the Muḥammadan prophecy. To counter the risk of being accused of heterodoxy and Shiism, of which, in fact, this Maḥdism was incontestably a continuation, the Almohads chose to celebrate the tutelary figure of ‘Uthmān and the legacy of the Umayyads, the irreducible and hated enemies of all Shiites from the eighth to the twelfth century.⁸ They chose white as the color for their banners, emblematic of the Damascene, then Cordovan Umayyad dynasty, against the black of the Abbasids.⁹ They even decided for a time, in 1161, to restore the fallen former capital of al-Andalus, at the expense of its rival, Seville, which had taken its place. The Almohad reform thus affirmed in the twelfth century the preeminence of the western territories of Islam over all other parts of the Muslim world. This vision of power was closely tied to the history of the Umayyad Cordovan caliphate and its emancipation from Eastern capitals, with the Almohad reform successfully bringing together the histories of the Maghrib and al-Andalus.

The concept of *niyāba* (“delegation”) was dominant during the Almoravid period. The *nā’ib* was exactly the prince’s substitute, by delegation, with all his prerogatives. The Almoravid governors, in fact and in the law, were largely independent, though this does not indicate weakness on the part of the central regime, as Vincent Lagardère had posited.¹⁰ In fact, the Almoravid emir had strong control over the governors, appointing and dismissing them; the

⁶ According to Islamic tradition, ‘Uthmān was the *ḥarrāq al-kutub* (the “book burner”), who supposedly caused the disappearance of all divergent versions of the word of God, especially those of ‘Alī’s partisans, the Prophet’s son-in-law and cousin, and, at the same time, who brought together the first complete and definitive version of the Koranic corpus. Recent historians have argued for a later date for the foundational corpus (Koran and *ḥadīth*), the beginning of the tenth century. See M. Arkoun, *Essais sur la pensée islamique*, and more recently A.-L. de Prémare, *Les fondations de l’islam* and *Aux origines du Coran*, and F. Déroche, *Le coran*.

⁷ Cf. P. Buresi, “Une relique almohade”.

⁸ ‘Uthmān, one of the first converts to Islam, was a member of the Banū Umayya in Mecca, rival clan to the Prophet Muḥammad’s, the Banū Hāshim. He was the third *rāshidūn* caliph, ruling from 644 to 656. Accused by ‘Alī’s partisans of favoring his clan to the detriment of Muḥammad’s family, he was assassinated. The ‘Alids handled poorly the circumvention of their champion in the succession, and the fact that the late converts Banū Umayyad, whom they had fought from 622 to 631, were receiving commanding posts in the budding Empire.

⁹ M. J. VIGUERA, “Las reacciones de los Andalusíes”, 705-735.

¹⁰ V. LAGARDÈRE, *Les Almoravides*.

governors' independence was equal only to their responsibility. Any political, military or fiscal failure in the provinces was the fault of the provincial governor. He was the one who organized each year the military expeditions of just war (*jihād*) against the Christians, manifesting the independence of outlying provinces in relation to the center of Maghribī power. The governors likewise controlled monetary production.

The Almohad period, however, saw the power of provincial governors decrease, even though they were no longer recruited from among the ruling sovereign's tribe, as had been the case under the Almoravids, but exclusively from the ruling Almohad caliph's descendants, the *sayyids*.¹¹ The new vision of territory that came out of this provides an interesting matter for study. What were the consequences of reducing the pool of recruits to the core ruling family, and more precisely to the descendants of 'Abd al-Mu'min, the first Almohad caliph? It would indeed seem that the consequences were not greater regional autonomy, from 1147 to 1228, but in fact growing submission to the caliph, as if on top of the political authority of the sovereign over his provincial administrators was added the "natural" authority of a father over his sons.

The decision-making process was concentrated in the hands of the caliph who led in person the expeditions of just war, with local administrators seeing their role reduced to preparing ceremonies to welcome the caliph and supply his armies. This leads to the question then of the impact of Almohad centralization on the territorial coherence of the Afro-European Empire and on the legal formalization of relations between the central power and the provinces. As caliph, the Almohad ruler was supreme judge in the name of God's Law. According to the chronicles, he retained for himself the equivalent of "high justice" in the medieval West, and a death sentence could not be carried out without his approval. This system thus reinforced ties between the prince's central authority, the *ḥaḍra* ("[His] Presence"), and peripheral territories in the Maghrib and al-Andalus. This centralization resulted, from a quantitative point of view, in an explosion in the number of informative letters issued to the prince by provincial chancelleries.¹²

This centralization likewise resulted in the displacement of local populations: the Almohad leaders collided with nomadic Arab groups who, since their arrival in the middle of the eleventh century, had perturbed the eastern peripheries of the Empire (modern Libya and Tunisia). Beginning in the 1160s, these tribes, militarily defeated a number of times, were sent

¹¹ In the Almohad period, this term designated first the sons of the first Almohad caliph, 'Abd al-Mu'min (r. 1130-1162), then their descendants.

¹² P. BURESI and H. EL AALLAOUI, "La chancellerie almohade".

either to al-Andalus to fight against the Christians, or to the “Extreme” Maghrib (*al-Aqṣā*). This caliphal, centralized Empire, organized around an original and coherent doctrinal system did not appear *ex nihilo*. These characteristics emerged over the course of decades of territorial expansion, with a growing definition of its territorial and demographic contours, faced with the Mālikī Almoravid provinces of the Maghrib and al-Andalus, with the Christian polities of the Iberian Peninsula, and the *Ifriqīyan* borderlands where sub-Saharan or Arab tribes from the East lived as nomads.

Historiography

Scholars from a number of very different historiographical currents have examined the Almohad period since the middle of the twentieth century. These include authors from the French colonial period, Spanish scholars and Arabists, French and Anglo-Saxon anthropologists, Eastern and Western Arabic authors, and researchers from the Iberian Peninsula whose national history and the ties of their country with Morocco provoked interest in the medieval and modern history of this land. It is a valid question then to ask what another study would add to this long list. What theme, source or theoretical problem could the attention and erudition of these scholars have ignored?

The first source of knowledge for an historical period is its sources. The edition and translation of narrative sources concerning the Almohad Empire thus led to the first historical works on the subject.¹³ The principal works are the general chronicles such as Ibn 'Idhārī's *Bayān al-Mughrib fī akhbār al-Andalus wa-l-Maghrib* (14th c.),¹⁴ al-Marrākushī's *Kitāb al-mu'jib fī talkhīs akhbār al-Maghrib* (13th c.),¹⁵ Ibn al-Qaṭṭān's *Naẓm al-jumān li-tartīb mā salafa min akhbār al-zamān* (13th c.),¹⁶ and Ibn Abī Zar' 's *Rawḍ al-qirṭās* (first third of the 14th c.).¹⁷ Also important are the specifically Almohad chronicles, such as al-Bayḍāq's *Kitāb akhbār al-Mahdī Ibn Tūmart wa btidā' dawlat al-Muwaḥḥidīn*¹⁸ and Ibn Ṣāhib al-Ṣalā's *Mann bi-l-imāma* (after 600/1203).¹⁹ It was essentially on these chronicles, supplemented by contemporary Eastern sources such as Ibn al-Athīr's *Kāmil fī l-ta'rīkh* (d. 1233), or by later sources that compile or complete them, such as works by Ibn al-Khaṭīb,²⁰ Ibn Khaldūn (1332-1406),²¹ or al-Maqqarī,²² that the pioneers of Almohad history relied in writing an essentially political history of the Maghrib and al-Andalus. The most complete of these was most certainly

¹³ See R. MILLET, *Les Almohades*.

¹⁴ IBN 'IDHĀRĪ, *Bayān*, t. 4 ; t. 5, Almohad part ; trans. A. HUICI MIRANDA.

¹⁵ 'A. al-W. AL-MARRĀKUSHĪ, *Kitāb al-mu'jib*, Spanish trans. A. HUICI MIRANDA.

¹⁶ IBN AL-QAṬṬĀN (13th C.), "Six fragments inédits" ; *Naẓm al-jumān*.

¹⁷ IBN ABĪ ZAR' al-FĀSĪ (1st third of 14th C.), *al-Anīs al-muṭrib bi-rawḍ al-qirṭās* ; *Rawḍ al-qirṭās*, trans. A. HUICI MIRANDA.

¹⁸ The *Kitāb akhbār al-Mahdī* is actually composed of the *Kitāb al-ansāb fī ma'rifat al-aṣḥāb*, of which only a summary is extant (*al-muqtabis min kitāb al-ansāb fī ma'rifat al-aṣḥāb*) and another section entitled *Ta'rīkh al-muwaḥḥidīn*. Évariste Lévi-Provençal edited and translated this work under the title *Kitāb akhbār al-Mahdī*, 1928 (hereafter *DIHA*).

¹⁹ IBN ṢĀHĪB AL-ṢALĀ, *al-Mann bi-l-Imāma* ; Spanish trans. A. HUICI MIRANDA.

²⁰ IBN AL-KHATĪB, *al-Iḥāṭa fī akhbār Gharnāṭa*.

²¹ IBN KHALDŪN (732/1332-784/1406), *Muqaddima* ; *Kitāb al-'Ibar* ; *Histoire des Berbères*, trans. DE SLANE.

²² AL-MAQQARĪ, *Nafh al-ṭīb*.

Ambrosio Huici Miranda's *Historia política del imperio almohade*.²³ This work of over 700 pages, divided into 240 chapters [sic], followed a chronological order, taking its inspiration from the rhythm of the chronicles. Less a study, it was more a very complete summary of the political history of the Almohad dynasty, attempting to bridge the gaps and variances between the different narrative sources.

Concomitantly with the linear history of the steps in the political and military construction of Almohad power, researchers were also interested in its founder, Ibn Tūmart.²⁴ They were drawn to the very original ideology he initiated,²⁵ as well as to the chronology of the reform, then rebellion, and finally the revolt opened by the Mahdī's faithful against the declining power of the Almoravids.²⁶

A second group of studies covers the political structure put in place by the Almohads after Ibn Tūmart's death in 1130: first the process of building a territorial ensemble from the Atlantic to Tripolitania and from the Moroccan South to the central Iberian Peninsula,²⁷ then the internal organization of this Maghribī Empire with at times some confusion between the structures of the movement begun by the Mahdī²⁸ and the Empire at its height.²⁹ Because of a lack of contemporary sources, few researchers have been attracted to the period of decline that began in the 1220s.³⁰ All of the studies mentioned rely on the same documentary corpus, not only for narrative sources, but also for writings attributed to the founder of the movement, Ibn

²³ A. HUICI MIRANDA, *Historia política del imperio almohade* [hereafter HPIA].

²⁴ 'Abd al-Ḥ. S. ZAGHLŪL, *Muḥammad Ibn Tūmart*; 'Abd al-M. AL-NAJĀR, *al-Mahdī Ibn Tūmart*. Dominique Urvoy insists on the absence of originality in this last work, on its lack of rigor as well as its "political" objective: *Annales islamologiques*, 6, 1989, 56-7.

²⁵ R. BOURUIBA, "La doctrine almohade"; *Ibn Tūmart*; S. A' RĀB et C. ADANG, "Mawqif al-muwaḥḥidīn"; M. FLETCHER, "Al-Andalus and North Africa"; C. ADANG, "Zāhirīs of Almohad times"; M. FIERRO, "Las genealogías de 'Abd al-Mu'min".

²⁶ M. ASÍN PALACIOS, "Origen y carácter de la revolución almohade"; A. HUICI MIRANDA, "La leyenda y la historia"; É. LÉVI-PROVENÇAL, "La naissance d'un Empire".

²⁷ A. MERAD, "'Abd al-Mu'min à la conquête de l'Afrique du Nord"; R. LE TOURNEAU, "Du mouvement almohade à la dynastie mu'minide" and *The Almohad Movement*; R. BOURUIBA, *'Abd al-Mu'min, flambeau des Almohades*.

²⁸ J. F. P. HOPKINS, "The Almohad Hierarchy".

²⁹ A. HUICI MIRANDA, "La participación de los jeques" and "El reinado del califa almohade al-Rashīd"; É. FRICAUD, "Les *ḥalaba*".

³⁰ Except for Mina Karmi Blomme's unpublished dissertation, *La chute de l'Empire Almohade*, which uses the little information provided by later historians such as Ibn Khaldūn, and represents, though using only narrative sources, a very serious summary of the political, intellectual, and economic evolution of the Empire after al-Ma'mūn's reign, no study examines exclusively the period 1220-1269. Half the dissertation, though, focuses on the development of Almohad power, the instauration of the Mu'minid caliphate and "classic" Almohad doctrine.

Tūmart.³¹ Biographical (*tabaqāt*)³² and geographical dictionaries,³³ as well as travelogues, help complete the information offered by this corpus of sources. María Jesús Viguera Molíns directed a work in 1997 that summarized the state of knowledge on the Almohad Empire and provided a bibliography of both Western and Arabic authors.³⁴ The contributors, Spanish specialists on the question, addressed their respective sections by first drawing up a summary of previous studies, on political,³⁵ administrative,³⁶ and judicial institutions,³⁷ on economic and fiscal structures,³⁸ on religious and theological aspects,³⁹ and also military organization.⁴⁰

The perspective for this book was decidedly Iberian, and the Almoravid and Almohad Empires were treated in so much as they played a major role in the political, social, economic and religious history of al-Andalus between 1086 and the 1230s.⁴¹ The focus is obviously widened at times beyond the geographic borders of the Iberian Peninsula in an effort of coherence and adaptation to sources concerned with the Muslim West as a whole. *El retroceso territorial de al-Andalus* does, however, present two major handicaps: the title itself indicates how this monumental work as a whole takes the perspective of how the Almoravid and Almohad political constructions impacted the Iberian territory, while its authors and Andalusī focus adopt a peripheral point of view in regards to the Maghribī rationale of these Berber Empires. Despite the scholarly quality of the texts and the exhaustiveness of the themes treated, the problem of center and periphery, which is essential for understanding these medieval Empires, is quite naturally not the principal angle of approach. Studies on the Almohad

³¹ IBN TŪMART, *A‘azz mā yuṭlab*; R. BRUNSCHVIG, “Sur la doctrine du Mahdī Ibn Tūmart”; R. LE TOURNEAU, “Sur la disparition de la doctrine almohade”.

³² In particular Ibn al-Abbār, *al-Ḥulla al-siyāra*. Other references will be given over the course of the text.

³³ Mainly YĀQŪT (m. 1229), *Mu‘jam al-Buldān*; G. ‘ABD AL-KARĪM (trad.), *La España musulmana en la obra de Yāqūt*, as well as a Maghribī author, AL-ḤIMYARĪ (d. 1326), *La péninsule ibérique au Moyen Âge*.

³⁴ M^a J. VIGUERA MOLÍNS (dir.), *El retroceso territorial*.

³⁵ R. CASTRILLO MÁRQUEZ, “Instituciones políticas”, 136-145.

³⁶ L. MOLINA MARTÍNEZ, “Instituciones administrativas”, 150-167.

³⁷ F. RODRÍGUEZ MEDIANO, “Instituciones judiciales”.

³⁸ E. MOLINA PÉREZ, “Economía, propiedad, impuestos”, 213-225, 234-244, and 249-256.

³⁹ M. FIERRO, “La religión”.

⁴⁰ V. AGUILAR SEBASTIÁN, “Instituciones militares”, from her Ph.D. dissertation, *Tribus árabes en el Maghreb almohade*.

⁴¹ See also M^a J. VIGUERA MOLÍNS, “Al-Andalus en época almohade”, 9-29, *Los reinos de taifas*, spec. 205-347 and “La fuerza de la fe: la reacción almohade”, 138-146. On the place of al-Andalus in the respective African and Iberian historiographies, see the recent updated summary in M. MARÍN (ed.), *Al-Andalus / España*.

Empire's military structure and on the incorporation of the Arab Ifrīqiyī tribes and *ghuzz* into the Almohad army, among other complimentary works, have shed light on additional aspects.⁴²

Alongside political history, Arabic authors were, in fact, primarily concerned with the Almohad regime's internal organization. Muḥammad 'Abdallāh 'Inān's *ʿAṣr al-murābiṭīn wa-l-muwaḥḥidīn* offers an overall view of the Maghrib and al-Andalus in the Almoravid and Almohad periods.⁴³ Though it takes into account the contemporary peninsular Christian kingdoms, this work does not break with Huici Miranda's narrative and non-analytical approach.⁴⁴ 'Izz al-Dīn 'Umar Mūsá's *al-Muwaḥḥidūn fī l-Gharb al-islāmī. Tanzīmātu-hum wa naẓmu-hum*, though much more recent is no more innovative in the matter. It seeks to examine the Almohad Empire's administrative system using the entirety of sources available, but does not take sufficiently into account their respective natures. This scholar does, nevertheless, offer a summary and organization superior to those of his predecessors, adopting a thematic outline and building tables based on cross-referenced data (the status of individuals and their offices, for example).⁴⁵ The result is a systematic and painstaking presentation of the Almohad imperial political organization, attentive to the geographic dimensions of political power.⁴⁶

Researchers have likewise attempted other approaches to the history of the medieval Maghrib. A number of researchers continued in the line of studies from the 1950s, 60s, and 70s on African and more specifically North African societies, applying anthropological methods to sources from the Almohad period.⁴⁷ They focused in particular on the family and tribal structures of Maghribī society, fascinated by the exotic character of not only the endogamous

⁴² F. KALĀS, "Al-jaysh 'inda l-muwaḥḥidīn", 197-218 ; V. AGUILAR SEBASTIÁN, "Política de 'Abd al-Mu'min con los árabes de Ifrīqiya", 17-30 ; "Aportación de los árabes nómadas", 393-415 ; A. T. AL-ṬĪBĪ, "Al-Aghzāz wa quḍūmu-hum", 87-100 ; "Banū Hilāl wa dūru-hum", 73-86.

⁴³ M. 'ABD ALLĀH 'INĀN, *ʿAṣr al-murābiṭīn wa-l-muwaḥḥidīn*.

⁴⁴ This is also the case for 'A. A. 'Alī 'Allām's *al-Da'wa al-muwaḥḥidiyya*.

⁴⁵ Presentation of sources, studies, and historical context, then a study of the hierarchy of the movement, the political organization of the caliphate or administration of the Empire (distinguishing the central and provincial administrations), the juridical-religious, military, and fiscal organization.

⁴⁶ 'I. al-D. Musá, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, continuing on an article published twenty years earlier: "Al-tanzīmāt al-hizbiyya", 53-89. We should also mention 'Abdellatif Sabbane's unpublished dissertation, *Le gouvernement et l'administration de la dynastie almohade*, which, though more recent (1999), belongs to the same historiographic current as the works mentioned above. All the tables reproduced in the dissertation, or in the annexes, were taken from 'Izz al-Dīn Mūsá's work in Arabic, without citation.

⁴⁷ Morocco produced most of the major studies in this field, with the works of R. MONTAGNE, *Les Berbères et le Makhzen*, 1930, J. BERQUE, *Structures sociales du Haut-Atlas*, 1955, E. GELLNER, *Saints of the Atlas*, 1969 (French trans. P. COATALEN, *Saints de l'Atlas*, 2003) or C. GEERTZ, *Islam observed*, 1968 (French trans. J.-B. GRASSET, *Observer l'Islam*, 1992).

systems specific to steppe and desert societies, but also nomadism, “Eastern” urban traditions, and even the cult of saints.⁴⁸

This approach was possible because of the richness of extant materials, such as the genealogies, real or fictitious, of Ibn Tūmart and ‘Abd al-Mu’min reproduced with variations, first in the *Kitāb al-ansāb fī ma’rifat al-aṣḥāb*, edited by Évariste Lévi-Provençal in his *Documents inédits d’histoire almohade*, and next in later works like Ibn Khaldūn’s,⁴⁹ as well as biographical dictionaries of the great Maghribī sufis.⁵⁰ It seems that the false impression of immobility associated with North African societies led some to believe that the study of contemporary structures would allow for an understanding of how past societies functioned, or inversely that a reading of Ibn Khaldūn’s analyses would provide keys to the present. The use of the same terms over the centuries reinforced this certitude that tribes were eternal, as were the terms of their relations with the central power of the *makhzan*.

The cult of saints in the Maghrib saw similar treatment. In a continuation of numerous studies on “sanctity,” Mahdism or maraboutism,⁵¹ on the reformist movements or revolts that they sparked, Mercedes García-Arenal recently completed an ambitious and illuminating work that places the social and religious dynamics of North Africa within the more general context of the messianic and eschatological movements of the greater medieval Muslim world.⁵² Indeed, inscribing the Almohad imperial structures in both the political systems born of the Muslim expansion of the seventh to thirteenth centuries and the history of the Maghrib since the Arab-Muslim conquest allows us to describe and understand the profound originality of this period.

The merits of all these studies are considerable. They provided a framework and basis for later works. They regularly reinvigorated this historical field, confirming the originality of the political system put in place during this period, but they prove at the same time that our knowledge of the Almohad period is still growing. The diversity of approaches according to the

⁴⁸ A. HAMMOUDI, “Segmentarité, stratification sociale”, 156-160 ; M. SAHA, “Structures tribales”, 275-280 ; ‘A. SADKI, “La montagne marocaine et le pouvoir central”, 15-28.

⁴⁹ IBN KHALDŪN, *Ibar*, 1988 ; M. FLETCHER, “The Anthropological Context”, 25-51 ; C. HAMÉS, “De la chefferie tribale à la dynastie étatique”, 101-141.

⁵⁰ Such as Abū Ya’qūb Yūsuf b. Yaḥyá Ibn al-Zayyāt AL-TĀDILĪ’S *Tashawwuf ilā rijāl al-taṣawwuf* (m. 617/1220), 1984, French trans. FENOYL, *Regards sur le temps des soufis*, 1995, a biographical dictionary of Moroccan Sufis between the fifth and seventh century of the Hijra (11th-13th C.).

⁵¹ See the numerous articles and works by Halima Ferhat, for example: H. FERHAT and H. TRIKI, “Faux prophètes et Mahdis”, 7-23, H. FERHAT, *Le Maroc aux XII^e et XIII^e siècles*, 1993, “As-Sirr al-Maṣūn de Ṭāhir aṣ-Ṣadafī”, 273-288, “Souverains, saints et *fuqahā*”, 375-390 or “Saints et pouvoir au Moyen Âge”, 239-247.

⁵² M. GARCIA ARENAL, *Messianism and Puritanical Reform*.

different centers of interest – political history, political thinking, administration, philosophy, theology, diplomacy, anthropological structures – reveals the richness of the period and extant materials and has made the Almohad period a particularly well-tilled historical field over the past century.

The study proposed herein addresses the provincial administration of the Empire through a documentary corpus that has been particularly neglected. This question was previously raised a number of years ago by an English researcher, author of a small work entitled *Medieval Muslim Government in Barbary until the Sixth Century of the Hijra*.⁵³ The approach of this 1958 publication on the internal organization of the Berber powers deserves a few comments. In his presentation of the sources, J.F.P. Hopkins describes the documentary basis used by historians of the period:

The basic materials for the present study have been culled in their majority from an armful of books, none of which bear directly on the subject. For the East there is a small but disproportionately valuable body of literature devoted expressly to institutions and administrative questions — Māwardī, Ibn Sallām, Maqrīzī — from which the investigator can get a coherent picture, detailed enough for him to perceive the general pattern and so distinguish, if not truth from falsehood, yet typical from aberrant, probable from improbable. For the West there is nothing of this kind, and material must be gathered from sources written with other ends in view.⁵⁴

These few remarks that evoke the existence in the East of a literature dedicated to institutional and administrative problems, a literature that was lacking in the West, as well as the need to rely on non-specialized literature, raises three major problems: the nature and conservation of sources and archives in the medieval Muslim world, the imbalance between our knowledge of the Muslim East and the Muslim West, and the historian's difficulties in exploiting marginal sources. If it is true, as it is repeated to surfeit, that medieval Islam did not leave historians the same kind of archives as those carefully left to posterity by the monastic, ecclesiastical, monarchical, or pontifical institutions of the Latin West, the number of extant manuscripts written in Islamic lands between the eighth and fifteenth centuries nevertheless far exceeds the number of Latin or Byzantine manuscripts, written or extant, by a ratio of 100 to 1. Is it not conceivable that our lack of knowledge about the medieval Muslim world is not tied as much to the nature of the extant sources as it is to our inability to find the keys to exploit them? The theoretical tools of modern French, European, or Anglo-Saxon historians were progressively developed in the invention and study of documents from Western archives. Those

⁵³ J. F. P. HOPKINS, *Medieval Muslim Government*, 1958.

⁵⁴ J. F. P. HOPKINS, *Medieval Muslim Government*, xi.

tools are not necessarily pertinent in the exploitation of Arab-Muslim documents from the Middle Ages. To get the most out of these, we still need to find the right questions to ask of them.⁵⁵

The second question raised by Hopkins' introduction touches this time not on the differences between "Western" Latin sources and those from the medieval Muslim world, but on the supposed imbalance between the *Mashriq* and the *Maghrib*. In this case, the former provides theoretical works that ask questions concerning government, authority, or the exercise of power, while the latter completely lacks them. Did Islam not appear in the East? Do the Arabs not come from this region? Are they not the conquerors who created, with their religion, a Law and model of government, the centralized caliphal empire, whose authority they attempted to impose throughout the Mediterranean world, adapting it somehow or other to the diversity of populations and legacies that they integrated into their empire? Was the East not the birthplace that defined the norm, and the West long a rebellious land of missionizing? Beyond the fact that the discovery of numerous Maghribī manuscripts puts this point of view profoundly in question, and that recent studies on the Umayyad Caliphate and the early Islamic era have reconsidered this traditional though still well-alive vision, readings of al-Māwardī's *Aḥkām al-sultāniyya* (eleventh century) or al-Maqrīzī (d. 845/1442) do not necessarily provide ideal information for understanding the real exercise of power.⁵⁶ In addition, in placing authors from very different eras on the same plane, we find the same fault as the Orientalists of the nineteenth and twentieth centuries who considered that the Muslim world was invariable over time and geographically homogenous. Hopkins' observations reveal not only the documentary basis for researchers working to write the history of the medieval Maghrib in the middle of the twentieth century, especially political and administrative history, but also the methods used.

Historians came to know of non-narrative sources such as chancellery documents in the second half of the twentieth century. Lévi-Provençal thus edited a fairly large ensemble of thirty-seven Almohad documents in 1940-41, with a study that strayed somewhat from methods applied to narrative sources, presenting standards for diplomatics.⁵⁷ The translation, however, touches only on those elements most applicable to events and political history then favored by

⁵⁵ See the summary by Christophe Picard in his "De l'usage de l'écrit documentaire en Islam", 127-141.

⁵⁶ These are not necessarily recent discoveries. See Abū Bakr al-Turtūshī's *Sirāj al-mulūk*, Ibn 'Abdūn's *ḥisba* manual, or all the *adab al-kitāba* treatises the Muslim West produced during the Almoravid or Almohad periods, such as the *Iḥkām sanā'at al-kalām* by Ibn 'Abd al-Ghafūr, or al-Balawī's *'Aṭā' al-jazīl*.

⁵⁷ É. LEVI-PROVENÇAL (ed.), *Majmū' rasā'il muwaḥḥidiyya* and "Un recueil de lettres officielles almohades".

historians. Lévi-Provençal announced an analysis of these thirty-seven documents, but each of these “analyses” takes up only one page while the original Arabic text extends for nearly ten. This analysis reproduces only the principal pieces of information from the texts: secretary-author, addresser, addressee, reason for the letter and essential data, such as dates and events described. Repetitive elements from the documents are treated as useless, such as initial and final protocols, commendations, addresses, date and location clauses. General considerations developed by Claude Cahen two decades later served to complete this very useful diplomatics analysis.⁵⁸ Nevertheless, the perspectives opened by these great scholars do not concretely lead anywhere. Yet it is in those extremely codified parts, which differ nevertheless from each other, of chancellery documents that the *kuttāb*’s talent shows itself, where his skill comes through, and that their message is developed with the most finesse. The chancellery documents used by Lévi-Provençal had the advantage of being “complete.” The letter dates and the names of their addressers and addressees, where they were written and sent, as well as the locations concerned were all noted. Aḥmad ‘Azzāwī’s complete edition, including not only those letters published and translated into Italian by Michele Amari at the end of the nineteenth century⁵⁹ and reedited by ‘Abd al-Hādī al-Tāzī,⁶⁰ but also, in the second volume, all the letters published and “analyzed” by Lévi-Provençal in 1941, has the merit of being exhaustive. It justly draws attention to the different types of extant documents and to the different channels of conservation: original archives for exchanges with the Latin powers of the Middle Ages, the inclusion of letters considered as models in literary or poetic anthologies, in the biographies of certain famous *kuttāb* from the Almohad period, in the geographic entries for great battles such as Las Navas de Tolosa (*al-‘Iqāb*), or in chronicles, as well as in chancellery manuals.⁶¹ As for the seventy-seven *taqāḍīm* studied here, they form an exceptional ensemble since they are grouped together in one unique manuscript which resembles no other type of document. Manuscript 4752 of the *Ḥasaniyya* Library of Rabat forms a kind of omnibus of standard examples of appointment acts. The administrative organization that comes through in these acts is in fact quite different from that presented by Hopkins in the work cited above. From a political

⁵⁸ C. CAHEN, “Notes de diplomatique arabo-musulmane”.

⁵⁹ M. AMARI, *Diplomi Arabi*.

⁶⁰ ‘A. al-H. AL-TAZI, *al-tarīkh al-diblumāsī*, t. 6.

⁶¹ AL-ḤIMYARĪ, *al-Rawḍ al-Mi‘ṭār*, s.v. *al-‘Iqāb*, n° 125.

and administrative point of view, these documents allow us to completely remake our understanding of the Almohad Empire's provincial government.⁶²

While historians of the Islamic West take into account works produced by Middle Eastern authors, the reverse is not true. A real lack of knowledge exists of works produced on the peripheries of the Islamic world on the part of specialists of the medieval Middle East, as communications by Sylvie Denoix⁶³ and Anne-Marie Eddé demonstrate.⁶⁴ One example of this indifference points in fact to an underestimation of the influence of the provinces on the constitution of chancellery norms, and more generally of the participation of the peripheries on the elaboration of a *doxa* attributed indiscriminately to the heartland of Islam. Sylvie Denoix thus claims that al-Qalqashandī's *Subḥ al-a 'shā fī šinā 'at al-inshā* describes only the norms and practices of the Mamlūk chancellery and that his work was a model for periphery chancelleries.⁶⁵ This would be possible only if we omit the fact that this Egyptian author knew, cited and used the production of famous secretaries from the peripheries of Islam, some of whom were Almohad. Al-Qalqashandī's work can thus also be considered as a summary meant to establish a chancellery tradition, on the model of the prophetic tradition, one with an origin, the "beginnings of Islam," and, from there, developing a linear set of examples up to the Mamlūks while including along the way the Fatimid legacy. Indeed, al-Qalqashandī's project seems an attempt to establish the centrality and linearity of Egyptian Islamic history by aggregating and annexing to the Middle Eastern heart of Islam, in a "unitary" perspective, those traditions, though just as "foundational," from the peripheries of Islam. The parallelism with the political and religious thinking elaborated during the Almohad period is striking. The same type of logic was prevalent among the Almohads who claimed to their advantage this centrality that modern historians attribute without questioning to regions and political systems using works elaborated with that intention.

Since Charles-André Julien⁶⁶ and Henri Terrasse's⁶⁷ histories of Morocco and North Africa, and except for Pierre Guichard's contribution to a collective work directed by Francesco Gabrieli,⁶⁸ few scholars have attempted a new analysis of the exercise of power in the states of

⁶² I have treated this same question in two previous articles: P. Buresi, "Administration territoriale d'al-Andalus" and "L'Empire almohade".

⁶³ S. DENOIX and B. GALLAND, "La constitution des "corpus"".

⁶⁴ A.-M. EDDE, "Documents et archives d'Orient".

⁶⁵ S. DENOIX and B. GALLAND, "La constitution des "corpus"", 250.

⁶⁶ Ch.-A. JULIEN, *Histoire de l'Afrique du Nord*.

⁶⁷ H. TERRASSE, *Histoire du Maroc*.

⁶⁸ P. GUICHARD, "Les États musulmans du Maghreb".

the Maghrib in the Middle Ages and in the medieval Muslim world as a whole. Social and other auxiliary sciences for history, do, however, offer some options for the Almohads. Naturally enough, the fields of art history, architecture, and numismatics first showed promise for this work, with reflections on the interactions between ceramics, coinage, and epigraphy and the Almohad doctrine.⁶⁹ This type of reflection is an integral part of art history in general which questions the form and sense of material elements from a specific period. It is now time to ask the same questions of textual sources, especially given the exceptional documentary corpus left by the Almohads to posterity. Indeed, if these chronicles, dictionaries, or chancellery documents constitute a mine of information, we should also question the very nature of these sources.

⁶⁹ M. ACIÉN ALMANSA, "Cerámica y propaganda en época almohade" ; S. FONTENLA BALLESTA, "La numismática almohade", "Numismática y propaganda almohade" and M^a A. MARTINEZ NUÑEZ, "Epigrafía y propaganda almohades".

General outline

Michele Amari published the first chancellery texts concerning the Almohads at the end of the nineteenth century,⁷⁰ but they represented only a fraction of the Pisan archival documents housed now in Florence. In addition, other than Amari himself and Mas Latrie, only those interested in diplomatic relations between Christendom and Islam used these texts.⁷¹ For more than a century and a half, these documents were cited through Amari's edition and Italian translation, or through Mas Latrie's use of them, until their partial re-edition by 'Abd al-Hādī Tāzī, or 'Aḥmad 'Azzāwī's complete edition.⁷² These successive editions follow three different approaches: the study of relations between Christendom and Islam through Western archives, the analysis of Morocco's diplomatic relations, or the exhaustive presentation of documents produced by the Almohad chancellery. The latest edition, logically, is the most rigorous, and the Moroccan editor generally indicates in notes the manuscript's original when he makes changes to the text. Nevertheless, despite all its qualities, 'Azzāwī's edition, like its predecessors, does not address the question of the documents themselves. Thus, when the same act contained an Arabic document and its Latin translation, 'Azzāwī provides only the Arabic, even though much of the act's signification resides in the nature of the document, in its materiality, in the existence or not of a contemporary Latin translation, and its presence on the same or a different archival piece.

In addition, although the scribes included the *tashkīl* on almost all the diplomatic documents, the editors neglected this "detail", indicating only almost randomly the diacritical signs they thought pertinent, without relation to the original, which moreover is the case for most current editions in the Arabic world. Yet, as Frédéric Bauden has shown in a study of two treaties signed between the Banū Ghāniya and Genoa in 1181 and 1188, the detailed study of the original *tashkīl* can provide valuable information on the scribe's education and his eventual mastery of the rules of Koranic reading.⁷³ This example, as well as my own edition of the different documents exchanged between Pisa and the Almohad authorities of Tunis at the end of the thirteenth and beginning of the fourteenth century, both confirm the epistemological need for a re-edition of the chancellery documents, with the greatest respect for the original manuscripts as an indispensable condition for a new approach to and renewed reading of the period's sources.⁷⁴

The present work is part of a larger project financed by the European Research Council (FP7-ERC-2010-StG 263361) entitled "Imperial Government and Authority in Medieval Western Islam."⁷⁵ Through the study of a corpus of very specifically delimited sources (with their face-to-face edition and translation in the

⁷⁰ M. AMARI, *Diplomi Arabi*.

⁷¹ M. L. de MAS LATRIE, *Traités de paix*.

⁷² 'A. al-H. AL-TAZI, *Al-tārīkh al-diblumāsī*, t. 6 ; A. 'AZZAWI, *Nouvelles lettres almohades*, [hereafter NLA and NLA 2].

⁷³ F. BAUDEN, "Due trattati di pace".

⁷⁴ P. BURESI, "Les documents arabes et latins", "Les plaintes de l'archevêque" and "Traduttore traditore".

⁷⁵ Along with myself, Hicham El Aallaoui (CNRS), Mehdi Ghouirgate (CNRS), Hassan Chahdi (EPHE) and Travis Bruce (CNRS) are participating in this program (2010-2015).

second half of this work), this volume offers a much larger reflection on the originality of Almohad power (1147-1269) in the Maghrib and al-Andalus. It aims in particular to articulate the technical approach of the texts and the political language structures in use at the time, with the concrete administration of the Empire, including the manners for appointing imperial officials, relations between subjects and ruler, and the role, function, and education of mediators, in order to better discern the ideological foundations of the Almohad imperial construction.⁷⁶ This study thus naturally concerns historians of the Maghrib and al-Andalus, but also through its approach may interest the more general public of scholars of the medieval Muslim world (in particular the Middle East), and, through the critical edition and translation of the entire ensemble of formulary acts, it seeks to enrich the referential corpus for linguists and specialists of the medieval and modern Arabic language.

⁷⁶ This is something that has not been done for the Islamic world. Benoît Grévin's work on the *dictamen* serves as a methodological reference for the study of the ties between the codified and standardized administrative language reserved to a "caste", the *kuttāb* ("scribe-secretaries") and the continuous recreation of those treatises of the Arab-Islamic political discourse considered "classic" and unchangeable in the medieval period (see B. Grévin, *Rhétorique du pouvoir médiéval*).

Part One

The Imperial Territory: from Conquest to Rupture

Governing the Empire

Chapter 1: the Origins of the Empire

Governing the Empire

The origin of religious movements is often lost in the fogs of myth and the ensemble of characters who progressively appear over time are more often than not retrospectively tied to a foundational hero. The Almohad reform does not stray from this rule. Though sources are not lacking for the slow rise of the Mašmūda Berber tribes of the Atlas Mountains, for their struggle over two decades against the Almoravid power, for the death of the last rulers of the Lamtūna-Banū Turğūt dynasty, and for the progressive conquest of the entire Maghrib and al-Andalus, the narrative concerning Ibn Tūmart⁷⁷, the founder of the movement, includes far too many doubts and contradictions for current historians to determine the amount of truth contained therein. The much more hagiographic than biographic nature of these texts and their insertion in the literary framework of the chronicle, or more generally of *adab*, contribute to the legitimate doubts of historians on the historical realities of reported elements. The oldest sources, closest to the related events, suffer from their partisanship, and more recent sources, whether local or more distant, echo most often an official version reconstructed as a measure of the historic destiny of the political constructions put into place. One difference, fractional though essential in the eyes of history, separates Ibn Tūmart's revolt from that of someone like al-Māssī (or al-Massāṭī⁷⁸) in 1148: the former won, the latter was defeated. The disciples of the former founded an Empire, those of the latter died under the weapons of the former.

A. "The Prophetic Tribe" or the religious reform

The summary presented below of Ibn Tūmart's life should be taken less as a bankable truth than as a staple of the Almohad imperial ideology as it was progressively elaborated over the twelfth and thirteenth centuries. This does not, however, mean it is devoid of certain concrete historical elements. Our intention, at any rate, is not to know and present the authentic life of the Mahdī Ibn Tūmart, which has been attempted already many times, but to describe

⁷⁷ In the form Tūmart or Tūnart, this name, signifying "joy", was very common among the Mašmūda. The anonymous author of the *Kitāb al-ansāb* reports that at Ibn Tūmart's birth, his mother said in Berber, *Ā tūmert-īnū īssak ā-yīwī*, ("My joy is with you, my son") and *yak tūmert* ("he will become joy"). I would like to thank Mehdi Ghourgate (CNRS), who joined my project group ERC StG 263361 "Imperial Government and Authority in Medieval Western Islam" in November 2011. All notes concerning the anthroponymy, sense, and orthography of Berbers names are his. Hereafter his contributions are followed by the initials (MG).

⁷⁸ "From Māssa" or, in this case, "bound" to this village in the Sūs where a reformer rebelled in the middle of the twelfth century. This toponym is an action noun based on the Berber root MS which refers to river rapids. It appears in the toponyms Tlemcen (Tili msān) and Sijilmāsa (Sig il-mās). To create a *nisba* from this name, medieval Arabic authors hesitated between the Berber form Massāt, and the arabicized Māssa (MG).

the environment of the foundational narrative in which the Almohad scholars and rulers organized their system of government and the administration of their subjects.⁷⁹

1. IBN TŪMART

Sources place Ibn Tūmart's date of birth sometime between 469/1076 and 474/1082. Descended from the Hargha Berber tribe, part of the Maṣmūda group, Ibn Tūmart is said to have studied in Cordova at the side of a *ẓāhirī* master, then in the Middle East with al-Ghazālī, meeting al-Ṭurṭushī along the way in Alexandria. In short, he would have drawn knowledge from the most famous sources of the time, though at times contradicting the historical timeline. Historians in general accept the idea of a journey, but contest the meeting with the famous Middle Eastern scholar, the author of *The Revival of Religious Sciences*, since the mystical thinker would have lived in Khurasān at the time. Whether these two episodes are true, possible, or fabricated is less relevant than the fact that from a narrative point of view, these biographical elements, reproduced with a few variations by most of the chroniclers, belong to the formative matrix of the Almohad movement.⁸⁰

On his return from the East around 1116-7, Ibn Tūmart positioned himself as a “Sunnī” moral censor, virulently incarnating the ascetic puritanism that held favor among the inhabitants of the rural Maghrib.⁸¹ He began rebuking the Almoravids in 1120 for their corruption, heresy and anthropomorphism. The movement's starting point thus does not reside in ‘Alid genealogical aspirations or a Shiite conception of the imamate, but in a reform of morals and juridical practices. It likewise stemmed from the contestation of Almoravid political practice, in the name of an austere and rigorist vision of both social norms and legitimate authority. Faced with the problems provoked by Ibn Tūmart, ‘Alī b. Yūsuf b. Tashfīn (1106-43), the ruling emir reputed for his piety, and his *fuqahā*’ announced their desire to debate with this troublemaker concerning his doctrine. Forewarned of the risks he ran in accepting this meeting, the Almohad founder sought refuge in his native village of Igīlīz⁸², near Tārūdānt: this was his “first Hegira.”

⁷⁹ AL-NAJJAR, *al-Mahdī Ibn Tūmart*, R. BASSET, “Ibn Toumert, chef d’État” or R. BOUROUBA, *Ibn Tūmart*.

⁸⁰ For a discussion of the plausibility of these meetings, using all of the sources that mention them, see al-Najjār's *al-Mahdī Ibn Tūmart*, 24-30.

⁸¹ I insist on the “Sunnī” character of Ibn Tūmart's first message in reference to Maribel Fierro's recent works, with whom I discussed the question. Fierro recently developed the idea of a “sunnization” of the Almohad ideology. This concept which I had thought to be able to confirm in studying the relic of the *muṣḥaf* ‘*uthmānī*, postulates the centrality of Shiite theosophy at the heart of the Almohad movement.

⁸² This toponym means “rocky spur” (MG).

There, with his partisans, he declared himself, and was recognized as, *imām* and *mahdī*, thus manifesting aspirations as political as they were spiritual and religious, while organizing his troops, the conquest of Almoravid power, and the *tawhīd* (“Unicity”) ideological system.

A second period began around 1124, when Ibn Tūmart sought refuge in the Moroccan South, in Tinmāl⁸³, which would become the birthplace and first capital of the Almohad movement. This would also be the resting place of the founder and of the leaders of the Empire he would give life to: it was the “second Hegira.” From 1124, Ibn Tūmart had all the attributes of the Mahdī: “guided/guider” and “infallible,” he became the theoretician in the religious domain of the power he put in place in the political sphere. The *‘iṣma* that qualified his imamate signified that he was pure of all vice, error, corruption, innovation, mistruth, or ignorance. This had an important and essential consequence: the absolute authority that he held over his contemporaries, an authority limited only by the Book of God and the Sunna of His messenger, the Book and Tradition of which he was the sole and unique interpreter. The Mahdī approach meant that the Almohad supreme judge was not chosen by men, but designated by God. Ibn Tūmart was the “vicar of God” on earth (*khalīfat Allāh*) like David.⁸⁴

The first certain element in this succession of chronologically-confused episodes whose exact order is often unknown, is the *Mahdī* Ibn Tūmart’s use of the Berber language when addressing the Berbers.⁸⁵ The Almohad authors never sought to erase this specificity, even though they did not hesitate to seek to discredit the Almoravids for their supposed illiteracy and lack of knowledge of Arabic.⁸⁶ The two texts attributed to Ibn Tūmart, the definitive confection of which probably came later, the *‘aqīda* (the “Credo”) and the *murshida* (the “spiritual guide”), were not translated into Arabic until the reign of Abū Yūsuf Ya‘qūb (1184-99), almost half a century after the death of their presumed author. The translation process seems to have entailed more than a simple transfer from one language to another, but a veritable creation that participated in the canonization of the movement's origins and founder.⁸⁷

⁸³ Medieval Arabic authors hesitated between writing Tinmal, Tinmāl, and Tinmallal. The original term seems to have been Tinmal, formed from the root ML for “bright” or “red”, probably because of the color of the earth. Almohad authors evolved the name to Tinmallal, bringing it in line with the root MLL and giving it the sense of “that of the whites, or pure” in reference to the qualities of the chosen Almohad people (MG).

⁸⁴ IBN TŪMART, *A ‘azz mā yuṭlab*, 243-248 and 250.

⁸⁵ ‘Izz al-Dīn Mūsá has questioned for example the chronology of the movement’s partisan organization in the beginning: did the *bay‘a* of the faithful happen before or after the development of the group of the *Ahl al-jamā‘a*, the Ten, the Fifty, and the Seventy? What was the respective order of creation for these different courts? (‘I. al-D. Mūsá, *Al-tanzīmāt al-ḥizbiyya*, 53-79).

⁸⁶ N. BARBOUR, “La guerra psicológica”.

⁸⁷ This is the opinion of Madeleine Fletcher who insists on the apocryphal character of these texts.

Ibn Tūmart was thus a mediator for the Arab-Muslim religion in a non-Arabic milieu (*al-‘ajam*), a vector of Islamization in the medieval Maghrib. Some scholars have attributed the success of this Berber preaching to the tribal character of the opposition to Almoravid central power. The opposition to the Mālikī doctrine and to this juridical school’s Andalusī and Maghribī *fuqahā’* who were pillars of the Almoravid regime, seems in fact to have been a reaction against an Arabization which, with all its complexities, was imposed by the political milieus.

This hypothesis, which attributes to ethnic elements a significant influence over the evolution of power relations in the Maghrib, neglects the much more legitimate, in my eyes, question of the Islamization and Arabization of the Berbers. The Muslim religion and Arabic language penetrated through phases, successive waves of reforms, often in doctrinal opposition to each other, related to the dominant migration flows that characterized the period, independently of the inverse flow of pilgrimage and scholarly journeys, through renewed demographic contributions from the Mediterranean Middle East. The place occupied by these Arab tribes in the administrative structure of the Empire and their participation in the development of the Almohad imperial ideology will reappear throughout this study.

2. THE ELEMENTS OF THE ALMOHAD DOCTRINE

The Almohad doctrine evolved in an extremely favorable context of religious effervescence.⁸⁸ Among the groups that rebelled against the Almoravid order, the Almohad movement had the longest lasting influence, despite the deviations of the repudiation of the doctrine of impeccability⁸⁹ by al-Ma’mūn in 1229, the subsequent Ḥafṣid emancipation of Ifrīqiya, and the final collapse of the Empire in 1269. The ample doctrinal elaboration of this reform spread over the entire Maghrib, from Tripolitania to the Atlantic coast, and to al-Andalus, relying on the military strength of the Maṣmūda Berber tribes, and led by the Hintāta.⁹⁰

Ibn Tūmart gave birth, in the heart of Sunni orthodoxy, to a doctrine that drew from almost all the theological currents that had seen the day since the beginnings of Islam. In this sense, “Almohadism” was the most elaborate attempt to unite the divergent beliefs of Islam, to create a doctrinal and theological synthesis from these diverse elements. Specialists of Almohad doctrine have drawn out the following contributions:

⁸⁸ Perfectly described in H. Ferhat’s *Le Maghreb au XI^e siècle-XIV^e siècle*.

⁸⁹ Here and throughout we use impeccability in the sense of sinlessness.

⁹⁰ This is the most powerful Maṣmūda federation, situated on both sides of the western High Atlas, between Oued Ghaighā’iya and Oued Nfīs, extending until the north and east of Taroudant. The Berber form of this ethnonym is Yntān in the plural, and Intī in the singular. One of the gates in the Marrakesh walls, Bāb Yntān, indicated, as was customary, the direction of this federation’s territory (MG).

- *Ḥārījī-Ibādī*: justification of violence, the demand for supreme leadership of the community irregardless of ethnicity,⁹¹ the status accorded Abū Bakr and ‘Umar⁹² in the ‘*aqīda* and the “excommunication” (*takfīr*) pronounced against those who refuse to join the movement;
- *Mu‘tazilī*: allegorical reading of the Koran, use of *kalām* (“speculative theology”), adoption of the term *ahl al-tawḥīd* (“people of Unicity”) and the obligation to “enjoin good and forbid evil” (*al-amr bi-l-ma‘rūf wa-l-nahyi ‘an al-munkar*);⁹³
- Philosophy: participation of important intellectual masters in the Almohad government and the attempt to reconcile Reason and Revelation;⁹⁴
- *Mālikī*: despite the combat against the Maghribī and Andalusī ‘*ulamā’*, with recognition of the importance of Mālik b. Anas’s *Muwattā’*;⁹⁵
- *Ḥanbalī*: in the juridical domain, refusal of reasoning by analogy (*qiyas*), of individual interpretation (*ijtihād*) and any basis other than the Koran and Sunna;
- *Ash‘arī*: recognition of the absolute all-power of God, refusal of freewill and the use of *kalām*;
- *Ḥazmī*: principal of the impossibility of applying generalities to particulars and the referral to the Koranic text for the question of attributes; differs on this point with the *Mu‘tazilīs* as well as the *Ash‘arīs*;⁹⁶
- *Ṣūfī*: mystical approach to God, importance of prayer and ascetic practices;⁹⁷
- And obviously Shiite, for ‘*iṣma* (“impeccability”), the “gift of the imamate”, and the real or fictional development of ‘Alid genealogies for Ibn Tūmart and his successor, ‘Abd al-Mu‘min.⁹⁸

⁹¹ This at the price of attaching the first two rulers to the Idrīsī lineage, which allowed for a more direct filiation than the traditions that attributed a Ḥimyarī origin to the Berbers (see G. Camps, “L’origine des Berbères,” *Les Berbères and Des rives de la Méditerranée*).

⁹² Urvoy has described the coincidence between the Almohad theses and a good number of positions defended earlier by the Khārījīs. This last influence gave, according to Urvoy, the power synthesis of the Almohad doctrine its deep unity (D. Urvoy, “Les divergences théologiques”). See also A. Ben Hamadi, “Y a-t-il une influence khārījite?”.

⁹³ They differ from the *Mu‘tazilīs* in their refusal of free choice, and do not take a position on the doctrine of a created or uncreated Koran.

⁹⁴ See J. LANGHADE and D. MALLET, “Droit et philosophie au XII^e siècle” ; W. M. WATT, “Philosophy and Social Structure”.

⁹⁵ The Almohad doctrine skillfully keeps the foundation of the known and applied law, while condemning the Mālikī juridical practice, thanks to the affirmation that the most reliable Traditions are those closest to the Prophet, that is those from the school of Medina, contained in the Medina scholar’s *Muwattā’*.

⁹⁶ ‘I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya”, 66.

⁹⁷ A. BEL, “Le Ṣūfisme” ; A. FAURE, “Le Tasawuf”.

⁹⁸ Ibn Tūmart’s writings differ from Shiism in establishing a specific line from the *imāms*, neither Sevener, nor Twelver: Adam, Noah, Abraham, David, Jesus, Muḥammad, Abū Bakr, ‘Umar. The third and fourth

This synthesis is by its very nature in full contradiction with the monolithic Mālikism of the Almoravids and constitutes an attempt at an alternative to the dominant Mālikī juridical system. In rejecting the plurality of the juridical schools and preaching the unicity of the message and its interpretation, the Almohad doctrine was in total opposition with the official doctrine of the Almoravids, with Mālikism, and with the mass of commentaries and interpretations accumulated by jurists in their *furūʿ* treatises (“juridical applications”).⁹⁹ Attacks were thus violent against the Almoravid power.¹⁰⁰ The Almoravids were presented as heretical, accused of anthropomorphism because of their routine interpretation of the Koran and hadiths, and of having strayed from the essential doctrine of Islam which is the divine Unicity, a traditional accusation of the Shāfiʿīs against the Ḥanbalīs.

The Unicity of God, *tawḥīd*, became the central axis of Almohad propaganda to the point of giving them its name, the Muwaḥḥidūn. The radical nature of the Almohad contestation of Almoravid power allowed them to preach *jihād* against the Almoravids.¹⁰¹ Unlike what happened at the end of the eleventh century, the Almohads did not feel the need to justify their *jihād* through scholars, as the Almoravids had against the taifa princes, accusing them of collecting non-Koranic taxes from their subjects and of having betrayed the Muslim cause by allying with the Christian kingdoms of the northern Iberian Peninsula. For the Almohads, *jihād* imposed itself, it was a requirement that came directly from the Revelation. This radicalism, in line with the Khārijīs, rejected non-Almohad Muslims to the camp of impiety (*kufr*).

In addition, the notion of the “Mahdī” reveals an eschatological dimension in Ibn Tūmart’s preaching. It lends an immediacy to the moral reforms and the conquest of power. Both types, the Mahdī and the *imām*, complete each other to give Ibn Tūmart’s authority its absolute and obligatory character.¹⁰² After so many centuries loaded with dishonor and injustice, the *imām*-Mahdī renewed the great line of *imāms* interrupted shortly after the Prophet Muḥammad’s death. Following the steps of his predecessors, he guided his coreligionists to Salvation, combating error, reestablishing truth, justice and the law, and organizing the new Community. Placing himself within the prophetic tradition, he presented himself as the sole

caliphs of Sunnī Islam, ʿUthmān and ʿAlī, are not explicitly mentioned, but, in general, the successors of the Prophet during the first thirty years after his death belong to the line of the *imāms*, after which it ends.

⁹⁹ J.-C. GARCIN (dir.), *États, sociétés et cultures*, 209.

¹⁰⁰ DIHA, 11.

¹⁰¹ R. BASSET, “Ibn Toumert, chef d’État”, 438-439.

¹⁰² Fierro justly notes that Ibn Tūmart was not necessarily considered as “Mahdī” during his lifetime and that this quality was likely attributed to him under his successor, the caliph ʿAbd al-Muʿmin (M. FIERRO, “Le mahdī Ibn Tūmart et al-Andalus”).

possessor and unique interpreter, infallible, of the Law as it was delivered by God to men, through the Muḥammadan Revelation (*Kitāb Allāh*), and completed by the Tradition of the Prophet (*sunnat rasūli-hi*).

B. “The Party of Unicity” or the Almohad Revolution

Ibn Tūmart began building the foundations of his movement in 1124 while hiding in Tinmāl with his followers. The narrative at this point continues, however, to conjugate events with myth. The founder’s doctrinal power mixes with the political power he exercised in taking the reins of the revolt against the princes of the cities and plains. An organization destined to lead the Almohad state slowly emerged from the group of followers. The “people of the sword” joined the “people of knowledge,” the former spreading and defending the message that the latter, charged with guiding and leading their common fight, elaborated.

1. THE PARTISAN ORGANIZATION: THE PYRAMIDAL FRAMING OF THE FAITHFUL

The sources relate with abundant details the organization developed by Ibn Tūmart, but though they agree for the most part on the generalities, they disagree on the details. This organization was temporary, and though it referred to real relations within the movement, it lasted at most a few decades before being replaced by a distinctly more classic imperial and dynastic administration. Its memory was however kept for much longer, especially during later imperial ceremonies – the oath of allegiance (*bay‘a*) to the caliphs, processions, and military parades.

It is possible that certain authors, such as Ibn Khaldūn, overestimated the importance of this basically tribal structure. And yet, despite their lateness in relation to the events, Castrillo Márquez relied almost exclusively on them in describing the “Instituciones políticas” of the Almohad Empire in her *El retroceso territorial de al-Andalus*, directed by Viguera Molíns.¹⁰³ Indeed, this organization was like manna from heaven for the Maghribī theoretician of the grandeur and decadence of empires which, according to him, emerged through the vital energy of tribes and disappeared in the cities after a few generations. This organization is particularly interesting because it preceded the imperial administration which he superimposed on it. The study of acts of appointment should allow us to discern surviving elements from the initial movement, beyond those which appear in ceremonial tributes.

¹⁰³ R. CASTRILLO MÁRQUEZ, “Instituciones políticas”, 127-145.

Other than a few exceptions, including ‘Abd al-Mu’min and one of the Maḥdī’s principal lieutenants, the *shaykh* Abū Ḥafs ‘Umar Intī or Hintātī¹⁰⁴ from the Hintāta tribe, Ibn Tūmart’s first supporters belonged to his own tribe, the Hargha,¹⁰⁵ and generally to the Maṣmūda tribal group: Hargha, “people of Tinmāl,”¹⁰⁶ Hintāta, Ğadmīwa,¹⁰⁷ Ğanfīsa,¹⁰⁸ Qabā’il, and Haskūra.¹⁰⁹ Scholars generally insist on the strictness of the hierarchical structure put into place by Ibn Tūmart and on the influence of the tribal structures it reflects. Indeed, the Maḥdī decided to ensure, in addition to specifically tribal categories, a certain representativeness for the different groups within authorities put into place – the Council of Ten or *ahl al-jamā’a*, the Council of Fifty and/or of Seventy.¹¹⁰

The origin of the system created has been attributed to a formalization inspired by the Muḥammadan prophetic model, with a very strong hierarchical component. A certain number of “categories” were created to frame all of the partisans. ‘Izz al-Dīn Mūsá, who has worked on this question, notes that the list of categories differ depending on the authors,¹¹¹ for example al-Baydhaq and al-Yasa’ cited by Ibn al-Qaṭṭān, or Ibn Ṣāḥib al-Ṣalā and ‘Abd al-Wāḥid al-Marrākushī:

- al-Yasa’: the Ten, the Fifty, the Seventy, the “Learned” (*ṭalaba*), the “Guardians” (*ḥuffāz*), the “people of the house” (*ahl al-dār*), the Hargha, the “People of Tinmāl” (*ahl Tinmāl*),¹¹² the Ğadmīwa, the Ğanfīsa, the Hintāta, the “people of the tribes or

¹⁰⁴ His original name was Faska, literally “the feast”, a name given to children born on the day of the feast of the sacrifice. According to sources, Ibn Tūmart named him Abū Ḥafs ‘Umar in remembrance of ‘Umar Ibn al-Khaṭṭāb, to highlight his military qualities and his indefatigable attachment to the Almohad cause (MG).

¹⁰⁵ The Berber form of this ethnonym is Arghān, mentioned by al-Marrākushī. This tribe was found in the Anti-Atlas southwest of Taroudant (MG).

¹⁰⁶ This group does not seem to have existed before the preaching of Ibn Tūmart and was created to support the cause and defend the first Almohad capital (MG).

¹⁰⁷ The Berber form of this ethnonym is Igadmiwān. This group, still known under this name, was situated in the plains and mountains around Asif al-Māl (MG).

¹⁰⁸ The Berber ethnonym is Ig-Nfīs, “those that overlook the Nfīs”. This federation was situated to the west of the western High Atlas, separated from Atlantic only by the Ḥāḥa tribe. According to al-Marrākushī, they spoke the purest Berber of anyone. Ibn ‘Abd al-Ḥalīm, among others, described the important role played by the *ribāṭ* of Nfīs in the process of conversion and Islamicization of the Maṣmūda (MG).

¹⁰⁹ The form of this ethnonym is Iskūr, “the partridges”. It is one of the many cases where an ethnonym comes from the animal kingdom. This powerful federation ranged across both sides, Saharan and Atlantic, of the High Atlas, from Oued al-‘Abīd to Oued Dadès. Many of the commercial routes linking Sub-Saharan Africa and the Mediterranean went through their territory. The modern city of Skūra derives its name from this federation (MG).

¹¹⁰ M. TALBI, “Ibn Tūmart” ; Ch.-A. JULIEN *et alii* (ed.), *Les Africains*, 139-165.

¹¹¹ ‘I. al-D. MŪSÁ, “Al-tanzīmāt al-ḥizbiyya”, 54-55.

¹¹² Tribal grouping named after their place of residence (‘I. al-D. MŪSÁ, “Al-tanzīmāt al-ḥizbiyya”, 62).

of Qabā'il (*ahl al-qabā'il*),¹¹³ the army (*jund*), and the “combatants of the faith” (*ghuzzāt*);

- al-Baydhaq: the *ahl al-dār*, the “Members” (*ahl al-jamā'a*), the Fifty, the Hargha, the *ahl Timāl*, the Hintāta, the Ğadmīwa, the Ğanfīsa, the Kūmya, the *Qabā'il*, the Haskūra, the Ṣanhāja, the servants (*'abīd*) of the *makhzan*, the *muhtasibs* (responsible for policing the markets and for moral reform), the *sakkākūn* (responsible for monetary production), the muezzins, the *ghuzzāt*, the *ḥuffāz*, and the *ahl al-ḥizb* (“people of the party [of the *tawḥīd*]”).

For Mūsá, the lack of concordance between the two lists is due to the confusion between the partisan organization, administrative and military structures, and religious functions, but these were in fact different levels that corresponded to many phases of development. The only categories that would shed light on the partisan organization are: the Ten or *ahl al-jamā'a*, the Fifty, the Seventy and the Seven, the *ṭalaba*, the *ḥuffāz*, and the rest of the population, the “totality” (*al-kāffa*).¹¹⁴ The narratives agree on the fact that these groups were created after the oath (*bay'a*) sworn to Ibn Tūmart, when he was auto-proclaimed and recognized as Maḥdī.¹¹⁵

2. AHL AL-JAMĀ'Ā, OR THE COUNCIL OF TEN

The term Ten, which refers to the number of “Members” generally transmitted by the sources, seems to be more a name than the exact number of individuals composing this council. Thus, al-Yasa', as told by Ibn al-Qaṭṭān, gives only seven names, while the *Kitāb al-ansāb* counts twelve. Mūsá hypothesizes that the name *ahl al-jamā'a* was given first, then, when the number of members reached ten, the numeral imparted its name to the group, echoing the tradition of the Prophet's ten companions to whom Paradise was promised. Indeed, the composition of this council evolved: for example, Ibn Tūmart had one of its members killed, an Ifrīqīyan *faqīh* who voiced some doubts about the *'iṣma* (“impeccability”) of the Maḥdī and

¹¹³ This name designates a tribal grouping gravitating around Marrakesh: Hazmīra, Haylāna, and Hazrāja (I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya”, 62).

¹¹⁴ I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya”, 55.

¹¹⁵ I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya,” 56. Al-Yasa' sets this creation at the moment of its oath (*bay'a*): the first ten to swear constitute the first group, the next fifty, the second, the next seventy, the third. However, Mūsá finds this origin suspect. The Ten were all companions of Ibn Tūmart before the *bay'a*, except Abū Ḥafṣ 'Umar b. Yaḥyá al-Hintātī who joined the group after the “Almohadization” of the Hintāta tribe. Mūsá suggests that this appointment was a concession made to the numerous members of this tribe. In exchange for their joining the movement which considerably weakened the Almohad attacks, they obtained the participation of their leaders in the Almohad leading courts. However, among these, there is not a single Hargha, the Maḥdī's tribe, the first to rally to his message. It would seem that at least one Hargha would be a part of the first ten people to swear the oath to Ibn Tūmart when he proclaimed himself the Maḥdī.

who refused the massacre of the Hazmīra.¹¹⁶ Moreover, half the members died in the al-Buḥayra defeat, and we do not know with any certainty if the Maḥdī replaced them. Based on the data given by the chronicles, Mūsá thinks that this was the case. The following are names of Council members at one time or another:

- First those on whom all the sources agree: ‘Abd al-Mu’min b. ‘Alī al-Kūmī, Abū Ḥafṣ ‘Umar b. ‘Alī al-Ṣanhājī,¹¹⁷ Abū Ḥafṣ ‘Umar b. Yaḥyá al-Hintātī, Abū Yaḥyá Abū Bakr Ikīd;
- Next those on whom the sources diverge: Abū Muḥammad ‘Abd Allāh b. Muḥsin al-Bashīr al-Wānsharīsī (absent from al-Marrākushī’s *Mu’jib*), Abū Ibrāhīm Ismā‘īl b. Yaslālī¹¹⁸ al-Hazrajī,¹¹⁹ Abū l-rabī‘ Sulaymān b. Makhluḥ al-Ḥaḍramī (both omitted by Ibn al-Qaṭṭān, and the latter corresponds undoubtedly with Ismā‘īl b. Makhluḥ mentioned by the *Ḥulal al-mawshiyā*), Abū ‘Umrān Mūsá b. Tammārā al-Jadmīwī, Abū ‘Abd Allāh Muḥammad b. Sulaymān¹²⁰ *min ahl Ānisā*,¹²¹ ‘Abd Allāh Ibn Ya‘lá al-Zanātī al-Tāzī, also known as Ibn Malawīya;
- Finally, those who appear in only one source: Abū Mūsá ‘Isá b. Mūsá al-Ṣawdī,¹²² Abū Muḥammad ‘Abd al-‘Azīz al-Ghayghā‘ī¹²³ (in *K. akhbār al-Maḥdī*), mentioned in the group of the *Ahl al-dār* in the *Akhbār al-Maḥdī*, as well as ‘Abd al-Wāḥid al-Sharqī and Abū Muḥammad Wasnār (al-Marrākushī’s *Mu’jib*), also mentioned in the group of the *Ahl al-dār* in the *Akhbār al-Maḥdī* and by Ibn al-Qaṭṭān.

There are some indications as to the precise functions exercised by some of the members of this group. They were first of all the Maḥdī’s advisers, the familiars in whom he had full

¹¹⁶ ‘I. al-D. MŪSÁ, “Al-tanzīmāt al-ḥizbiyya”, 58.

¹¹⁷ He was also known as ‘Umar Aznāg. Aznāg, “dark-skinned,” is the Berber form of Ṣanhājī (MG).

¹¹⁸ As was often the case during the Almohad period, this person carried a double name, one in Arabic (Ibrāhīm), the other in Berber (Iggīg, “thunder”). He appears in most of the sources as Ibrāhīm Iggīg (MG).

¹¹⁹ The Berber form of this ethnonym is Ili Zarguan, “the freckled ones.” Like the Hazmīra, the Hazrajī territory ranged from the Atlas foothills to the south of Aghmāt Ūrīka and part of the mountainous peaks that dominated the Hawz plain, around Ayt Ūrir and Imī n’zāt (MG).

¹²⁰ This man, who was blind and from the Maṣmūda tribe, was *qādī* in the village of Ansā. As a sign of honor, one of his daughters married ‘Abd al-Mu’min. The future caliph Abū Ya‘qūb Yūsuf and the *sayyid* Abū Ḥafṣ were both born of this marriage (MG).

¹²¹ This is the town of Ansā, in the Anti-Atlas, not far from Igīlīz and modern-day Taliouine. Al-‘Abdarī, the famous Merinid period traveler, stopped there before continuing to the East, and wrote a brief description. As proof of the adherence of the inhabitants of the region (Ayt Wānsā) to the Almohad cause, they were fully included in the *Ahl Tinnāl*, even though they belonged to the Imādidan tribe (MG).

¹²² The *nisba* Ṣawdī refers to the Ṣawda tribe, whose territory ranged from the foothills and wester High Atlas Mountains, around the current locality Chichaoua. The Berber form of this ethnonym is Unzuṭṭ. The particular sound of the first letter, between *zā*’ and *ṣāḍ*, led medieval Arabic authors to hesitate between transliterating the name as Ṣūda or Zūda (MG).

¹²³ The Berber form of this ethnonym is Ighaighāyīn. This tribe, situated near the first rise of the western High Atlas mountains, near modern Asni, was then part of the Hintāta (MG).

confidence for grave affairs and to whom he entrusted the responsibility of carrying out his decisions. Al-Bashīr was a talented military leader, responsible most of the time for the direction of military expeditions, even if, occasionally, ‘Abd al-Mu’min, ‘Umar Aṣṣnāğ, and Mūsá b. Tammār shouldered this responsibility in his place; Sulaymān Aḥadrī ¹²⁴ was charged in particular with the *kitāba*, Ismā‘īl al-Hazrāji as a judge, Mūsá Ibn Tammār with the goods of the *Ġamā‘a*, Muḥammad b. Sulaymān with the direction of the *farā'id* on the order of the Mahdī, Ayyūb al-Jadmīwī with the division of goods and lands (*al-iqtā‘*) among the Almohads.¹²⁵ All these tasks were executive and sometimes implicated people outside the group. This council of Ten thus represented the most influential advisers and the highest military, administrative, judicial, and political officials; the selection of its members seems to have been the result of a thorough examination and a detailed investigation on the part of Ibn Tūmart.

3. THE COUNCIL OF FIFTY AND OF SEVENTY

The Council of Ten, or *Ahl al-jamā‘a*, an echo of the elected ten of Sunni tradition, was thus at the head of the pyramid meant to frame Almohad society, while the Council of Fifty brought together, in addition to the Ten, about forty tribal delegates.¹²⁶ The existence of these two councils, “the Fifty” and “the Seventy”, refers either to two successive steps for the same institution, depending on the evolution in the number of members, or to the creation of a theoretical organization (the Seventy) designating all of the existing councils – *ahl al-jamā‘a*, *ahl khamsīn* (Council of Fifty), and *ahl al-dār* (“the people of the house”) – without any formal concrete existence. For example, more than ten new members were added after the *tamyīz* (the “sorting” or “purge”), that happened in 524/1130. Ibn Ṣāhib al-Ṣalā says that the council counted only forty-one members and he cites only thirty-nine names; we should perhaps add the group of seven that brought together the most important Almohads of the Hargha, *ahl Tinmāl*, and Hintāta tribes for punctual matters that did not concern everyone. This sub-group would have had quite an influence within the council of Fifty, which constituted on its own the general assembly meant to give its opinion on everyday affairs.

¹²⁴ Maḥmūd ‘Alī Makkī, in his edition of *Nazm al-jumān*, erroneously transcribed this name (al-Ḥaḍramī). Al-Baydhaq provides the correct form (Sulaymān Aḥadrī). The name come from the Berberization of the Arabic term *ḥaḍra* or *ḥādira*, meaning a large city or capital. As al-Baydhaq specifies, this person was from Aghmāt Ūrīka, long known as Ḥādirat al-Maṣāmida (MG).

¹²⁵ ‘I. al-D. MŪSÁ, “Al-tanzīmāt al-ḥizbiyya”, 59.

¹²⁶ J.-Cl. GARCIN (dir.), *États, sociétés et cultures*, t. 1, 209.

The assembly of Fifty included representatives from the Almohad tribes present at the foundation of the movement: Hargha, *ahl Tinmāl*, Hintāta, Ġadmīwa, Ġanfīsa, Ṣanhāja, Qabā'il, and Haskūra. Though the first five supported the movement as early as Igīlīz and participated in all the battles at Ibn Tūmart's side, the Haskūra violently fought him before joining his successor, 'Abd al-Mu'min, like the Ṣanhāja who began serving the Almohad power in 520/1135. The council was thus gradually established, through the addition of supplementary representatives as tribes gathered to the movement. Here again, Mūsá claims that the name of the Fifty does not seem to refer to the number of members of the Council, a number that fluctuated according to the successive additions of Maghribī Berber tribes, but derived more from the internal organization of the Berber tribes and their *Ait Arb 'in* ("Council of Forty"), an assembly of around fifteen men.

In a table summary copied here below, Mūsá gives the composition of the council of Fifty by tribe, depending on the two sources that mention it: al-Baydhaq (before and after the purge) and Ibn Ṣāhib al-Ṣalā. The council's composition confirms the preponderant role played by the Tinmāl tribes, as well as Ibn Tūmart's role in this consultative council.

Haskūra	Qabā'il	Ṣanhāja	Ġanfīsa	Ġadmīwa	Hintāta	<i>ahl Tinmāl</i>	Hargha	Tribes/source
4	1	3	4	4	2 ?	19	8	Before the purge (al-Baydhaq)
4	1	3	5	4	8 ?	21	8	After the purge (al-Baydhaq)
3	1	3	4	2	3	14	6	Ibn Ṣāhib al-Ṣalā

Table 2: Tribal representation within the Council of 50¹²⁷

4. THE ṬALABA ("LEARNED")

Mūsá suggests that the *ṭalaba* category was created before the Fifty, based on the indication that even before his recognition as Maḥdī, Ibn Tūmart sent learned men to the tribes to gather them to his cause. This group of *ṭalaba* or *ṭulba* (*tolba* for traditional historians) was numerous and brought together before the *bay'a* of 1124, during Ibn Tūmart's first preaching at Igīlīz (1121-1124).¹²⁸ During his stay in the family homeland, the Maḥdī dedicated most of this time to forging and teaching his doctrine. His disciples in return were charged with spreading the message, first in the Sūs in 516/1121, to gather neighboring tribes, and this mission did not cease over time. Besides this missionary action, the *ṭalaba* seem also to have exercised military functions, as indicated by their frequent participation in the large martial expeditions.

¹²⁷ Table from 'I. al-D. MŪSĀ, "Al-tanzīmāt al-ḥizbiyya", 63.

¹²⁸ Igīlīz n'warghān is the original Berber form (MG).

5. THE OTHER “CATEGORIES” AND THE *KĀFFA*

A number of other groups constituted the base of the pyramid for this first militant organization, namely the eight classes of “servants” (*‘abīd*) of the *makhzan* (archers, drummers...), the *muḥtasibs* (“moral censors”), the mint officials (*sikka*), the object of major reforms on the part of the Almohads, the regular army soldiers (comprising in principal the inhabitants of Aghmāt),¹²⁹ the muezzin, in relation to the importance given to prayer, and finally the volunteers for *jihād*.

Except for the two upper echelons of the pyramid, the organization put into place at the time of the Mahdī was not so much a bureaucratic administrative apparatus as it was an attempt to organize the partisans under a unitary concept of God and the community. Subsequent sources chose to describe this embryo of power with a religious foundation pared of the complicated trappings characteristic of urban powers, with bare rituals such as the *bay‘a* sworn to the Mahdī Ibn Tūmart at Igīlīz under a carob tree, and without any honorific titles. This original simplicity, austerity, and absence of splendor contrasts with the wealth of material, spiritual, and religious construction of the Empire still to be born, which the chroniclers delight in describing to insist on the Mu’minid miracle, made possible only by the grace of God.

¹²⁹ The name of this former Maṣmūda capital is formed from the root GH M T, which refers to dyeing. This may be related to al-Idrīsī’s report that the Maṣmūda dyed their hair (MG).

Chapter 2: “From Guidance to conquest” or the state of war

The Mahdī himself decided to transform the religiously founded, almost “prophetic” authority he exercised over “his” community into a political sovereignty exercised over the Maghrib. The expeditions launched against the Almoravid power that held the Atlantic plains began in the middle of the 1120s. The political transition after Ibn Tūmart’s death caused only a temporary interruption in the expeditions, before the Mahdī’s successor (*khalīfa*), ‘Abd al-Mu’min, took them up again after having assured his place at the head of the Almohads, probably around 1132. We do not know if Ibn Tūmart named ‘Abd al-Mu’min as his successor or not, but subsequent sources insist on the administrative and military responsibilities entrusted to him to prepare the succession.¹³⁰ In particular, when he was sick after the al-Buḥayra defeat by the Almoravids, the Mahdī followed the Prophet’s example with Abū Bakr and confided prayer leadership to ‘Abd al-Mu’min. Whether the Almohad tribes were reluctant, or whether ‘Abd al-Mu’min showed an excess of prudence, the succession seems to have been difficult. This explains why the Mahdī’s death was kept secret for nearly three years, from 1130-1132, perhaps as Mūsá suggests between the *bay‘a khāṣṣa* (the oath by the Almohad elite) and the *bay‘a ‘āmma* (the general recognition).¹³¹

Three members of the Council of Ten, ‘Umar al-Ṣanhājī (Aznāg), ‘Umar b. Wumzāl¹³² Intī and ‘Abd Allāh b. Sulaymān from Tinmāl, exercised power at ‘Abd al-Mu’min’s side during this transition. At the end of the period, the Almohads recognized the new sovereign during the *bay‘a* ceremony that took place for three days (rabī‘ I 562/February 1132) in the Tinmāl mosque. From this date, Viguera notes through an evolution in ceremonial forms changes in the system of command.¹³³ From a system that played on austerity, asceticism, and simplicity under a carob tree for the *bay‘a* sworn to the *imām* Ibn Tūmart, in ramaḍān 515/Nov.-Dec. 1121, emerged the splendor of urban allegiances such as those in the polities of *Dār al-Islām*.¹³⁴

¹³⁰ Roger Le Tourneau claims, citing an argument by Ibn Abī Zar‘, that it was because he was a stranger to the Maṣmūḍa tribes that ‘Abd al-Mu’min succeeded. Outside the internal quarrels that, at Ibn Tūmart’s death, threatened to disintegrate the original Almohad tribes, he was consensually accepted (IBN ABĪ ZAR‘, *Rawḍ al-Qirṭās*, 119 and R. LE TOURNEAU, *The Almohad Movement*, 48).

¹³¹ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 115-117.

¹³² This may be a proper name, with *Wa* corresponding to Arabic *ibn*, but is more probably a *nisba* signifying the person’s belonging to the well-known Ayt Ūmzāl tribe, located not far from Taroudant (MG).

¹³³ See M^a J. VIGUERA, “Cérimonias y símbolos”.

¹³⁴ M^a J. VIGUERA (dir.), *El retroceso territorial*, 81.

‘Abd al-Mu’min b. ‘Alī b. ‘Alwá al-Kūmī, a Zenata Berber born in Tāǧrā, a village in the region of Tlemcen, at the end of 487/1095, received an ‘Alid genealogy like the Maḥdī. The chronicles spare him no praise, and their largely hagiographic descriptions adorn him with almost legendary qualities; al-Baydhaq in particular makes the meeting between the Maḥdī and his caliph into a crucial moment in the history of the Almohad movement. As Mūsá notes, ‘Abd al-Mu’min received a number of *laqabs*, each significant in its meaning:

- ⑨ *amīr al-mu’minīn*: “prince of the believers,” of which the origin attributed to ‘Umar Ibn al-Khaṭṭāb is most often recalled in chancellery document preambles;
- ⑨ *imām*, since he inherited his power from the Maḥdī, which implies there is no difference between the Maḥdī and his successor who defends his cause after him.¹³⁵ He also took the title of *khalīfa*, “successor.” The succession was not, however, due to a public or secret designation by Ibn Tūmart, but to the will of God as portrayed by al-Baydhaq’s description of the meeting between Ibn Tūmart and ‘Abd al-Mu’min.¹³⁶

The important political mutations witnessed throughout the Maghrib and al-Andalus during the three decades of this ruler’s reign led to a reevaluation of his role in defining the Almohad doctrine and governmental forms versus the Maḥdī himself. ‘Abd al-Mu’min was the architect and spirit behind the Almohad imperial construction, the strategist who designed its lasting outlines. He was the real conqueror: he intensified the fight against the rulers of the time and harvested the posthumous fruit of the political, religious, theoretical, and doctrinal message that Ibn Tūmart had elaborated against the Almoravid powers and their Mālikī *‘ulamā’* and *fuqahā’* supporters. During the first eight years of his reign, he gained the submission of the Atlas Mountains. Then, between 1139 and 1146, during the “seven year war”, he directed the final assault against the Almoravids, taking their land and capital, and physically eliminating the members of the dynasty. He next broke with Almoravid strategy and oriented his main forces towards the central Maghrib, privileging expansion towards the east, rather than southern conquests towards the original Almoravid lands, or towards the north and al-Andalus which nevertheless was not neglected. This strategy would lead to the first large-scale territorial unification of North Africa by an indigenous power. The conquest did not come about without resistance, nor without temporary or lasting losses.

¹³⁵ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 121.

¹³⁶ For a rapid presentation of this passage, see P. BURESI, “L’Empire almohade...”, 221-222.

A. Martial administration

During an initial period of transition between the prophetic structure of the Maḥdī Ibn Tūmart's political organization and the imperial administration that would emerge after the Almoravids' disappearance, 'Abd al-Mu'min led the Almohads out of the Atlas Mountains to conquer the plains and Almoravid cities, with Marrakesh as the final objective. Tinmāl, the new Medina with its *Anṣār* and *Muhājirūn*, served as the military base for these conquests. The city is located in an Atlas valley, surrounded by high summits and not far from the Tizi n-Test Pass. The site houses not only a mosque dating probably from the reign of 'Abd al-Mu'min rather than the Maḥdī – it was considerably restored in the 1980s – but also fragments of the wall that surrounded the apparently far-spread town. 'Abd al-Mu'min led his military actions against the Almoravids from this base in Tinmāl, taking the city of Iglī,¹³⁷ first in 529/1134-1135, and definitively in 535/1140, as well as Tārūdānt.¹³⁸ He used his conquests to consolidate his power over the Almohad tribes and Atlas Mountains.

1. THE CONQUEST OF MOROCCO

The main cities of Morocco fell into the hands of the troops sent out by 'Abd al-Mu'min within ten years, despite the merits of the Almoravid designated successor, Tāshfīn b. 'Alī (*wālī al-'ahd* beginning in 533/1138) and his best military leader, the Catalan noble Reverter (killed in 537-538/1144-1145). 1145 was a decisive year, since, having lost Tlemcen, the Almoravid emir Tāshfīn accidentally died while besieged in Oran and seeking to join the fleet of the Andalusī admiral Muḥammad b. Maymūn sailing before the city. The Almohads conquered Tlemcen, Oran, Ujda, and the Guercif region in that year, Fez in dhū l-qa'da 540/April 1146, after which Sijilmāssa, Meknes, Salé and Ceuta (for the first time) submitted. The Andalusī leaders, like another member of the Banū Maymūn family, the admiral 'Alī b. Maymūn who commanded the fleet at Cadix, rallied to the rising power of the Muwaḥḥidūn.

The Almohads began harassing Marrakesh in 523/1128-1129, and finally took the city on 17 shawwāl 541/March 22, 1147, after a nine-month siege, thus ending the Almoravid Empire.¹³⁹ The Almohads succeeded in imposing their sovereignty at the expense of the Almoravids within fifteen years. Inheriting the Almoravid imperial organization, the Almohads became the rallying point for all oppositional movements in the Maghrib and al-Andalus. They

¹³⁷ This should not be confused with Iglīz-des-Hargha, the place of birth of the Maḥdī Ibn Tūmart and his first sanctuary in 1120. See, with a confusion of the sites A. J. Fromherz, "The Almohad Mecca," and the correction by A. Fili and J.-P. Van Staevel, "Wa waṣalnā 'alā barakat Allāh ilā Iglīz".

¹³⁸ See NLA, n° 3, 50-52.

¹³⁹ M^a J. VIGUERA (dir.), *El retroceso territorial*, 73.

were thus solicited and responded rapidly, for example sending troops to Ibn Qasī in 1146-1147, even before the fall of Marrakesh.

This first conquest did not go unopposed. The literate urban milieu of the Maliki *'ulamā'* and *fuqahā'* were extremely reticent before the Almohad doctrine and the Maṣmūda rural style. Even in territories conquered a first time, acts of rebellion were frequent, not to mention resistance from some members of the Almoravid elite, such as Ibn al-Ṣaḥrawiyya, a member of the ruling family who attempted to organize resistance against the Almohad advance by instigating troubles wherever he passed (he did not join until 550/1155-1156). Though Ceuta had recognized 'Abd al-Mu'min's authority, it rebelled under the *qāḍī* 'Iyāḍ, supported from Algeciras by Yahyā b. Ghāniya, the descendant of a Mussūfa leader and a relative of Yūsuf b. Tashfīn named Ghāniya.¹⁴⁰ The Almohads did not definitively occupy the city until June 1148. They also needed to take Salé and Tangiers to ensure their control of the Strait of Gibraltar.

2. THE CONQUEST OF THE CENTRAL MAGHRIB

Even though 'Abd al-Mu'min sent troops early on into al-Andalus, he remained during this time on the southern shores of the Mediterranean, where he organized the conquest of the central Maghrib. The expansion towards the east was long and difficult, but the Almohad troops pushed through to Tripolitania, eliminating all the independent powers they encountered along the way. Ambrosio Huici Miranda's detailed political history of the Almohad Empire based on all extant sources provides a complete chronology of events¹⁴¹. After the disappearance of the Almoravid dynasty from Marrakesh (17 shawwāl 541/March 22 1147) and the foundation of Rabat in 1150, 'Abd al-Mu'min, supported by two important members of the first community founded by Ibn Tūmart, Abū Ḥafṣ 'Umar Intī and Ismā'īl b. Igīg, brought his troops together at the end of 546/beginning of 1152. Heading towards Ceuta, he pretended to embark for al-Andalus before veering at the last moment for the Ḥammādid principality in Bougie, which had sent troops to support the Almoravids.¹⁴²

The situation in Ifrīqiya and in Tripolitania was then unclear: after taking Jerba in 1135, the Norman kings of Sicily had progressively occupied most of the Ifrīqiyan coast where the urban populations were left to protect themselves. In the middle of the twelfth century, the Normans had put an end to the Zirid dynasty in Mahdīya in 1148 and had taken Tripoli;

¹⁴⁰ IBN 'IDHĀRĪ, *Bayān*, t. 5, 32. See H. E. KASSIS, "Qāḍī 'Iyāḍ's rebellion".

¹⁴¹ HPIA, 161ff. See also A. MERAD, "'Abd al-Mu'min".

¹⁴² DIHA, ar. 112, trans. 185 and IBN KHALDŪN (*al-Ibar*, t. 6, 315, trans. t. 2, 189) place 'Abd al-Mu'min's expedition just after the *i'tirāf*, in 546/1151, but other sources place it two years later.

Qayrawān had been almost completely emptied of its inhabitants. Christian domination spread to most of the coastal cities, except Tunis governed by the Banū Khurāsān, and Kelibia. The resistance that the Normans had encountered (rebellions in Sfax in 1157 and Tripoli in 1159) had not been enough to chase them from their positions before the Almohad intervention in 1159-1160. Lastly, Bāja was in the hand of the Arab Riyāḥ.

‘Abd al-Mu’min took Algiers on the way, defeated the Ṣanhāja troops and conquered Bougie with the least resistance, the governor (*qā’id*) having turned the town over in exchange for important responsibilities.¹⁴³ The Almohad troops, directed by ‘Abd Allāh, one of ‘Abd al-Mu’min’s sons, attacked the Qal‘a of the Banū Ḥammād, razing it to the ground, killing the governor and an Arab *shaykh* from the Athbaḡ tribe who was the *de facto* leader of the region. As a result, Constantine capitulated. The Arabs, who exercised a sort of protectorate over these regions from which they also subsisted, began to harrow ‘Abd al-Mu’min’s troops.

Yaṣlātan¹⁴⁴ b. al-Mu‘izz, a blood relative of the Maḥdī, was named along with Abd Allāh b. Wānūdīn (ou Wānnūdīn), ‘Abd al-Mu’min’s son-in-law, at the head of the army destined to combat the Arabs in Ifrīqiya after the expedition to Bougie which had begun at the end of 546/first quarter of 1152 and would finish with the fall of the city in 547 (April 8, 1152-March 28, 1153). The sources report, however, that Yaṣlātan b. al-Mu‘izz betrayed Abd Allāh b. Wānūdīn, reproaching him his alliance with ‘Abd al-Mu’min. He abandoned him, provoking the failure of this first Almohad expedition against the Central Maghrib Arabs, as well as ‘Abd Allāh’s imprisonment and execution by the Arabs. After this setback, ‘Abd al-Mu’min sent a second army to defeat the Arabs at Wādī l-Aqwās, near Sétif, in rabī‘ I 548/May 1153. This battle ended with the complete defeat of the coalition Arab tribes.¹⁴⁵

This episode is generally considered a pivotal moment in the life of the Almohad Empire: Roger Le Tourneau, as well as Ambrosio Huici Miranda, judges severely ‘Abd al-Mu’min’s attitude which incorporated the Arabs in the Almohad troops after this date, “betraying the Berber cause compromising with the Arabs.”¹⁴⁶ However, Le Tourneau’s claim that “‘Abd al-Mu’min thus deprived the Almohad movement of its soul and, while ensuring

¹⁴³ É. LÉVI-PROVENÇAL, *Majmū‘ rasā’il muwaḥḥidiyya*, n° 4, 6-10, “Un recueil de lettres officielles”, n° 4, 23-24, NLA 2, n° 11, 31-33.

¹⁴⁴ Al-Baydhaq gives Yaṣlāsan (MG).

¹⁴⁵ É. LÉVI-PROVENÇAL, *Majmū‘ rasā’il muwaḥḥidiyya*, n° 9, 26-34, “Un recueil de lettres officielles”, n° 9, trans. 29-31 ; NLA 2, n° 19, 53-58 ; DIHA, 114-115, trans. 188-190 ; IBN AL-ATHĪR, *Kāmil*, t. 9, 245-246.

¹⁴⁶ “En esta ocasión, el jefe y fundador del más grande imperio bereber traicionó, sin saberlo ni quererlo, la causa de su raza, al transigir con los Árabes y quizá pensó solamente en agrupar todas las fuerzas del Islam norte-africano para la guerra santa contra los cristianos españoles y normandos” (HPIA, t. 1, 167). For a more nuanced and revised vision, see V. AGUILAR SEBASTIÁN, “Política de ‘Abd al-Mu’min”.

power to his descendants, he also unsuspectingly prepared their ruin, for he took away the support of the entire Almohad community in order to ensure the support of a few families of well-off nobles or only recently rallied [to the cause]” is largely anachronistic and constitutes a fairly simplistic explanation for the Empire’s subsequent collapse.¹⁴⁷

Indeed, the entire strategy of ‘Abd al-Mu’min and his successors, founded on familial control over the developing state apparatus relied simultaneously on both doctrine, more and more elaborate and rigid and still being determined, and a large opening that allowed the integration into leadership positions in the Empire of all defeated or converted enemies from previous overturned regimes.¹⁴⁸ In addition, the Almohad caliph’s attitude on this occasion was not only coherent with all that he had done previously when he had pardoned those nobles, tribes, elites, and others who after having served the Almohads’ enemies had decided, sensing the wind’s changing direction or convinced by the Almohads’ message, to join the cause. It was likewise an essential pillar of the developing Almohad ideology: the original people of Islam, the tribes of the Arabian Peninsula, birthplace of the Muḥammadan prophecy, were submitting to the prince who incarnated the renewal and renaissance of this same prophecy; the establishment of this prophecy in the new center of Islam, the Western Maghrib, rejected the Arab origins to a faraway eastern periphery.

The conquests were again not definitive and the Almohads had to struggle against rebellions that arose when their troops were left in insufficient numbers to hold the land. Tunis and Mahdīya were conquered in 1160, and Tripoli in 1161, after the victory of Sétif which put a temporary end to the Arab unrest. We can imagine that, during these early troubled times immediately after the war, the administration of the new territories had a strong military character and that the principal charge of the regional governors was to lead the army and reaffirm Almohad authority through the slow and deliberate placement of Almohad judges. Tax collecting probably continued through those previously responsible under the Almoravids, with only the allocation of the sums collected changing with the arrival of a new administration.

3. THE CONQUEST OF AL-ANDALUS

The intervention in the Maghrib slowed any efforts to move into al-Andalus. The chronicles describe the passage into al-Andalus of Abū Ishāq Barrāz b. Muḥammad al-Masūfī,

¹⁴⁷ On the role of the Arabs in the Almohad army, see, in addition to the article cited in the previous note by the same author, V. AGUILAR SEBASTIAN, *Tribus árabes en el Maghreb almohade* ; “Aportación de los árabes nómadas” et “Instituciones militares,” *passim*.

¹⁴⁸ On the Almohad Empire’s capacity for integration, see P. BURESI, “L’apogée almohade,” *passim*.

‘Umar b. Ṣāliḥ al-Ṣanhājī, and Aḥmad b. Qasī with their troops. Heading first towards Jérez, the Almohads crossed the Guadalquivir to march on Niebla, and from there to Mértola, Silves, stopping to besiege the city, and finally Beja. The governors of Niebla, Yūsuf al-Biṭrūjī, and Beja, Sidrāy b. Wazīr, came out to meet and to submit to the Almohads. The entire Gharb and center of al-Andalus quickly recognized the new lords from the Maghrib. The allied troops, augmented by garrisons from conquered towns, marched on Seville, besieging it by sea and land. The Andalusī city was conquered on Wednesday, 12 *sha‘bān* 541/January 17, 1147. Thus, in the same year, Marrakesh and Seville both fell to the Almohad troops, after violent combat. In the Maghrib, as in al-Andalus, the occupation was brutal, and regions that spontaneously accepted their authority were rare. A few enclaves in the Algarve were the exception, prepared in advance by the religiously mystical-founded revolt of Ibn Qasī.

The *sayyid* Abū Ya‘qub Yūsuf b. ‘Abd al-Mu‘min was forced to ask his father for help because of the difficulties due to resistance in certain regions and pressure from the Christian kingdoms of the Iberian Peninsula. ‘Abd al-Mu‘min announced from Constantine in rabī‘ I 555/March-April 1160 after a victorious campaign in Ifrīqiya that he was arranging his passage into al-Andalus, and ordered the Straits readied in preparation.¹⁴⁹ He received delegations from all regions who renewed their oaths of loyalty. These ceremonies reveal the important caliphal dimension of the new power. Thanks to the magnitude of their conquests, the Almohads aspired to all the emblems of classical Islamic sovereignty and strongly insisted on the elements of protocol, court ceremonial, with as much importance placed on narrative references and *mis en scène* as the sermons of the great preachers and apologetic poems recited by scholars converted into courtiers.

‘Abd al-Mu‘min stayed for two months in Gibraltar. He confirmed his son the *sayyid* Abū Ya‘qub Yūsuf as governor of Seville, leaving him Almohad *shaykhs* and the vizier Ibn ‘Atiyya as advisers. He kept his other son the *sayyid* Abū Sa‘īd ‘Uthmān in Granada, and installed the *shaykh* ‘Umar Intī as governor of Cordova. Upon returning to Marrakesh, he sent troops under the direction of another Almohad *shaykh*, Yūsuf b. Sulaymān of the Council of Fifty, to lead Carmona which had been taken by the Almohads at the end of 1161 or the beginning of 1162. In addition, he sent tribal Maṣmūda and Arab contingents to reinforce the Almohad garrisons in al-Andalus. After a pious visit to the tomb of the Mahdī Ibn Tūmart in Tinmāl, ‘Abd al-Mu‘min fell sick, then died on 6 or 8 jumādā II 558/May 12 or 14, 1163.

¹⁴⁹ M^a J. VIGUERA (dir.), *El retroceso territorial*, 87.

B. The Enemies of the Empire

The conquest was not immediately definitive anywhere. The Christian kingdoms of the Iberian Peninsula took advantage of the Almoravid crisis and transitional period to militarily intervene in al-Andalus. Alfonso VII of Castile-León ceaselessly harrowed Yahyá b. Ghāniya in Cordova and took Úbeda and Baeza. He succeeded even in penetrating the former Umayyad capital in 1147 and creating a corridor to Almería conquered in the same year and held for ten years thanks to a certain number of relay points (including Baeza and Úbeda). Alfonso's death in 1157 led to a short-term pause in the Castilian attacks with the short reign of Sancho III. Attempts at expansion began again in earnest under his successor, Alfonso VIII, in 1158, and especially from 1169-1170, when Alfonso, now an adult, personally took the reins of power.

1. THE EMPIRE'S BORDERS WITH THE CHRISTIAN KINGDOMS: WAR AND PEACE

The permanent state of war in al-Andalus thus allowed the Christians of the North to seize the cities and regions of Lisbon, Tortosa, and Lérida. The Portuguese seized Beja a first time on 22 dhū l-hijja 557/December 1, 1162. They pillaged the town, but were unable to hold onto it after April of the next year. During the same period, Count Ximeno of Ávila (*Abū l-Bardā 'a*) pillaged the region of Seville where the caliph was taking care of supplying Badajoz, resettling Beja, and directing attacks against Talavera and Toledo.¹⁵⁰ After a few years of reprieve, the Christian offensives began fiercely anew in 560/1165. Giraldo Sempavor, the "Portuguese Cid," a military leader in the service of the Portuguese king, seized the Almohad cities of Cáceres, Trujillo, Évora, and Beja. When, because of internal problems, Castile and Portugal solicited a truce in the summer of 1173, Giraldo Sempavor changed over to the Almohads and served in the Maghrib with other Christian soldiers who constituted the personal guard for the Almoravid, Almohad, and subsequent rulers.¹⁵¹ Abū Ya'qūb Yūsuf returned to the Maghrib in 571/1176 where the Almohads were faced with new insurrections.¹⁵² The Leonese, rivals of both young Portugal to the west and Castile to the east, quickly broke their traditional alliance with the Almohads to attack Cáceres in 577/1183.

Alfonso II of Aragon attacked Valencia in May 1171, anxious about the disappearance of his ally Ibn Mardanīsh. Hostilities with León resumed between 1174 and 1177. Alfonso Enríquez of Portugal raided the Sevillian Aljarafe in the summer of 1178. The Muslims definitively evacuated Beja. Alfonso VIII took Setefilla. The Leonese besieged Cáceres in

¹⁵⁰ *Aṭā' al-jazīl*, f° 1-3, ed. NLA, n° 27, 130-134.

¹⁵¹ cf. Ch.-E. DUFOURCQ, *L'Espagne catalane et la Maghreb*, and I. al-Q. BUTSHISH, "Al-jāliya al-masīhiyya".

¹⁵² M^a J. VIGUERA (dir.), *El retroceso territorial*, 94.

1183. When the caliph returned to al-Andalus in May 1184 with Arab and Maṣmūda troops, it was to die during the siege of Santarem. Yūsuf's death, kept secret until the army's return to Seville, opened the doors of the caliphate to his son, Abū Yūsuf Ya'qūb, acknowledged in the Andalusī capital the 10-11 August 1184.¹⁵³ The Christians took advantage of the Almohad ruler's absence to advance their pieces and seize strongholds in al-Andalus. Alfonso VIII of Castile harrowed Cordova and Seville, allied with 'Abd Allāh b. Ghāniya of Majorca, and seized Magacela in June 1190. A band of Crusaders on their way to Jerusalem (conquered by Saladin in 1187) helped Sancho I of Portugal take Silves in September 1189 after a four-month siege, as well as a few minor enclaves like Alvor.

In April 1190, the caliph disembarked at Tarifa and went directly to Cordova. He accepted truces with Castile and León to free himself for action against Portugal. From the Guadiana valley, he sent troops along the Tagus against Silves and Évora, seized Torres-Nova, and returned to Seville on June 26, 1190, after a partial defeat at Tomar. He seized Alcacer in April 1191, then Silves in June. The Portuguese begged for a truce, which allowed Abū Yūsuf Ya'qūb to return triumphantly to the Maghrib. The Almohad caliph returned to al-Andalus in 1195. He arrived at Tarifa on June 1st, headed to Seville, then Cordova (June 23rd). He crossed the pass of Muradiel and set up his army on the plain of Salvatierra and in Campo de Calatrava where Alfonso VIII of Castile came out to meet him.¹⁵⁴ The turning movement of his troops allowed al-Manṣūr to win the battle of Alarcos (*al-Arak*). The Almohads pushed their advantage to take back a number of fortresses: Alarcos, Guadalferza, Malagón, Benavente, Calatrava la Vieja, and Caracuel. Abū Yūsuf Ya'qūb al-Manṣūr refused the Castilian truce offer and accepted an alliance with León to whom he provided troops to attack Castile in Tierra de Campo. He, himself, took Montánchez, Trujillo, Santa Cruz, and Plasencia, raiding lands in Talavera, Santa Olalla, and Escalona without succeeding in taking Máqueda. He remained before Toledo for ten days then returned to Cordova. The caliph renewed the *ṣayfiyya* the next year, and raided the lands of Talavera, Máqueda, Oreja, Madrid, Alcalá de Henares, Guadalajara, Huete, Uclés, Cuenca, and Alarcón. Returning to Seville the 19th of August, he accepted truces with Castile to take care of troubles instigated by the Banū Ghāniya in Ifrīqiya.

The chronicles show a great contrast between the Almoravid period, with practically no truces, and the Almohad period, when they were frequent with all the kingdoms concerned, except Navarra - with no common border with al-Andalus, Navarra was the traditional ally of

¹⁵³ M^a J. VIGUERA (dir.), *El retroceso territorial*, 96.

¹⁵⁴ M^a J. VIGUERA (dir.), *El retroceso territorial*, 98.

the Muslim powers against Castile and Aragon until 1212. This does not mean that the state of war was permanent at the beginning of the twelfth century, and that peace reigned during the second half of the century. An absence of official truces, first of all, does not necessarily imply the existence of military expeditions (the borderlands must have been spared, in particular, in winter). Next, an agreement did not prevent transgressions, and, finally, the treaties passed by the Almohad Empire never concerned all the Christian kingdoms at once. The Mu'minid dynasty was in fact perpetually at war with one or many of the Christian kingdoms. It is, however, incontestable that the end of the twelfth century, and even more so after the Christian victory at Las Navas de Tolosa (*al- 'Iqāb*), saw an institutionalization of diplomatic relations, as witnessed by the exchange of emissaries, negotiations, and renewed accords.

The truces were all temporary, except the alliance with León, and they seem to have been negotiated, established for a fixed time, with the possibility of renewal. The duration was generally fixed at five years.¹⁵⁵ All truce proposals were not accepted: they came out of a common accord that considered the power struggle between two polities. The truce, moreover, was passed in the name of the central power.¹⁵⁶ The ruler, or his representative, signed the accord after having negotiated terms. The negotiations appear to have been bitter, and Muslim sources mention more often the arrival of Christian ambassadors than the expedition of Muslim ambassadors.¹⁵⁷ The Christians do not seem to have been held to pre-established rules in

¹⁵⁵ Morabia recalls that because of the Koran (115, IX, 3), treaties were authorized four months of the year. Al-Shafī'ī's *Kitāb al-umm* (IV, 190) accepts the signing of armistices without paying tribute or truces the duration of which was to be determined. They had to be less than ten years for the Shafī'ites, and less than four for the Malīkites and Ḥanafites, based on the Prophet's example at Hudaybiyya, when he broke a truce originally meant to last ten years (A. Morabia, *Le Gihad*, 319).

¹⁵⁶ This point is discussable, for, on the Muslim side, the *taifas* who separated from the central government during the crises (middle of the twelfth and middle of the thirteenth centuries), passed treaties with the Christian kingdoms. However, these were not "private" accords, but in fact "public", for the territorial rulers claimed legitimate power over al-Andalus. This was the case for Ibn Mardanišh, Sayf al-Dawla, or later Abū Zayd or al-Bayāsī.

¹⁵⁷ As shown by this passage from the *Bayān* concerning the renewal of treaties in 618/1221-1222: "In 618, treaties and the peace were renewed (*al-muhādana wa-l-muṣālaḥa bayna wulāti l-Andalusi mina l-sādati wa-l-muwaḥḥidīna bi-amri amīri l-mu'minīn al-Mustanṣiri bi-Llāhi, wa bayna al-naṣārā*) between the Almohad *sayyids*, governors of al-Andalus in the name of the *amīr al-mu'minīn* al-Mustanṣir bi-Llāh and the Christians, may God annihilate them; the vizier Abū Yaḥyā Zakariyā b. Abī Zakariyā wrote to the queen of Castile, Doña Berenguela, daughter of the king of Castile and Toledo, a letter written by Ibn 'Ayyāsh, in which he notified her of the peace (*yukhbiru-hā bi-l-salami lladhī n' uqida bayna-hu wa bayna rasūli-him*) signed between him and the Christian envoys: 'Your emissary was sent back to you with what you will learn from him concerning the peace established, may its star shine, agreed upon between Almohads and you with this eminent information which he brings you and the gifts he carries you and which will arrive in his hands, as a sign of good will (*mukhālaṣat wa thamrat al-muwāṣala*) and it is good that all that relates to this treaty between us be respected (*yanbaghī an yakūna mutaqaḥbilī^{an}*) and interpreted in the best way (*wa 'alā aḥsani al-muta'awwalāti muta'awwilī^{an} inshā' Allāh*) if God wills it and yourself with God's help may you stay with the terms of peace, may you keep it, and may you punish all those who plot against the Muslims, for loyalty is the distinction of kings (*fa-inna al-wafā'a*

negotiated truces. They thus adapted to the norms applicable in *Dār al-Islām*.¹⁵⁸ The appearance of early indicators of troubles, complaints on the eve of truce expirations bear witness on the contrary to the respect they warranted.¹⁵⁹ Giraldo Sempavor's departure for North Africa after the truce signed between Portugal and the Almohads confirms that it would have been inconceivable for this nobleman to go against the agreement signed by his king.¹⁶⁰

2. THE ALMORAVIDS AND THE ARABS

Resistance to Almohad imperial power was not restricted to the Empire's northern borders with the Christian kingdoms. It sprang even from the interior lands of Islam, by Almoravid leaders who were defending their erstwhile masters, local powers hoping to take advantage of the troubles and transition between the Almoravid and Almohad dynasties to affirm their independence, more or less heterodox religious reformist movements, or even from the eastern edges of the Empire.

a. The second *taifas*

Certain Almoravid leaders who held through delegation (*niyāba*) great autonomy within the Almoravid provincial government defended their authority with impressive tenacity. The governor of Cordova, Ibn Ghāniya, thus entered into a pact with Barrāz, the Almohad general, delivering him Cordova and Carmona around November 1148, in exchange for a safe-conduct pass, and when Alfonso VII ended the siege of Jaén, he seized Granada, where he died in 543/December 1148-January 1149. Stuck once again between the Christian Iberian hammer and the Islamic Berber anvil, the principal Andalusī cities resolved to turn to their coreligionists and cousins from the south. In 545/1160, the city leaders of Beja, Évora, Niebla, Jérez and Ronda, Badajoz, and Tavira proclaimed their acknowledgement of the caliph, except for Ibn Qasī, who

shi'āru l-mulūk wa 'alay-him fī-hi yajibu al-sulūku), and they are obliged to follow its paths." Ibn 'Idhārī, *Bayān*, t. 3, 246, trans. A. HUICI, 1953, 282).

¹⁵⁸ The Muslim rulers, however, seem to have sought reassurance from Islamic law. In 1197, for example, after the last Almohad activity around Toledo, Ibn 'Idhārī claims the treaties were granted to the Christians according to the precepts of Islamic law: *wajjahū irsāla-hum fī ṭalbi l-ṣulḥi 'alā mā 'ahada min shurūḥi l-aḥkāmī fa-s'afū fī-hi 'alā ḥukmi sharī'ati l-islāmi* (Ibn 'Idhārī, *Bayān*, t. 3, 204, trans. A. HUICI, 1953, 203).

¹⁵⁹ The intention of the Spanish military orders at the beginning of the thirteenth century of participating in the Eastern Crusades illustrates for example the military inactivity that resulted from the treaties passed in 1197 (See E. BENITO RUANO, "Baudouin II de Constantinople"; "Las Ordenes Militares españolas"; "Santiago, Calatrava y Antioquía"). Even before Honorius III's oriental incitements, the pope Innocent III had called on the brothers of Calatrava and Uclès in 1205 to delay their war efforts along the Aragonese frontier with Islam (*Patrologie Latine*, 215, 666 and ed. D. MANSILLA, *La documentación pontificia hasta Inocencio III*, n° 321, 351).

¹⁶⁰ Ibn 'Idhārī, *Bayān*, t. 5, 130 (trans. 13-14). Officially in the service of the Almohads, Giraldo Sempavor became an informer for the Portuguese king. He sent the king a letter proposing a naval attack plan on the Almohad Empire. This message was intercepted by the Almohads and led to his downfall. Ibn 'Idhārī claims indeed that Giraldo was imprisoned by the caliph and executed in Sijilmāssa.

had nevertheless been among the first to seek his help and who died in the turn around. The Almohads held Guadix from 1151, Malaga from 1153, Granada from 1154-5 or 1156-7, and the entire West of al-Andalus from 1157-8.

The resistance of Muḥammad b. Sa‘d Ibn Mardānīsh, whose capital was Murcia and whose power extended to Serranía de Segura (where Ibn Mardānīsh’s son-in-law ruled), Jaén (conquered in 1159), Écija and Carmona (conquered in 1160 and 1161), meant constant harassment for the Almohad forces in Seville. This strong resistance from the Andalusī Levant incarnated the third option for Islam in al-Andalus, alongside administrative integration into the Maghribī Almohad structure, or the kingdoms of the Christian North, with the correlating Mudejarism: local autonomy playing the rivaling powers off of each other, taking advantage of their rivalries and existing conflicts and, possibly, accepting the military support of the Christians.

The unification of al-Andalus under the Almohad rod thus took many decades, with the conquest of Almería in 1157, Jaén in 1169, the Levant in 1172, ending only with the conquest of the Balearic Islands at the beginning of the thirteenth century. The Murcian Levant, led by Ibn Mardānīsh with the sometime support of his son-in-law Ibn Hamushk, slowed the Almohads for three decades, preventing them from concentrating on their fight against the Christians to the north. Though he was often successful, defections around Ibn Mardānīsh gradually indicated his imminent end: Ibn Hamushk in Jaén, Yūsuf, Ibn Mardānīsh’s brother in Valencia, Ibn Dallāl in Segorbe, and Ibn ‘Amrūs in Játiva all entered Almohad service.

The new caliph, Abū Ya‘qūb Yūsuf, crossed the Straits on 27 ramadān 566/June 3, 1171 to finish with Ibn Mardānīsh.¹⁶¹ The rebel died in rajab 567/March 1172 at the age of 48. Hilāl, one of his eight sons, went before the caliph in Seville to obtain a peaceful transition. Those who helped and surrounded the *Rey Lobo*, as he was known to Christian sources, were reconfirmed in their positions: some of his sons held responsibilities in Denia, Játiva, and Alcira. Al-Baydāq reports that Abū Ya‘qūb Yūsuf reinforced his control over the situation first in appointing Yūsuf b. Muḥammad b. Ighīt in Valencia, before reinstating Ibn Mardānīsh’s brother, Yūsuf. He likewise established a number of different Arab and Berber tribes in the region: Arabs and Zanātas in Valencia, Ṣanhāja and Haskūra in Játiva and Murcia, people from Tinmāl in Lorca, and Kūmya in Almería and Purchena.¹⁶²

¹⁶¹ M^a J. VIGUERA (dir.), *El retroceso territorial*, 92.

¹⁶² M^a J. VIGUERA (dir.), *El retroceso territorial*, 94.

The last stage in the conquest of al-Andalus did not come about until the beginning of the thirteenth century. After having suppressed a tribal and messianic revolt that had arisen among the Ṣanhāja of Sūs, the Ġazūla,¹⁶³ traditionally hostile towards the Almohads (597-598/1201-1202), the caliph al-Nāṣir armed a fleet of 300 ships and raised a large army to conquer Minorca (598/1202) and Majorca (599/1203). The Banū Ghāniya were expelled from the Balearic Islands where they had found refuge and maintained the Almoravid governmental system by creating a powerful maritime and Mediterranean polity.¹⁶⁴

b. The Alliance between the Almoravids and the Arabs

The Arab tribes revolted a number of times after ‘Abd al-Mu’min’s initial conquest of Ifrīqiya. The caliph Abū Ya’qūb had to tame the Riyāḥ Arabs in 575-77/1180-1181: his expedition ended with the execution of one of their leaders who was in monitored residence in Bougie, and, in shawwāl 576/March 1181, with the taking of Gafsa, the capital of the Banū l-Rand, who belonged to the Riyāḥ group, since the arrival of the Banū Hilāl. This intervention had only a limited impact.

Al-Andalus had hardly been pacified when the Almoravid Banū Ghāniya sparked a revolt with the complicity of local forces across the central and eastern Maghrib from 1184 to 1220. This would revive the embers of tension, provoking the intervention of the new caliph, Ya’qūb Abū Yūsuf, the future al-Manṣūr. Shortly after being proclaimed caliph in Seville, he went to Marrakesh to affirm his power. This was where he learned of the Banū Ghāniya’s landing in Ifrīqiya and the conquest of Bougie in sha‘bān 580/ November 1184. Using the port as their base, the Banū Ghāniya seized Algiers, Miliana, Ashīr, and the Qal‘a Banū Ḥammād. A maritime and land Almohad expedition retook Bougie (*Bajāya*) in ṣafar 580/May 1185 and forced ‘Alī b. Ghāniya to abandon the siege of Constantine. However, aided by the Riyāḥ and Jushām Arabs and by the Lamtūna and Massūfa Berber groups (traditional supporters of the Almoravids), ‘Alī b. Ghāniya took Tozeur, then Gafsa (1186), before heading for Tripoli, then governed by Qaraqūsh. Qaraqūsh was a Mamlūk of Armenian origin who belonged to a nephew of Saladin and was sent by the Cairo authorities with a contingent of Turkic *Ghuzz* against the Almohad “heretics”. ‘Alī b. Ghāniya was able to dominate the Jarīd, while the Mamlūk Qaraqūsh, leader of the *Ghuzz*, set himself up at Gabes. In 582/1186-1187, ‘Alī b. Ghāniya took

¹⁶³ The Berber form of this ethnonym is Igzūlan, “the people of small size.” This federation dominated the entire southeast Anti-Atlas, living partly as nomads in the desert.

¹⁶⁴ See G. PISTARINO, “Genova e l’islam”.

back control of the Balearic Islands and seized all of Ifrīqiya, except for the cities of Tunis and Mahdīya.

Faced with the gravity of the situation and the call for help from the governor of Tunis, the Ḥafṣid *shaykh* ‘Abd al-Wāḥid b. ‘Umar b. ‘Abd Allāh al-Hintātī, the caliph Abū Yūsuf Ya‘qūb came personally to Tunis in 583/1187. After the disastrous defeat of his first army sent to al-‘Umra in the South of Ifrīqiya, the caliph was victorious at al-Ḥamma, between Gabes and Nefta. ‘Alī b. Ghāniya fled into the desert.

The Ifrīqiyān resistance of the Banū Ghāniya and the Arabs did not cease, however. For twenty years, they spread trouble throughout this part of the Almohad Empire, not to be totally defeated until the beginning of the thirteenth century. The Almohad troops crushed Yaḥyá b. Ghāniya and his army, composed mostly of Arabs in rabī‘ I 602/October 1205 near Gabès. They retook Mahdīya after a four-month siege. Tripolitania submitted in 603/1206. Before returning to Marrakesh, the caliph al-Nāṣir appointed ‘Abd al-Wāḥid b. ‘Umar b. ‘Abd Allāh al-Hintātī, the victor of Rā’s Taghra, as governor of Ifrīqiya with great autonomy. In 604/1207, this governor repaid the caliph’s confidence in winning another victory over Yaḥyá b. Ghāniya in the Shabrū valley, near Tebessa.

3. RELIGIOUS RESISTANCE

Another type of resistance to the propagation of the Almohad doctrine and reform was tied to the religious effervescence that affected the entire Maghrib at this time.¹⁶⁵ The Sūs Ġazūla revolted against the caliph of Marrakesh under the direction of their religious leader Muḥammad b. ‘Abd Allāh Ibn Hūd al-Māssī. This was the name he adopted when he too proclaimed himself Mahdī. Al-Baydhaq gives his name as ‘Umar b. al-Khayyāṭ and gives him also, as it was frequent, the Berber name of Bū Ykandī¹⁶⁶. Apparently of humble origins, he appeared for the first time in the *ribāṭ* of Māssa, near Sūs, forty-five kilometers south of Agadir. The revolt that he led began a year after ‘Abd al-Mu’min’s occupation of Marrakesh. According to the Almohad dynasty chronicles, fugitives from different regions came together under his banner. The inhabitants of Sijilmāssa and Dar‘a recognized his power, as well as the Dukkāla,

¹⁶⁵ H. FERHAT, *Le maghreb au XII^e siècle- XIV^e siècle*.

¹⁶⁶ This is probably a disparaging nickname, whose structure resembles those given to Almohad opponents such as Bū-wasardūn “the man with the mule” or Bū-waghyūl “the man with the ass,” a Ṣanhāja who rebelled in the Middle Atlas (MG).

Ragrāga,¹⁶⁷ Huwāra, and Tāmesna.¹⁶⁸ Al-Baydhaq cites the tribal territories that revolted in his name: Ġazūla, Ḥāḥa,¹⁶⁹ Hazmīra, Haskūra, Dukkāla, and Banū Wariaghel were joined by the cities of Ceuta, Tangiers, and Almería. According to Ibn ‘Idhārī, the entire land except for Marrakesh and Fez “apostatized”.¹⁷⁰ Another revolt, apparently inspired by the Sufis against ‘Abd al-Mu’min’s authority, was led by Yaddar¹⁷¹ al-Dukkālī, among the Dukkāla, called the *ahl al-rakawāt*. The *rakwa* was considered a distinctive sign of the Sufis and itinerant ascetics, and the region of Dukkāla was known as an important Sufi zone, mainly because of the influence in the region of the *ribāṭ* of Tīt,¹⁷² founded by the Banū Amghār.¹⁷³

The revolt of al-Massātī, or al-Māssī, thus left the Almohads with only the Atlantic coast, Fez, and Marrakesh. Meknes, Sijilmāssa,¹⁷⁴ and the region of Dar‘a,¹⁷⁵ as well as Tangiers and Ceuta joined the rebellion. Ceuta’s participation was significant: led by its *qāḍī* ‘Iyād, the city had pledged its submission in 540/1146 and received an Almohad governor. The town’s inhabitants, like some regions of al-Andalus, thinking the end of the Almohads near, took advantage of al-Massātī’s insurrection to revolt against the governor and kill the Almohad officials. The Almohads were not able to crush this grave sedition until the end of 543/May 1149, killing Ibn Hūd al-Māssī. Ibn ‘Aṭīyya’s report on this Almohad victory brought the famous secretary to the caliph’s attention. The letter revealed the violence of the battles and the cruel defeat of Ibn Hūd, the rebel’s ties to the *ribāṭ* of Māssa, as well as the Sufi preaching that had prepared the insurrection and Ibn Hūd’s success.¹⁷⁶

Roger Le Tourneau analyzes these movements as a reaction to the Almohads’ development, like Muḥammad, of a new society that broke with the tribal structures and blood

¹⁶⁷ The Berber form of this ethnonym is Igrāgān, “the blessed.” This name comes from the root ĀRG, the Berber equivalent of the Arabic BRK. They received the name supposedly because they were the first Maṣmūda to convert to Islam and played an eminent role in its spread throughout the region. More probably, they formed a barrier against the Barghawāta, building a series of ribāts to contain them. Their territory ranged from Oued Tansift to the north, not far from Safī, to modern Essouira to the south (MG).

¹⁶⁸ This name in Berber means “the plain”. It covered the great Atlantic plain from Habṭ to Oued Umm Rabī’. For centuries it belonged to the Barghawāta (MG).

¹⁶⁹ Iḥāhān in Berber. This tribe’s territory was located on the coast south of the Ragrāga and west of the Ganfisa. According to local legend, this ethnonym came the Iḥāhān habit of pronouncing *kha’* as *ḥā’* (MG).

¹⁷⁰ M. GARCÍA ARENAL, *Messianism and Puritanical Reform*, 193-195.

¹⁷¹ This named is based on the Berber root DR, meaning “life” (MG).

¹⁷² The complete name of this *ribāṭ*, located some kilometers from modern El Jadida, is Tīt n’Uṭṭar, “the source of the instrument” which served to measure the quantity of wheat given for the *zakāt* (MG).

¹⁷³ ‘I. DANDASH, “Dukkāla min khilāl *al-Tashawwuf*”, 199 ; V. J. CORNELL, “Ribāṭ Tīt-n-Fiṭr”, 23-36.

¹⁷⁴ In Berber, Sig Il-mās signifies above the active waters. The name of the capital of king Syphax, Siga, refers to the same root (MG).

¹⁷⁵ This name comes from the Berber Idra, “the other side of the mountain”, which conforms with this region’s location in regards to the High Atlas (MG).

¹⁷⁶ AL-NĀṢIRĪ, *Kitāb al-istiḳṣā*, 52, IBN AL-KHAṬĪB, *al-Iḥāṭa*, t. 1, 269.

lines characteristic of the nomadic populations, to move towards a community of faith, united in the respect for the divine Law.¹⁷⁷ This interpretation may be somewhat anachronistic, ascribing to the time of the Maḥdī ideological elements developed later, under the reign of ‘Abd al-‘Mu’min, or even his son and successor, Abū Ya‘qūb Yūsuf (1163-1184). The caliph, nevertheless, had much difficulty in suppressing these movements, and it was the “recognition” (*i‘tirāf*) of Almohad power, in reality a second bloody purification, concerning also the Almohad hierarchy, that “pacified” the regions of the Empire.¹⁷⁸ According to Ibn ‘Idhārī, the Barghawāta maintained their obedience to al-Māssī, even after his defeat and death, and continued to fight against the troops of ‘Abd al-Mu’min.¹⁷⁹

These religiously-based revolts shed light on the weak control over conquered territories by the new masters of the Maghrib. When news of al-Māssī’s rebellion reached al-Andalus, Seville rose up against the two brothers of the Maḥdī Ibn Tūmart who governed the city and its region. They claimed to have assassinated the ruler of Niebla, al-Biṭrūjī, who then renewed his alliance with the Almoravids who still remained in al-Andalus. Only Ibn ‘Azzūn, leader of Ronda and Jérez, stayed faithful to the Almohads. Ibn Ghāniya seized Algeciras and met up with the resistance in Ceuta. The Almohads, forced to flee to Bobastro with only Ibn ‘Azzūn’s help, were finally able to retake Algeciras.¹⁸⁰ The Maḥdī’s brothers were recalled to Marrakesh, where they opposed the caliphal changes that were sweeping them and the Maḥdī’s primitive organization aside. This general insurrection lasted three years. The Almohad troops were only able to restore control over Seville, Niebla, Silves, Santa María del Algarve, and Badajoz after these troubles were settled.¹⁸¹

These religiously-based revolts were chronic throughout the Almohad Empire and concerned each of the caliphs. Around 1188, for example, Abū Yūsuf Ya‘qūb was retained in the Maghrib by the insurrections of al-Jazīrī (in Marrakesh) and al-Ashall (in the Zāb). In both cases, the rebels’ political and religious pretensions revealed strong social tensions.

C. The Administrative consequences of the conquest

Mūsá’s hypothesis about a progressive construction of partisan structures only partially contradicts Viguera Molíns’s claim that the Almohad movement’s initial period was

¹⁷⁷ R. LE TOURNEAU, *The Almohad Movement*, 47.

¹⁷⁸ Al-Baydhaq mentions the death of 32,780 victims (É. LE TOURNEAU, *The Almohad Movement*, 54).

¹⁷⁹ IBN ‘IDHĀRĪ, *Bayān*, trans. Huici, 1963, 293.

¹⁸⁰ B. ROSENBERGER, “Le contrôle du Détroit”.

¹⁸¹ M^a J. VIGUERA (dir.), *El retroceso territorial*, 85.

characterized by a rigorous and firmly established organization. Both historians agree that the passage out of the original Maḥdī structures gradually took place over time, with the initial disappearance of tribal representation and the creation of the Empire.¹⁸² This retrospective reconstruction of institutional history indeed seems to be at the origin of a perception that once again tends to make this initial moment into a model, established *ex abrupto*, of social, political, and religious organization that was gradually betrayed by the founder's successors. The organization's appearance, as well as its disappearance, was gradual. There was thus not any real rupture between the time of the Maḥdī and the Empire, but an empirical adaptation to new political conditions by structures that were always more or less informal and fluid. As much as the Maḥdī asked the opinions of the members of the Council of Ten (*ahl al-jamā'a*) and charged them each with particular tasks, 'Abd al-Mu'min called on the surviving members of the "Assembly" (*jamā'a*) to exercise the new functions demanded by the administration of the Empire. Thus, the *shaykh* Abū Ḥafṣ 'Umar Intī, a member of the Council of Ten, was appointed governor of Cordova and left the partisan organization to enter the imperial administration. This appointment, and comparable others, led to a weakening of the structures slowly put into place during the movement's early days.

More than twenty official letters from the time of 'Abd al-Mu'min written in his name help fix the chancellery style typical of the dynasty and show the attention the ruler paid his entire territory. The founder of the Empire seems to have used the chancellery to promote the cohesion of the Empire, sparking a "pre-national" sentiment through public readings of circular letters in all the Great Mosques of the provincial capitals. Each conquest and victory was proclaimed during the Friday prayer through missives whose *sağ* ("rhymed prose") had been composed by the great writers of the Empire. The logic is fairly obvious behind this system that combined the elaboration of an imperial discourse, the rapidity of transportation, and public readings in an immense Empire where communications were only as fast as a horse's gallop. There was of course a propaganda effect in the publicity of victory, calling most often on the *topoi* of religious and political thought, or even the literature and poetry of the medieval Arab-Muslim world, that is *adab*, but these public announcements with the organization that they required had also other implications. They completed the traditional "signs of recognition" of power, such as pronouncing the caliph's name in the *khutba* or on coins, the minting of gold, or the *bay'a*, by imposing over the entire territory the same administrative language with its own

¹⁸² Ma J. VIGUERA (dir.), *El retroceso territorial*, 79.

specific codes, a time of obligatory listening for all men and shared festivities to celebrate the sovereign's success. The imperial cult was thus developing around a doctrine, a ruler, specific rites, and a history to which these administrative documents contributed.

The victories over the Arabs, during the conquest of Gafsa and the campaign of 1159-1160, with the submission of the Banū Sulaym, received its own particular treatment in the letters of victory, and so also in the chronicles and later literature. The same is true of the demonstrations of joy and festivities organized in Seville after the fall of Mahdīya and the expulsion of the Normans by 'Abd al-Mu'min in ṣafar 555/February-March 1160.¹⁸³ At the same time, the imperial governmental system gradually broke with the original "prophetic" structure. A new organization saw the light, with its own specific personnel, including not only the sons of 'Abd al-Mu'min, among them a few in particular, such as the governor Abū Ya'qūb Yūsuf b. 'Abd al-Mu'min, but also an administrative hierarchy with the appearance of original title forms, including the *shaykhs*, *sayyids*, *ṭalaba*, and *huffāz*.

1. FROM THE "COUNCILS" TO OFFICES: THE *SHAYKHS*

The members of the Councils of Ten and of Fifty seem to have been those who received the title of *shaykh*, the honorific title referring to their having belonged to the group of leadership in the past. Those holding this title exercised the highest responsibilities:

- ① Military directorships: 'Umar al-Ṣanhājī, 'Umar al-Hintātī, Yūsuf b. Sulaymān, Ibn Zaggū, Ibn Yumūr Waykhlaf,¹⁸⁴
- ② Governorships in conquered regions: Sulaymān b. Wānūdīn, Yūsuf b. Makhluḥ, and 'Abd al-Wāḥid al-Sharqī,¹⁸⁵ as well as Mūsá b. Sulaymān appointed by 'Abd al-Mu'min over Tinmāl.¹⁸⁶

Mūsá has hypothesized that the passage from the group of Ten to the use of the *shaykh* title for members of the *ahl al-jamā'a* happened during the revolt of Ibn Malwīya in 527/1133. However, it was not until the conquest of Marrakesh that this title became an official category. The first function for these persons was consultative. Then, when 'Abd al-Mu'min appointed his sons as governors of the provinces (551/1156), he sent with them certain *shaykhs* as advisers.

¹⁸³ See M^a J. VIGUERA (dir.), *El retroceso territorial*, 86 and, on the development of this Maghribī history of Islam, see P. BURESI, "D'une Péninsule à l'autre" beginning with the passage by Ibn al-Athīr on the conquest of Mahdīya (IBNAL-ATHĪR, *al-Kāmil*, t. 9, 6).

¹⁸⁴ Ykhlaf was the name given to a boy born after the death of one of his brothers. In this case, with *Wa*, the Berber equivalent of Arabic *Ibn*, he was the son of a man born after the death of one of his brothers (MG).

¹⁸⁵ It seems that this person, originally from the village of Mallāla, near Bougie, was first called Yazrijān, which in Berber refers to joy and happiness. As with Abū Ḥafṣ 'Umar, Ibn Tūmart renamed him for the needs of the cause. Indeed, the name 'Abd al-Wāḥid is in direct connection with the Almohad *tawḥīd* (MG).

¹⁸⁶ 'I. al-D. MŪSÁ, "Al-tanzīmāt al-ḥizbiyya", 72.

Others held high executive positions, such as the vizierate (for the sons of Abū Ḥafṣ ‘Umar al-Hintātī or Ibn Jāmi‘).

Most of the *shaykhs* belonged to the Hintāta and the “People of Tinmāl”, on whom ‘Abd al-Mu‘min had learned to rely. There are no Hargha named among the Almohad *shaykhs* and Mūsá ascribes this absence to the attempted revolt by the Mahdī’s brothers against ‘Abd al-Mu‘min. This episode led the ruler to distance them from the centers of power. The Hargha tribe remained nevertheless the most important tribe in ceremonies since it had been the Mahdī’s. Furthermore, *shaykhs* who did not belong to the founding tribes of the Almohad movement were appointed, namely members of the Kūmya, ‘Abd al-Mu‘min’s tribe. This new organization allowed for an integration of tribes not present at the foundation, bringing more than just the Maṣmūda into the consultative proceedings.

During ‘Abd al-Mu‘min’s reign, the *shaykhs* constituted the highest, most powerful category in the hierarchy. Governors sent information on their provinces to them. They were the first to swear the *bay‘a* to the new caliph. They participated in decisions concerning military problems, and more generally in matters regarding defense, administration, and the budget. Because they recognized the Almohad call and because they were loyal to the first caliphs, they occupied a preeminent place in the Empire’s organization, to the point that some rulers, such as during the time of al-Nāṣir, feared them. They were the first to recover the reigns of real power after the ruler’s death, and they may have even been at its origin.¹⁸⁷

The *shaykhs* did not all hold an important place in the Almohad hierarchy. The sons of the Ten and Fifty had the most influence, which confirms that the structure of the *shaykhs* was an extension of earlier councils. For Mūsá, the gradual passage from the initial organization to the imperial administration was tied to the events faced by ‘Abd al-Mu‘min, a foreigner whose tribe only joined the Almohads in 556/1161, so that he had to use much diplomacy with the founding tribes to assure his power. Only territorial expansion and the integration of numerous populations outside the founding tribes allowed this transition. The existence of consultative proceedings with the Almohad *shaykhs* eased the later creation of similar councils among the

¹⁸⁷ Mūsá compares their power to that of the Turks under the Abbasid Caliph, but this comparison is hardly pertinent because the situations are very different: the geographic origins, social organization, and military functions of the Turks have nothing to do with the Almohad *shaykhs*, with the power struggles set in place from the origins of the Almohad movement between the ruler and these influential people from the movement, alienated from the caliphal office to the benefit of this “stranger”, ‘Abd al-Mu‘min, but who also participated in the central and provincial decisional process.

Arabs and Andalusīs: *shaykhs* from among the Arabs and from the Andalusī army thus appear in the sources.

The Arab *shaykhs* were recruited from among the Hilālī leaders when they submitted to the Almohads. The Almohad caliphs did not appoint the Arab *shaykhs*; the tribal leaders received the title when they submitted. Four *taqādīm* from the manuscript edited and translated in the second part of this work refer in fact to relations between the Almohad caliphs and the Arab tribal *shaykhs*.¹⁸⁸ These documents attest that tribes still held a certain autonomy for designating their leaders in the middle of the thirteenth century. The caliph, though, did exercise a relative power of intervention, since we see him removing a son who had inherited the office of *shaykh* from his father to name the uncle instead.¹⁸⁹ The tone of these acts confirms that during this period of weakening caliphal authority, the Almohad rulers made important concessions to the Arab tribes to buy their military strength. The possession of the region of Casablanca was thus confirmed for the Banū Sufyān.¹⁹⁰ Granting the title of *shaykh* eased the integration of those, such as the sons of Abū Muḥammad Sīdrāy b. Wazīr or those of Ibn Mardanīsh, who had initially resisted Almohad authority. These two groups of *shaykhs* in particular had a limited consultative role in the military, over all operations for the Arab *shaykhs*, and only over expeditions in al-Andalus for the Andalusī *shaykhs*.

As for the *ahl al-jamā‘a* as an executive council, it disappeared from the Empire, replaced by the different *dawāwīn* (“offices”) responsible for carrying out the ruler’s orders.

2. THE STRUCTURE OF THE ṬALABA

Mūsá and Fricaud have shown that the first *ṭalaba* were the disciples of the Mahdī Ibn Tūmart.¹⁹¹ ‘Abd al-Mu‘min continued to send these missionaries among the tribes to spread the Almohad dogma, thus maintaining this structure, but transforming it from an informal group of missionizing disciples into an institutional corps of inspector-theorists: the “Learned”. There is little information on the period before the conquest of Marrakesh, but a letter from 543/1148 addressed to the *ṭalaba* of al-Andalus¹⁹² and another to the Ṣanhāja *ṭalaba* of Tāsghirt¹⁹³ shed light on the responsibilities confided to them: they were primarily charged with *amr bi-l-ma‘rūf*

¹⁸⁸ See below, *taqādīm* 38-41.

¹⁸⁹ *Taqdīm* 39.

¹⁹⁰ *Taqdīm* 41.

¹⁹¹ É. FRICAUD, “Les *ṭalaba*”, 344.

¹⁹² IBN AL-QAṬṬĀN, *Najm al-jumān*, 212.

¹⁹³ Al-Baydhaq gave the correct form in Berber, Tisghart. This fraction of the Ṣanhāja was situated in the Dukkāla plain. Around the town of Azemmour. The saintly Banū Amghār family of the Ribāṭ of Ṭīṭ belonged to this tribe (MG).

wa-l-nahy ‘*an al-munkar* (“enjoining good and forbidding evil”), the first task that the Maḥdī had set for himself on his return from the East. All other educative, scientific, juridical, and administrative functions came from this moral, social, and political duty. The *ṭalaba* also gradually acquired military responsibilities. The Empire was created through arms, and the *ṭalaba* thus received responsibilities in the army and especially the fleet.¹⁹⁴ Leadership of military campaigns fell to the governors who delegated lower military command to the *ṭalaba* who sometimes also led certain operations.¹⁹⁵

Fricaud has identified categories other than the *ṭalabat al-ḥadar* mentioned by the sources. Contrary to what has often been written, the most important were not the *ṭalaba* “of the capital,” but those of the “Presence”. They constantly followed the caliph wherever he went. The *ṭalabat al-muwahḥidīn* were the regional or provincial *ṭalaba*, designating originally the first *ṭalaba* sent by Ibn Tūmart among the Almohad tribes in 520 H.¹⁹⁶ Fricaud’s chronology reveals that from 1156, when the sons of ‘Abd al-Mu’min were appointed governors of the provinces while the sons of the *shaykhs* received the title of *ḥāfiẓ*, none of the principal leaders of the Mu’minid government carried the title of *ṭālib*. The original corporation of *ṭalaba* with specific functions and rank were organized outside the governmental sphere.¹⁹⁷

‘Abd al-Mu’min’s appointment of *ṭalaba* to lead Gafsa after the conquest of the city indicates the *ṭalaba*’s administrative functions. In addition, they fulfilled *muḥtasib* responsibilities where they were sent. The first rank granted the local *ṭalaba* in the letters written in the name of the caliph departs from what we know of the Almohad hierarchical scale under Ibn Tūmart as well as that developed by ‘Abd al-Mu’min. In terms of protocol, the local *ṭalaba* came theoretically after the *sayyid* governor’s general staff: great *shaykhs*, *shaykhs-ḥāfiẓ*, and high administrative officials, but they are cited first.¹⁹⁸ Charged with developing official interpretation on all matters, spreading caliphal directives, specialists of the Almohad “propaganda”, and serving as members of the courts of justice that pronounced on matters of corruption for high officials or doctrinal deviations for scholars, the *ṭalaba* also participated in multiple supply and maintenance tasks.¹⁹⁹ Nevertheless, the *ṭalaba* probably held the most

¹⁹⁴ See É. LÉVI-PROVENÇAL, *Majmū‘ rasā’il muwahḥidiyya*, letters n° 16, 74 and 80, n° 20, 102, n° 20, 174 and n° 34, 221-222.

¹⁹⁵ See É. LÉVI-PROVENÇAL, *Majmū‘ rasā’il muwahḥidiyya*, letter n° 20, 102.

¹⁹⁶ AL-BAYDHAQ, 132 quoted by É. FRICAUD, “Les *ṭalaba*”, 346.

¹⁹⁷ É. FRICAUD, “Les *ṭalaba*”, 347.

¹⁹⁸ É. FRICAUD, “Les *ṭalaba*”, 368.

¹⁹⁹ É. FRICAUD, “Les *ṭalaba*”, 385.

power in the fleet, which came completely under the authority of the *ṭalabat al-uṣṭūl*.²⁰⁰ Abd al-Mu'min may have intended the increased privileges for the *ṭalaba* to counter balance the influence of the Ten, the Fifty, and the Almohad *shaykhs* by developing a corps of officials that owed everything to him.²⁰¹

3. THE *HUFFĀZ*: THE “GUARDIANS”

It is not clear when this category first appeared. We do know that ‘Abd al-Mu’mīn’s sons had been among them when they were named in rabī’ 551/1156.²⁰² ‘Abd al-Mu’mīn selected in the larger cities of the Empire, such as Seville, Cordova, Fez, or Tlemcen, 3,000 young men (fifty of whom from Seville) from among the great families to form them in Almohad doctrine. Certain authors, however, claim that they were recruited from the Almohad tribes, while others indicate only the Maṣmūda, which contradicts the name of certain *ḥuffāz*. These boys were chosen at the age of about six to be able to learn quickly. Their teachers were the best *kuttāb*, *fuqahā*, and poets from across the land and ‘Abd al-Mu’mīn himself took care of them every Friday.²⁰³ The *ḥuffāz* received a theoretical and practical education, and studied the writings of the Maḥdī on the doctrine of *tawḥīd* and the law, on the Koran and Muslim’s *ṣaḥīḥ*, as well as works on the administration of governorships. In addition, they learned equestrianism, archery, swimming in a lake made by ‘Abd al-Mu’mīn in his gardens, and mastery of the rules of navigation.

‘Abd al-Mu’mīn thus sought to form an elite capable of assuming all the functions of military and naval administration. He gradually distanced the Almohad *shaykhs* from the governorships, keeping them as advisers, naming the Guardians (*ḥuffāz*) in their place. The chronicles show them in leading positions in the military directorships and in the direction of the provinces and districts. This category must have been created sometime in the middle of the 1150s, during the transformations that made the Almohad movement a dynastic Empire. ‘Abd al-Mu’mīn used the pretext of corruption among certain Almohad elements to tie some of them to him and to recruit their sons as *ḥuffāz*. The letter that he addresses to the *ṭalaba* of al-Andalus serves as proof of this corruption. It is not clear if the formation of more *ḥuffāz* continued after the reign of ‘Abd al-Mu’mīn, or if the existence of *ḥuffāz* in the thirteenth century was due to the transmission of the office from father to son.

²⁰⁰ See É. LÉVI-PROVENÇAL, *Majmū’ rasā’il muwaḥḥidiyya*, letter n° 29, 173, 174, 177.

²⁰¹ ‘I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya”, 76.

²⁰² See É. LÉVI-PROVENÇAL, *Majmū’ rasā’il muwaḥḥidiyya*, letter n° 14, 66.

²⁰³ ‘I. al-D. MŪSĀ, “Al-tanzīmāt al-ḥizbiyya”, 78.

4. PROVINCIAL DIVISIONS

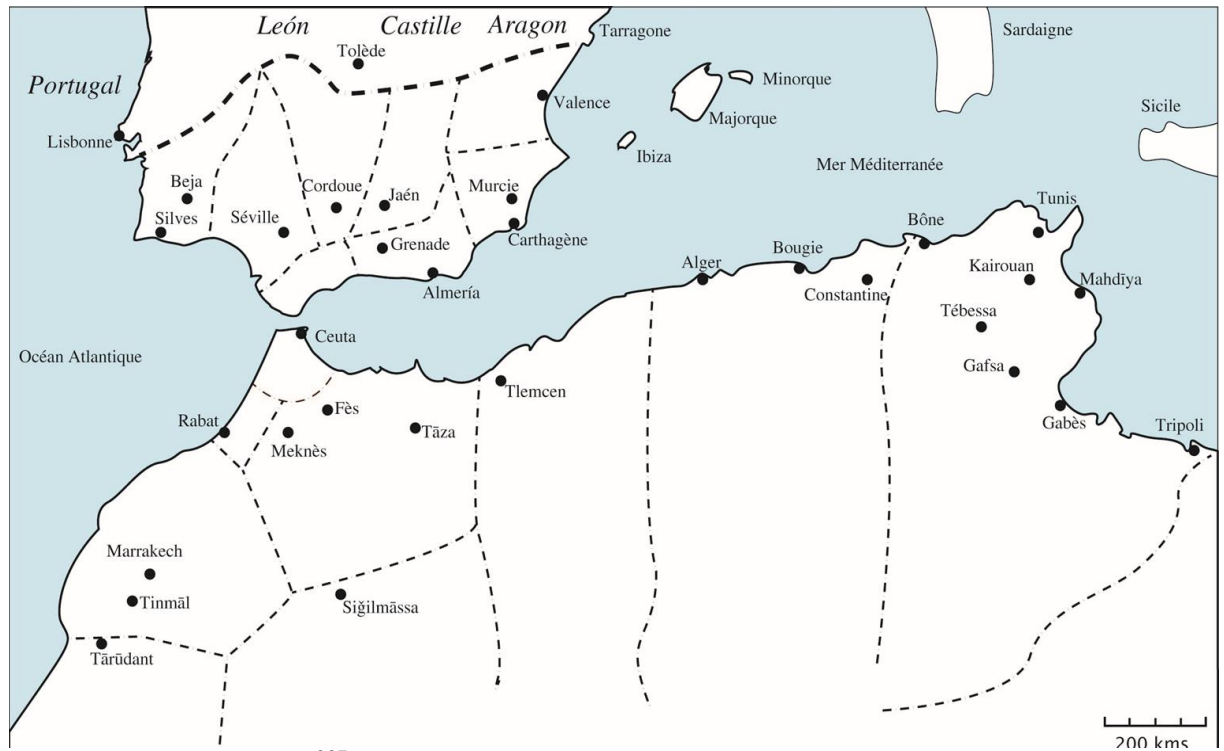
During all the years of conquest, his entire reign, ‘Abd al-Mu’min does not seem to have taken on the burden of reinventing the provincial divisions. Those divisions were the fruit of a historical, geographical, urban and territorial rational, and any reorganization would have required energy that the caliph dedicated to enlarging his Empire, not to mention that it would have gone against the policy of recruiting local elites that Ibn Tūmart’s successor promoted. The Almohads were able to stabilize their conquests by integrating the great families within the movement, buying their future loyalty. The governorship of Bougie thus continued the erstwhile Banū Ḥammād kingdom, those of the Maghrib al-Aqṣá corresponded in general with those of the Almoravids, and the governorship of Ifrīqiya (sometimes called Tunis) to the kingdom of the Banū Bādīs²⁰⁴ from Mahdīya to which had been added lands conquered by the Almohads to the east, such as Tripoli. This policy was the fruit of a veritable strategy. We join Mūsá in noting as proof the fact that ‘Abd al-Mu’min maintained Meknes as an independent governorship at the beginning of his reign, naming a *wālī* there. After the declaration of the heredity of the caliphate, however, Meknes is mentioned as a governorship no longer, and the region was apparently attached to the governorship of Fez which carried the name *wilāyat al-Maghrib* and extended from the *ribāṭ* of Tāzā²⁰⁵ to the *ribāṭ* of Meknes.²⁰⁶ The Almohads sometimes modified some details, as in the case of Salé. The Almohads made the city an independent governorship from its conquest, with a particular result: the fortress of Ribāṭ al-Fath, the construction of which was begun under ‘Abd al-Mu’min, continued under Yūsuf, and finished under al-Manṣūr, was the base of departure for Almohad armies carrying out *jihād* in Ifrīqiya or al-Andalus.

In al-Andalus, too, the Almohads preserved in general the Almoravid administrative divisions. The declarations of the heredity of the caliphate led to some adjustments there as well: to reward local support, the Almohads maintained the Gharb as an independent governorship, but in 1157-58, the province was joined with Seville, the *qāḍī* of the Andalusī city representing the Gharb population before the caliph. Under the caliphate of Yūsuf (1163-1184), the Almohads once again separated the two provinces, even if there was sometimes only one governor for both regions. The region of Malaga was initially joined with the governorships

²⁰⁴ From the Berber Bū-Adīs, “paunchy”, as recalled by Ibn Khaldūn (MG).

²⁰⁵ This name of this Almohad-created town means “pass” or “defile” in Berber, conform with the location on the passage between the central and western Maghrib (MG).

²⁰⁶ ‘A. ‘INĀN, *‘Aṣr al-murābiṭīn wa-l-muwaḥḥidīn*, t. 1, 415.



of Ceuta and Granada,²⁰⁷ then it became independent under the caliphate of Abū Ya‘qūb Yūsuf.²⁰⁸

The choice of Seville as the capital meant only that the city was the usual place of residence for the caliphs, and the seat of the central administration for al-Andalus. In fact, during the first period of the Almohad Empire, when the caliphs travelled the Empire from one battlefield to the next, the city served as a gathering point for armies before the *jihād* campaigns. Occasional organizational changes were made, however, as when the armies left from Cordova for al-Mansūr’s expedition against Seville, while supplies were sent from Seville. The caliph settled in Seville on his return from the campaign. During the reigns of the first Almohad caliphs, the idea of a capital was essentially administrative. Tinmāl, burial place of the Mahdī Ibn Tūmart and where ‘Uthmān b. ‘Affān’s *muṣḥaf* was conserved, constituted the regime’s symbolic capital, while the caliphal court followed the ceaseless journeys of the rulers who travelled the Empire without settling anywhere for long.²⁰⁹

²⁰⁷ IBN AL-ATHIR, *Kāmil*, t. 11, 223.

²⁰⁸ ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 175.

²⁰⁹ On the itinerant court during the Almohad period, see M. Fierro, “Algunas reflexiones” and J. Dakhliā, “Dans la mouvance du prince”.

Chapter 3: The “Government of the Sons and the Brothers” or the Dynastic Empire

Rallying to the *tawhīd* implied at first religious adhesion, but over time it came in essence to mean a political submission to the Mu’minid²¹⁰ Almohad caliphate. This difference led ‘Abd al-Mu’min to establish a classification of the Almohads into categories, imitating ‘Umar b. al-Khaṭṭāb (d. 634-644): the “first companions” (*al-sābiqūn al-awwalūn*) who had sworn the *bay‘a* to the Mahdī Ibn Tūmart and had accompanied him on his military expeditions, then those who had submitted between the defeat at al-Buḥayra and the conquest of Wahrān (539/1145),²¹¹ and finally those who had joined after the conquest of Marrakesh in 1147.²¹² This classification may have had financial implications, with larger revenues being reserved for the higher categories, but it is also possible that it was meant to guarantee the loyalty of the original Almohads during the transition between the partisan system and imperial administration. Though the hierarchy was theoretically unquestionable since it was based on an incontestable chronology, ‘Abd al-Mu’min did not hesitate to promote tribes who had joined later, in particular his own tribe, the Kūmya Zanātas, placed in second rank of the Almohad hierarchy just after the first category people of Tinmāl. This obviously did not go without provoking some discontentment.

A. The dynastic line, or the succession of the sons

The decisive change came in 549/1155, when ‘Abd al-Mu’min transformed the original structures of Almohad power, which certain historians have described as a “tribal theocratic oligarchy”, into a dynastic, autocratic, and hereditary monarchy for his own bloodline. This decision was taken in a chronologically unclear series of events that implicated members of the Mahdī Ibn Tūmart’s family discontent with changes in the way power was distributed within the leading councils. They probably also spoke for a number of Almohad *shaykhs*. Indeed, relations between the caliph ‘Abd al-Mu’min and the brothers of Ibn Tūmart, who had died without descendants, broke down after the latter were relieved of their governorship over Seville, where their clumsy rule had provoked the population’s revolt in 1148.²¹³ Regardless of the actual order of causes, this tension between the interests of the Mahdī’s close family, or his tribe, and those of ‘Abd al-Mu’min, founder of the Empire, unraveled in the latter’s favor.

²¹⁰ Ibn ‘Idhārī and Ibn ‘Abd al-Malik al-Marrākuṣī give the most likely vernacular Berber name Mu’minide, rather Imūmnan, for one of the uncles of al-Rašīd (MG).

²¹¹ Wahrān in Berber, “the lions” (MG).

²¹² See É. LEVI-PROVENÇAL, *Majmū‘ rasā’il muwaḥḥidiyya*, letter n° 12, 47-55 ; NLA 2, n° 20, 59-64.

²¹³ On this question, see the exhaustive summary by R. LE TOURNEAU, “Du mouvement almohade”, 111-116.

Indeed, though not without problems, the Almohad caliph succeeded in establishing a dynastic system for his lineage, the Mu'minids, after having removed or crushed those who had not failed to oppose him.

1. THE DEVELOPMENT OF THE DYNASTIC SYSTEM

Following the victory of Sétif in 1153, two of Ibn Tūmart's brothers, perhaps nephews, 'Abd al-'Azīz and 'Īsa, led a failed plot against the caliph 'Abd al-Mu'min's life.²¹⁴ The official letter written after this incident specifies that the plot was discovered in time and that all of the conspirators were executed, except Ibn Tūmart's brothers. In secret, however, 'Abd al-Mu'min ordered the death of Yaşlātan b. al-Mu'izz who, we should remember, had betrayed 'Abd Allāh b. Wānūdīn, the caliph's son-in-law, during the conquest of the Central Maghrib in 547/1153.²¹⁵ Le Tourneau considers that this plot was a symptom of a fairly general discontentment, and 'Abd al-Mu'min avoided touching the Maḥdī's brothers and took precautions getting rid of their relative Yaşlātan.²¹⁶

'Abd al-Mu'min nevertheless took two measures after the expedition against Bougie which could not but offend the partisans of a more collegial imperial leadership. First of all, he had his eldest son, Muḥammad, recognized as his heir apparent. Muḥammad, like all his sons, bore the honorific title of *sayyid*, or received it on this occasion.²¹⁷ He likewise imposed the pronouncement of the name of this *wālī al-'ahd* ("heir apparent") in the *khuṭba*, during a kind of early *bay'a* ceremony. Finally, he named all of his younger sons as governors of the main provinces, to the detriment of the ranking Almohad figures.²¹⁸

Abū Ḥafṣ 'Umar Intī of the Council of Ten, one of the Maḥdī's earliest companions, should have succeeded 'Abd al-Mu'min according to the movement's original tribal traditions. He seems, however, to have renounced fairly easily his claims to power, showing a loyalty to 'Abd al-Mu'min's family that never failed and that won him and his descendants an

²¹⁴ É. LÉVI-PROVENÇAL, *Majmū' rasā'il muwaḥḥidiyya*, letter n° 11, 38-47, "Un recueil de lettres officielles", trans. 32-33 ; NLA 2, n° 22, 69-75 ; DIHA, ar. 118-120, trans. 195-199, AL-MARRĀKUSHĪ, *Mu'jib*, 166-168, trans. 200-202.

²¹⁵ DIHA, ar. 115-116, trans. 190-191.

²¹⁶ The official letter mentioned refers only to the deprecation of the Maḥdī's brothers as a reason for the caliphal discontent. Al-Baydhaq places Yaşlātan's execution in 546/April 20, 1151 – April 7, 1152, and the promotion of 'Abd al-Mu'min's son in 548/March 29, 1153-March 17, 1154 (DIHA, 115/190 and 116/191).

²¹⁷ É. LÉVI-PROVENÇAL, *Majmū' rasā'il muwaḥḥidiyya*, letter n° 13, 55-61 and "Un recueil de lettres officielles", letter n° 13, 35-36 ; NLA 2, n° 21, 65-68. This letter announces the designation of 'Abd al-Mu'min's eldest son as his heir apparent.

²¹⁸ An official letter transmits the appointment of a number of the caliph's sons as provincial governors (É. LÉVI-PROVENÇAL, *Majmū' rasā'il muwaḥḥidiyya*, letter n° 14, 61-66 and "Un recueil de lettres officielles", letter n° 14, 37-38, dated from 12 rabī' I 551/May 5, 1156 ; NLA 2, n° 23, 76-79). Le Tourneau believes this appointment to be a response to the plot led by Ibn Tūmart's brothers, as a kind of legitimate defense (R. LE TOURNEAU, "Du mouvement almohade", 113).

uninterrupted gratefulness from the different Almohad rulers, in the form of important offices and missions.

2. THE LINE OF DIRECT SUCCESSION (1163-1224)

The system developed by ‘Abd al-Mu’min after 1155 operated without too many conflicts until 1224, through four successive and direct transmissions of power from father to son: in 1163 Abū Ya‘qūb Yūsuf (Yūsuf the 1st) succeeded his father ‘Abd al-Mu’min, in 1184, Ya‘qūb Abū Yūsuf al-Manṣūr succeed him, then Abū ‘Abd Allāh Muḥammad al-Nāṣir in 1199, and finally Yūsuf II al-Mustanṣir in 1213.

a. The son of ‘Abd al-Mu’min: Yūsuf Abū Ya‘qūb (1163-1184)

‘Abd al-Mu’min replaced Muḥammad with Abū Ya‘qūb Yūsuf in the succession the year before his death, because of his eldest son’s loose morals and alcohol abuse. Contradictory narratives nevertheless claim that Muḥammad held the caliphate for forty-five days, from jumādā II to sha‘bān 558/May-July 1163, before being deposed by Abū Ya‘qūb Yūsuf, helped by his brother Abū Ḥafṣ ‘Umar who, acting as vizier, had assured the transition during the sickness of their father ‘Abd al-Mu’min and organized the proclamation of his uterine brother.

Abū Ya‘qūb Yūsuf was twenty-five when he rose to power.²¹⁹ He initially took only the title of *amīr*, then, in jumādā II 563/March 1168, he took on the titles of caliph and *amīr al-mu’minīn*. The decision was taken in Marrakesh and the provinces ratified the new title and caliphal succession. From then on, the chancellery documents were sent in the name of the “commander of the believers, son of the commander of the believers.”²²⁰ This ruler, like his father, but unlike all of his successors, does not seem to have taken a *laqab*, or honorific regalia title. However, in a letter written by the *kātib* Abū al-Ḥakam Ibn ‘Abd al-‘Azīz Ibn al-Murkhī, after the conquest of Gafsa in 1180, the invocation (*du‘ā*) was addressed “to our lord and master the *imām* al-Manṣūr (“the invincible”) al-Nāṣir li-dīn Allāh (“the victorious for the religion of God”), the commander of the believers.”²²¹ It is very difficult to know if this was really a double *laqab*, of which there is no other mention, neither in the chronicles, nor in the coins from his reign, a purely rhetorical designation used by the *kātib*, or even something added *a posteriori* by a zealous scribe recopying the manuscript and attributing to the father the *laqabs* of his two

²¹⁹ M^a J. VIGUERA (dir.), *El retroceso territorial*, 89.

²²⁰ NLA, n° 18, 112-113.

²²¹ NLA, n° 30, 144-149 :

Li-sayyidi-nā wa mawlā-nā al-imāmi l-manṣūri l-nāṣiri li-dīni Llāhi amīri l-mu’minīna

لسيدنا ومولانا الإمام المنصور الناصر لدين الله أمير المؤمنين

successors. There is also the possibility that Abū Yūsuf Ya‘qūb b. Yūsuf the First (r. 1184-1199) and his son, Abū ‘Abd Allāh Muḥammad (r. 1199-1214) used as their respective *laqabs* the two parts of the title attributed to their father or grandfather.

b. The son of Abū Ya‘qūb Yūsuf: Abū Yūsuf Ya‘qūb al-Manṣūr (1184-1199)

The direct line of succession continued when Abū Ya‘qūb Yūsuf died of wounds received at the siege of Santarem in 1184. His son, Abū Yūsuf Ya‘qūb, born around 1160, succeeded him. Though he had not been formally designated during his father’s lifetime, he still managed to impose his candidature, helped probably by his role as vizier. Like his predecessor, he advanced prudently, and initially took only the title of *amīr* to avoid any violent reactions from his rival brothers or uncles. The first years of his reign were marked by measures meant to confirm his power, while the last were characterized by the great victory of Alarcos (19 sha‘bān 592/July 18 1195) in the Iberian Peninsula against the troops of Alfonso VIII of Castile, and by the poorly explained disgrace of Ibn Rushd (Averroes) in 1198.

This crisis of trust between al-Manṣūr and the man who had been the *qāḍī* of Cordova, a doctor, philosopher, and royal advisor, was not unrelated to the ruler’s relaxation of the Almohad doctrine concerning the “impeccability” of the Mahdī Ibn Tūmart. Many things in fact have been said about the denial of the Almohad doctrine based on a sole later witness, a document written in the name of the caliph al-Ma‘mūn, son of al-Manṣūr. Indeed, in 1229, the last Almohad caliph to have reigned over al-Andalus justified his denial of the doctrine of the imamate and the *iṣma* of the Mahdī by the fact that his father, al-Manṣūr, had already begun this plan, but without carrying it to its term.

c. The son of Abū Yūsuf Ya‘qūb al-Manṣūr: Abū ‘Abd Allāh Muḥammad al-Nāṣir li-Dīn Allāh (1199-1214)

Ya‘qūb Abū Yūsuf al-Manṣūr died in Marrakesh the 12th or 22nd of rabī‘ I 595/12-22 January 1199, only somewhat after Ibn Rushd whom he had only recently rehabilitated. The caliph’s death came after his return to the Maghrib after having signed a truce with Castile, where he had led repeated incursions into the region of Toledo on the heels of the victory of Alarcos (19 sha‘bān 592/July 18 1195). He had designated his son, Abū ‘Abd Allāh Muḥammad, then age 10, as his heir apparent in the fall of 1191, and the designation was confirmed seven years later in 1198. Abū ‘Abd Allāh Muḥammad b. al-Manṣūr was proclaimed the week after his father’s death. He immediately took the *laqab* of al-Nāṣir li-dīn Allāh and

kept the ruling team his father had built around the vizier ‘Abd al-Raḥmān b. Yujjān, nephew of Abū Ḥafṣ ‘Umar Intī, deceased in 572/1177.

Al-Nāṣir’s reign was contrasted. He began on a positive note, with the disappearance of the last vestiges of the Almoravid Empire and the conquest of the island stronghold of the Banū Ghāniya who had been a source of considerable harm for the Empire for a number of decades. The Almohad fleet in a combined attack seized Minorca in 598/1202, Majorca in 599/1203, and, in 1205-1206, the caliph even succeeded in retaking Ifrīqiya, which he entrusted with much autonomy to the Almohad *shaykh* Abū Muḥammad b. Abī Ḥafṣ. The end of his reign, however, was catastrophic. The broken truce with Castile in 1210 provoked the caliph’s personal intervention at the head of the Almohad army in 1211. The siege of Salvatierra was a pyrrhic victory, for even though the Almohads were able to expel the knights of the Order of Calatrava from the fortress, the next year they were roundly defeated at the battle of *al-‘Iqāb* (Las Navas de Tolosa) where they faced the reconciled kings of Castile, Aragon, and Navarre under the aegis of the Pope. Al-Nāṣir died in Marrakesh at the age of 32, seventeen months after the defeat of Las Navas, the 10th of sha‘bān 610/December 25, 1213, probably poisoned by one of his viziers.

d. The son of Abū ‘Abd Allāh Muḥammad al-Nāṣir:
Yūsuf II al-Mustanṣir (1213-1224)

This entire first period of the Empire was characterized by the government of sons, first the sons of ‘Abd al-Mu’min, one of whom inherited the throne while the others in extension occupied positions as governors in the main provinces of the Empire. Next, the sons of the sons, with the caliphal office passing through the direct bloodline until the reign of Yūsuf II al-Mustanṣir (1214-1224), and the governorships passing either to the first generation *sayyids* or to their descendants, all of whom shared with the sons of the Almohad *shaykhs*. For four generations this transmission functioned fairly well, despite the tensions we will address below. During this period, family solidarity prevailed over fragmentation and the majority of the brothers fell in line behind he among them who imposed his rule the quickest. Nevertheless, with this last succession, the system began to malfunction. Against all the rules of political transmission in Islam, a child of ten years came to power. He was, in fact, a puppet in the hands of his uncles and certain Almohad *shaykhs*.

B. Equality and competition between brothers

Knowledge of the anthropological structures of Berber society, shared with the majority of desert and steppe societies, whether Arab, Turkish, or Persian, allows us to understand the rationales and tensions within the ruling spheres. Power struggles within the endogamous families from the Southern Mediterranean are characterized on the one hand by strong paternal authority, and on the other by equality between brothers, whether uterine or not. ‘Abd al-Mu’min’s choice to impose his sons on the governorships of the different regions was thus, during his reign, a guarantee for the cohesion of the immense territorial ensemble he was building. However, with the succession of his son, Abū Ya‘qūb Yūsuf (Yūsuf the First) to the detriment of all his brothers who each could have legitimately hoped to inherit the throne, the other agnatic lines effectively ended. The memory of the founder of the Empire, even after his death, seems to have sufficed to guarantee solidarity between brothers and Abū Ya‘qūb Yūsuf imposed his rule without too much difficulty, even if he did have to show prudence in not taking the title of caliph and “commander of the believers” until many years after having risen to power. Gradually, however, ambition began to express itself more clearly.

1. UNDER THE AUTHORITY OF THE FATHER, THE SOLIDARITY OF BROTHERS: THE GOVERNOR SONS

The reform of 1155, which instituted the dynastic system for the caliphal office, was likewise accompanied by an equally important measure that concentrated the gubernatorial offices in the hands of ‘Abd al-Mu’min’s twenty sons. The Empire was then managed as a patrimony and those brothers excluded from the succession received the most important posts in the provinces. ‘Abd al-Mu’min thus controlled not only the caliphal office, monopolized by his bloodline, but he also held undivided authority over the different regions of the Empire while reinforcing his political legitimacy through his paternal authority.

a. The brothers of Abū Ya‘qūb Yūsuf (1163-1184)

Paternal authority may have guaranteed cohesion for the territorial ensemble under ‘Abd al-Mu’min, but the brothers’ theoretical equality had grave consequences on his death. Indeed, once the paternal authority had disappeared, if the successor had not been clearly confirmed before the father’s death or if the heir apparent had not shown himself to be up to the imminent task, his brothers found themselves in competition with him and could contest his legitimacy. Thus, three of Abū Ya‘qūb Yūsuf’s thirteen (or seventeen) brothers and diverse Almohad notables opposed his accession to power in 1163. During this first period for the Empire, the possibilities of retribution and reward allowed the best placed candidate, who had built the best clientele and disposed of the largest means, to take power without too much trouble.

To impose his power over the opposition, Abū Ya‘qūb Yūsuf had to dismiss the large army that his father had brought together at Gibraltar and to put off his intervention in al-Andalus until 1171, eight years after his accession to power. Though some of his brothers resisted, others rallied more or less voluntarily to his cause. Thus, on Abū Ya‘qūb Yūsuf’s nomination (1163), the caliph’s brother and governor of Seville received new instructions concerning the ruler’s titles and took charge of having them applied throughout al-Andalus. Other brothers, all bearing the title of *sayyid*, were appointed as local governors (Bougie, Tlemcen, Fez, Ceuta, Sūs), probably to replace certain uncles of the new caliph. They were doubled in their posts by viziers chosen from among the aristocracy of the Almohad *shaykhs*, which helped in assuring or confirming the support of the Empire’s principal actors.²²²

The brothers’ loyalty was rewarded with the non-exclusive leadership of the armies, in addition to their gubernatorial posts. Thus, the *sayyids* Abū Ḥafṣ ‘Umar and ‘Abū Sa‘īd ‘Uthmān, governor of Seville, were appointed at the head of the major military expeditions meant to affront Giraldo Sempavor and Ibn Mardanīsh.²²³ They both returned to Marrakesh at the end of July 1165 with Arab reinforcements from Riyāḥ, Athbaḡ, and Zughba. They took Andūjar in September, and from there ravaged Galera, Caravaca, Baza, Sierra de Segura, seized Cúllar and Vélez-Rubio, then marched on Murcia where they obtained the victory of *Faḥṣ al-Jallāb*.²²⁴

The *sayyid* Abū Ḥafṣ ‘Umar then took the head of the Maghribī troops to lead them across the Strait and to their homes, but took advantage of their presence during the summer of 1167 to put down a rebellion by the Ghumāra Berbers between Ceuta and Alcazarquivir begun in 562/1166. The *sayyid* Abū Sa‘īd ‘Uthmān, for his part, received the governorship of the province of Cordova.²²⁵

b. The brothers of Abū Yūsuf Ya‘qūb (1184-1199)

Ya‘qūb, the future al-Manṣūr, was proclaimed caliph while in Seville, where he remained for a month before traveling to the Maghrib, arriving in Salé on September 9th, leaving his brothers Abū Ishāq, Abū Yaḥyá, and Abū Zayd as governors of the different Andalusī provinces.

²²² J.-C. GARCIN (dir.), *États, sociétés et cultures*, t. 1, 213.

²²³ M^a J. VIGUERA (dir.), *El retroceso territorial*, 91

²²⁴ The news arrived in Marrakesh sixteen days later, on dhū l-ḥijja 23, 560/October 31, 1165.

²²⁵ During this time, Giraldo seized Trujillo, Cáceres and Évora in 1165, Montánchez and Serpa in 1166, Badajoz in 1169 (which led Fernando II of León [1157-1188] to ally with the Almohads to retake the city with them).

2. SEGMENTAL RATIONALE OR THE EXCLUDED BROTHERS

The rivalry of his brothers certainly required the entire attention of the ruling sibling, but the next succession added rival uncles and cousins, those from excluded segments. The new ruler had to affront not only his brothers, but also those of his father who could possibly express their frustration at having been put aside for the previous succession. If the reign was long, as was the case for Abū Ya‘qūb Yūsuf, despite his violent death in combat against the Northern Iberian Christians (a little less for Abū Yūsuf Ya‘qūb al-Manṣūr, and even less so for Abū ‘Abd Allāh Muḥammad al-Nāṣir), the designated heir had ample time to face his uncles’ resistance, to prepare his accession to power by building his wealth and clientele.

Abū Yūsuf Ya‘qūb was forced to negotiate his uncles’ adherence for a heavy price before taking the title of *amīr al-mu‘minīn*.²²⁶ Troubles in Ifrīqiya, however, and news of the defeat of al-‘Umra, near Gafsa (rabī‘ II 15, 583/June 24, 1187) against the troops of ‘Alī Ibn Ghāniya, were the signal for a new revolt against the caliph. Two of his uncles, the *sayyids* Abū Ishāq Ibrāhīm and Abū l-rabī‘ Sulaymān, respectively the governors of Tlemcen and Tadla,²²⁷ participated, as well as his own brother, Abū Ḥafṣ ‘Umar al-Rashīd, governor of Murcia, who allied with Alfonso VIII and raised taxes to strengthen his position.

After conquering Gabès (583/1188) and reestablishing order in Ifrīqiya, Abū Yūsuf Ya‘qūb returned to Tunis in 584/1189. He left a loyal *sayyid* there as governor, Abū Zayd ‘Abd al-Raḥmān, before returning in haste to Marrakesh to order the imprisonment and execution of his plotting uncles and brother.²²⁸ These Maghribī revolts were equally encouragements for the Christians, and they postponed the caliph’s intervention in al-Andalus until 1190. Rivalries within the ruling family around the caliphal office thus had grave repercussions on the administration of the Empire and on relations with neighboring states.

When Abū Ya‘qūb Yūsuf al-Mustanṣir came to power, he was ten or fifteen years old, and his uncles and two Almohad *shaykhs* held *de facto* power until his death in 1224. The sources disagree on the reasons for this: he was either poisoned by his vizier Ibn Jām‘, or gored by a cow according to Ibn al-Khaṭīb. His reign was marked by the rise to power of his uncles. The caliph no longer held any real power, and he left Marrakesh only to go to Tinmāl.

²²⁶ HPIA, 317, M^a J. VIGUERA (dir.), *El retroceso territorial*, 96.

²²⁷ Huici Miranda claims that Abū Ishāq Ibrāhīm was not in fact the governor of Tlemcen, but that he had been exiled there for a lack of loyalty to the caliph al-Manṣūr, his nephew (HPIA, 339).

²²⁸ J.-C. GARCIN (dir.), *États, sociétés et cultures*, t. 1, 219.

Chapter 4: The Dislocated Empire

Chronic revolts, incessant Christian attacks, and increasing rivalry within the leading family of ‘Abd al-Mu’min’s descendants led inexorably to the gradual break up of the Empire. Despite the constant efforts of the successive rulers to pacify and doctrinally unify the different territories of Tripolitania, the Central Maghrib, Morocco and the Iberian Peninsula, either by suppressing religious movements or by canalizing the military strength of the nomadic, Turkic, and especially Arab populations from the East, despite all the energy they spent in creating clients and reconciling those excluded from the caliphal leadership, after the defeat of Las Navas de Tolosa, 18 şafar 609/July 16, 1212, and the (natural?) death of the still-young caliph al-Nāşir, the rise to power of a child and the power struggles surrounding the caliph led to the disintegration of the Empire.

A. An Abandoned al-Andalus

After the Almohad defeat at Las Navas de Tolosa (*al-‘Iqāb*) against the kings of Castile, Aragon, and Navarre, the Christians seized Baeza, Vilches, Baños de la Encina, Tolosa, Castro Ferral, and Úbeda, pushing the border to the limits of Andalusia. The death of Alfonso VIII of Castile and Peter II of Aragon at Muret in 1213, and the subsequent truce interrupted the Christian advance. The Northern Iberian Christian kingdoms would not take advantage of the rivalries at the head of the caliphate until the 1220s.

The last detailed list of appointments and transfers of officials in Ibn ‘Idhārī’s *Bayān* significantly concerns 607/1210-1211. The *sayyid* Abū ‘Abd Allāh b. Abī Ḥafş was then appointed in Valencia, transferred from the governorship of Majorca. Abū ‘Imrān b. Yāsīn al-Hintātī was appointed in Murcia. Abū Muḥammad b. Ḥawṭ Allāh, *qāḍī* of Murcia, was sent to Majorca and replaced by Abū l-Ḥasan al-Qaşṭālī. The Maghribī Abū Ibrāhīm b. Yaghmur²²⁹ was appointed *qāḍī* of Valencia.²³⁰ The fact that Ibn ‘Idhārī mentions no more lists of this sort after this date is fairly indicative of the crisis that the central government began to experience in the 1220s. The government of Valencia seems under al-Mustanşir to have been given to another *sayyid*, Abū ‘Abd Allāh b. al-Manşūr, then in 619/1222-1223 to the *sayyid* Abū Zayd ‘Abd al-Raḥmān, son of Abū ‘Abd Allāh b. Abī Ḥafş, who had received the same office ten years earlier. The *sayyid* Abū Muḥammad ‘Abd Allāh b. al-Manşūr was appointed governor of

²²⁹ This name refers to abundance in Berber (MG).

²³⁰ P. GUICHARD, *Les Musulmans de Valence*, t. 1, 136.

Murcia, also in 1222-1223. Thus, until this date, the patrimonial system developed by ‘Abd al-Mu’min continued, and the more important governmental posts were given to the descendants of ‘Abd al-Mu’min, all of whom bore the title of *sayyid*.

1. FROM BROTHERLY DEMANDS TO HOMICIDAL UNCLES

After al-Mustansir’s accidental or provoked death in 1124, power no longer transferred from father to son. The late caliph’s great uncle, Abū Muḥammad b. Yūsuf b. ‘Abd al-Mu’min, known as al-Makhlū‘ (the “Deposed”), succeeded him, but his reign lasted only eight months (620-621/1224). His ascension marked the beginning of the wars of succession. His nephew, Abū Muḥammad ‘Abd Allāh al-‘Ādil (621/1224-624/1227), the son of al-Mansūr, then governor of Murcia proclaimed himself caliph on 13 *ṣafar* 621/March 6, 1224 in Murcia, at the instigation of his vizier, Ibn Yujjān.²³¹ He appointed his brother, Abū l-‘Alā Idrīs, the future al-Ma’mūn, as governor of Seville, and one of his cousins, the *sayyid* ‘Abd Allāh al-Bayāsī, as governor of Cordova. With the help of other brothers, the governors of Malaga and Granada, he received the support of all al-Andalus, except Valencia, Denia, Játiva, and Alcira, governed by one of his cousins, the brother of al-Bayāsī, the *sayyid* Abū Zayd or Ceyt Abu Ceyt, grand-nephew of Yūsuf I, who had remained loyal to the caliph in Marrakesh (al-Makhlū‘), and who was rapidly assassinated in September 1224.

Al-‘Ādil was easily recognized in the Maghrib at the end of 1225, but in al-Andalus he faced the revolt of the *sayyid* ‘Abd Allāh al-Bayāsī, who allied with Fernando III and fortified his position in Baeza (hence his *shuhra*). The Leonese pillaged the region of Seville, which was defenseless because of the military conflict with al-Bayāsī. Fernando III entered Murcia and Abū Zayd (Ceyt Abu Ceyt), al-Bayāsī’s brother, declared himself his vassal in the summer of 1225. Al-Bayāsī was able to take Cordova, but his alliance with the Christians alienated the population, leading to a revolt and his execution in the summer of 1226. Sometime between al-Bayāsī’s death, and al-Ma’mūn’s claim to the caliphal title, the future ruler issued *taqdīm* 4 from manuscript 4752, so sometime between the summer of 1226 and September 1227. Indeed, the copyist indicates in the title: “in the name of al-Ma’mūn Abū al-‘Alā, before he became caliph.” Moreover, the act was written in Cordova. The *taqdīm* served to appoint a *shaykh* as governor (*wālī*) of a region, with important prerogatives: direction of the affairs and interests of the entire region (*ufq*) and its districts (*anzār*), combating “the party of corruption” (*ahl al-fasād*), applying and executing the law (*tanfīdh al-ḥaqqī wa mḍā’i-hi*), and collecting taxes

²³¹ P. GUICHARD, *Les musulmans de Valence*, t. 1, 137.

(*istifā' al-wājibi wa qtiḍā'i-hi*).²³² Al-ʿĀdil had left the Peninsula to his brother, al-Maʿmūn (624/1227-629/1232), who also declared himself caliph in September 1227, leading to al-ʿĀdil’s assassination in Marrakesh (22 shawwāl 624/October 5, 1227). Al-Maʿmūn then marched on the Maghrib impose his power over that of his nephew, Yaḥyá al-Muʿtaṣim (624/1227-633/1236), son of Muḥammad al-Nāṣir and brother of al-Mustansir, who had been proclaimed in Marrakesh.

Al-Maʿmūn arrived in October 1228 and chased al-Muʿtaṣim from Marrakesh where he had himself recognized as caliph and renounced shortly thereafter the Almohad doctrine of the *ʿiṣma* of the Mahdī Ibn Tūmart. He thus ordered the suppression of the Mahdī’s name from the *khuṭba* and from coinage. There is perhaps a trace of al-Maʿmūn’s ideological rupture in the *taqāḍīm* of manuscript 4752, in the five judicial appointments ascribed to him.²³³ In the first two, the only foundations mentioned on which the judge should rely in pronouncing the law are “The Book of God and the Tradition of His messenger” (*kitābu Llāhi wa sunnatu rasūli-hi*),²³⁴ or simply “the Book and the Tradition” (*al-kitāb wa l-sunna*).²³⁵ In the following three, however, these two pillars are joined by a third, the “consensus of the Community” (*ijmāʿu l-ummati*),²³⁶ or even, in the case of *taqāḍīm* 51, a fourth: the “juridical consultations of the *imāms*” (*wa fatāwá al-aʿimmati*).²³⁷

A veritable purge of his adversaries in Marrakesh accompanied this doctrinal reorientation, in particular within the Hintāta tribe. This purge had very important consequences, since, as we shall see, it led to Ifrīqiya seceding. Al-Maʿmūn sought then to reestablish ties with the remaining pieces of Islamic Spain, notably Seville, where the Almohads were still solidly entrenched and from whence he had come. He consequently tried to take Ceuta from his brother, Abū Mūsá ʿImrān, who had revolted against him, but failed.²³⁸ The *taqāḍīm* 52 and 53 seem related to this, wherein al-Maʿmūn appoints his “relative” (*ṣanū-hū*), the *faqīh* Abū Muḥammad, as judge of Jérez, in the middle of shawwāl 626/1229, then of Algeciras in ṣafar of the same year. *Taqāḍīm* 57, in which the caliph al-Rashīd (629/1232-640/1242) appoints the same person, Abū Muḥammad, to the judgeship of Jérez in dhū l-Qaʿda 636/1238, is the

²³² See *taqāḍīm* 4.

²³³ See below *taqāḍīm* 49 to 53.

²³⁴ f° 32r, l. 18.

²³⁵ f° 33r, l. 1.

²³⁶ f° 33v, l. 10-11, f° 34r, l. 16 and f° 35r, l. 5.

²³⁷ f° 33v, l. 12.

²³⁸ IBN ʿIDHĀRĪ, *Bayān*, t. 3, 281, quoted by B. ROSENBERGER, “Le contrôle du Détroit”, 27.

last act of power by the Almohad caliphs in the Iberian peninsula. Al-Ma'mūn's departure from al-Andalus thus represents a rupture in the history of the Iberian peninsula: he was the last Almohad ruler to have resided there and, despite a few nominal later associations with the Almohad rulers of Marrakesh, we can consider the peninsula no longer under North African authority

2. THE THIRD TAIFAS

This episode of political fragmentation in al-Andalus appears clearly in manuscript 4752, since four long *taqādīm* came from one of the new powers that emerged thanks to the weakening of Almohad power in the Peninsula.²³⁹ Even before al-Ma'mūn left, an Andalusī officer who claimed to descend from the kings of the Hūdīd taifa of Saragossa from the beginning of the twelfth century rebelled in rajab 625/May 1228 in Murcia. Abū 'Abd Allāh Muḥammad b. Hūd took the Almoravid title of *amīr al-muslimīn* and the *laqab* of al-Mutawakkil in his fight against al-Ma'mūn.²⁴⁰ He tied his emirate to the Abbasid Caliphate in Baghdad, adopted the color black for his banners instead of the Almohads' white, and received a diploma of investiture from the Eastern caliphs. This move to place himself under the Abbasids appears clearly in the four *taqādīm* from manuscript 4752 attributed to al-Mutawakkil. Indeed, the Abbasid caliph is named in the *tarḍiya*, that part of the initial protocol usually reserved for the Mahdī Ibn Tūmart in Almohad documents. The manuscript's author explicitly attributes *taqādīm* 5, 54, and 55 to Ibn Hūd in the titles for each document,²⁴¹ while the *tarḍiya* in the name of the "Abbasid *imām*, commander of the believers who collected the sword, baton, and mantle of the messenger of God, his (paternal) cousin" indicates *taqādīm* 30 was also produced by the Murcian ruler.²⁴²

Ibn Hūd's power was heavily influenced by the mystical-Sufism of Ibn Sab'īn.²⁴³ This began the period known as the third taifas. Abū 'Abd Allāh Muḥammad b. Hūd al-Mutawakkil led the adamantly anti-Almohad movements who won all of al-Andalus in only a few months.

²³⁹ These were *taqādīm* 5, 30, 54, and 55 written, in the name of Ibn Hūd al-Mutawakkil, first in Granada, and then probably in Murcia.

²⁴⁰ See P. GUICHARD, *Les Musulmans de Valence*, t. 1, 139 and E. MOLINA LÓPEZ, "De la Murcia musulmana", t. 3, 187-263.

²⁴¹ *Taqādīm* n° 5: "This is what he wrote — May God have mercy on him — in the name of Ibn Hūd"; *taqādīm* n° 54: "In the name of Ibn Hūd, appointment..." (*wa 'ani bni Hūd in fī taqādīm...*); *taqādīm* n° 55: "In the name of the same, collective allocution" (*wa 'an-hu mukhātabatu jumhūriyyatu...*).

²⁴² See *taqādīm* n° 30, f° 24r, l. 1-2: *wa nurḍī 'an al-imāmi l-'abbāsī amiri l-mu'minīna al-ladhī aḥraza ḥusāma Ibn 'ammi-hi rasūli Llāhi wa qaḍībi-hi wa burdi-hi.*

²⁴³ P. GUICHARD, *Les Musulmans de Valence*, t. 1, 143.

Seville rallied to his cause in dhū l-ḥijja 626/October 1229. He seemed then on the verge of building an autonomous Muslim power in al-Andalus, but his hopes would not last.

The Almohad *sayyid*, Abū Zayd, was driven from power in Valencia by the head of his cavalry, Zayyān Ibn Mardānīsh, at the beginning of 626/end of 1228-beginning of 1229. In 628/1231, al-Mutawakkil was gravely defeated at Alange by Alfonso IX of Leon, who had begun conquering the Muslim cities of Estremadura (Badajoz in 1229, Cáceres in 1230, Mérida in 1231). Seville rejected al-Mutawakkil's authority in 629/1231-1232 and recognized as their ruler their *qādī* al-Bājī, who took the title of al-Mu'taḍid. *Taqdīm* 5, written from Granada, probably refers to this moment. In this act, dated from 8 *ramadān* 630/1232, Ibn Hūd al-Mutawakkil calls his vizier, Abū 'Abd Allāh Muḥammad Ibn Ramaymī, *dhū l-wizaratayn* and governor of Almería, to his side, and replaces him with his son, the "*ra'īs Fulān*."²⁴⁴ The Balearic Islands, led by Almohad governors since their conquest by al-Nāṣir at the beginning of the twelfth century, fell to James I of Aragon in 1230.

Around the same time, in 629/1232, Muḥammad b. Yūsuf b. Naṣr Ibn al-Aḥmar became an independent power in Arjona in the region of Jaén and succeeded in enrolling that town, then Granada, which became his capital. In 636/1238, the Almohad caliph al-Rashīd was formally recognized in Seville then Ceuta. The Naṣrid emir of Granada, Ibn al-Aḥmar, did the same soon after to distance himself from Ibn Hūd al-Mutawakkil in Murcia, who had recognized the Abbasid caliph.²⁴⁵ The reestablishment of the Almohad caliphate under al-Rashīd was more apparent than real, though, and al-Andalus was *de facto* on its own.²⁴⁶ Moreover, after the Christian conquest of Cordova (1236), Valencia and Seville (1248), Granada was in fact the only remaining part of al-Andalus.

B. Emancipated Ifrīqiya

Ties between the Moroccan centers of Almohad power and Ifrīqiya had always been tenuous. Al-Manṣūr had already lost control of Ifrīqiya in the 1180s, and it was his son, al-Naṣir who had succeeded in reestablishing Almohad control over the region. He had left as governor an eminent Almohad, the Ḥafṣid *shaykh* 'Abd al-Wāḥid b. 'Umar b. 'Abd Allāh al-Hintātī, who

²⁴⁴ See *taqdīm* n° 5.

²⁴⁵ For references to the chronicles mentioning these different *bay'as* under al-Rashīd, see A. 'AZZĀWĪ, *al-Gharb al-islāmī*, t. 1, 41-42.

²⁴⁶ *Taqdīm* 57 from manuscript 4752 refers to this formal act of recognition of the caliph.

provided the inhabitants of Ifrīqiya with long years of peace. They agreed to replace him on his death with his son, Abū Zayd ‘Abd al-Raḥmān b. ‘Abd al-Wāḥid. The Almohad government was aware of the dangers of allowing the Ḥafṣids to take root in Ifrīqiya, and so refused, sending as governor the *sayyid* Abū l-‘Alá Idrīs b. Yūsuf b. ‘Abd al-Mu’mīn, one of the sons of Abū Ya‘qūb Yūsuf I. The new governor sent his own son, also named Abū Zayd ‘Abd al-Raḥmān (b. Abī l-‘Alá), to fight against the Banū Ghāniya near Tunis. This expedition ended in 620/1223 with a nearly definitive victory over Yaḥyá b. Ghāniya in Majdūl.²⁴⁷ After this date, the Almoravid leader was little more than a gang leader, pushed to the edges of the Sahara and forced to move over immense distances between Tripolitania and Sijilmāssa until his death in 633/1237-1238.

Abū Zayd’s victory over the Banū Ghāniya helped secure his succession as governor when his father, the *sayyid* Abū l-‘Alá Idrīs, died in 620/1223. However, the chronicles report that his arbitrariness and tyranny alienated his subjects, and the caliph al-‘Ādil dismissed him in 623/1226, appointing in his stead a son of ‘Abd al-Wāḥid al-Hintātī, the *shaykh* Abū Muḥammad ‘Abd Allāh, who was accompanied by his brother, Abū Zakariyā Yaḥyá. When al-Ma’mūn renounced the Almohad doctrine and massacred many officials and notables, mostly from Tinmāl and Hintāta, Abū Zakariyā, himself Hintātī, led the Almohads of Ifrīqiya who refused this decision, obtaining his brother’s deposition, who was guilty of late payments. Abū Zakariyā was then recognized as emir, against the authority and will of the Almohad caliphs in Marrakesh.

Abū Zakariyā maintained for a few months formal recognition of Yaḥyá al-Mu’taṣim (624/1227-633/1236), who claimed the caliphate against al-Ma’mūn.²⁴⁸ He later eliminated the caliph from the *khutba*, having the prayer pronounced “in the name of the Mahdī and the orthodox caliphs” (beginning 627/February 1229). It was only in 634/1237 that he had himself publicly declared caliph with his own name in the *khutba*.

Although the numerous *sayyids* and governors of the larger cities enjoyed great power, equaled by their spirit of independence and ambition, the principal of a centralized state (with a rotation of gubernatorial appointments) was not questioned in Ifrīqiya until the end of this

²⁴⁷ This toponym, extremely common throughout the Maghrib (Amagdūl, Tamagdūl, Tameddūl, Timidelt, Tasagdelt) refers to a fortified granary (MG).

²⁴⁸ Son of Muḥammad al-Nāṣir and brother of al-Mustanṣir.

troubled period. The Almohad caliphs succeeded until the end of the 1220s in removing “local” candidates, and in appointing their own. Al-Ma’mūn’s reign marks a rupture in that it gave the Ḥafṣids of Ifrīqiya the pretext to free themselves in the name of loyalty to the Almohad doctrine and the founding ideals of the Empire. The same motives for the integration and conquest of Ifrīqiya were thus invoked to justify its independence at the beginning of the thirteenth century.

C. The Central Maghrib in Revolt

After al-Andalus and Ifrīqiya left the Almohad orbit, the Central Maghrib became the new frontier for the Empire. Yaghmurasān b. Zayyān was first recognized as governor and emir of Tlemcen in 638/1239 in exchange for the *bay‘a* he swore to the caliph al-Rashīd.²⁴⁹ This was no longer an appointment, however, but the acknowledgement of the Almohads’ historic role and the memory of their former strength. This circumstantial alliance continued under the caliph al-Mu‘taḍid bi-Llāh al-Sa‘īd (640/1242-646/1248), whom Yaghmurāsān supported in his struggle against the Banū Marīn. The Tlemcen dynasty, known as the Zayyānids or the ‘Abd al-Wādids, played on the rivalry between the caliphs of Marrakesh and Tunis, until Ḥafṣid pressure from Ifrīqiya grew. In 628/1230, Tunis brought its control over Bougie and Constantine, Algiers and a number of Central Maghribī tribes (the Zanāta Banū Mandīl and Banū Tujīn) the next year, pushing on to Chélif. They arrived in Tlemcen in 639-640/Summer 1242, and Yaghmurāsān was forced to negotiate with the Ḥafṣid and recognize his authority. He was then restored to his former governorship and recognized by the Marinids who sought to give political substance to their power.

D. Morocco in disintegration

The occupation of the Balearic Islands in 600/1203 and the forceful submission of Ifrīqiya in 1205, both incontestable successes against the Banū Ghāniya, were erased by the disaster of Las Navas de Tolosa in 610/1212 and the death of the caliph al-Nāṣir the next year. From that date and from Yūsuf II al-Mustanṣir’s reign (1213-1224), we can see contradictory influences, parallel powers, and struggles between clans at the summit of the state with a return of influence for the *shaykhs*, the descendants of the Mahdī’s companions. The new caliph, Yūsuf II al-Mustanṣir, who was very young, left Marrakesh only to go on pilgrimage to Tinmāl. He seems to have exercised no governmental activity, and it was his vizier, Ibn Jāmi‘, with the

²⁴⁹ NLA, n° 124, 396-398.

shaykhs present in Marrakesh, who had to suppress the half-tribal, half-religious rebellions that began to multiply. This weakening of the caliphal office, in a highly centralized and hierarchical Empire built around a ruler who still held the power to decide *jihād*, royal justice, appointments of governors, provincial governors or tax collectors, led to territorial disintegration and paralysis in the provinces. The link between the central caliphal power and provincial authorities was broken and this disconnection opened the door to the dismemberment of the Empire.

1. THE WEAKENING OF THE CALIPHAL OFFICE

The initial reigning years for ‘Abd al-Waḥīd al-Rashīd (629/1232-640/1242), son of al-Ma’mūn and a Christian slave, continued the civil war between the different candidates for the caliphal office, marked by the rivalry between his partisans and those of Yaḥyá al-Mu‘taṣim b. al-Nāṣir and by an attempt to restore caliphal authority over the Central Maghrib and al-Andalus. Al-Rashīd employed and increased the number of his father’s Christian mercenaries. The Arab tribes installed by the Almohad caliphs (mainly Sufyān and Khulṭ) made up the principal military force, but Berber tribes such as the Haskūra, with the meddling Ibn Waqārīt²⁵⁰ at their head, also played an important role. The Almohads chased from Marrakesh by al-Ma’mūn’s persecutions rallied around Yaḥyá b. al-Nāṣir, while the Khulṭ supported al-Rashīd. These alliances then reversed in part because of Ibn Waqārīt’s intrigues. The Almohads returning to the caliph in Marrakesh obtained from him the official restoration of the Almohad doctrine (beginning 632/fall 1234). The Khulṭ and Haskūra attacked the capital, forcing al-Rashīd to abandon them. The caliph, with the Almohads loyal to him, fled to the Atlas Mountains, then Sijilmāssa (end 632/summer 1235). Yaḥyá al-Mu‘taṣim occupied Marrakesh during this period.

Al-Rashīd and his supporters were able to reestablish their position at the beginning of 633/1235 thanks to the wealth of Sijilmāssa. Reinforced by many Christian mercenaries, they headed to Fez where they increased their means by drawing on the public treasury. They thus won the support of the Sufyān Arabs, the enemies of the Khulṭ, and marched with them on Marrakesh. *Taqdīm* 41 is probably the result of this alliance with the Sufyān Arabs since the

²⁵⁰ In Berber this name refers to the son of the *qirāt* or of someone who possesses a *qirāt*. The *qirāt* was a division of a dinar (1/24th). The term gave the current form of *aqarid* in Tašellhit to refer to money. It is not possible to know if this was the case in the seventh/thirteenth century (MG).

caliph concedes to them Ānfā (Casablanca) and its region with ample prerogatives.²⁵¹ The Khulṭ and Haskūra, along with their caliph (Yaḥyá al-Mu‘taṣim b. al-Nāṣir), met them near Umm Rabī‘ in Awḡidhān. After ten days of combat, the concussive power of al-Rashīd’s Christian mercenaries won the day in a final battle that saw the massacre of Yaḥyá al-Mu‘taṣim’s supporters (middle of 633/spring 1236). *Taqdīm* 39 may have been related to the Khulṭ’s previous reversal, since the text mentions the alliance with the father, the betrayal of the son and then his replacement by the father’s brother, the ousted *shaykh*’s uncle.²⁵² For their part, Ibn Waqārīt and certain Khulṭ leaders, after having abandoned Yaḥyá al-Mu‘taṣim b. al-Nāṣir, went to al-Andalus to ask the help of Ibn Hūd al-Mutawakkil, but the Andalusī was assassinated in jumādā I 635/January 1238. Seville, whose leader was then Abū ‘Amr b. al-Jadd, officially recognized al-Rashīd and delivered to him Ibn Waqārīt who was executed. Yaḥyá al-Mu‘taṣim b. al-Nāṣir was assassinated by the Ma‘qil Arabs with whom he had sought refuge in shawwāl 633/July 1236 while they were living as nomads between Fez and Tāzā.

2. THE PARTICULAR SITUATION IN CEUTA

Somewhat like Seville, Ceuta had a particular destiny. Because of its situation, the port maintained privileged, commercial, political, and military relations with the Iberian peninsula. The Almohad fleet’s base there was the grounds for these relations, and the *qā’id al-usṭūl* of Ceuta was usually the admiral of the Almohad fleet. The city played on its situation as a commercial crossroads between the Maghrib, the Latin West, and al-Andalus. Depending on the circumstances, Ceuta transferred its activities between these different zones, and in favorable periods profited from the circulation between these spaces. When the political situation in the Maghrib was disturbed after al-Mustanṣir’s death (1224), the city decided its own policies, freeing itself from the Maghribī hinterland and privileging its commercial interests with the Italians (especially the Genoese, well-implanted in the city), though sometimes also symbolically joining with the power in Marrakesh by swearing allegiance to the reigning caliph, as under al-Rashīd.

Thus, at the beginning of this period, during the conflict between al-Ma’mūn and Yaḥyá al-Mu‘taṣim b. al-Nāṣir, the governor of Ceuta, the *sayyid* Abū Mūs, al-Ma’mūn’s brother, proclaimed an ephemeral caliphate in 631/1229 that maintained relations with Ibn Hūd, then master of Algeciras. Al-Ma’mūn laid siege to the city by land for three months without

²⁵¹ See *taqdīm* 41.

²⁵² See *taqdīm* 39.

succeeding in taking it. The city recognized Ibn Hūd who appointed the admiral al-Ghustī as governor. Ceuta rapidly revolted against him and chased him away. Al-Yanashṭī, one of the city's main merchants, took the title of al-Muwaffaq bi-Llāh and governed the city for five years from 630/1233 and 635/1238. The city was then independent and maintained its place thanks to the port and its commercial Mediterranean networks, especially its agreements with the Genoese, who maintained a considerable quarter in Ceuta. Al-Yanashṭī used, moreover, the Genoese as a scapegoat for his difficulties and incited the Ghumāra Berbers to pillage their neighborhood in 632/1234-1235. This episode led the inhabitants of the city to depose al-Yanashṭī, and their new ruler, one of the Ghumāra *shaykhs*, Abū al-‘Abbās b. Abī Sa‘īd, to recognize the caliph al-Rashīd in Marrakesh (635/1238), as confirmed by monetary emissions.²⁵³ The city quickly recovered its autonomy since the Almohad ruler left control of the customs and the city government to Abū ‘Alī Ibn Khalāṣ, an Andalusī notable, like al-Yanashṭī. *Taqdīm* 2 seems indeed to date from this period: the Almohad ruler appoints in a “collective allocution” (*mukhāṭaba jumhūriyya*) a new “*qā’id* at the head of the fleet (*usṭūl*) and maritime affairs (*ashghāl al-baḥr*),” with important prerogatives that included “customs (*dīwān*), the mint (*sikka*), inheritances (*mawārīth*), and tithes (*zakāt*).”²⁵⁴ This act may well concern Ibn Khalāṣ al-Balansī, who held his office until his death in 640/1243, when the city joined the Ḥafṣid emir Abū Zakariyā, with Tangiers doing the same. The two Moroccan ports remained under the Tunis Ḥafṣids until the death of Abū Zakariyā and the ascension of al-‘Azafī who proclaimed his allegiance to the caliph al-Murtaḍā.²⁵⁵ In exchange, the caliph granted him an official investiture, probably *taqdīm* 6, in response “to the desire [of the population of the city] to see appointed the illustrious legal expert (*faqīh*) Abū l-Qāsim al-‘Azafī over their land.”²⁵⁶ This long document mentions events the exact nature of which are hard to define, but which bear witness to the strategic situation of the region: spreading rumors are firmly condemned as “lies” (*uḥk, zūr*) and “slander” (*bahtān, baht*), the interference of the “associators” (*ahl al-shirk*) and the intervention of the two “brothers” from a Christian monastic order (*ifrayriyyān*) reveal the weakness of the caliphal power in northern Morocco. Not only did the caliphate tolerate the contestation, but it was moreover incapable of putting it down other than through words.

²⁵³ B. ROSENBERGER, “Le contrôle du Déroit de Gibraltar (XII^e-XIII^e siècles)”, 29.

²⁵⁴ See below *taqdīm* 2, f° 3r, l. 23-3v, l. 1 and f° 3v, l. 17.

²⁵⁵ A. ‘AZZĀWĪ, *al-Gharb al-islāmī*, t. 1, 46-47.

²⁵⁶ See below *taqdīm* 6.

E. The Marinid rise

The Berber Zanāta tribes of the high Algerian-Moroccan plains, the Banū Marīn, began to irrupt through Tāzā in the region of Fez in 1213. They do not seem before this date to have gone beyond Muluya or Guercif, where, as nomads in zone between Sijilmāssa and Figuig, they came to stock up on grains.

The restoration of caliphal authority under al-Rashīd was not enough to reestablish the Empire's position, as shown by events in the Gharb. In 635/1238, to consolidate a situation that seemed to be improving, the caliph named one of the principal Almohad leaders, 'Abd Allāh b. Wānūdīn al-Hintātī, as governor of the Gharb and the Ghumāra, a vital zone for the caliphate and extremely troubled by the tribal agitation of Arabs (Riyāḥ) and Zanāta (Banū Marīn). 'Abd Allāh b. Wānūdīn al-Hintātī tried to play on the rivalry between the two branches of the Banū Marīn, the Banū 'Askar and the Banū Ḥamāma. He allied with the former to combat the latter, but, in 637/1239-1240 when the battle came, the Banū 'Askar defected; the Almohad, Riyāḥ, and Christian mercenary army was crushed by the Banū Ḥamāma. Having undergone this defeat and provoked the discontent of the local population with his fiscal demands in the Ghumāra districts and the cities of Meknes and Fez, and accused of too much independence and too many mistakes, 'Abd Allāh b. Wānūdīn al-Hintātī fled to his tribe, the Hintāta of the High Atlas.

Al-Rashīd's premature death at 24 in 640/1242, plunged Morocco into anarchy. 'Alī Abū l-Ḥasan, the son of al-Ma'mūn, was acclaimed on his brother's death, with the *laqabs* of al-Mu'taḍid bi-Llāh and al-Sa'īd (640/1242-646/1248). Relying on the Arabs, he attempted to reestablish Almohad authority over Morocco and the Central Maghrib, while the Ḥafṣids spread their power to Tlemcen and the Marinids pushed as far as Meknes where they collected taxes. *Taqāḍīm* 42 and 65 are explicitly attributed to him, but 66 and 77 were probably also written on his initiative. During this time, Ceuta and Sijilmāssa joined the Ḥafṣids. Al-Mu'taḍid bi-Llāh al-Sa'īd pressured the Marinids, who submitted. Their leader, Abū Yaḥyá b. 'Abd al-Ḥaqq helped the Almohads attack the 'Abd al-Wād. However, the caliph died in an ambush fighting against the Yaghmurasān. The Marinids took advantage of the situation to turn against the Almohad army and massacre them at Guercif, near the Muluya crossing, before capturing Fez.

The Marrakesh *makhzan* then proclaimed caliph a nephew of al-Manṣūr, Abū Ḥafṣ 'Umar al-Murtaḍá (646/1248-665/1266). His long reign, from which five *taqāḍīm* are extant in

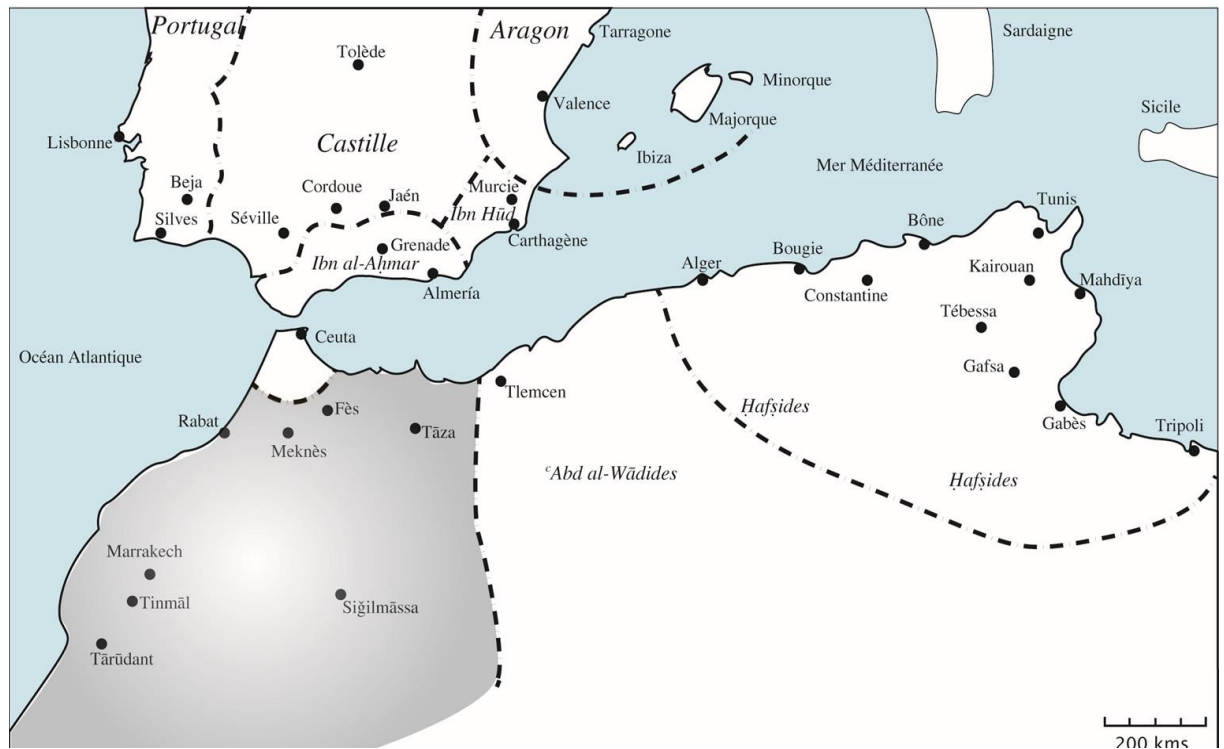
the manuscript 4752, did not prevent the dynasty's further weakening.²⁵⁷ The Marinids established their capital in Fez and organized their *makhzan* there. Abū Yaḥyá, then Abū Yūsuf, led the Marinids in their attempt to conquer the Moroccan south. The Almohad caliph was even forced to pay them tribute to save Marrakesh in 1262, but the respite bought was to be short. The threat in the end came not from outside, but from within the reigning family. In 1266, Idrīs Abū l-'Ulá Abū Dabbūs al-Wāthiq (665/1266-668/1269), Abd al-Mu'min's grandson, sought to overthrow his cousin. He obtained help from the Marinid Abū Yūsuf Ya'qub against al-Murtaḍá in exchange for one-third of his future conquests. Thanks to the 3,000 warriors the Marinids supplied him, and the Christian militia that joined him, he seized Marrakesh by surprise. Al-Murtaḍá fled to Azemmūr, to one of his sons-in-law, who turned him over to Abū Dabbūs al-Wāthiq for execution. The new caliph, confident in his strength, after having put down a rebellion in Sūs, refused to give the Marinid his share of conquests. Abū Dabbūs vainly sought the help of Yaghmurāsān who created a diversion in eastern Morocco, but the Marinids marched on Marrakesh and seized it in 1269, putting an end to Almohad power.

Conclusion: from an itinerant court to a capital under siege

The conquering Empire (1147-1214) was succeeded by an imperial Morocco. With al-Nāṣir's return to Marrakesh after the defeat at Las Navas de Tolosa, the sphere of action for the Almohad caliphs gradually decreased over a dozen years to the Western Maghrib, and the caliph shut himself off in his capital at Marrakesh. The first Empire had no real capital, even though Marrakesh and Seville were the official capitals, Tinmāl the symbolic capital, and the caliphal court the itinerant center of authority.²⁵⁸ From 1214-1229, we can see an increasing immobilization of the caliph, and a sedentarization of the ruler and the central administrations. The caliphate was effectively under siege from the moment the Marinids began to increase their pressure from the north of Morocco. The caliph's trips little by little were reduced to the journey between Tinmāl and Marrakesh, the sphere of influence shrank by symbolic steps to the cradle of the Almohad movement. Provincial officials traveled to see the caliph in his capital, while until the reign of al-Nāṣir, the caliph was at home wherever he went. The court was itinerant, and governors, judges, and representatives were appointed or dismissed when the ruler arrived.

²⁵⁷ *Taqādim* 6, 43, 44, 47, and 48, and probably 45 and 46.

²⁵⁸ Jocelyne Dakhlia has studied the tradition of "itinerant" power in the Maghrib (J. DAKHLIA, "Dans la mouvance du prince"). The Almohads began this tradition: initially the court's nomadic habits responded to the needs of the conquests, but they rapidly became "consubstantial" with the caliphal office (see M. Marín, "El califa almohade", 457).



Thus, while the Empire disintegrated, the caliphs lost their power over most of the Empire's territories. The governors of many regions became independent, like Muḥammad b. Yūsuf b. Naṣr in Granada, Yaḡmurāsān in Tlemcen, Ibn Khalāṣ, then al-ʿAzafī in Ceuta, ʿAbd Allāh b. Zakariyā al-Hazrajī, Abū Zayd ʿAbd al-Raḥmān b. Zakariyā al-Ġadmīwī and Muḥammad al-Qiṭrānī²⁵⁹ in Sijilmāssa. In many cities, the population was able to choose its own leaders, as in Tunis, Seville, or Ceuta. Beginning with the reign of al-Ma'mūn, only the governors of the Maghrib al-Aqṣā came under the caliph's power, where the regime had to face the revolts of Arab tribes and the Marinids in the countryside. Outside the important governmental capitals, the caliph's power extended only to the main cities: Tāzā, Azemmūr,²⁶⁰ Aghmāt, Dar'ā and Meknes.²⁶¹

This evolution was formed not only by sibling rivalry, the drive of the Christian powers, of the Latin world in general and the Iberian peninsula in particular, but also economic,

²⁵⁹ Ibn ʿIdhārī thus referred to him to underline the absolute scandal that came of the rise to power of someone from the lower classes, since he was apparently a tar seller (*qiṭrān*). The weakening of Mu'minid power was thus accompanied by unprecedented troubles or deregulation, since even the lower classes were taking power (MG).

²⁶⁰ "Olive tree" in Berber (MG).

²⁶¹ ʿI. al-D. MŪSĀ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 178.

demographic, and social difficulties that are hard to discern, but which played a role that historians in general have underestimated due to a lack of sources allowing to measure them. Unlike the breakup of the Almoravid Empire, whose regions emancipated themselves very quickly after the disappearance of the Banū Tashfīn dynasty while also determinedly resisting the Almohad expansion, the disappearance of the Mu'minid Empire was the fruit of a gradual erosion and the detachment of territories reduced little by little the sphere of influence of a ruler parked on an increasingly reduced territory. This different evolution is due in part to the respective organizations for provincial administration: decentralization and provincial autonomy for the Almoravid period versus centralization and concentration of powers for the Almohads. Messick's distinction between the "imāmic state", whose description corresponds to the Almohad Empire until 1214 – the imāmic territory is created in large part by the movements of the *imāms* and their armies throughout the countryside – and the "modern state" – where filled space is not produced, but fixed and structured by an armature that is polarized and sedentarized – places the bureaucratic Almohad Empire of the *taqāḍīm* period within the second category.²⁶² The heterogeneity of Maghribī society in the thirteenth century, the presence within of autonomous groups and exterior pressure help explain the fragility of this construction that prefigured what could have been a Maghribī "modern state".

²⁶² B. MESSICK, *The Calligraphic State*, 248.

Part Two

Appointments and Officials of the Imperial State

Chapter 5: Presentation of “Yahyá’s” Manuscript

Governing the Empire

The manuscript edited below is a *unicum* present in the Rabat *Ḥasaniyya* Library, the former Royal Library. It is referenced under the code 4752. The manuscript was published for the first time by Aḥmad ‘Azzāwī in 1995 in his *Nouvelles lettres almohades*.²⁶³ These *taqāḍīm* served as the conclusion for his own compilation of Almohads letters which he had composed by referencing letters cited in whole or in part in all published sources, chronicles, literary anthologies, and bio-bibliographic dictionaries (*tabaqāt*, *tarājim*) or geographic dictionaries. In addition to these non-epistolary sources, ‘Azzāwī included documents from the Pisan archives, first published by Michele Amari at the end of the nineteenth century, as well as letters from in number of unpublished manuscripts in Morocco, including n. 4752 and the annexes (*zawā'id*) to manuscript 6148 of *‘Aṭā’ al-jazīl* by the thirteenth-century Almohad *kātib* Aḥmad al-Balawī. The author did not see fit to include in his *Nouvelles lettres almohades* those documents published by Évariste Lévi-Provençal in 1941, though he did include them in his second volume, *Rasā'il diwāniyya muwaḥḥidiyya*, published in 2006.²⁶⁴ The two volumes together then represent a more or less complete ensemble of the extant official (*sulṭāniyyat*) epistolary documents produced by the Almohad chancellery. More recently, and as a continuation of this vast enterprise, ‘Azzāwī reproduced these *taqāḍīm* in his multi-volume work entitled *al-Gharba al-islāmī*. In doing so, however, he broke up the compilation's organization, thus disregarding the internal logic on which this, our present work, insists. In addition, he does not differentiate between the original documents, partial or complete citations in works from the Almohad period – such as al-Baydhaq's *akhbar al-Mahdī* or Ibn Ṣāhib al-Ṣalā's *Mann bi-l-imāma* – from those much later – such as Ibn Khaldūn's *Ibar* or al-Maqqarī's *Nafḥ al-Ṭīb* –, or even letters found in chancellery manuals.

The letters compiled in ‘Azzāwī's works merit some commentary. The compilation is, first of all, a very useful tool for investigative research. It also makes accessible to interested scholars an ensemble of texts which otherwise would have remained either unknown or underused. All modesty aside, without this work, the present study would not exist. On the advice of Mannūnī, ‘Azzāwī made public a half-century after Lévi-Provençal's first sketch a very rich documentary corpus that scholars have only begun to exploit. Moreover, by bringing together documents excerpted from very different sources, he gives an artificial and modern unity to this dispersed collection. In doing so, ‘Azzāwī does not seem to betray notions current

²⁶³ NLA, 409-517.

²⁶⁴ É. LÉVI-PROVENÇAL, *Majmū' rasā'il muwaḥḥidiyya*, 1941.

when the documents were produced, but he does orient the conditions of analysis and study for this corpus.

The translation proposed here is thus the pretext for a new edition of these documents. Why, when there are still so many unpublished documents from the Muslim World, reedit a technical corpus published fairly recently? ‘Azzāwī’s is not a bad edition, on the contrary, and it has the great merit of having drawn attention to the exceptional ensemble of Almohad chancellery documents. We are deeply indebted to him. We should also add that, in publishing these sources at a time when historians of the Latin West were renewing their approach to chancellery documents, ‘Azzāwī brought historians of medieval Islam into this historiographical renewal. Nevertheless, his edition does not correspond entirely to “Western” demands for the critical edition of medieval sources. Also, it focuses attention after the fact on the contents of the document, rather than in advance on its constitution. Yet, as scholars complain of the absence of archives and the disappearance of original documents from the medieval Muslim World, it is certainly useful and interesting to investigate the reasoning behind the composition and conservation of the compilations that are extant.

A. The Critical Edition of Arabic Manuscripts

‘Azzāwī’s edition is very good. It indicates in the margins the manuscript pages, points out for the most part when it “corrects” the text, specifying in notes the modifications proposed. However, the modernized spelling and adaptation to grammatical forms according to the commonly held standard of classical Arabic place a veil between today’s reader and yesterday’s scribe. By removing or adding vocalic or orthoepic signs, and modernizing the consonantic line, contemporary editors erase the local specificities of political-administrative language. ‘Azzāwī takes more precautions with the *unicum* manuscript 4752, but he still guides the original text according to his notions of what is “correct”.

The publishing rules in the modern Arab World thus do not correspond to those observed in critical editions of, for example, medieval Latin texts. Because of the relative, and often apparent, proximity between medieval and modern literary Arabic, publishers often pay little attention to elements that stray from the linguistic norms they know and practice, and consider these differences to be errors or signs of regional idioms in regards to an Arabic language the norms of which should be universal and intangible. In doing so, they contribute to the “dogma” of the immutability of an immutable written Arabic, one that is atemporal and untied to any geographical, social, or cultural context. Only ill-considered, dialectal, vernacular languages

evolve. However, that which might be seen today as an error, imperfection, or fault, may have been a practice of recognized and valued writing earlier.

I had the opportunity of comparing the documents conserved in the Pisan archives with their different editions,²⁶⁵ and noted the gradual erasure of the practices of medieval writing, as well as the loss of information in the modern edition of these medieval texts.²⁶⁶ The *tashkil* (vocalization) of the edited text, when it exists, seemingly at random, does not generally correspond with the original text, and often contradicts it.²⁶⁷ Yet, scholars in the Middle Ages, and the copyists who served them, took meticulous care in indicating the vocalic and orthoepic signs on the consonantic line, providing historians with precious indications on the linguistic usages of the chancellery milieu. Editors today should appreciate original documents and manuscripts over modern linguistic beliefs. The present study thus also addresses linguistic specialists interested in the (written or oral) historical evolution of the language, completing and complementing ‘Azzāwī’s, which, as noted above, is an excellent work, though incomplete on some points.²⁶⁸

1. PHYSICAL DESCRIPTION OF THE DOCUMENT

The manuscript is found in the Rabat *khizānat al-ḥasaniyya*. It is a *unicum* of forty-seven folios entitled *rasā’il muwaḥḥidiyya* in the library catalogue, with the reference number 4752. Though this is the manuscript’s title in the archival catalogue, the sole biographical notice concerning the compilation’s author, found in al-Ru‘aynī’s *Barnamaj*, seems to indicate the title of this compilation of Almohad-era documents could have been *Majmū‘ Yaḥyá* or *Kitāb Yaḥyá*, as we will see below in the presentation of the author.²⁶⁹

The volume is in a good state of preservation, on paper, measuring 21cm by 17. The surface covered with writing measures 18cm by 12.5. There is no visible numbering on the pages, but that may be due to wear over time on the edges of all the pages. To avoid mixing the

²⁶⁵ M. AMARI, *Diplomi Arabi*; ‘A. al-H. AL-TĀZĪ, *Al-tarīkh al-diblumāsī*, t. 6 ; NLA and NLA 2.

²⁶⁶ See P. BURESI, “*Traduttore traditore*”, 297-309, “Les plaintes de l’archevêque”, 99-135 and “Les documents arabes et latins”, to be published in 2012.

²⁶⁷ Absent, for example, from Amari’s edition.

²⁶⁸ If these rules of critical edition for Arabic texts were adopted, the study of Arabic language and writing practices, as well as regional comparisons, would be much easier. New dictionaries, complementing the invaluable *Dictionnaire arabe-français* by Kazimirski, and the *Supplément aux dictionnaires arabes* by Dozy, could provide all scholars with the means to work on often obscure administrative or literary texts.

²⁶⁹ AL-TUJĪBĪ AL-RU‘AYNĪ, *Barnamaj*, n° 86, 164. On this work, see A. RAMOS CALVO, “Le ‘Barnāmağ’ d’al-Tuğībī”, 291-298. I would like to thank Ḥāyat Qāra (Université Muḥammad V de Rabat) for pointing out this reference to me.

pages, numbering in Arabic numerals was recently added in blue pen ink from 1 (f° 2r) to 94 (f° 49r), but the first and last pages are absent of any writing.



Illustration1: signs of manuscript restoration and modern page numbering. f° 3v, p. 4.

The pages have been restored by gluing a strip of paper to reinforce their edges, which are in a state of advanced disintegration. This paper strip sometimes covers the end of a line of script, but the writing can still be deciphered. The exact date for the restoration is unclear.

The volume contains a few folders, but most of the stitching has disappeared and the folders are imperfectly preserved: two isolated folios follow a folder, then a folder of two folios, one of eight, of four, again of eight, of two, of eight, and finally a sole folio. The entire manuscript is contained in a recent cardboard covering, and the ensemble is placed in a simple red leather box. The entire volume, with the cardboard cover, measures 2.2cm thick (2cm without the cover).

The paper and ink are very well preserved, except for the chewed edges. No watermark is visible, the chain lines are vertically oriented, and it is very difficult to date the manuscript. The number of lines per page varies depending on the presence, or not, of titles of larger size, but it remains between twenty and twenty four lines. No regulating lines appear, however, it seems that for the margins the scribe followed the vertical grain, and he sometimes elongates a letter to finish the line, sometimes moderately, sometimes over half the length of the line. The number of words per line also varies between nine and thirteen, with on average a dozen.

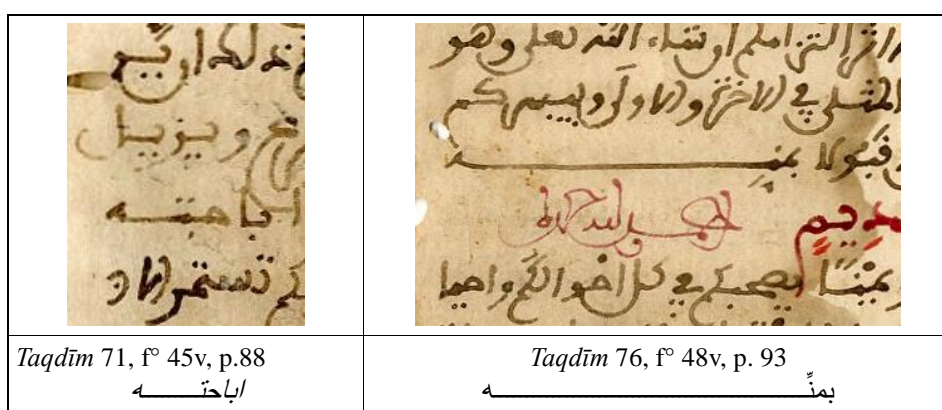


Illustration 2: Vertical margin, end of the line, elongation of letters.

Other than the absence of a colophon and signs of identification, the acephalous and incomplete manuscript does present a few strange aspects. Indeed, the first “page”, f° 2r, is empty, with the copy beginning abruptly only on page 2, on the verso of the same folio. Aḥmad

Shawqī Benebine, the director of the *khizānat ḥasaniyya*, and who was kind enough to examine the manuscript with me, roughly dated the manuscript fabrication, based on his own experience with manuscripts and his knowledge of the archives he directs, to the sixteenth or seventeenth century. My lack of knowledge in Maghribī manuscripts leads me to accept and follow his evaluation.

2. THE GRAPHIC SYSTEM AND WRITING PARTICULARITIES

Arabic writing is consonantic. Vocalization (*i'rāb*) is an interpretive act, as is sufficiently proven by the debates and studies on seventh-century Koranic manuscripts, which completely lack any diacritic points or vocalic signs. Andreas Kaplony on the Zurich Orientalische Seminar website gives a few examples of possible reading errors in the absence of precise indications.²⁷⁰ This is why, beyond the choices we have personally made for the translation, we have reproduced the *tashkīl* (vocalic indicators) as it appears in the manuscript, unlike Aḥmad 'Azzāwī who largely ignored it and published his own reading of the text rather than the scribe's original proposal. In the end, the reading, or recitation, which brings together the consonants and vowels, allows for the production or reproduction of the text.²⁷¹ These considerations allow an at least partial understanding of the scribe's rationale in indicating the *tashkīl*, which might otherwise seem random.

The manuscript's writing is in cursive, traced in black ink, with a feather or flexible reed with a round tip. The writing is regular, the lines straight, even if there is no sign of ruled lines, though some relaxation does occur, then the stems incline to the right, the writing becomes more insistent, and "simplifications" more frequent.

a. Maghribī forms

Fā' and qāf

The first remark concerns the Maghribī specificity of writing the letter *fā'* with a subscript dot and the letter *qāf* with a superscript dot.²⁷² This practice allows a particular design for *fī*, with three dots in a triangle under the letter.

²⁷⁰ For examples and exercises in deciphering papyrus manuscripts, see the excellent site: http://orientx.uzh.ch:8080/aps_test_2/home/

²⁷¹ See B. MESSICK, *The Calligraphic State*, 26.

²⁷² See O. HOUDAS, "Essai sur l'écriture maghrébine", 83-112, 85-112 ; F. DEROCHE, *Le livre manuscrit arabe*, 67-112 ; A. KAPLONY, "What Are Those Few Dots For?", 94.

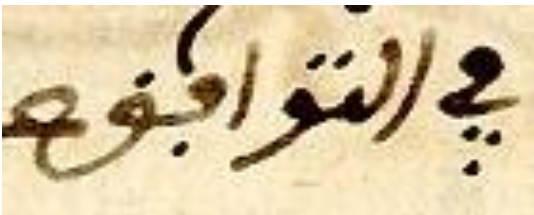
			<i>taqdīm</i> 25, f° 21v, p. 40, l. 13 <i>fi l-tawāfuq</i> في التوافق
<i>qāf</i>	<i>fā'</i>	<i>fī</i>	

Illustration 3: *fā'* and *qāf*

It is possible that a few dialectical forms have made their way into the manuscript, in the use of *dal* instead of *dhal*, for example in writing *badl* instead of *badhl* in *badl al-juhd*,²⁷³ or *li-dalikum* instead of *li-dhalikum*, but this may also be the forgetful omission of a dot.²⁷⁴ 'Azzāwī himself inserts a Maghribism in transcribing the *zā'* in 'an *maẓann* with a *ḍad*, 'an *maḍann*.²⁷⁵

The *kāf* at the end of a word

One graphic trait, which may be specifically Maghribī, concerns the two different designs of *kāf* in final position. It seems, in fact, that the “classical” form appears only for the term *dhalika*, while all the other final *kāfs* are written as in the middle or beginning of a word.

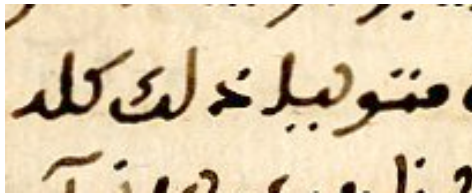
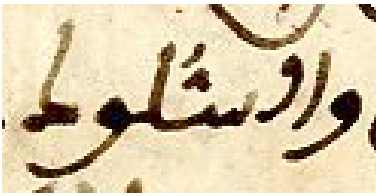
	
<i>kāf</i> “normal”, <i>taqdīm</i> 48, f° 31v, p. 60, l. 15 <i>mutawalliyyan dhalika kulli-hi</i>	<i>kāf</i> “coufique”, <i>taqdīm</i> n° 10, f° 21v, p. 40, l. 10 <i>wa-l-sulūk</i>
متوليا ذلك كله	والسُّلوك

Illustration 4: *Kāf* in final position

b. Some letter endings

The specificities of medieval writing styles appear essentially in the final letters of words. We should note first that classically punctuation is not indicated under final *yā'*, which is written like *alif maqsūra*: *ة*. There are, however, some exceptions: the *yā'* in *fī* always receives its dots (in a triangle with the dot for the *fā'*), as well as in some terms like *tastawī* (*taqdīm* 4, f° 5v, l. 17), or *al-ra'y al-rājiḥ* (*taqdīm* 11, f° 12v, p. 22, l. 19). In addition, these two

²⁷³ *Taqdīm* 61, f° 41r, p. 79, l. 4 et l. 17.

²⁷⁴ *Taqdīm* 65, f° 42r, p. 81, l. 6

²⁷⁵ *Taqdīm* 50, f° 33r, p. 63, l. 10.

letters (final *yā'* and *alif maqsūra*) are sometimes simplified. We have preserved these occurrences in using a specific symbol with the letter looping towards the right:

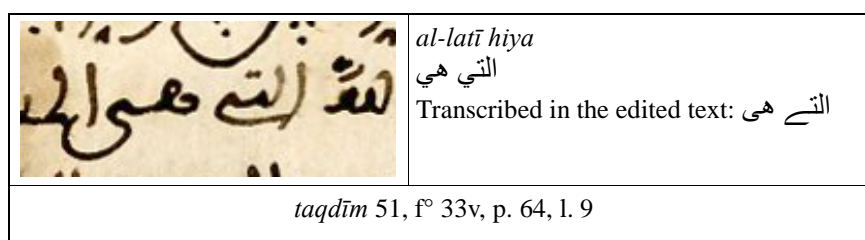


Illustration 5: *yā'* at the end of a word

The absence of a dot does not mean the absence of any indication at all. Thus, the *tashkīl* may be indicated, even if the dots are not, as in the following example

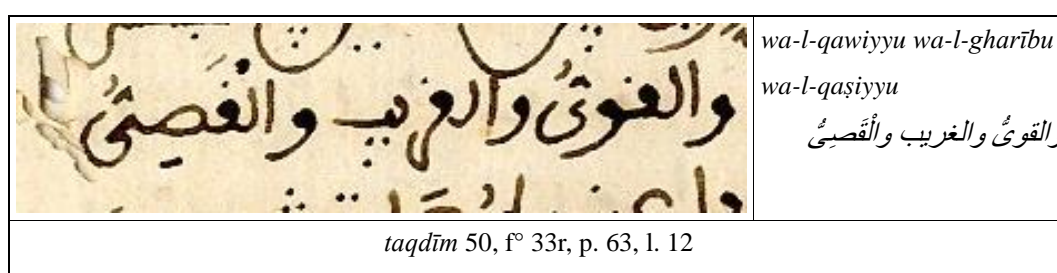


Illustration 6: Absence of the dots for final *yā'* with *shidda* and *ḡamma*

Final *yā'* may sometimes carry a dot, but final *nūn* never does, and is very regularly written with a large loop descending below the line of writing:

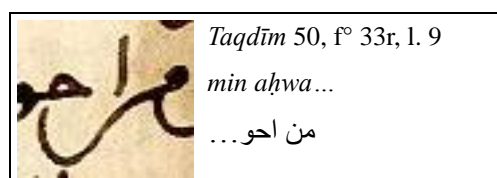


Illustration 7: Final *nūn*

Final *hā'* and *tā' marbūṭa*, however, show some differences, depending whether they are attached or not and whether the dots are indicated or not:

			
<i>hā'</i> with stemm: <i>fa-a'inū-hu</i> فأعينوا <i>taqdīm</i> 50, f° 33r, p. 63, l. 13	simplified: <i>hadhi-</i> <i>hi</i> هذه <i>Idem</i>	detached: بالمعاضدة <i>bi-l-</i> <i>mu'āḡadat</i> <i>idem</i> , l.14	attached: من اشبيلية <i>min Ishbiliyyat</i> <i>taqdīm</i> 53, f° 34v, p. 66, l. 15
<i>hā'</i> at the end of a word		<i>tā' marbūṭa</i>	

Illustration 8: Final *hā'* and *tā' marbūṭa*

We should also note that the manuscript has no abbreviations, in particular for *ta'ālā* (تع) or *ṣallā Allāh 'alay-hi wa sallam* (صلى), which are always fully written.

c. The Use of decorative dots

A dot is occasionally “decoratively” used for *dād* (ض) and *zā’* (ظ) inside the letter’s loop, most often in letters based on the *WDH* root: *wāḍiḥ*, *awḍaḥ*, or *NZR*, but also more rarely for *DMM*, *NZM* or *RDY*.

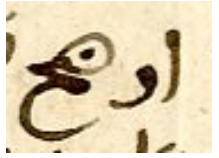
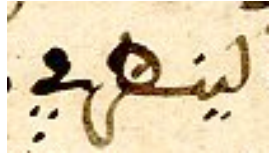
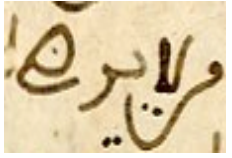
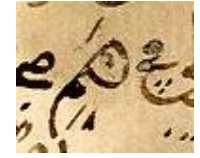
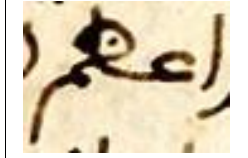
				
<i>taqdīm</i> 55, f°36v, p. 70, l. 9: <i>awḍaḥ</i>	<i>taqdīm</i> 42, 29r, ligne 10: <i>li-yanzura fi</i>	f°38r, p. 73, l. 7: <i>man lā yurḍā</i>	42, f°29r, l. 11: <i>fi ḍammi</i>	<i>taqdīm</i> 36, f°26v, l. 14: <i>a’zam</i>
اوضح	لينظر في	من لا يرضى	في ضمّ	اعظم

Illustration 9: *zā’* and *dād* with dots inside the loop

D. STOPS AND PUNCTUATION

Another particularity of the writing consists in the breaks in words, something which is now prohibited by Arabic spelling usage. The scribe breaks words to take full advantage of the length of his lines, but obeys certain rules: the words are cut off at the end of the line only after the five letters that do not connect to the following letter: و, ا, د, ذ, ر, ز. A word is never broken if it would lead to a modification of the consonantic line. There is thus a *scripta continua*, even if in general, but not always, the space between words is slightly longer than the space that separates two parts of the same word with one of the five noted letters.

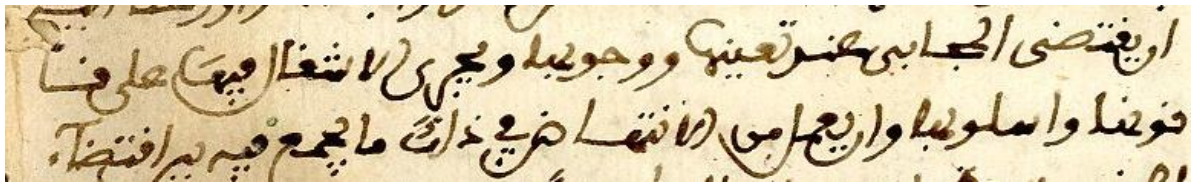

<i>Taqdīm</i> 25, f° 21v, p. 40, l. 8-9: Example of a word break in <i>qānūni-hā</i> : نونها / على قا /

Illustration 10: Word break

There are a number of punctuation markers used in the manuscript, but the scribe uses them neither frequently nor systematically. The first is used at the beginning and end of a title, a backwards “c” with a dot inside; the second, a *hā’*, at the end of many *taqdīm*, is an abbreviation for *intihā’* (“end”), almost systematically after the term *bi-manni-hi* (“By His grace”); finally, the third is made up three dots in a triangle in the body of the text.



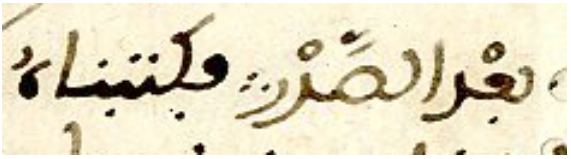
		
Represented as O in the edition	Represented by “□” for <i>intihā</i>	<i>taqdīm</i> 34, f°25v, l. 9, represented by “□” بَعْدَ الصُّدْرِ □ فَكْتَبْنَاهُ

Illustration 11: Punctuation marks

e. CORRECTIONS AND DELETIONS

There are, in addition, a half dozen deletions in the manuscript, or reduplication of terms. ‘Azzāwī generally mentions the reduplications, but does not take the time to indicate the deletions. In this edition, we have included them with the corresponding translation barred, as in the original text. In the manuscript, the line of correction is in superscript and placed between two symbols that indicated the beginning and the end of the correction zone.

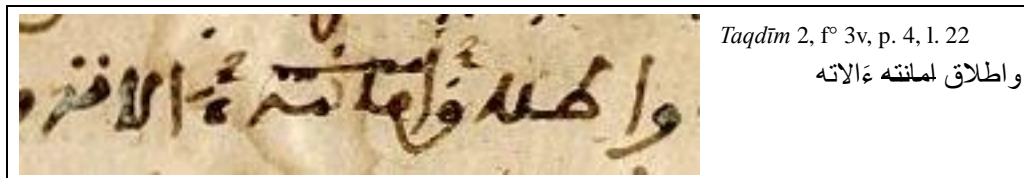


Illustration 12: Example of deletion

f. HEADINGS AND TITLES

‘Azzāwī does not make clear when the titles in his edition are his own or the manuscripts. However, the scribe uses a clear system between the different *taqdīm* which he separates them from one another using space and a larger title, a thicker stylus and different colors. He applies great care to the titles: changing the stylus, the color, sometimes with a thin dark line underling the contours of the stylus line. The titles are generally red, with only a few exceptions, two of which are dark green perhaps because of a degradation of a black metallic ink. Many different reds are used for the titles: a bright red and a blood red. When the consonantic line is bright red, the *tashkīl* is drawn in either blood red or black. When the consonantic line is blood red, the *tashkīl* is in black.

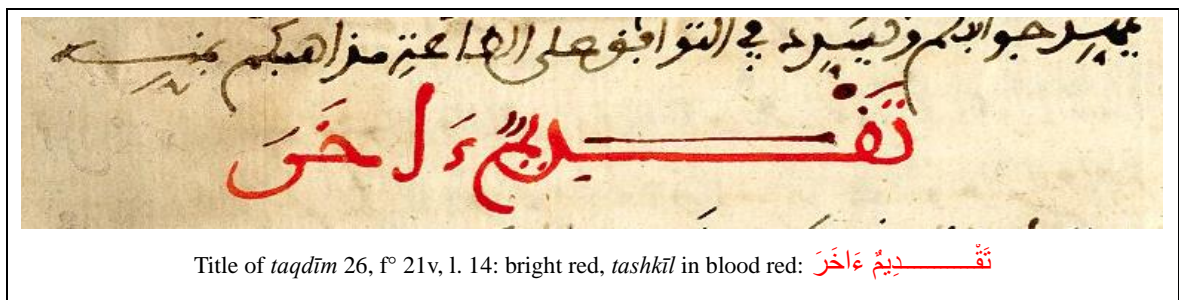


Illustration 13: Bright red title (*taqdīm* 26)

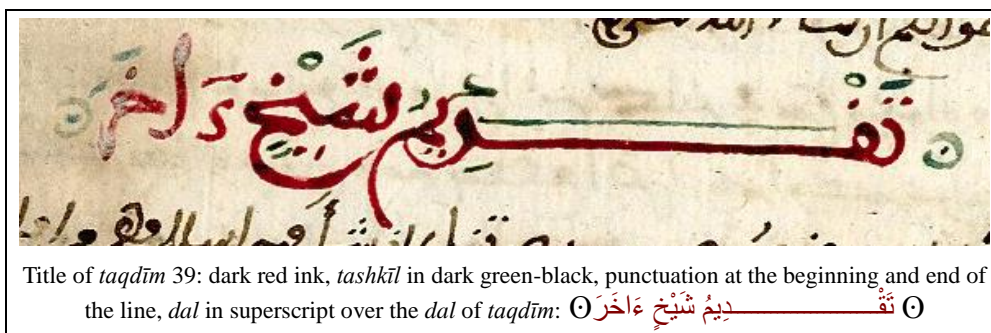


Illustration 14: Dark red title (*taqdīm* 39)

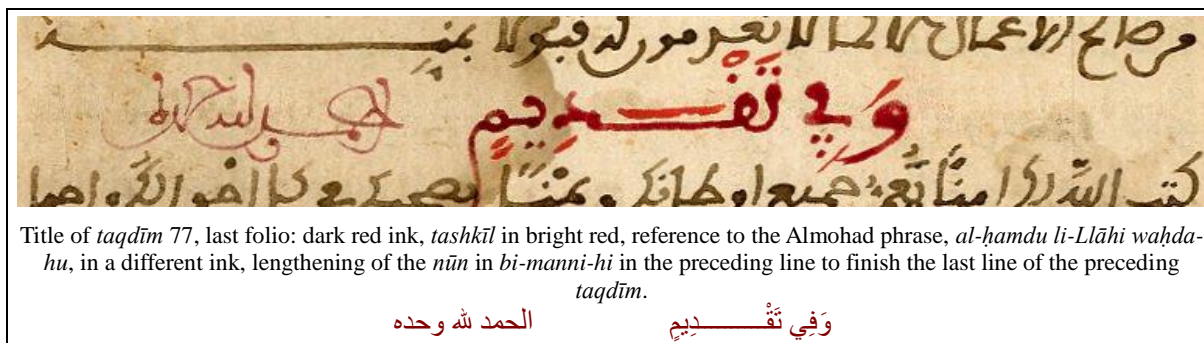


Illustration 15: Title of the last *taqdīm*

3. DIACRITIC, VOCALIC, AND ORTHOEPIC MARKERS

The scribe's treatment of diacritic, orthoepic, and vocalic markers gives an indication of the care taken in writing the manuscript, on its destination, and on its content. The copyist of manuscript 4752 partially indicates the *tashkīl* and takes care to specify the meaning of certain non-punctuated consonants (*al-ḥurūf al-muhmala*) by reproducing them smaller and slightly above or below, to avoid confusion.²⁷⁶ The writing of *hamza*, *kasra*, and *madda* does show some classical particularities.

A. THE TREATMENT OF HAMZA

In general, *hamza*, sometimes called *nabra*, is placed between its support and the vowel that accompanies it. However, in practice, the *kasra* is often separated from the *hamza* that carries it, the one on the consonantic line, the other below. In manuscript 4752, no matter what the vocalic marker – *fatha ḍamma*, *tanwīn*, *sukūn*, which is usual, and also, which is less so, for *kasra* – the *hamza* is placed between it and its support.²⁷⁷

<i>hamza + ḍamma</i>	<i>hamza + fatha</i>	<i>hamza + sukūn</i>	<i>hamza + kasra</i>	<i>hamza + tanwīn</i>	<i>hamza + tanwīn</i>
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²⁷⁶ For an exhaustive presentation of the different marks accompanying consonants in Arabic manuscripts, see W. Wright, *A Grammar*, t. 1, 4, §1, A-C.

²⁷⁷ W. WRIGHT, *A Grammar*, t. 1, 17, §15, Rem. c.

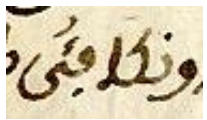
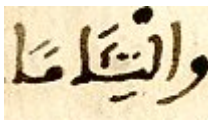
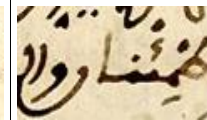
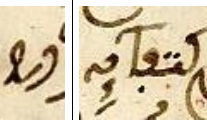
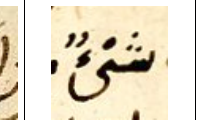
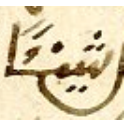
					
<i>taqdīm</i> 34, f° 25v, p. 48, l. 17	<i>taqdīm</i> 31, f° 24v, p. 46, l. 4	<i>taqdīm</i> 29, f° 23r, p. 43, l. 12	<i>taqdīm</i> 27, f° 22r, p. 41, l. 14	<i>taqdīm</i> 43, f° 29v, p. 56, l. 11	<i>taqdīm</i> 27, f° 22v, p. 42, l. 4
<i>wa nukāfi`u</i>	<i>wa ilti`ām^m</i>	<i>al-iṭmi`nān</i>	<i>iktifā`i-hi</i>	<i>shay^{um}</i>	<i>shay^{an}</i>
ونكافئ	والتيئاما	الاطمئنان	اكتفاه	شئ	شيئا

Illustration 16: Hamza position

B. MADDA OR ALIF MAMDŪDA

The scribe's traditionalist character also comes through in his particular writing of *alif mamdūda* at the beginning of words, whether it follows the definite article or not. Thus, instead of using the combination of a vertical line (*alif*) and a long horizontal accent (◌ِ), which he uses in the middle of words, the scribe indicates a *hamza* followed by a lengthened vocalic *alif*. This is seen in the two following examples, one without the article, the other with, the *hamza* being then separated from the *alif*.

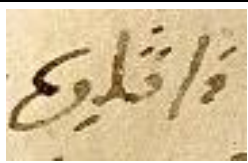
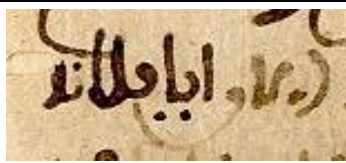
	
<i>Taqdīm</i> 26, f° 22r, l. 6 <i>'āthāri-hi</i>	<i>Taqdīm</i> 75, f° 47v, p. 91, l. 14 <i>al-'ān Abā Fulān</i>
آثاره	ابا فلان

Illustration 17: alif mamdūda

c. SHIDDA

The writing quality likewise shows in the use of the geminate *tashdīd* for derived forms, but also the euphonic *tashdīd* for solar letters.²⁷⁸ This attests to the purpose of the oral reading or proclamation of the documents reproduced. The scribe does not systematically specify in this way. When he marks the *shidda*, the scribe sometimes indicates a vocalic mark, above for *ḍamma*, below for *fathā*, and both above the consonantic line and below the vocalic marker for *kasra*. Because the scribe respects this convention throughout the manuscript, our edition, for technical reasons, has adopted the modern style of writing the *tashdīd*: ˆ, ˘, ˙.

<i>shidda + ḍamma</i>	<i>shidda + fathā</i>	<i>shidda + kasra</i>
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²⁷⁸ On the difference between the two, see W. WRIGHT, *A Grammar*, t. 1, 15, § 12-14.

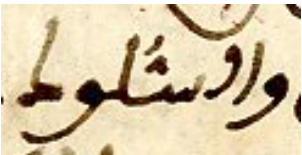
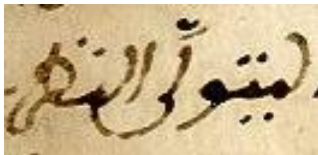
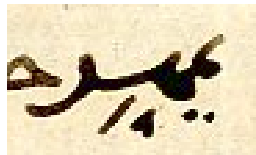
		
<i>Taqdīm 25, f° 21v, l. 10 as-sulūk</i>	<i>taqdīm 26, 21v, l. 18 li-yatawallá al-nazar</i>	<i>Taqdīm 25, f° 21v, l. 14 yumahhid</i>
السُّلُوك	ليتولَّى النظر	يمهِّد

Illustration 18: Position of *shidda*

The scribe may not systematically indicate the *tashdid*, but he does take care to use it when it can signal a modification in the reading of the last consonant of the preceding word, which denotes a person who perfectly masters the techniques of Koranic reading and confirms that the texts should be read aloud.²⁷⁹ These practical indications were thus intended to the person charged with reading the acts, probably in the cathedral mosque of the capital to which the official was appointed. The *shidda* is also used to mark gemination when final and initial consonants are identical.²⁸⁰

Reference	Arabic text	Read...	and not...
<i>Taqdīm 17, f° 16v, l. 22</i>	من وُفِّق	<i>mīw wufq</i>	<i>min wufq</i>
<i>Taqdīm 17, f° 17r, l. 3</i>	من لَزِم	<i>mal lazima</i>	<i>man lazima</i>
<i>Taqdīm 17, f° 17r, l. 17</i>	مُشَرَّكَا مَعَ	<i>musharrakam ma‘a</i>	<i>musharrak^{an} ma‘a</i>
<i>Taqdīm 24, f° 21r, l. 19</i>	مهادرًا مُسَارِعَا	<i>muhādiram musāri‘^{an}</i>	<i>muhādir^{an} musāri‘^{an}</i>
<i>Taqdīm 25, f° 21v, l. 5</i>	وامرناه ان يَصْرِف	<i>amarnā-hu ay yaṣrifā</i>	<i>amarnā-hu an yaṣrifā</i>
<i>Taqdīm 27, f° 22r, l. 22</i>	هنالكُم مَّا	<i>hunālikummā</i>	Simple gemination
<i>Taqdīm 29, f° 23v, l. 11</i>	حقُّ لَدَيْكُم	<i>ḥaqqil laday-kum</i>	<i>ḥaqqin laday-kum</i>
<i>Taqdīm 30, f° 24r, l. 15</i>	اصلاحًا لَهَا	<i>iṣlāḥal la-hā</i>	<i>iṣlāḥ^{an} la-ha</i>
<i>Taqdīm 32, f° 25r, l. 16</i>	من مَّصَالِح	<i>mim maṣāliḥ</i>	<i>min maṣāliḥ</i>
<i>Taqdīm 38, f° 27v, l. 13</i>	من نَظَر مُصْلِح	<i>min naẓarim muṣliḥin</i>	<i>min naẓarin muṣliḥin</i>

²⁷⁹ See W. WRIGHT, *A Grammar*, t. 1, 15.

²⁸⁰ See the fifth and last examples in the following table.

Reference	Arabic text	Read...	and not...
<i>Taqdīm</i> 40, f° 28r, l. 16	يَدًا وَاٰحِدَةً مَّعَكُمْ	<i>yad^{an} wāḥidatam ma‘a-kum</i>	<i>yad^{an} wāḥidat^{an} ma‘a-kum</i>
<i>Taqdīm</i> 46, f° 30v, l. 9	مِنْ مَّصَالِحٍ	<i>mim maṣāliḥ</i>	<i>min maṣāliḥ</i>
<i>Taqdīm</i> 59, f° 40r, l. 19	بِاتِفَاقِكُمْ مَعَهُ	<i>bi-ttifāqi-kumma ‘a-hu</i>	Simple gemination
<i>Taqdīm</i> 65, f° 42r, l. 13	فِي أَنْ يَكُونَ	<i>fī an yakūn</i>	<i>fī an yakūn</i>
<i>Taqdīm</i> 68, f° 43v, l. 14	وَمِنْ مَخَاطِبَةٍ	<i>wa mim mukhāṭabatin</i>	<i>wa min mukhāṭabatin</i>
<i>Taqdīm</i> 68, f° 44r, l. 6	وَأَنْ يُسَوِّيَ	<i>wa an yusawwi</i>	<i>wa an yusawwī</i>
<i>Taqdīm</i> 69, f° 44r, l. 19	لِمَنْ يَكُونَ	<i>li-may yakūn</i>	<i>li-man yakūn</i>
<i>Taqdīm</i> 71, f° 45v, l. 14	مُوَالِيًا لَهُ	<i>muwāliyal la-hu</i>	<i>muwāliyan la-hu</i>
<i>Taqdīm</i> 74, f° 47v, l. 6	خَصَصْنَاكُمْ مِنْهُ	<i>khaṣṣaṣnā-kummin-hu</i>	Simple gemination

Table 3: Euphonic *tashdīd*

d. Superscript and subscript letters

Sometimes, though it is not possible to determine why, the scribe specifies the nature of the consonant with a miniature sub- or superscript of the consonant. This is the case for certain *ḥā*, *ṣād*, *‘ayn* or *dal*, but this is far from systematic.

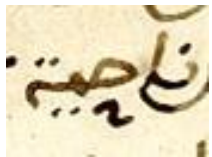
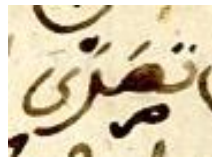
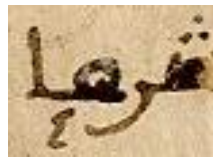
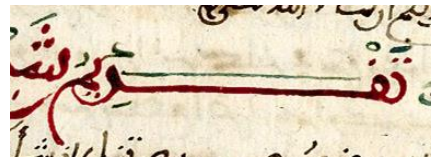
↓ Subscripted <i>ḥā</i>	↓ Subscripted <i>ṣād</i>	↓ Subscripted <i>‘ayn</i>	↘ Superscripted <i>dal</i>
			
<i>taqdīm</i> 25, f° 21v, l. 7: <i>nāḥiya</i>	<i>taqdīm</i> 25, f° 21v, l. 6: <i>taṣaddá</i>	<i>taqdīm</i> 50, f° 33r, l. 13: <i>shar‘^{an}</i>	Titre du <i>taqdīm</i> 39, f° 27v, l. 15: <i>taqdīmu</i>
نَاحِيَةٌ	تَصَدَّى	شَرَعَا	تَقْدِيمٌ

Illustration 19: Super- or subscript letters

4. CONCLUSION: THE WRITING AND THE READING

Great care was taken in producing this manuscript, as much in the choice of paper and inks, as in the writing, the titles, the vocalization and a certain number of indications we have detailed. It is nevertheless incomplete. It starts directly on a verso after a blank page, in the

middle of a sentence, and its nature, function, and intention remain fairly unclear. We might imagine that in the sixteenth or seventeenth century, the owner of a copy of the folder of original notes, noting its decomposition, ordered a copy made. Given the manuscript's current state, no alternative hypothesis seems obvious, and other copies or fragments would need to be found to come to more precise conclusions using paleographic data. The study of the manuscript's contents allows, nevertheless, a more certain understanding of some of the steps in the conservation of the manuscript as well as the intention of this compilation.

B. Composition of the Manuscript

The manuscript ends after forty-seven folios, as abruptly as it begins. This presents a considerable inconvenience for determining the manuscript's author and purpose. In addition, the documents in the manuscript vary considerably, even if they are always *taqāḍīm*, or appointments. Some are very long,²⁸¹ while others take only a few lines,²⁸² though those are exceptions to the average of about one page and a half per *taqāḍīm*. Complete documents, with preamble, initial and final protocols, and date clauses are rare, but they then mention in general complete names, toponyms and dates, which helps to contextualize them. They are, however, exceptional, since the vast majority of *taqāḍīm* replace names with *Fulān*²⁸³ or *Abū Fulān*²⁸⁴ for people and *Fulāna* for places, like in compilations of juridical consultations (*fatāwá* or *nawāzil*). This indicates that the documents were not conserved for their concrete or contextual information, but for their form and practical utility for learning chancellery norms. The composite character likewise confirms, if there were a need, that this is a compilation of different kinds of documents, the origins of which we will see below.

The absence of the manuscript's first and last pages means also the absence of a possible introduction detailing the author's plan and how and where he found the documents (originals, copies, manuals) he used in building his own collection. The authors does, nevertheless, provide some information through four passages situated between *taqāḍīm* 3 and 4, 48 and 49, 56 and 57, and 59 and 60. These passages provide essential clues as to the work's compilation.

²⁸¹ At six pages, *taqāḍīm* 6 is the longest, then comes *taqāḍīm* 55 at five pages.

²⁸² For example numbers 45 and 63.

²⁸³ "So and so", *fulano* in Spanish.

²⁸⁴ Anonymization of the *kunya*: "Abū So and so"

1. THE AUTHOR

We know the author's name comes to us only through the mention of his *ism*, Yaḥyá, in the middle of the text, all the more important since the manuscript lacks an introduction. Qāra nevertheless identifies the author as most likely Yaḥyá al-Khadhūj, a scholar from the end of the Almohad period.²⁸⁵ Indeed, this scholar, whose full name was Abū Zakariyā Yaḥyá b. Ibrāhīm al-Aṣḥabī al-Ḥakīm *al-ma'rūf bi-l-Khadhūj*, lived during the time of al-Ru'aynī (1196-1268) who, in the sole biography we know of him, claims to have met him. Al-Ru'aynī attributes to Yaḥyá al-Khadhūj a number of summaries (*mukhtaṣirāt*), a book entitled *al-Khiyara min a-dhakhīra* (The Flower of the Treasure), a sermon, a large work entitled *al-Aghānī al-Andalusiyya* ("The Songs of al-Andalus"), and a chess treatise known as *al-Shaṭranj al-muṣawwir li-l-ḥakīm al-muṣaghghir*. Al-Ru'aynī specifies that Yaḥyá was an author and music composer (*muṣaṭrif wa ma'lūf*). The reference that interests us here concerns the "collection of letters which he would have entitled with his name for he had collected them."²⁸⁶ This reference, though not definitive proof, corroborates Qāra's hypothesis that the author of manuscript 4752 was Yaḥyá al-Khadhūj who lived at the end of the Almohad period, which would have allowed him to consult and procure the documents used to write his *majmū'* ("collection").

2. INFORMATION CONCERNING THE AUTHOR

What are these four texts, and what conclusions can we draw from them? Yaḥyá al-Khadhūj, the original author, intervenes at various points throughout the manuscript, unless some of these are the work of the copyist. The references are sometimes very short, briefly indicating breaks made in the reproduced documents. They appear in the form of *ba'd al-ṣadr* ("after the preamble").²⁸⁷ Other contributions, however, are much longer and provide precious information meant probably to complete the missing introduction. These four passages, presented here below, refer to each other, especially the first two. They give some indication of the author's sources and described the work's thematic organization.

🕉 Passage 1 between *taqādim* 3 and 4 (fol. 7):

Yaḥyá – May God assist him – said: Thus ends the list of appointments of governors over the land or confirmations of military leaders (*quwwād*) able to close the borderlands to keep them well in hand. I myself found appointments that were not in the collection and had not been included in this project; if God wills it, I will record some with these,

²⁸⁵ I would like to thank again Ḥayāt Qāra who suggested to me the connection with Yaḥyá of the manuscript and who gave me a photocopy of the entry in the *Barnamāj* for Yaḥyá al-Khadhūj.

²⁸⁶ AL-TUJĪBĪ AL-RU'AYNĪ, *Barnamaj*, n° 86, 164: *wa majmu'āt tarsīl yu'anwinu-hā bi-smi-hi wa anna-hu al-jāmi' la-hā.*

²⁸⁷ *Taqādim* 3, 6, 34, 49 et 65.

so that they will be related to them and complete them, so that they will be found together in the presentation, forming a continuation and coherent ensemble; thus those appointments will find their proper place, their own exposure will shed light on them and their resemblance will put them fully into the light.

I will then add appointments of judges, those in the collection and those I found elsewhere, to define and delimit the titles (*laqab*) I wanted, and to make what I reveal useful.

After which I will add authentic acts, decrees, etc. that do not belong to those chapters (*funūn*) and do not enter into those excerpts; they will be placed aside and will give their contents, so that there is no error in the book and its parts be joined.

If, after finishing [my] project, I find something that belongs to these categories and I managed to acquire it, then I will set them out in full if God wills it and I will publish them like a full moon.

It is God who helps things to be done well, and He who brings projects to their end and answers needs.

⑨ Passage between *taqāḍīm* 48 and 49 (fol. 61)

Yaḥyá – May God help him – said: here end the writings concerning the appointments of governors that I found in the collection and copies (*mubayyaḍāt*). I have reported the appointments of judges that are in the chapter in the collection, and I added the contracts and writings found either in or outside the collection/chapter.

⑨ Passage 3, between *taqāḍīm* 56 and 57 (fol. 75)

Yaḥyá – May God help him – said: Thus end the appointments that I found in the chapter that holds the *shaykh*'s collection – God's mercy be upon him. Within the collection, among the appointments, I found what was written in the name of the caliph al-Rashīd for the appointment of his relative Abū Muḥammad to the position of judge of *Sharīsh* (Jérez) and in [the region] under it.

⑨ Passage 4 between *taqāḍīm* 59 and 60 (fol. 78)

Yaḥyá – May God on High help him – said: Thus end what was in the collection which I noted, found, and discovered; I placed [the elements] one after the other and I edited [all of them]. Here begin the appointments that I found elsewhere than the collection whose fruits I harvested, whose rivers I caused to flow, and the scent of whose flowers I breathed; I organized the pearls for the masters of *adab* and of intelligence so that [the project] ends with the most beautiful and [we] take solace in that which humanity sows in the night. Among others...

a. Sources

These few remarks spread throughout the manuscript indicate a few different levels of writing or editing:

- The anonymous copyist contributes to the manuscript he copies, which is ascribed to Yaḥyá, probably al-Khadhūj. He thus reproduces the previously existing manuscript, or the annexes of this work, and introduces his own personal remarks with phrases such as “Yaḥyá – May God assist him – said.”

- Yaḥyá al-Khadhūj sits on a second level, as *kātib* and scholar from the Almohad period, the author of the extant collection. Indeed, his final remark (Passage 4) is one of nostalgia, commenting on the dispersion of these texts over the course of the period of Almohad “decadence,” indicating sympathy for the Almohad regime and its former grandeur.
- Yaḥyá al-Khadhūj gives some indication of the composition of his work, mentioning the sources he used, creating a third multiple level: the collection (*majmūʿ*) constitutes the main material for his work. Yaḥyá added different complementary pieces to the collection, but does not give the name of the *shaykh* who wrote or owned the collection, nor is it possible to know if the term *shaykh* refers to an important member of the tribes and Almohad regime (Passage 3), or simply a respected scholar with governmental responsibilities. Thus on the same level as the *shaykh*’s foundational collection, Yaḥyá mentions a work of research and manuscript acquisition, as well as composition and classification of the documents by theme. These documents come “outside the collection” and some are *mubayyaḍāt*, copies kept by scribes of documents they had written (Passage 2). There are a few indications of the extent of Yaḥyá’s research, such as the sentence at the end of *taqāḍīm* 70: “Thus ends what was found concerning this allocution” (*intahá mā ulfiya min hādha l-khiṭāb*). This suggests that the collection’s creator was himself dependent on an incomplete source, whether personal notes or partial manuscripts.
- The fourth level is made up of the documents used by the *shaykh* in creating the collection that served Yaḥyá for his own. It is hard to determine the exact moment of “anonymization” for the documents, when *Fulāna* replaced the place names, and *Fulān* or *Abū Fulān* replaced people’s names, but it was probably done by the original *shaykh*. Indeed, Yaḥyá did not take the same care to erase dates or place names for the acts – originals, copies, or notes – that he used to complement the “*shaykh*’s collection.” He seems to have simply copied what was before him, anonymously from the *shaykh*’s form collection, because he had no choice, but completely for the documents he had in his possession and that provided him with more information.

Manuscript 4752	◀	Yaḥyá al-Khadhūj’s collection	◀	Shaykh’s collection	◀	Manual ?
						Original acts (personal) ?
						Copies ?
				Mubayyaḍāt (copies)		

				Assorted (originals?)	
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Table 4: Composition of manuscript 4752.

Yaḥyá seems concerned about the usefulness (*fā'ida*) of his work (Passage 1), which is intended for the “masters of *adab* and intelligence” (*ūlī l-ādab wa l-albāb*). He specifies his goals of exhaustiveness, organization, clarity, and coherence for his work, while still confessing the selection that came to play in its creation. He is successful in large part, though he does commit some errors which the copyist does not correct, such as citing two perfectly identical *taqādīm*, numbers 35 and 44. Yaḥyá’s desire to conserve the memory of the finest literary and administrative creations from the Almohad period is explicit. The images evoked (“pearls,” “perfumes,” “rivers,” “moons” etc.) are typical for this type of composition and, along with the mention of those intended to read it, place this work in the category of *adab*, a literary didactic tool for posterity.

b. The Thematic organization of Yaḥyá’s collection

Yaḥyá’s indications provide information on a number of points. Passages 1 and 2 mention an important part that is missing – “authentic acts” (*ṣukūk*) and “decrees” (*ẓawāhir*), or “contracts” (*uhūd*) and “writings” (*mukātabāt*). Another point concerns the work’s internal divisions. Documents 1 to 48 are appointments of “governors” (*wulāt* or *‘ummāl*), and documents 49 to 77 are appointments of judges. Within these two subsections, the difference between the acts is related to the sources used by the author.

Gubernatorial appointments (taqādīm 1-48)

- ⑩ The first three gubernatorial appointments were included in the collection used by Yaḥyá. There may have been other appointments before them, but that part of the manuscript does not remain. These acts concern important appointments:
 - ⑨ The first legitimizes an already constituted power in al-Andalus that has sent a delegation to ask for caliphal recognition. Their investiture gives the Andalusī authorities important attributes, since they can name Guardians (*ḥuffāz*), governors (*‘ummāl*) or judges. The investiture thus equals a delegation of power, recognition, and legitimation more than an appointment. The act would seem then to postdate 1224, the year of al-Mustansir’s death. Indeed, before then, it is unlikely that the caliph in Marrakesh would have allowed a power to ensconce itself without prior approval at a time of high centralization for the Empire.

- ⑨ The second act concerns the appointment of an admiral of the fleet (*qā'id al-usṭūl*) who receives important attributions. 'Azzāwī suggests that this act concerns Ceuta, which is very likely.
- ⑨ The third *taqdīm* is of lesser importance. The context is more difficult to establish, but it does seem to concern an important governor named by the central power over a well-controlled zone. The *shaykhs* and elite (*a'yān*) must go out to meet the person invested by the act and receive him as well as possible.
- ⑩ The following forty-five appointments are not from the *shaykh*'s collection. They are a heterogeneous group including complete acts with preambles, dates, names of protagonists and mention of places concerned,²⁸⁸ acts that are almost complete,²⁸⁹ and incomplete acts missing their beginnings and lacking a date clause. This heterogeneity coincides with Yaḥyá's explanations: it is due to the nature of the material he used, documents of diverse provenance, copies, drafts (*mubayyaḍāt*), original acts, of which he chose to cite only those parts that seemed pertinent.

Judicial appointments (*taqādīm* 49-77)

- ⑩ *Taqdīm* 49 begins the list of judicial appointments. The group is again heterogeneous, which explains Yaḥyá's intrusions to give a few precisions.
 - ⑨ *Taqādīm* 49 to 59, judicial appointments, are from the *shaykh*'s collection.
 - ⑨ Yaḥyá however intervenes before *taqdīm* 57 to specify that the following documents concern the appointment of a relative of the caliph al-Rashīd (629/1232-640/1242) as judge of Jérez (*Sharīsh*). However, it seems that only *taqdīm* 57 fits this description. The next is written in the name of the same caliph, (*'an-hu*), without mentioning Jérez, nor the name of the caliph and the third may be from al-Rashīd, though this is not certain.

²⁸⁸ *Taqādīm* 5, 30, and 54. *Taqdīm* 5 is dated from 8 ramaḍān 630/June 18, 1233, *taqdīm* 30 from the end of ramaḍān 635/May 1238, and *taqdīm* 54 is dated from rabī' II 634/December 1236. All three were written in the name of Ibn Hūd al-Mutawakkil (1228-1238), so are not strictly speaking Almohad, but anti-Almohad.

²⁸⁹ With preamble, but without date, *taqādīm* 4 and 17; without preamble but with date: *taqdīm* 6 carries the date 14 rajab 648/October 12, 1250, and *taqdīm* 43 is dated jumādā I 657/May 1259, both corresponding to the reign of al-Murtaḍá (646/1248-665/1266); *taqdīm* 52 is dated from the middle of shawwāl 626/beginning of September 1239, *taqdīm* 53 from safar 626/January 1229 corresponding to the reign of al-Ma'mūn (1227-629/1232); *taqdīm* 57 is dated to the "first moon" of dhū l-qa'da 636/June 5, 1239 and the reign of al-Rashīd (629/1232-640/1242), *taqdīm* 65 is dated from shawwāl 640/24 March-22 April 1242, during the reign of al-Mu'taḍid (640/1242-646/1248).

- ⑨ *Taqādīm* 60 to 77 are judicial appointments found by Yaḥyá outside the *shaykh*'s collection, in addition to those he drew from it. Each lacks a beginning and, except for *taqdīm* 65, they all lack date clauses.²⁹⁰

In conclusion, the *shaykh*'s collection seems to contain only Almohad acts, probably personal notes meant as a support for his memory and to help in preparing official acts. This would confirm the idea that its author was a member of the regime, probably a secretary, and belonged to an Almohad family. Extant documents in his collection date from the reigns of al-Ma'mūn (ns. 49-53), al-Rashīd (57 and perhaps 58 and 59). For the documents after the *shaykh*'s collection used by Yaḥyá, some come from Ibn Mutawakkil's Valencian anti-Almohad polity (1228-1238). These are moreover the only complete documents with a preamble and date clause (*taqdīm* 5, 30, and 54).

c. The *Taqādīm* in context

Only about 13% of the *taqdīm* in the manuscript can be dated precisely, and date clauses are extant for only ten of the entire group. However, specifications given by the scribe in the passages cited above and in the titles that he adds before each document push that percentage to 23%. Passage 3 thus announces an act written in the name of Caliph al-Rashīd for the appointment of his relative (*ṣanū-hū*) Abū Muḥammad, to the judgeship in *Sharīsh* (Jérez), while the following document carries the title *wa 'ān-hū fī taqdīm ākhar* ("In the name of the same, another appointment".) This information gives an interval of ten years for the two or three acts concerned (57-59), between 629/1232 and 640/1242. These titles that attribute an act to an Almohad ruler (or another), thus allow an approximate date for at least eight acts, and perhaps nine (59, already cited). In addition, a dozen more acts may be attributed to one reign or another depending on a number of criteria: their place in the collection and their content.

The table below shows that within both of the two major thematic groups – gubernatorial appointments, judicial appointments – the author has taken pains to class the documents chronologically, reflecting on the care for order and coherence mentioned in Passage 1. Barring major errors on the part of the author, this rigorous classification means all the acts were written between 1224 and 1266, during the period of deep crisis for the Almohad regime, with the accumulation of succession disputes, defeats by the Christians and the territorial disintegration of the Empire.

<i>Taqādīm</i>	Sponsor	Date clause	Period
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²⁹⁰ *Taqādīm* 65 is dated from shawwāl 640/March 24 – April 22, 1242.

2	Al-Rashīd: see <i>infra</i> § VI-B-2-a. “Military functions/direction of the fleet: the <i>qā'id al-ustūl'</i> ”	missing	629/1232-640/1242
4	Abū l-‘Alá al-Ma’mūn before his rise to the throne	missing (title)	Summer 1226-Sept. 1227
5	Ibn Hūd al-Mutawakkil	8 ramaḍān 630/18 June 1233	1228-1238
6	al-Murtaḍá	14 rajab 648/12 Oct. 1250	646/1248-665/1266
30	Ibn Hūd al-Mutawakkil	end ramaḍān 635/May 1238	1228-1238
38-41	Al-Rashīd: see <i>infra</i> § VI-A-2-b. “The Arabs”	Missing	629/1232-640/1242
42	al-Mu’taḍid	missing (title)	640/1242-646/1248
43	al-Murtaḍá	jumādā I 657/May 1259	646/1248-665/1266
44	al-Murtaḍá	missing (title)	646/1248-665/1266
47	al-Murtaḍá	missing (title)	646/1248-665/1266
48	al-Murtaḍá	missing (title)	646/1248-665/1266
49	al-Ma’mūn (before denying the Almohad doctrine) see <i>infra</i> § VI-B-2-b. “The law between Almohadism and Malikism”	missing	2 <i>shawwāl</i> 624/15 Sept. 1227-626/1229
50	<i>Idem</i>	missing	<i>idem</i>
51	al-Ma’mūn (after the denial) see <i>infra</i> § VI-B-2-b.	missing	1229-1232
52	al-Ma’mūn	mid-shawwāl 626/beg. Sept. 1229	624/1227-629/1232
53	al-Ma’mūn	ṣafar 626/January 1229	624/1227-629/1232
54	Ibn Hūd al-Mutawakkil	rabī’ II 634/December 1237	1228-1238
55	Ibn Hūd al-Mutawakkil	missing (title)	1228-1238
56	<i>Idem?</i>	missing (title)	1228-1238 ?
57	al-Rashīd	1 dhū l-qa’da 636/5 June 1239	629/1232-640/1242
58	al-Rashīd	missing (title)	629/1232-640/1242
59	al-Rashīd (before the return of Almohadism) see <i>infra</i> § VI-B-2-b. “The law between Almohadism and Malikism”	missing	629/1232-640/1242?
62	<i>Idem?</i> see <i>infra</i> § VI-B-2-b.	missing	629/1232-640/1242?
65	al-Mu’taḍid	shawwāl 640/24 March-22 April 1242	640/1242-646/1248
74	al-Murtaḍá	1 dhū l-qa’da 648/25 January 1251	646/1248-665/1266

Table 5: *Taqādīm* dates

Origins and destinations for the taqādīm

Most of the place names were replaced by the generic term *Fulāna*, as mentioned above, though not systematically. The destination village or region remains in eight cases, and the origin is known for three. 5 and 53 are the only *taqādīm* with both the origin and the destination, the first being written in the name of Ibn Hūd al-Mutawakkil in Granada for the people of Almería and Málaga, and the second in the name of Abū l-‘Ulá, before he became al-Ma’mūn, from Seville for the people of Algeciras (*al-Jazīrat al-khaḍrā’*). There is one case in which we can identify the destination through information in the act. *Taqādīm* 2 appoints a *qā'id* of the fleet, and so naturally is destined for a coastal town. ‘Azzāwī suggests Ceuta (*Sabta*), though it could also be Tunis or Bougie where the Almohads also stationed their fleet and which still came under Almohad authority before the emancipation of Ḥafṣid Ifrīqiya. *Taqādīm* 24 mentions the presence of “saintly tombs” and the seat (*maqārr*) of Guidance (*hidāya*) and the *khilāfa* in

the city or region concerned by the appointment, most likely Tinmāl, as ‘Azzāwī suggests.²⁹¹ In addition, *taqdīm* 41 is addressed to the Sufyān Arabs and gives them control (*naẓar*) over Ānfā (Casablanca). Finally, three *taqādīm* mention the frontier nature of the destination region (11, 12, and 21).

Three *taqādīm*, 1, 51, and 69, mention the “Presence” (*ḥaḍra*) of the Almohads.²⁹² This does not mean the capital, even if the term appears in this sense in *taqdīm* 5 (*min ḥaḍrati Gharnāta*), as Fricaud has shown for the *ṭalaba*. It refers instead to the itinerant caliphal “Presence”. Nevertheless, in this case, the “Presence” probably was in Marrakesh, since from 1213-1266 the caliph traveled very little in a territory moreover that was increasingly reduced. For the other *taqādīm*, the caliphal court was the issuing center, wherever it was, which most likely was Marrakesh. Indeed, almost all of the acts carry the phrase *fa-idhā wāfā-kum* (*kitābunā* or *wālī-kum*), meaning “When he arrives among you...” (sometimes “our letter”, more often “your governor”). This clause indicates a physical movement from the center towards the destination region and meeting between the decision or appointee and the population or region concerned. The administrative appointment procedure implies the physical displacement of the designated candidate to the caliph or the court ministers to obtain the appointment act. Only then could the fortunate chosen one return to assume their post. In the immense majority of cases, then, the *taqādīm* were issued from the capital in Marrakesh where the caliph resided on a semi-permanent basis.

<i>Taqdīm</i>	Origin	Destination	Date or period
1	Marrakesh?	Al-Andalus (<i>al-jazīra</i>)	
2	Marrakesh?	Ceuta	629/1232-640/1242: see <i>infra</i> § VI-B-2-a. “Military functions/direction of the fleet: the <i>qā'id al-usṭūl</i> ”
4	Cordova	<i>Fulāna</i>	Before 1227 (Abū l-‘Ulā al-Ma’mūn)
5	Granada	Almería, Malaga	1228-1238 (Ibn Hūd)
6	<i>min ḥaḍrati-nā bi-Fulāna</i>	Ceuta (<i>Sabta</i>)	14 rajab 648/12 October 1250 (al-Murtaḍā)
11		frontier (<i>thaghr</i> , pl. <i>thughūr</i>)	
12		frontier (<i>thaghr</i> , pl. <i>thughūr</i>)	
17		Sijilmāssa	
21		frontier (<i>thaghr</i> , pl. <i>thughūr</i>)	

²⁹¹ “Because of the holy (*tāhira*) tombs found there in abundance and because the reunion of the seats of guidance and of the caliph distinguish it with innumerable glorious titles” (*dhālikum li-shtimāli-hā ‘alā al-ajdāth al-ṭāhira wa imtiyāzi-hā min al-iḥtiwā’ ‘alā maqārr al-hidāya wa-l-khilāfa bi-l-mafākhir al-mukāthira*).

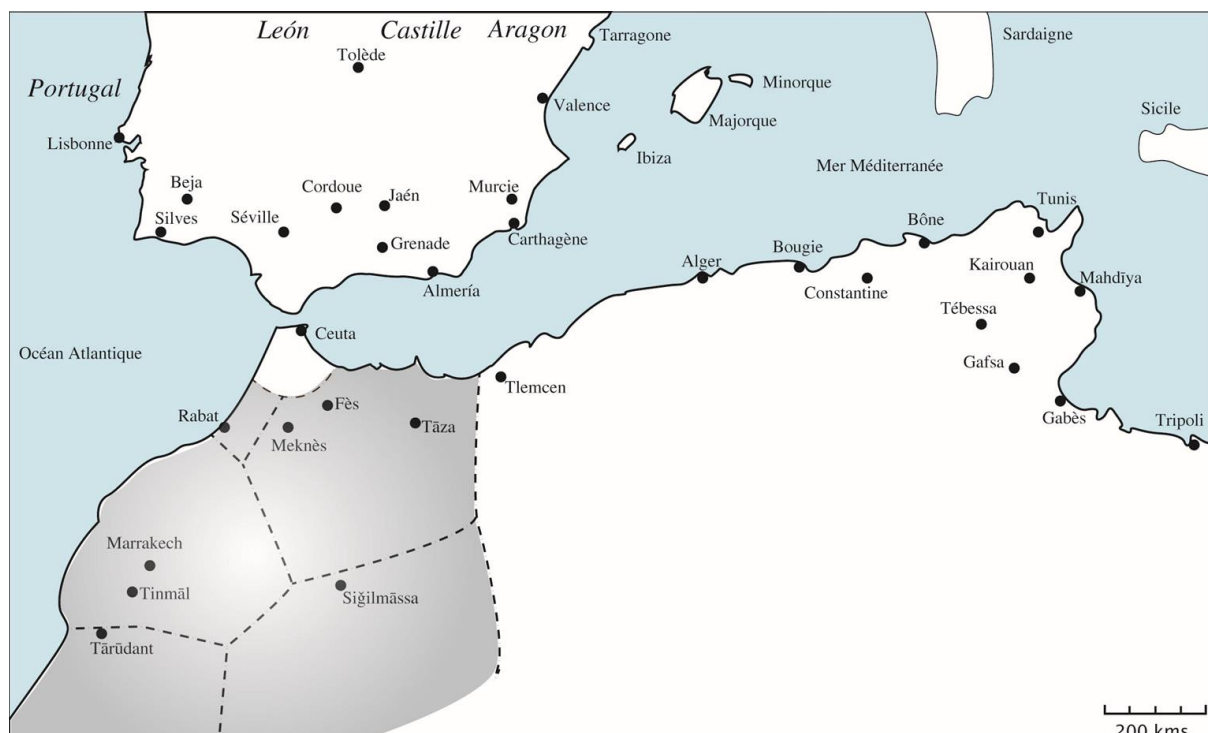
²⁹² “Your delegates advanced into our Presence” (*‘alā hādhi-hi l-ḥaḍrati*), “We have sent him to you from our (*hādhi-hi*) Presence” (*naqalnā-hu ‘an hādhi-hi l-ḥaḍrati ilay-kum*) and “This is because you have distinguished yourselves in the Presence of the Almohads by the reports of neighbors” (*dhālikum li-mā tamayyaztum bi-hi li-ḥaḍrati l-muwahḥidīna min al-jiwār*).

24		Tinnāl	Before 1227 or after 1233
30		Algeciras (<i>jazīrat al-khaḍrā'</i>)	ramaḍān 635/May 1239 (Ibn Hūd)
41		Control of Ānfā given to Sufyān Arabs	
51	Marrakesh?		
52		Jérez (<i>Sharīsh</i>)	shawwāl 626/beg. Sept. 1239 (al-Ma'mūn)
53	Seville	Algeciras (<i>Jazīrat al-khaḍrā'</i>)	ṣafār 626/January 1239 (al-Ma'mūn)
54		Malaga	rabī' II 634/December. 1236 (Ibn Hūd)
57		Jérez (<i>Sharīsh</i>)	1 dhū l-qa'da 636/5 June 1239 (al-Rashīd)
69	Marrakesh?		

Table 6: Origin and destination of the *taqādīm*

Potential air of application for the taqādīm depending on their context

All the acts reproduced in the manuscript address the period of gradual disintegration for the Almohad Empire. The imperial power covered the following provinces during the period of expansion: Sūs, Sijilmāssa, Marrakesh, Fez, Salé, Ceuta, Tlemcen, Bougie, Ifrīqiya, Malaga, Gharb al-Andalus (*Silves-Shalab*), Seville, Cordova, Jaén, Granada, Murcia, and Valencia. With al-Ma'mūn's departure from al-Andalus in 1227, the Iberian peninsula followed its own trajectory, and caliphal power no longer held sway, even if rival candidates in Granada, Seville, or Jérez occasionally turned to Almohad authority (as opposed to the Abbasids in Baghdad, or Ḥafṣids in Tunis) in seeking legitimacy. Ifrīqiya broke away at the end of the 1220s under its Almohad governor, then the Central Maghrib. Thus, the provinces actually concerned by the *taqādīm* were limited to Sūs, Sijilmāssa, Marrakesh, Fez, Salé, Tlemcen, and at least nominally, Ceuta.



3. INTERNAL STRUCTURE AND DIPLOMATIC CHARACTERISTICS

We should forget that these are not original documents, that they are copies. In addition, few are complete and those that are were not produced by the Almohad chancellery, but by the anti-Almohad Ibn Hūd al-Mutawakkil. Nevertheless, a comparison of original Ifrīqiyan chancellery acts and those acts in Yahyá's manuscript that are almost complete allows a clear idea of the usual structure for the *taqāḍīm*, which is marked by a respect for the characteristic norms of medieval chancelleries.²⁹³ This then, in short, is the basic theoretical structure for the *taqāḍīm*, noting also the differences present in the extant documents.

The presented documents follow this model:

a. Preamble

A preamble (*ṣadr*) that includes (or should include):

- the *basmala* and the *taṣliya* (never reproduced)

Address

The address is composed of three parts:

²⁹³ The subject of diplomatics study, this structure has been less studied for the Arab-Muslim world than for medieval Latin Christendom. Despite a number of more or less recent studies, the historiographic gap is far from being filled. (É. LEVI-PROVENÇAL, "Un recueil de lettres officielles", 1941 ; C. CAHEN, "Notes de diplomatique arabo-musulmane" ; A. al-H. AL-TAZI, *Al-tarīkh al-diblumāsī*, t. 6 ; H. EL AALLAOUI, *L'art du secrétaire entre littérature et politique* ; G. KHAN, "Remarks on the Historical Background" ; P. BURESI, "Les plaintes de l'archevêque" and "Les documents arabes et latins").

- the addresser: the scribe never copies this except occasionally when he adds it to the title, not with the usual particle *min*, but *‘an*.
- the addressee: sometimes presented very simply – “To the population of Fulāna” (*ilā ahli Fulāna*) – sometimes as a list of addressees, with a collective commendation. The list of addressees naturally comes after the addresser whose status, by the nature of the act itself, is superior.²⁹⁴
- the salutation,²⁹⁵ sometimes very simple (*salām*),²⁹⁶ sometimes very elaborate (*salām^{um} karīm^{um} ‘alaykum ayyuhā al-awliyā’u al-mukarramūn al-awuddā’u*).²⁹⁷

Ba ‘diyya

The *ba ‘diyya* is introduced by *ammā ba ‘d* (“and after...”),²⁹⁸ and contains:

- a *ḥamdala*, praise to God, specified with modifiers (*al-ghālib waḥda-hu, al-mun ‘im, al-mulhim, al-muyassir*)²⁹⁹ or comparatives (*al-ladhī*).
- a *taṣliya*, in the form *nuṣallī ‘alā...* (6 and 30) or *al-ṣalā ‘ala...* (30, 54, and 55), a prayer for the Prophet Muḥammad, his family, and his Companions.³⁰⁰
- the *tarḍiya*, or prayer for the *imām*. In *taqādīm* 5, 30, 54, and 55, written in the name of Ibn Hūd al-Mutawakkil, the *tarḍiya* was for the Abbasid caliph. For *taqdīm* 6, however, in the name of al-Murtaḍā, the *tarḍiya* is for the Maḥdī, though neither his *‘iṣma* nor his *hidāya* are mentioned. The prayer also includes the “orthodox” caliphs, masters of the East and the West (*al-khāfiqayn*), the continuation of which allows us to understand that these were not the “orthodox” caliphs of Sunni Islam, Abū Bakr (r. 632-634), ‘Umar b. al-Khaṭṭāb (r. 634-644), ‘Uthmān (r. 644-656) and ‘Alī b. Abī Ṭālib (r. 656-660), but those of the Almohad regime.³⁰¹ This reutilization of an

²⁹⁴ On the noted order of addressers and/or addressees and on the hierarchy implied, see P. GIGNOUX, “Lettres privées”, 830-831.

²⁹⁵ Absent from *taqādīm* 17, 30, 52, 53, and 54. It is difficult to know if the elimination of the salutation is due to the copyist or not.

²⁹⁶ For example, *taqdīm* 4.

²⁹⁷ *Taqdīm* 5.

²⁹⁸ Present only in *taqādīm* 5, 6, 30, 54, and 55.

²⁹⁹ *Taqādīm* 6 and 30.

³⁰⁰ This prayer is particularly developed in *taqdīm* 6, since it includes another *ḥamdala*, Koranic citations, and it is redoubled by the form *al-ṣalā*.

³⁰¹ The term “orthodox caliphs” attributed to the four first successors of Ibn Tūmart, on the model of the first four caliphs of Islam, is well-known to specialists and appears on Almohad coins and in the chronicles from the thirteenth century. I have studied a letter that bears witness to the early usage of this reference to the *auctoritas* of “Sunni” Islam during al-Naṣīr’s lifetime (1199-1214), the fourth “successor” of Ibn Tūmart (P. Buresi, “Les documents arabes et latins”). The use of this title by the Almohads contributes to the “Sunnization” of Almohadism studied by M. Fierro (“Las genealogies de ‘Abd al-Mu‘min”).

appellation uniformly accepted throughout Sunni Islam to designate the first four successors to the Prophet Muḥammad reaffirms the Almohad ideology organized around imitation of the beginnings of Islam.

- The *du‘ā*, or prayer to God to extend the victories and conquests of the reigning caliph, though habitually present in Almohad chancellery documents, is absent.

The body of the document follows.

b. Body of the *taqdīm*

Various equivalent formulas whose form is more carefully chosen than might seem introduce the body.

- First

- ⑩ *katabnā-hu* (*taqādīm* 62 and 63),

- ⑩ *fa-katabnā-hu* (4 and 34),

- ⑩ *wa innā katabnā-hu*,³⁰²

- ⑩ *fa-innā katabnā-hu* 5, 30, 54, and 55). Interestingly, only the “anti-Almohad” Ibn Hūd al-Mutawakkil’s *taqādīm* start with *fa-innā*. This may be only a detail, but the nuance was significant enough for the *kuttāb* to notice.

- ⑩ *Wa hādha kitābu-nā* (36).

- Next

- ⑩ a prayer following the form of *kataba Allāhu la-kum* “May God have written for you...,” reusing the verb from the initial formula. The first expression (*katabnā-hu*, *fa-katabnā-hu*, *fa-innā katabnā-hu*, etc.) does not appear in a certain number of *taqādīm* because the excerpt copied in the manuscript begins with the formula *kataba Allāhu la-kum*.³⁰³

- ⑩ or following the form *kataba-kum Allāhu mina l-ladhīna...* or *mimman...* For both of these, the first formula is absent (20 and 58) and in *taqādīm* 36 it follows the original phrase *hādha kitābu-nā ilay-kum*.

- After this prayer which most of the time concerns the “general state” (*aḥwāl*) of the region and/or the “actions” (*a‘māl*) and “hopes” (*āmāl*) of the population – three terms that have the merit of rhyming and contributing to the *saj‘* – come the date and place: “from Seville, Cordova, Granada, etc.” in the form of *min +*

³⁰² *Taqādīm* 6, 7, 14, 16-18, 25, 28, 31, 41-43, 45, 47-53, 57, 60, and 66-75.

³⁰³ *Taqādīm* 8, 10-13, 19, 21-24, 32, 35, 38, 40, 44, 46, 59, 61, 65, 76, and 77.

name of the city or *min ḥaḍratī-nā bi-Fulāna* (“from Our Presence in Fulāna”).³⁰⁴

The captatio benevolentiae

The *captatio benevolentiae* indicates the general tone of the message. It is generally introduced by the formula “Know that...”.³⁰⁵ *wa an ta ‘lamū anna*,³⁰⁶ *thumma i ‘lamū anna* (6 and 11), *wa l- ‘ilm*, or *wa thumma l- ‘ilm* (53, 69), sometimes preceded by the expression “We know only goodness...” (*wa lā muta ‘arraf illā l-khayr*).³⁰⁷ This part is dedicated to the affirmation of the caliphal power, and is adapted to the context of the appointment and situation of the addressees. The *kitāb* insists on the importance of choosing a good governor or judge; he reminds the reader that the central government is attentive to and protects all of its subjects, that it is always forbearing and just in its decisions, that its only care is to keep watch over the region in question and its inhabitants who hold a unique place in the mind of the central power (-*nā*). This passage is sometimes short, but can also include prayers to God that He guide the ruler in his choices, or insist on the importance of choosing well the regional servants of the state.

For this part, the acts of Ibn Hūd al-Mutawakkil (5, 30, 54, and 55) differ from the Almohad *taqādīm* with their own specificity. The Hūdid *captatio benevolentiae* is introduced with “And we”: *wa naḥnu... naghlabu bi-Llāhi ta ‘ālā* (30), *natawakkalu ‘alā Llāhi ta ‘ālā* (54 and 55),³⁰⁸ and its different parts insist on submission to God using verbs conjugated in the plural first person.

- We deliver ourselves into the hands of God (*natawakkalu Llāhi ta ‘ālā*)...
- We implore Him (*nastakhiru-hu*)...
- We ask Him (*nas ‘alu-hu*)...
- We welcome His favors (*wa natalaqqá ni ‘ama-hu*)...
- We pass on His assistance (*wa nastamiddu min tawfīqi-hi... mā*)...
- We thank Him (*nashkuru-hu*)...
- We praise Him (*naḥmadu-hu*)...
- We ask of His help (*wa nastamiddu min ‘awni-hi*)...

In the Almohad *taqādīm*, this section is often more impersonal. In all cases though, the subject is relations between “us”, the central power, and the regions, the attention to justice and protection that motivates the authorities or the place of choice that the region and its inhabitants hold in the ruler’s mind.

³⁰⁴ *Taqādīm* 6.

³⁰⁵ Or by “You know that...” *wa qad ‘alimtum anna* (n° 4).

³⁰⁶ *Taqādīm* 3, 7-14, 16-29, 31, 35, 37-43, 45-52, 57-59, 65-68, 70-72, 74, 75 and 77.

³⁰⁷ *Taqādīm* 4, 33, 35, 44, 61, 62 and 64.

³⁰⁸ *Taqādīm* 5 starts the same, but since three lines are missing, we cannot read what follows *wa naḥnu*.

This passage continues on to the conclusion that there is nothing more important than choosing a governor/judge, choosing someone who will take as their responsibility the interests at stake. The *captatio benevolentiae* in the Almohad *taqdīm* sometimes ends with a prayer for God to guide the ruler's choice, while the entire passage is one long invocation of God in *taqdīm* of Ibn Hūd al-Mutawakkil.³⁰⁹ These specific traits relate to the respective ideologies involved: the Almohads see the caliph, guided and inspired by God, as the absolute master of his decisions, while the Hūdid regime, heavily influenced by *Sab'īnī* Sufism, sees the ruler as an intercessor with God.³¹⁰

Selection and/or/ appointment

The *captatio benevolentiae* expresses the appointment itself in a variety of ways, but always insists on the logical relation of direct causality. Different expressions systematically underline the link between cause and effect and the logical progression between the generalities of the beginning and the act itself: *wa ilā hadhā fa-innā... wa bi-ḥasbi hadhā... li-dhalikum... wa bi-muqtaḍá dhalikum / hadha l-qaṣd... wa bi-hadhā l-i'tibāri... mimmā yūjibu-hu... dhalikum li-anna... wa bi-mujibi hadhā l-qaṣdi... wa li-hadhā waqafa l-ikhtiyāru... or wa qad iqtadā al-nazaru l-karīmu... an qaddamnā.*³¹¹ The selection and appointment of an official thus appear as the logical conclusion of the central power's good intentions for region and population in question, which are always supposed to hold a privileged place within the imperial administration.

The appointment itself comes next, sometimes preceded by the chosen candidate (*nakhtāru, natakhayyaru*). These are terms used for the appointment: *qaddamnā (al-ān)* appears most often, more seldom are *'ayyannā*,³¹² *asnadnā, istanhaḍnā-hu*,³¹³ or even *iḥtarnā li-tawallī*, when the selection and appointment are the same.³¹⁴ There is no fixed place for the selection process. It can appear in the *captatio benevolentiae*, before or after the prayer to God, or just

³⁰⁹ *Wa Llāhu l-kafīl...* (n° 9, 48), *wa Llāhu ta'ālā yujrī-kum...* (n° 11), *wa Llāhu ta'ālā yamuddu-nā...* (n° 12, 28), *wa bi-Llāhi 'azza wa jalla...* (n° 13), *wa Llāhu ta'ālā yu'ārrifu-kum...* (n° 19, 40, 71, 74), *wa Llāhu ta'ālā yūjīdu-kum...* (n° 20), *waṣala Llāhu ta'ālā...* (n° 24), *wa Llāhu ta'ālā yasluḳu bi-kum...* (n° 32), *wa-l-ḥamdu li-Llāhi...* (n° 35, 44, 47), *wa Llāhu ta'ālā yaḥmilu-nā...* (n° 37), *wa li-Llāhi al-ḥamdu 'alā...* (n° 38), *wa bi-Llāhi ta'ālā na'taḍīdu...* (n° 42), *wa bi-Llāhi ta'ālā nasta'inu...* (n° 49, 50, 53) or *wa Llāhu ta'ālā yu'īnu...* (n° 52).

³¹⁰ P. GUICHARD, *Les musulmans de Valence*, t. 2, 143.

³¹¹ *Taqdīm* 47: "Our generous leadership... has decreed that we appoint".

³¹² *Taqdīm* 27.

³¹³ *Taqdīm* 12.

³¹⁴ *Taqādīm* 29, 30 (in the form: *takhayyarnā li-wilāya... dhalikum khāṣṣatu-nā Fulān*), 43 (*wa bi-ḥasbi dhalikum takhayyarnā al-ān...*), 68 (*wa bi-muqtaḍá al-nazarī... takhayyarnā li-tawallī al-aḥkām...*), 76 (*wa li-dhalika khtarnā al-ān li-khuṭṭati al-qaḍā'i bayna-kum Fulān^{an}*).

before the appointment itself, when it does not take its place. It can exceptionally be integrated into the appointment, as in *taqdīm* 51.³¹⁵ It sometimes does not appear at all, or, when it is distinct from the appointment, can be fairly short:

- ⑩ “We thus choose for you the governor who will purify your affairs when he takes charge of them”³¹⁶
- ⑩ “As a result, we choose for [your land] the most courageous and illustrious of our servants”³¹⁷
- ⑩ “We keep this in mind when choosing officials for you and making the best possible selection for the one that we name to lead your provinces”³¹⁸
- ⑩ “Considering this, to render justice for you we choose someone who has qualified himself by the satisfaction he has given, and to take charge of your affairs, our preference goes to someone whose virtue is known and for whom competence is a habit”³¹⁹
- ⑩ “We have decided, after having asked the help of God on High, to choose to occupy the office of judge for you one on whose purity and virtue we can rely, someone who, in the responsibilities he exercises deserves confidence by the righteousness of his intentions”³²⁰

Sometimes, though, this section is more developed.³²¹ It then insists on the general principles expressed in the *captatio benevolentiae*, applying them to the region’s particular situation, or it can elaborate on the prayer to God and recall the individual qualities necessary for exercising the office. Two of Ibn Hūd’s *taqdīm* are notable in their use of the demonstrative

³¹⁵ “This is why, after selection, election, meditation, and consideration, we have designated Fulān for you” (*wa li-dhalikum ‘ayyannā la-kum ba‘da l-takhayyuri wa-l-intiqā‘i wa-l-ta‘ammuli wa-l-irṭiyā‘i Fulān^{an}*).

³¹⁶ *Taqdīm* 18: *wa innā nakhtāru la-kum mina l-wulāti man taṣlahu bi-hi umūru-kum ḥīna yatawallā-hā*.

³¹⁷ *Taqdīm* 21: *wa bi-muqtaḍā dhalikum nakhtāru la-hā al-anjad wa al-amjad min khudamā‘i-nā*.

³¹⁸ *Taqdīm* 52: *wa bi-ḥasbi dhalikum natakhayyaru l-musta‘malīna fī-kum wa nujīdu l-intiqā‘a li-man nuqaddimu-hu fī nawāḥī-kum*.

³¹⁹ *Taqdīm* 57: *wa bi-hadhā l-i‘tibāri natakhayyaru li-aḥkāmi-kum man yu‘ayyinu-hu al-irṭidā‘u wa nūthiru bi-taqalludi ashghāli-kum man ‘urifa min-hu al-ṣalāḥu wa ulīfa laday-hi al-ghanā‘u*.

³²⁰ *Taqdīm* 69: *wa qad ra‘aynā ba‘da istikhārati Llāhi ta‘ālā an nakhtāra li-l-qaḍā‘i la-kum man yustanāmu ilā zakā‘i-hi wa naqā‘i-hi wa yūthaqu fī-mā yatawallā-hu bi-sadādi anḥā‘i-hi*.

³²¹ Numerous examples, such as *taqdīm* 9: “Thus in terms of these objectives...” until “There is no god but Him” (*bi-muqtaḍā ḥadhā l-qaṣd... lā rabb siwā-hu*), *taqdīm* 11: “[all that] is part of what is necessary in choosing the person... by His grace” (*mimmā yūjibu-hu takhayyuru man... bi-manni-hi*), *taqdīm* 13: “Of God... we will always choose to govern... the brightest paths” (*wa bi-Llāhi... lā nazālu natakhayyaru li-tawallī... wa ajlā subuli-hi*), *taqdīm* 14: “Thus we... choose for ... the *iṣḍār* and *l’irād*” (*fa-nahnu... wa natakhayyaru li-... fī l-irādi wa-l-iṣḍāri*), *taqdīm* 50: “Since the judgment of affairs...” until “in whom the traits of purity and virtue” (*wa li-mā kānat al-aḥkāmu... man ijta‘at fī-hi awṣafu al-zakā‘i wa-l-niqā‘i*), *taqdīm* 71.

dhalikum in presenting the appointment person: “It is Fulān, our close friend” (*dhālikum khāṣṣatu-nā Fulān*) for number 30 and “It is Fulān” (54).

A more or less expanded list of the designated appointee’s general attributions is directly linked to the act of appointment. The terms used are broad and are specified in the following parts of the *taqdīm*: *li-l-naẓari fī...*, *li-tawalla* + acc., *li-yaqūma bi-*, *li-yuqīma bi-*, or simply *li-* or *fī* followed by “affairs” (fiscal, economic, financial), or ‘*alá* “over... your regions, you, etc.”.

The qualities of the designated person

The qualities of the chosen person follow, often introduced by *wa huwa* (“and he”) or by *wa la-hu* (“and he has”). We can class these into different categories: reputation, rank, character, loyalty, political faithfulness, genealogy, experience. The *kuttāb* obviously adapt these passages to the person in question, despite the reoccurrence of specific terms.

⑨ Attributes and qualities:

- ⑩ *dhātih* (“his own person”),
- ⑩ *al-khilāl* (“[his] natural ease”),
- ⑩ *al-aḥwāl* (“[his] state, [his] situation”),
- ⑩ *al-bayt al-kabīr* (“[his] great family”),
- ⑩ *al-manṣab* (“[his] rank”),
- ⑩ *al-makān* (“[his] place”),
- ⑩ *al-maḥall* (“[his] rank/[his] position”),
- ⑩ *al-miqdār* (“[his] worth”),
- ⑩ *al-ra’y* (“[his] view”),
- ⑩ *al-‘aql* (“[his] thinking”),
- ⑩ *al-i’tibār* (“[his] opinion”),
- ⑩ *al-ikhtibār* (“[his] experience”),
- ⑩ *al-anḥā’* (“[his] intentions/plans/orientation”),
- ⑩ *al-siyar* (“[his] behavior/manner”),
- ⑩ *al-iḥtiyāt* (“[his] vigilance”),
- ⑩ *al-taḥwulāt* (“[his] enterprises”),
- ⑩ *al-tanāwulāt* (“[his] attributes”),
- ⑩ *al-taṣarrufāt* (“[his] behavior”),
- ⑩ *al-khidam* (“[his] services”),
- ⑩ *al-athra* (“[his] influence”),
- ⑩ *al-dhimam* (“[his] alliances”),
- ⑩ *al-idāra* (“[his] administration”),
- ⑩ *al-nisba* (“[his] lineage”),
- ⑩ *al-rutba* (“[his] dignity”),
- ⑩ *al-maziyya* (“[his] qualities”),
- ⑩ *al-qaṣd*, *al-maqāṣid* (“[his] plans, [his] objectives”),
- ⑩ *al-istikfā’* (“confidence [in himself]”),
- ⑩ *al-iktifā’* (“[his] selflessness”),
- ⑩ *al-wasā’il* (“[his] methods”),
- ⑩ *al-siyāsa* (“[his] conduct”).

- ⑩ *al-madhāhib* (“[his] manners”)
- ⑩ *al-intihād* (“[his] zeal/energy”)
- ⑩ *al-masāʿī* (“[his] efforts”)
- ⑩ *al-ṣidq* (“[his] sincerity”)
- ⑩ *al-naṣḥ* (“[his] counsel/[his] faithfulness, loyalty”)
- ⑩ *al-zakāʾ* (“[his] purity”)
- ⑩ *al-ittiqāʾ* (“[his] devotion”)
- ⑩ *al-maʿrifa* (“[his] knowledge”)
- ⑩ *al-ḥasab* (“[his] own merit”)
- ⑩ *al-ṭalab* (“[his] education”)
- ⑩ *al-nabāha* (“virtue”)
- ⑩ *al-nazāha* (“good reputation”)
- ⑩ *al-tadayyun* (“[his] piety”)
- ⑩ *al-sadād* (“uprightness”)
- ⑩ *al-iktifāʾ* (“aptitude”)
- ⑩ *al-ghanāʾ* (“competence”)
- ⑩ *al-istiqlāl* (“sense of responsibility”)
- ⑩ *al-iḍṭilāʾ* (“aptitude/capacity”)
- ⑩ *al-iʿtidāl* (“temperance”)
- ⑩ *al-jidd* (“seriousness”)
- ⑩ *al-ijtihād* (“zeal”)
- ⑩ *al-qarāba* (“proximity”)
- ⑩ *al-iṣāba* (“efficacy”)
- ⑩ *al-shahāma* (“wisdom”)
- ⑩ *al-ḥazāma* (“firmness”)
- ⑩ *al-najda* (“courage”)
- ⑩ *al-ṣarāma* (“bravery”)
- ⑩ *al-walāʾ* (“[his] loyalty”), Ibn Hūd
- ⑩ *al-iʿtiqād* (“[his] faith/belief”), Ibn Hūd
- ⑩ *al-ʿadāla* (“[his qualities] of justice”), Ibn Hūd
- ⑩ *al-ṭahāra* (“[his] integrity”), Ibn Hūd
- ⑩ *al-shiyam* (“[his] character”), Ibn Hūd
- ⑩ *al-sajāyā* (“[his] natural ease”), Ibn Hūd
- ⑩ *al-manāziʿ* (“[his] intentions”), Ibn Hūd
- ⑩ *al-sakīna* (“[his] calmness”), Ibn Hūd
- ⑩ *al-jazāla* (“[his] superiority”), Ibn Hūd
- ⑩ *al-ḥaṣāfa* (“the sureness of [his] judgement”), Ibn Hūd
- ⑩ *al-aṣāla* (“[his] firmness”), Ibn Hūd

➤ Verbs:

- ⑩ *tamayyaza* (“he distinguishes himself”)
- ⑩ *ittaṣafa* (“he characterizes himself”)
- ⑩ *bāna* (“he is clear, patent”)
- ⑩ *tabayyana min* (“he is obvious”)
- ⑩ *taqarrara* (“he is established”)
- ⑩ *takarrara* (“has repeated”)
- ⑩ *taḥaqqāqa* (“has been verified”)
- ⑩ *tanāsaba* (“equaled”)

⑩ *izdāna* (“beautified”)

➤ Qualities:

- ⑩ *shahīr, mashhūr* (“famous”)
- ⑩ *mashkūr* (“praiseworthy”)
- ⑩ *mustahsin* (“praiseworthy”)
- ⑩ *jalīl* (“elevated”)
- ⑩ *aṣīl* (“sure”)
- ⑩ *mukhtār* (“chosen”)
- ⑩ *ma’rūf* (“known”)
- ⑩ *malhūz* (“remarkable”)
- ⑩ *qarīb* (“near”)
- ⑩ *mawṣūf* (“well-reputed”)
- ⑩ *athūr* (“illustrious”)
- ⑩ *sābiq* (“first/elder”)
- ⑩ *saniyy* (“elevated”)
- ⑩ *hazzī* (“enviable”)
- ⑩ *mustaqīm* (“upright”)
- ⑩ *qawīm* (“just”)
- ⑩ *mutaqaddim* (“premiere”)
- ⑩ *ḥamīd* (“praiseworthy”)
- ⑩ *karīm* (“noble/generous”)
- ⑩ *jamīl* (“good/fine”)
- ⑩ *qadīm* (“elder/old”)
- ⑩ *mujarrab* (“proven”)
- ⑩ *mukhtabar* (“confirmed by experience”)
- ⑩ *makīn* (“influential”)

The secretaries draw from this lexical reservoir depending on the context in a variety of combinations. The constraints of *sajʿ*, addressed below, lead the *kātib* to often use pairs, built on the same verbal form (*taqarrara/takarrara, iʿtibār/ikhtibār*), the same root (*istikfāʾ/iktifāʾ*) or the same structure (*ḥasab/nasab*).

Instructions

After this part, which does not appear in all of the *taqāḍīm*, a series of active or passive verbs follows that insists on the missions attributed to the appointee. The number of these verbs is limited, and their order can vary from one act to another. They reveal the nature of the bond between the ruler and his representative. In general, a *wiṣāyā* immediately follows the appointment, an “instruction” to fear God on High (*bi-taqwá Llāhi taʿālá*), as *awṣaynā-hu* (7, 28, 52, 53, and 60), *waṣṣaynā-hu bi-*,³²² *wa yuʿlimu mā fāwaḍnā bi-hi min al-wiṣāyā* (13), *wa qad talaqqá min wiṣāyā-nā la-hu bi-* (24, 31, and 76), *wa qad wuṣṣiya bi-* (27, 59, 71, 75),

³²² *Taqāḍīm* 8, 9, 10, 14, 15, 16, 18, 19, 20, 22, 25, 26, 32, 33, 34, 37, 42, 43, 48, 49, 56, 61, 62, 64, 67, 68, 69, 70, and 74.

wa qad ūṣiya bi- (46 and 73), *fa-huwa muwaṣṣá bi-* (51, 57, and 72), *wa qad tuquddima ilay-hi bi-l-waṣiyya* (65), *wa ḥaddadnā la-hu al-wiṣāyā bi-* (66). The form of this instruction is particular in Ibn Hūd's *taqdīm*,³²³ as well as in number 29: *wa qad alqaynā la-hu min al-wiṣāyā* (54, 55). This refers to a Koranic verse, explicitly cited in *taqdīm* 13: "Fear God! This is what we instructed those who were given the Book and yourselves."³²⁴

A number of verbs follow this, sometimes in the passive: *amarnā-hu* ("we have ordered him"), *akkadnā 'alay-hi* ("we have insisted that he"), *asnadnā ilá* ("we have entrusted to [him]), *ṣarrafnā ilay-hi* ("we have entrusted to him"), *ḥaddadnā-hu* ("we have enjoined him"), *aw'aznā-hu* ("we have recommended that he"), *awza'nā ilay-hi* ("we have incited him"), *'ahadnā la-hu* ("we have imposed on him to"). The official's activities are set out in this series of verbs, which also provide interesting elements concerning the official's attributions and Almohad imperial ideology.

C. THE FINAL PROTOCOL

The final protocol systematically includes a number of parts introduced by the expression *fa-idhā wāfā-kum*, "When it/he arrives among you (our allocution/your governor)." There are a few exceptions when the formula with *wāfā-kum* is modified:

- *taqdīm* 3: *wa idhā istaqbala tilkum al-jihāti* ("When he comes before your regions")
- *taqdīm* 47: *fa-idhā ijtāza 'alay-kum* ("When he passes among you"), which may refer to the "passage" over the Strait of Gibraltar
- *taqdīm* 49: *fa-idhā quri'á 'alay-kum kitābu-nā* ("When this missive is read to you").

The formula is absent from *taqdīm* 1, 2, 3, 4, 5, 13, 20, 23, 31, 33, 35, 36, and 65. This obviously does not include those *taqdīm* missing the end, since it is impossible to know if this passage was present in the complete version.³²⁵

The arrival

This part proves that in the majority of cases, the official went to the ruler, or his chancellery, to obtain his accreditation document. It suggests travel by state officials between the ruler's or his legal representative's capital and the assigned region. A series of orders follows in the imperative addressed as a conclusion to the subjects of the region in question: they must collaborate with the official (*ta'āwanū ma'a-hu 'alá*), support the official (*ta'ādadū*), act as one hand united with him (*fa-kūnū ma'a-hu yad^{an} wāḥidat^{an} fī*), obey him (*wa 'tamirū li-, inqādū*

³²³ Absent from *taqdīm* 30 written in the name of the same ruler.

³²⁴ Citation from Koran 4:131.

³²⁵ *Taqdīm* 38, 39-41, 44, 45, 61, 63, 70, and 77.

ilay-hi), trust him (*wa 'tamidū 'alá*). They must obey him, collaborate with him, help him, act in solidarity with him, all which will bring them well-being “if God on High wills it.” In addition, they owe the ruler gratitude and thanks.

Promise

A prayer ends the document, written always on the same model: “And He – May He be glorified – He...” (*wa huwa subḥāna-hu...*). This is intended to assure the subjects of divine support by the rewards and favors it solicits for the addressees and ends with the expression “By His grace” (*bi-manni-hi*).

Date

The date appears only in the complete *taqādīm*,³²⁶ in the form *kutiba fī...*³²⁷ or *al-tarīkh...* (“Date”).³²⁸

d. Conclusions

Except for a few exceptional examples, notably the following:

- ⑩ The four *taqādīm* by Ibn Hūd,³²⁹
- ⑩ *Taqdīm* 1, a collective appointment, or delegation of power, further treated below,
- ⑩ *Taqdīm* 6, a response (*jawāb*) by the caliph al-Murtaḍá to a letter sent by the leaders and/or inhabitants of Ceuta,
- ⑩ *Taqdīm* 20, which is not exactly an appointment, but more an order to the population and governor of a city (Sijilmāssa?) to build fortifications around their city,
- ⑩ *Taqdīm* 36, sent to the *shaykh*-governor and population of a region to confirm the former and threaten the latter in case rumors and rumor mongering continue against the leader in whom the central power has renewed its confidence,

besides these eight particular pieces, all the other documents are built on the same canvas. Whether long or short, addressed to Arab tribes, localities in al-Andalus or cities in the Maghrib, whether they concern the Learned (*ṭalaba*), *shaykhs*, governors (*'āmil* or *wālī*) or judges (*qāḍī*), these acts have the same overall structure. Certain parts may be more or less developed depending on the importance of the office, the region or the appointed person, but they all obey the same order.

³²⁶ *Taqādīm* 5, 6, 30, 43, 52, 53, 54, 57, and 65.

³²⁷ Except in *taqdīm* 30: *kutiba 'aqiba*

³²⁸ In *taqādīm* 43, 54, and 65.

³²⁹ *Taqādīm* 5, 30, 54, and 55.

Why then did these successive authors, the *shaykh*, then Yaḥyá al-Khadhūj, feel the need to compile these different acts, if their structure is so identifiable and constant? In fact, in the subgroup made up of forty shorter *taqāḍīm*, more succinct for the *captatio benevolentiae*, briefer for the choice and appointment, quicker for the qualities of the appointee, rudimentary in their prayers and eulogies, even though the lexical stock is limited, no act is exactly like another.³³⁰ The language, structure, and lexical basis are identical, yet each of these chancellery acts presents a unique example through a linguistic segment that constantly improvises by playing on the constraints that the author must follow in the name of tradition, *inshāʾ*. This codification of the *taqāḍīm* contrasts with the much greater diversity of appointment documents from the Almoravid period. The development of new rules for producing these documents explains why an author from the Middle Ages would think of collecting these acts in one specific collection; the attention paid to the structure, vocabulary, and style of these political acts fits incontestably with a larger goal of completely reestablishing the basis of sovereign power. More than any other, the Almohad regime was attentive to form and styling – note their square *dirhams* or the *ḥawḍ* (“basin”) of Marrakesh – and they considered this styling as a sense, authority, and mirror and foundation of their legitimacy.

³³⁰ Except *taqāḍīm* 35 and 44, noted above, but this seems an error on the scribe’s or collection author’s part.

Chapter 6: Almohad Imperial Administration

The Almohad Empire from al-Rashīd to al-Wāthiq was no doubt a continuation of the previous period, recuperating titles, honors, and structures developed under the first caliphs. The few acts written for al-Ma'mūn, who renounced the Almohad doctrine in 1229,³³¹ or for Ibn Hūd al-Mutawakkil,³³² who brought his territory under the Abbasid Empire in Baghdad provide an interesting counterpoint to shed light on how Almohad specificity differed from their neighbors or enemies.

The Empire was on the decline, breaking apart, when these acts were written. It is probably not a coincidence that the only extant collection of appointment acts, Yaḥyá al-Khadhūj's, comes from this period of disintegration for the Empire and not from its time of political grandeur. The appointments of officials mention persons, often anonymous, bearing titles the outlines of which historians have struggled to define. Chronicles have heretofore been the principle source for understanding these titles and the offices they cover. However, though authors in the medieval Islamic world took care to describe and explain the advent of new categories, offices, and titles, they usually neglected to trace their evolution or disappearance in a process of infinite accumulation.

The *taqāḍīm* shed additional light on these titles born by the important members of the Almohad state, as well as on certain elements of the Empire's population. They provide a means to study how the state functioned: the reality and nature of power, decisional centers and provincial relay points, administrative, fiscal, military, or juridical-religious functions. Finally, by their very nature and repetitive character, they provide a lexicon of the language of power in the Maghrib during the Almohad period.

A. The different protagonists

A number of specific references concerning the inhabitants of the Empire appear in the *taqāḍīm*. Certain individual titles have a specific sense for the Almohad period: *shaykh*, *ṭalaba* ("Learned"), *ḥāfiẓ* ("Guardian"). These occur less often and concern only about 20% of the seventy-seven documents. Because these acts were addressed to the population of a region and meant to be read aloud in the principal mosque, almost all of them mention the subjects (*ra'īyya*), and their different social and political elements: "the elite" (*khāṣṣa*, *kubarā'*, *a'yān*)

³³¹ *Taqāḍīm* 4 and 49 to 51.

³³² *Taqāḍīm* 5, 30, 54 and 55.

and “the masses” (*jumhūr* more often than *‘amma*). Temporary political structures are occasionally mentioned, such as embassies carrying letters, or delegations (*wafd*, pl. *wufūd*), official representatives of the population of a city or region. Finally, some acts concern relations between the ruler and the Arab tribes and confirm the idea that the tribes were distinct from the rest of the Empire’s population, in their administration and their behavior, for imperial rational and their autonomy.

1. THE PRINCIPAL “BODIES” OF THE EMPIRE

Modern historical descriptions of these principal “bodies” of the Almohad state are based on narrative sources, mainly the *Akhbār al-Mahdī* by al-Baydhaq,³³³ a Berber author writing during the beginning of the Almohad movement, the *Mann bi-l-imāma* (“Gift of the imāmate”) by Ibn Ṣāḥib al-Ṣalā, an Andalusī official in the Almohad *makhzan* at the end of the twelfth century during the reigns of ‘Abd al-Mu’min, Yūsuf I, and al-Manṣūr,³³⁴ and Ibn ‘Idhārī’s *Bayān al-mughrib*, the most complete chronicle for the history of the Maghrib and al-Andalus until the end of the Almohad period.³³⁵ This last work was finished in 1312, and, to quote Fricaud, seems to have undergone a “de-Almohadisation.”³³⁶ Relying on this type of document incurs also a dependence on its point of view which is turned always towards the caliph. The authors are attentive to the smallest events concerning the ruler, and notice delegates or peripheral elements only when they enter into contact with the ruling “sphere”, either perturbing its power or soliciting its help. For the thirteenth century, not only do the first two of these works offer nothing, but their use can alter or even deform our vision of the administrative personnel through the artificial application of the reality they describe from a later time period.

The few appearances of these titles in the *taqāḍīm* would hardly profoundly change our understanding of Almohad power in the thirteenth century, especially since the sources used come from the central services of the Almohad power. Nevertheless, since they do appear later in non-narrative documents in a way that is basically different from the chronicles, they confirm in these acts of government usage what otherwise could only be an essentially discursive construction. In addition, because medieval vocabulary and titles are often imprecise,

³³³ DIHA.

³³⁴ IBN ṢĀḤIB AL-ṢALĀ, *al-mann bi-l-imāma*, Spanish trans. A. HUICI MIRANDA.

³³⁵ IBN ‘IDHĀRĪ, *al-Bayān*, t. 5, Spanish trans. A. HUICI MIRANDA.

³³⁶ É. FRICAUD, *Ibn ‘Idārī*.

something which we will come back to often, these documents offer a valuable contribution for understanding the meaning of these terms at a specific point in time.

A. THE *SHAYKHS* AND *SAYYIDS*

The title *shaykh* appears the most often in the *taqādīm*. We explained above the Almohad specificities of this title which designates the eminent members of the founding tribes of the Almohad movement, perhaps the members of the Council of Ten and the *ahl al-jamā'a*, after the conquest of Marrakesh. These dignitaries, serving a primarily consultative role (*shūra*), received governorships and military responsibilities from 'Abd al-Mu'min until 1157. After that, the Almohad caliph began designating one of his sons as heir apparent by requiring the Almohad leadership to swear the *bay'a* to him, and naming his other sons as governors of the provinces with the title of *sayyid* (pl. *sādat*). Most of the *shaykhs* who then formed an important part of the developing central and provincial imperial administration were relegated to secondary positions as advisers to the governor-*sayyids*. Some did, however, retain considerable power in the ruler's shadow, such as Abū Ḥafṣ 'Umar al-Hintāti and his descendants, founders of the Ḥafṣid dynasty in Ifrīqiya.

We should note that the status of *shaykh* appears in none of the judicial appointments. It seems obvious, given the title's history, that it refers not to a *faqīh* ("doctor of the Law"), but to a non-religious official of the Empire. Thus, only the first half of Yaḥyá's compendium is concerned in this discussion. The term appears explicitly in the body of eight *taqādīm* (4, 7, 16, 17, 30, 36, and 43), and the collection's author adds it to the title of two more acts (38 and 39: *fī taqdīm shaykh qabīla* and *taqdīm shaykh ākhar*). It does not always refer to the appointee, but, sometimes in the plural (*ashyākh*) to the addressees, as in *taqdīm* 30 for Ibn Hūd. In this case, it does not relate to the category of *shaykhs*, the representative dignitaries of the founding tribes of the Almohad movement, against which Ibn Hūd al-Mutawakkil (1228-1238) was fighting, but the "Elders" or respected persons of the town of Algeciras. For act 17, though, even though the *ashyākh* of Sijilmāssa appear among the addressees, the *'āmil* was indeed a *shaykh* since the document states "He and his ancestors were among the first *shaykhs* of this eminent power" (*wa huwa al-sābiq bi-dhāti-hi wa salafi-hi fī ashyaḳhi hadha l-amri*). This act, which is one of the few complete documents, thus concerns a *shaykh* and addresses at the same time a groups of Almohad *shaykhs* present in Sijilmāssa.

Taqādīm 43 specifies that the *shaykh* is "famous and influential in the party (*ḥizb*) of Unicity (*tawḥīd*)." This indicates that *taqādīm* 3, 9, 19, 20, 21, 24, and 29, which mention that

the appointee belongs to the “party” (*ḥizb* or *ṭā’ifa*) of Unicity (*tawḥīd*) and his place in it, concern most likely also the *shaykhs*, and that membership in the “party of the *Tawḥīd*” constitutes a paraphrase for *shaykh*. It is obviously not impossible that other appointees were also *shaykhs*, even if they were not explicitly designated as such, in particular the “commander of the fleet” (*qā’id al-uṣṭūl*) in *taqdīm* 2. Indeed, Mūsá has identified in the narrative sources two *shaykhs* as heads of the fleet between 1214 and 1269, but not one *sayyid*.³³⁷ Thus, out of forty-eight appointments of governors of military leaders, of which forty-six are Almohad, sixteen concern without a doubt the *shaykhs*, about 30% of the total. This proportion is notably less than what Mūsá has proposed for the same period.

This author has distinguished three steps in the respective proportions of *shaykhs* and *sayyids* among the governors:³³⁸

- ⑩ Before ‘Abd al-Mu’min’s declaration of the hereditary caliphate (1157), the governors were recruited from among the *shaykhs* and the chronicles mention only one of his sons in this office. Over this same period, ‘Abd al-Mu’min had not yet fully established his power, and he needed the support of the Almohad tribes, the backbone of the Almohad movement. He used the gubernatorial office to rally to his cause the local elites, the *sābiqūn*, those who had first joined the Almohads, in particular in al-Andalus. However, when the Berber tribes rebelled against ‘Abd al-Mu’min after the fall of Marrakesh in 1148, the Andalusī provincial elite took advantage of the situation to become independent. Thus, when he managed to reestablish his authority in the Iberian peninsula, ‘Abd al-Mu’min kept only Abū Bakr Muḥammad b. Sīdrāy Ibn Wazīr of Beja as governor, since he had remained loyal to the caliph. Ibn Wazīr was named to lead Silves and its region, a post that he held until 552/1157, when the Gharb region was joined with Seville.³³⁹ Abū Ya’qūb Yūsuf (1163-1184) continued his father’s policy of integration. When Ibn Mardanīsh died in 1172, and the Sharq al-Andalus entered the Almohad fold, the ruler appointed a member of the Banū Mardanīsh as governor of Valencia.
- ⑩ After caliphal power was declared hereditary, ‘Abd al-Mu’min enjoyed almost absolute power. He established an institution alongside his sons to form the new

³³⁷ See below, Table 5: Origin of the leaders of the Almohad fleet (adapted from ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 269).

³³⁸ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 182 and sq.

³³⁹ IBN AL-ABBĀR, *Ḥullat al-Siyarā*, t. 2, 271.

Empire’s administrators, the “Guardians” (*hāfiẓ*, pl. *ḥuffāẓ*), among whom were many sons of *shaykhs*. In 551/1156, the caliph “accepted the suggested made to him” to name his sons as governors, redoubling through parental authority the central caliphal power. His successors imitated this policy, which allowed for numerous descendants, since the three first caliphs had at least fifteen sons each. During this second period, 75% of the governors were *sayyids*.

- ⑩ The situation changed significantly with the reign of al-Mustanṣir (1213-1224). The caliphs depended on their entourages and were compelled to reconcile the leaders of the all-powerful Almohad tribes. Nevertheless, despite the influence of the *shaykhs* and the caliph’s weakness, the proportion of *sayyids* appointed as governor during period remained high. The caliph’s sons still incarnated the Almohad caliphate, and the subjects considered it a mark of respect to have at their head a member of the *Mu’minid* family and not an anonymous appointee. According to Mūsá’s analysis of the narrative sources, the governors were then recruited more or less equally from among the *shaykhs* and the *sayyids*.³⁴⁰ At this time, the *sayyids* were no longer the caliph’s sons, too young, but his brothers and uncles.

Caliphs	Sayyid	Shaykh	“local” leaders
‘Abd al-Mu’min before 1157	1	9	3
‘Abd al-Mu’min after 1157	9	3	
Abū Ya‘qūb Yūsuf (1163-1184)	17	3	3
Abū Yūsuf Ya‘qūb al-Manṣūr (1184-1199)	13	2	2
Abū ‘Abd Allāh Muḥammad al-Nāṣir (1199-1213)	14	6	
Abū Ya‘qūb Yūsuf al-Mustanṣir (1213-1224)	7	5	
‘Abd al-Wāḥid al-Makhlū‘ (1224)	8	1	
Abū Muḥammad ‘Abd Allāh al-‘Ādil (621/1224-624/1227)	4	4	
Abū Zakariyya Yahyā al-Mu‘taṣim (1227-1229)		1	
Abū al-‘Alá al-Ma’mūn (1227-1232)	6	1	
‘Abd al-Wāḥid al-Rashīd (1232-1242)	3	4	1
Abū l-Ḥasan ‘Alī al-Mu‘taḍid bi-Llāh al-Sa‘īd (1242-1248)	3	2	
‘Umar al-Murtaḍá (1248-1266)	1	5	
Abū Dabbūs al-Wāthiq (1266-1269)	1	2	
Total	87	48	9

Table 7: Group origins for provincial governors.³⁴¹

³⁴⁰ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 184.

³⁴¹ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 181.

The data from the *taqādīm* coincides only partially with what Mūsá has garnered from the chronicles. The total absence of *sayyids* appointed in the acts is remarkable. The only one mentioned is the *sayyid* “perfect prince (*al-ṭāhir*) Ibrāhīm,” close to the reigning caliph al-Murtaḍá in *taqādīm* 6, with the text maintaining the confusion between the *sayyid*’s sobriquet (“*Ṭāhir*”) and the meaning of this term (“pure, perfect”). He is not appointed as governor, but appears in the preamble as a beneficiary of the *tarḍiya*, after the *imām al-qā’im bi-amri Llāhi*, the Mahdī, whose impeccability (*iṣma*) is not mentioned, and the Almohad orthodox caliphs (*al-khulafā’ al-rashidīn*), as in the chancellery documents from the beginning of the thirteenth century.³⁴² Indeed, the following sentences, recalling the conquests in the East and West as well as the enemies of the faith, border defense and, especially, the “adorers of the cross,” refer to the Almohad caliphs, as much as the inclusion of the ruler’s father in the *tarḍiyya*, continuing in the pure tradition of the Almohad chancellery of the triumphant Empire.

Nevertheless, this is the only time a *sayyid* is mentioned in the collection. Yet, according to ‘Izz al-Dīn Mūsá, the *sayyids*, whose title was worn indifferently by all of ‘Abd al-Mu’min’s descendants, no matter which generation, still represented about half of the governors. Thus, unless chancellery norms imposed the non-inclusion of an appointee’s belonging to ‘Abd al-Mu’min’s lineage, which would be fairly surprising given the fact that the choice of a *sayyid* as governor of a province was considered an honor, we can consider that except for those that promote local leaders (6 and 12), all the gubernatorial appointments in the manuscript concern *shaykhs*.³⁴³ The exceptional *taqādīm* with *sayyid* appointments were excluded, unless they existed in another form and the procedures for designating *sayyids* as governor were different. Moreover, Mūsá does not mention a single local leader for the period in question (during the reign of al-Rashīd), but at least two of these occur in Yaḥyá’s collection (6 and 12), to which we can add the Arab *shaykhs* (38, 39, and 41), also “local leaders”. Thus, out of less than fifty appointees, five were members of allied elites, outside the founding tribes of the Almohad Empire, more than 10% of the total, especially if we add the delegation of power (1). These documents demonstrate this even in their form, since they do not include the usual concluding

³⁴² ‘Abd al-Mu’min (1130-1163), Abū Ya’qūb Yūsuf (1163-1184), Abū Yūsuf Ya’qūb al-Manṣūr (1184-1199), al-Nāṣir (1199-1213).

³⁴³ This only slightly contradicts Mūsá’s claim that “When al-Ma’ mūn abandoned the symbols of Mahdism, the existence of the body ceased” since the restoration of the Almohad doctrine under the caliph al-Rashīd, son of al-Ma’ mūn, led to the restoration of the erstwhile titles and privileges: ‘I. al-D. MŪSÁ, *al-Muwahhidūn fī l-Gharb al-islāmī*, 146.

formula *fa-idhā wāfā-kum...* (“When he arrives among you...”) since the empowered person or persons was already there.

B. THE THEORISTS OF THE REGIME (*TALABA*) AND THE
“GUARDIANS” (*HĀFIZ*)

These two categories, which date from ‘Abd al-Mu’min’s reign and the period of establishment of the imperial dynastic system, appear only three times in the entire manuscript. Even then, the only reference concerning a *ṭalaba* (13) appears not in the body of the *taqdīm*, but in the title added later by the compilation’s author (the copyist, Yaḥyá?): *wa fī taqdīmi aḥadi l-ṭalabati* (“for the appointment of a *ṭalaba*”). ‘Abd al-Mu’min had begun again Ibn Tūmart’s practice of sending preachers-missionaries to promote the Cause (*da‘wa*) of Unicity (*tawḥīd*) among the tribes to spread the Almohad doctrine, making the informal group of the Maḥdī’s disciple missionaries into an institutional corps of inspector-theorists. *Taqdīm* 13 seems to indicate that this office may have continued into the thirteenth century, being the only act to mention the “didactic” responsibilities of the appointee: *wa yu‘limu mā fāwaḍnā-hu bi-hi min al-wiṣāyā al-latī waṣṣā Allāhu ta‘ālā bi-hā ‘ibāda-hu fī qawli-hi...* (“and he will teach the recommendations that we have maintained, those that God on High addressed to his subjects in His word...”). The appointee, moreover, was very prestigious, since they are called “the most illustrious of the great notable Almohads” (*al-muqaddam fī l-jalla min kubarā‘i-hā*) and they may have been tied to the reigning family by blood or marriage, as the expression *wa huwa min-nā al-qarību l-qarābati* may indicate. This *taqdīm* is one of the rare acts to use the root NWB, discussed below, in the form *manābu-hu*. *Niyāba* (“delegation”) was the Almoravid mode of government, abandoned by the Almohads for caliphal centralization.³⁴⁴ It is not surprising, though, to see this root and concept reemployed in the acts produced in the name of Ibn Hūd al-Mutawakkil.³⁴⁵

The *ḥāfīzs* appear twice in the documents, in different contexts. In *taqdīm* 1, the ruler delegates the power to appoint to an official from al-Andalus. The appointments are limited to trusted persons and three specific positions: “Guardian” (*ḥāfīz*), tax collector (*‘āmil*), and judge (*qāḍī*): *wa sta‘milū fi-hā man tarawna isti‘māla-hu wa tarḍawna istiqlāla-hu min ḥāfīzin wa qāḍīn wa ‘āmilin* (“Appoint as Guardian, judge, or tax collector those whom you judge [competent] and whose sense of responsibility you value”). It seems that in *taqdīm* 10 “your

³⁴⁴ About this question, see P. BURESI, “Administration territoriale d’al-Andalus”, 129-145.

³⁴⁵ *Taqdīm* 5, 30, 54 et 55.

ḥāfiẓ” refers to Fulān, the appointee, but this does not exclude the possibility that it refers to someone else, and that both may belong to the category of *wulāti-kum* (“your governors”), mentioned at the end of the act. It thus appears from these two acts that the term *ḥāfiẓ* designates the group of “Guardians” [originally of the revealed text, of the state, the dynasty, and doctrine during the Almohad period], and the best among them had the honor of being promoted to the “Learned” (*ṭalaba*). The hierarchical superiority of the *ṭalaba* as compared with the *ḥāfiẓs* is confirmed by the respective order of these two groups in ceremonies described in the chronicles, as well as the lists of addressers or addressees in official epistolary documents.

2. THE POPULATION OF THE ALMOHAD PROVINCES

The Empire’s population appears in the *taqādīm* as the “subjects” (*raʿiyya*), divided roughly into two groups according to social criteria: the elite (*khāṣṣa*) and the masses (*jumhūr*). All of the appointees naturally belong to the elite, as well as the notables (*aʿyān*), and the “elders” (*ashyākh*). The source also reveals that the Arabs (*al-ʿarab*) benefit from a specific status of their own.

a. Local notables and delegations

The term that most often refers to the elite members of the population, the “notables,” though without strictly defining its limits, is *aʿyān*, and appears five times in the *taqādīm*.³⁴⁶ If the works were complete, the term would probably appear more often among the addressees, as in acts 5, 17, and 30. It figures in general in the penultimate position, just before the rest of the population, as in act 17 and in official letters.³⁴⁷ However, in *taqādīm* 5 and 30, the term appears before the scholars and notables (*ḥusabāʿ*).³⁴⁸ Dozy’s *Supplément aux dictionnaires arabes* claims that *ḥusabāʿ* was used under the Almohads for people “who received a pension because they were from a royal family,”³⁴⁹ but in the context of Ibn Hūd al-Mutawwakil’s polity, the source of the only two acts containing this term, it is clear that it refers to “notables.”

Another occurrence in act 3 both distinguishes and brings together the “notables” (*aʿyān*) and the *shaykhs*.³⁵⁰ The document describes the composition of the delegation destined to receive the appointed governor. The social and political hierarchical order required that the

³⁴⁶ *Taqādīm* 3, 5, 12, 17 et 30. See *infra* for *taqādīm* 22 where the term *aʿyān* conveys a particular meaning.

³⁴⁷ “To the *shaykhs*, notables, and all the population of Sijilmāssa, its districts, its tribes and those under them.”

³⁴⁸ “To the viziers, jurists (*fuqahāʿ*), notables, scholars, nobles (*ḥusabāʿ*) and all principal (*ṣuḍūr*) figures” (n° 5) and “To the *shaykhs*, jurisconsults, viziers, notables, nobles (*al-ḥusabāʿ*)” (n° 30).

³⁴⁹ R. DOZY, *Supplément aux dictionnaires arabes*, t. 1, 285: “Sous les Almohades, les حسياء étaient ceux qui recevaient une pension parce qu’ils étaient d’une famille royale (Macc, II, 284, 20-22)”.

³⁵⁰ “When your *shaykhs* and notables meet with him” (*idhā jtamaʿa bi-hi ash-yākhū-kum wa aʿyānu-kum*).

shaykhs come first, while diplomatic constraints gave a sense to the order of presentation for individuals and groups in the chancellery documents. *Taqdīm* 12 confirms that the group *a'yān* constituted at times a stable from which caliphs could recruit officers of the Empire.³⁵¹ The delegations in acts 1 and 6 also seem to have been chosen from this group as members of the important families of scholars in the region.³⁵² Another term is used for the provincial elites, the *hāṣṣa*, but appears only alongside *jumhūr*, translated here as “people” or “masses”, perhaps more precisely as “the collectivity.” The *khāṣṣa/jumhūr* designates in fact the entire population. *‘Āmma* replaces *jumhūr* only three times (1, 12, 29), without any obvious semantic difference, though it is the term that usually serves in narrative sources and geographical dictionaries to distinguish between the masses and the elite. *Taqdīm* 14, moreover, presents the variant *khāṣṣ* instead of the more frequent *khāṣṣa*. Seven times the adjective *jumhūriyya* (“public”) is used, but only in the titles of certain *taqdīm* (2, 4, 6, 9, 29, 55, and 64), and to specify the type of act that follows, *mukhāṭaba*, translated here as “allocution” rather than “letter” or “missive,” precisely because this text is intended for public presentation, to be read aloud in the principle mosques of the city and region in question.³⁵³

b. The Arabs

Four *taqdīm* stand out for the particular relation that they reveal between the ruler and the Arab tribes. 38, 39, 40, and 41 do not concern the appointment of Almohads, but people we can consider as “local,” even if the group they lead is nomadic as indicated by the fairly rare mentioning of the “countryside” next to the city (*al-ḥāḍir wa l-bāda*) in document 38. These characters are in fact the Arab *shaykhs* being appointed to the head of their tribal group.

Over the course of ‘Abd al-Mu’min’s reign, the group of Arab *shaykhs* was made up of the leaders of the Hilālian tribes who had joined the Almohad movement. Mūsá notes that during the period of expansion for the Almohad Empire, there is no indication that any of the caliphs intervened in the choice of *shayks* for the tribes. However, a number of the *taqdīm* concerning the Arabs show that during the period of imperial disintegration, the caliph

³⁵¹ “By this decree, we name Fulān over you because he is the most known of your notables” (n° 12): *fa-qaddamnā bi-hadha al-rasmi ‘alay-kum Fulān^{an} li-taqaddumi-hi al-shahiri fī a’yāni-kum*.

³⁵² *Taqdīm* 1: “Indeed, your delegates advanced into Our Presence, carriers of *bay’as* from your land” (*wa qad kāna l-wāfidūna min qibali-kum qadimū ‘alā hadhihi l-ḥadra bi-mā awradū-hu min bay’āti tilkum al-bilād*) and “Your delegation is on the verge of departing for your lands” (*wa qad akhadha al-ān wafdu-kum fī l-iyābi ilay-kum*) ; *taqdīm* 6: “Your two emissaries, with the missives they brought us, pushed us to this” (*wa staḥaththanā fī dhalika khaṭībā-kum al-wāfidān ‘alay-nā wa mukhāṭabāti-kum*).

³⁵³ “[obedience] that has been, by order of the Book and tradition (*sunna*), a duty (*farq^{an}*) weighing on each individual” (22).

intervened to confirm a *shaykh* at the head of his tribal group. These acts confirm most of the time the sons of previous leaders (39 and 41) with “absolute” power (*muṭlaq*).³⁵⁴ Mūsá has already noted in his study of narrative sources that the names of the tribal *shaykhs* clearly show that this office was hereditary.³⁵⁵ *Taqdīm* 39 has the originality of presenting the only instance in the corpus of acts of the destitution of a son, for improper behavior, in favor of his paternal uncle, the brother of the preceding governor.³⁵⁶

This destitution and the other acts do not reveal so much the reinforcement of caliphal power at this time as they do the division of the tribal Arab groups and their integration into the game of rivalries between the different caliphal pretenders. The Berber Hintāta, *ahl Tinmāl*, and Ğadmīwa tribes were the traditional allies of the Arab Sufyān, in opposition to the Haskūra, and Khulṭ Arabs. Thus when the Hintāta swore allegiance to ‘Abd al-Wāḥid b. Yūsuf, the Haskūra and Khulṭ joined the side of al-‘Ādil, and when the Hintāta came finally to the side of al-‘Ādil, the Haskūra turned against him, killed him and turned to al-Ma’mūn, whose arrival in Marrakesh after having renounced the Almohad doctrine and the cult of the Mahdī saw the purge of essentially Hintāta members, which led to the definitive break away of Ḥafṣid Ifrīqiya. Al-Rashīd’s choice to reverse his father al-Ma’mūn’s policies did not bring about the return of Ifrīqiya into the Almohad fold, but his reconciliation with the Hintāta *shaykhs* and their Sufyān Arab allies was opposed by the Haskūra and Khulṭ who enlisted alongside Yaḥyá b. al-Nāṣir.³⁵⁷ Given the placement of these *taqādīm* in the collection, and assuming they were carefully organized chronologically, as argued above, the four *taqādīm* concerning the Arabs date indeed from the reign of al-Rashīd (629/1232-604/1242), when the conflicts raged between the different Almohad pretenders and before the reign of al-Mu‘taḍid whose name is mentioned in the title of the following *taqdīm*.

A number of narrative sources show that their loyalty was bought through exceptional land concession in the Almohad political system. This practice continued in the thirteenth century, as shown by the term *ashām* (pl. *sahm*), the western equivalent of the eastern *iqṭā‘āt*

³⁵⁴ “We grant you full power for that, as with your father before” (*wa aṭlaqnā yada-kum ‘alá dhalika kulli-hi ka-iṭlāqi yadi-hi qabl...*) for the Sufyān Arabs (*taqdīm* 41).

³⁵⁵ I. al-D. MŪSÁ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 148.

³⁵⁶ *Taqdīm* n° 39: “When he died, we kept his post for his son, whom we honored by naming him at the head of the Arabs because [of his father], or we believed that in [our] service he would comport himself as his father [...] Nevertheless, he delayed not in renouncing [that] favor and in calling misfortune on himself through his misdeeds. We have dismissed him and [in his place] have named his [paternal] uncle, Fulān, at the head of the Arabs” (*wa lammā tuwuffiya abqaynā walada-hu fī makāni-hi [...] fa-mā ‘adā an kafara al-na‘mā’ [...] wa akhkharnā-hu wa qaddamnā ‘amma-hu ‘alá l-‘arabi*).

³⁵⁷ I. al-D. MŪSÁ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 149.

(41), in the form of the *masḍar* in the fourth form (*ishām*), alongside financial and monetary benefices (*takrīm* and *in ‘ām* completing *ishām*). The Sufyān Arabs thus received in this *taqādīm* (41), an area to manage on their own, Ānfā (Casablanca), near the Berber lands of the Dukkāla and Banū Yadfar.³⁵⁸

3. THE SUBJECTS AND THEIR ENEMIES

All of these groups—“masses” (*jumhūr*, *‘amma*), elite (*khāṣṣa*), notables (*a ‘yān*), “Learned” (*ṭalaba*), “Guardians” (*ḥuffāz*), Arabs (*‘arab*), foreigners (*‘ajam*)—were members of the much greater whole that encompassed them all, the *ra ‘iyya*, the flock of subjects. The *taqādīm*, despite all their categories and more or less honorific distinctions, as well as the different considerations involved, clearly show that only one hierarchy really counted: the difference between the shepherd and his flock of subjects, between the *ra ‘ī* and the *ra ‘iyya* (pl. *ra ‘āyā*).

A. THE RA ‘IYYA (PL. RA ‘ĀYĀ)

The term *ra ‘iyya* appears frequently in the *taqādīm*, either in the singular – twelve times³⁵⁹ – or in the plural (*ra ‘āyā*) – fifteen occurrences.³⁶⁰ Three other forms of the same root (R ‘Y) can be associated with this term (singular or plural): the *ri ‘āya* (“guard, protection”) which appears thirteen times throughout the acts,³⁶¹ the *ra ‘ī*, pl. *ru ‘āt* (“shepherd, guard”),³⁶² and the tenth form of the root R ‘Y, the verb *istar ‘á*.³⁶³

God, His shepherd and the flock of His servants

The term *istar ‘á* carries within it the other occurrences and makes explicit the relationship between God, the ruler, and the subjects. The caliph is the intermediary between God and the subjects, he is their guardian and is responsible for them. The term appears proportionally more often in the gubernatorial appointments than in those for judges, which

³⁵⁸ This is a variant of the Berber *afa* “summit, hill”, indicating the original site was on the hill occupied today by the residential neighborhood “Anfa supérieur” (AL-IDRISĪ, *Description de l’Afrique septentrionale*, 48: *wa min Faḍāla [qui est à 12 milā de Salé] ilā Marsá Ānfā 40 milā^{an} wa huwa marsá maḡsud tā‘ī ilay-hi al-marākib wa tuḡmal min-hu al-ḥinṭa wa-l-sha ‘īr wa yattaṣil bi-hi fī nāḥiyat al-barr ‘imārāt min al-barbar min Banī Yadfar wa Dukkāla wa ghayri-himā. Wa min Ānfā ilā marsá Māzighn 65 milā^{an} rūsiyya wa min Māzighn ilā al-bayḍā’ dūn 30 milā^{an}...*) and *Basaṭ al-ard*, 72. See A. ADAM, s.v. “Ānfā”, *EP*, t. 1, 521-522, and NLA, 469.

³⁵⁹ *Taqādīm* 1, 6, 9, 11, 14 (twice), 17, 36, 46, 47, 58, and 67.

³⁶⁰ *Taqādīm* 6 (thrice), 8, 9, 12, 13, 17, 20, 22, 28, 37, 58, 76, and 77.

³⁶¹ *Taqādīm* 1, 5, 9, 10, 20, 29, 36, 37, 43, 54, 55, 57 and 58.

³⁶² *Taqādīm* 1 and 6.

³⁶³ + double acc. = “Prier quelqu’un d’être le pâtre du troupeau, ou d’être gardien de quelque chose ; prendre quelqu’un pour pâtre” (A. KAZIMIRSKI, *Dictionnaire arabe-français*, t. 1, 886). The expression appears six times throughout the *taqādīm*: 6 (twice), 14, 46, 48 and 67.

seems to indicate that the terms of power recalled are more civil and military than religious. The authority behind *ri'āya* thus refers more to the notion of coercion than to the power of justice. At the same time, this power comes from a divine order, and it is thus a duty for the sovereign, charged with protecting and leading his flock of subjects according to the rules of God: “acting in this according to the rule that God – May He be exalted and magnified – imposed on the shepherds of the flock for which they were responsible.”³⁶⁴ The term appears also in the following citations:

- ⑩ “all that the well-guarded flock can hope for from a shepherd who guards it” (*taqdīm* 1)³⁶⁵
- ⑩ “all that God – May He be exalted and magnified – requires us to provide for his faithful whose care he has charged us with” (*taqdīm* 6)³⁶⁶
- ⑩ “and that is because God – May He be exalted and magnified – entrusted us with guarding affairs [of the land] and the protection of its elites and masses” (*taqdīm* 14)³⁶⁷
- ⑩ “those whom God has entrusted to us” (*taqdīm* 46)³⁶⁸
- ⑩ “by the virtue of God on High having entrusted us with guarding the affairs of His subjects and His lands” (*taqdīm* 48)³⁶⁹
- ⑩ “Know that we, in virtue of the fact that God – May He be glorified – entrusted us with guarding the affairs and interests of the flock in all the land” (*taqdīm* 67)³⁷⁰

A certain type of mutual obligation results from this relationship between the ruler and his subjects, the “servants of God” (*ibād Allāh*). Those that weigh on the ruler will be presented below...

The duties of the subjects

The sovereign principally addressed his subjects in the imperative, affirmative or negative, in the second person plural, occasionally in the subjunctive or apocopic imperative. In regards to his subjects, order is the basis of the ruler’s power:

³⁶⁴ *‘Āmil^{an} fī dhalika bi-l-ḥaqqi l-ladhī li-Llāhi ‘azza wa jalla ‘alā al-ru‘āti fī-man istar‘ū-hu.*

³⁶⁵ *Afḍal mā li-l-ra‘iyyati al-makfūlati mina ra‘iyyi l-kāfilī.*

³⁶⁶ *Atamm mā li-Llāhi ‘azza wa jalla ‘alay-nā an nūfī-hi li-man istar‘ā-nā min ‘ibādi-hi.*

³⁶⁷ *Dhalikum li-anna Llāha ‘azza wa jalla istar‘ā-nā umūra-hā wa staḥfaẓa-nā khāṣṣa-hā wa jumhūra-hā.*

³⁶⁸ *Li-man istar‘ā-nā Allāhu.*

³⁶⁹ *Qiyām^{an} bi-mā istar‘ā-nā Allāhu ta‘alā min umūri ‘ibādi-hi wa bilādi-hi.*

³⁷⁰ *Wa an ta‘lamū an-nā bi-ḥukmi mā istar‘ā-nā Allāhu subḥāna-hu min umūri l-ra‘iyyati fī jamī‘i l-bilādi wa maṣāliḥi-hā.*

<i>Taqdīm</i>	Verbs transcribed	Translation (1st occurrence only)
2	<i>fa-l-takūnū</i> (subjunctive or apocopic) <i>wa-l-ta 'lamū</i> (subj.)	“be...” “know...”
3	<i>fa- 'ayyinū</i> <i>fa-lā tuqaṣṣirū</i> <i>wa lā tu 'akhhirū</i> <i>wa staqīmū</i> <i>wa 'lamū</i>	“designate...” “do not forswear...” “hasten...” “proceed straightly...” “know...”
4	<i>fa-waffū-hu</i> <i>wa tawakhhaw</i> <i>wa slukū</i>	“acquit yourselves to him...” “seek to...” “follow...”
5	<i>fa-stabshirū bi-</i> <i>wa btahijū bi-</i>	“rejoice in...” “be happy in...”
7	<i>fa-nqadū ilay-hi</i> <i>wa 'tamirū li-</i> <i>wa 'tamidū 'alá</i> <i>wa 'lamū an</i>	“submit to him...” “obey...” “trust...” “know...”
8	<i>fa-nqādū la-hu wa 'tamirū</i> <i>wa stabiqū... wa btadirū</i> <i>wa kūnū</i>	“hurry...” or “hasten...” “be...”
9	<i>fa-nqadū ilay-hi</i> <i>wa 'tamirū</i> <i>wa ta 'āwanū ma 'a-</i> <i>wa 'lamū</i>	“collaborate with...”
10	<i>fa- 'tamirū la-</i> <i>wa ta 'āwanū</i> <i>wa ḥriṣū 'alá</i>	“ardently seek...”
11	<i>fa-lqū bi-</i> <i>wa 'tamidū 'alá</i> <i>wa bdhilū</i> <i>wa lā taddakhirū</i>	“entrust...” “spend...” “do not deprive [him]...”
12	<i>fa-ghatabiṭū</i> <i>wa 'malū</i> <i>wa shkurū</i> <i>wa nḥurū</i> <i>wa bshurū</i> <i>fa-kūnū... 'alá yaqīn</i> <i>wa tawaṣṣalū</i>	“rejoice...” “accomplish...” “thank...” “look...” “congratulate yourselves...” “be sure...” “insist...”
13	<i>fa-stabshirū bi-</i> <i>wa kūnū la-hu</i> <i>wa 'lamū qadr mā</i>	“be for him...” “know to recognized the value...”
14	<i>fa-rji 'ū ilá</i> <i>wa sirū fī... 'alá</i> <i>wa kūnū ma 'a-</i>	“refer to him...” “proceed along... on...”
15	<i>fa-talaqqū-hu bi-</i> <i>wa ta 'āwanū</i> <i>wa nqādū ilay-hi fī</i>	“welcome him...”
16	<i>fa- 'tamirū la-hu</i> <i>wa ta 'āwanū</i> <i>wa addū</i> <i>wa kūnū 'alá yaqīn</i>	“acquit yourselves of...”

<i>Taqdīm</i>	Verbs transcribed	Translation (1st occurrence only)
17	<i>fa-nqadū ilay-hi</i> <i>wa ta ‘āwanū</i> <i>wa qdurū qadr</i>	“measure the value...”
18	<i>fa-talaqqū-hu</i> <i>wa waffū-hu</i> <i>wa jrū</i> <i>wa shkurū</i>	“act...”
19	<i>fa-nqādū</i> <i>wa ‘tamirū</i> <i>wa kūnū ma ‘a-hu</i>	
20	<i>wa kūnū ma ‘a-hum</i> <i>wa qbilū</i> <i>wa waffū</i> <i>wa kūnū ‘alá yaqīn</i>	
21	<i>wa kūnū ma ‘a</i> <i>wa sīrū</i> <i>wa thiqū bi-</i>	“believe in...”
22	<i>fa- ‘lamū</i> <i>fa-kūnū</i> <i>wa khdamū ma ‘a-hu</i>	“work with him...”
23	<i>Fa-kūnū</i> <i>wa-l-yablagh ‘an-kum</i>	“may you... attain...”
24	<i>fa-kūnū yadān</i> <i>wa a ‘īnū-hu</i> <i>wa jrū</i>	“support him...”
25	<i>fa-kūnū ma ‘a-</i> <i>wa ‘lamū</i>	
26	<i>fa-jtami ‘ū ‘alay-hi</i> <i>wa rja ‘ū bi-... ‘alá</i> <i>wa ta ‘āwanū</i> <i>wa sīrū ‘alá</i> <i>wa kūnū</i>	“unite around him...” “place yourselves in his hands...”
27	<i>fa-nqādū</i> <i>wa kūnū ma ‘a-</i> <i>wa ta ‘ādādū wa taḍāfarū fī...</i>	“be united and help each other to...”
28	<i>fa- ‘tamirū</i> <i>wa btadirū</i> <i>wa lā tata ‘addaw</i>	“do not stray...”
29	<i>fa-l-tusarrū</i> (subj.) <i>wa-l-takūnū min... ‘alá atamm mā</i> (subj.) <i>wa-l-tanqādū fī</i> (subj.) <i>wa-l-takūnū</i> (subj.)	“rejoice...” “be [obedient] in a way that...” “submit...” “be...”
30	<i>fa-qdurū qadr</i> <i>wa ‘lamū</i> <i>fa-lā taḡhubbū-hu</i> <i>wa-l-tastash ‘irū</i> (subj.)	“do not deprive him of...” “feel...”
31	<i>fa-khdumū ma ‘a-</i> <i>wa nqādū ilá</i> <i>wa kūnū</i> <i>wa stamirrū min... ‘alá</i>	“continue thus...”

<i>Taqdīm</i>	Verbs transcribed	Translation (1st occurrence only)
32	<i>fa-a 'īnū-hu wa kūnū wa stamirrū fī... 'alá wa zharū</i>	“show...”
33	<i>fa-talaqqū-hu wa 'āmilū-hu wa stash 'irū fa-skurū</i>	“act with him...”
34	<i>fa-a 'īnū-hu wa kūnū la-hu wa ttafiqū</i>	“be united...”
35	<i>fa- 'rifū qadr wa a 'īnū-hu wa 'malū</i>	“recognize the value...”
36	<i>fa-stamirrū wa kūnū ma 'a-hu wa sá 'idū-hu wa 'lamū</i>	“help him...”
37	<i>fa-ntazimū 'alay-hi wa 'tamirū ilay-hi wa kūnū ma 'a-hu wa wālū-hu al-muwālāt</i>	“come together behind him...” “bring him your aid...”
38	<i>fa-kūnū 'alá yaqīn wa aqbilū wa stashībū wa thiqū bi-</i>	“adopt...”
41	<i>fa- 'lamū wa tanassaṭū wa khudhū fī l-wuṣūl fa-bādirū</i>	“lend your ear...” “set out...” “hasten...”
42	<i>fa-rji 'ū bi-... ilá... wa a 'īnū-hu wa ta 'āwanū ma 'a-hu</i>	
43	<i>fa-nqādū wa kūnū fa-a 'īnū-hu wa tadāfarū ma 'a-hu</i>	“collaborate with him...”
44	See <i>taqdīm</i> n° 35	
46	<i>fa- 'tamirū li- wa kūnū ma 'a-hu wa ḥriṣū wa 'lamū</i>	
47	<i>fa-kūnū ma 'a-hu wa qdurū qadr fa-talaqqū-hu wa a 'īnū-hu wa rtabiqū</i>	“watch for...”
48	<i>fa-rji 'ū ilay-hi wa shukū 'alá wa bādirū ilá wa lta'imū 'alá wa ltazimū wa 'lamū an</i>	“be united...” “devote yourselves...”

<i>Taqdīm</i>	Verbs transcribed	Translation (1st occurrence only)
49	<i>fa-rji 'ū ilay-hi wa ittafiqū wa lā takhtalifū wa 'lamū an</i>	“be not in opposition...”
50	<i>fa-a 'inū-hu wa amaddū-hu bi-</i>	“bring him...”
51	<i>fa-talaqqū-hu wa tawakkhaw wa kūnū la-hu</i>	
52	<i>fa-ghatabitū bi- wa wāsilū injāda-hu wa adīmū al-ta 'āwun wa kūnū yad^{ān} wa 'lamū an</i>	“ceaselessly help him...” “offer him permanent collaboration...”
53	<i>fa-a 'inū-hu wa šilū yada-hu</i>	“be at his side...” ³⁷¹
54	<i>fa- 'lamū fa-l-takūnū ma 'a-hu (subj.) wa-l-tuwālū-hu kull al-muwālāt (subj.)</i>	
55	<i>fa-kūnū ma 'a-hu wa s 'ū fī... 'amal</i>	“seek... to work...”
56	<i>fa-ta 'āwanū ma 'a-hu wa kūnū yad^{ān}</i>	
57	<i>fa-ta 'āwanū ma 'a-hu wa tawāfaqū</i>	“conform...”
58	<i>fa-l-yaḥsuna i 'imāru-kum (subj.) wa-l-tajmula āthāru-kum (subj.) wa-l-ta 'lamū (subj.)</i>	“may your submission be irreproachable...” “may your behavior be excellent...”
59	<i>fa-rji 'ū ilay-hi bi- wa a 'inū-hu bi-</i>	
60	<i>fa-a 'inū-hu 'alā wa shārikū-hu wa wāfiqū-hu</i>	“be at his side/share with him...” “collaborate with him...”
61	<i>fa-a 'inū-hu 'alā wa 'āḍidū-hu</i>	“support him...”
62	<i>fa-ḥsunū mu 'ādadata-hu wa jmalū musā 'adata-hu</i>	“offer him powerful support and efficacious help...”
64	<i>fa-wāfiqū-hu wa awwalū-hu (mamkana-hu) fī</i>	“give him the possibility of ...”
65	<i>fa- 'tamirū li- wa stamirrū 'alā wa 'lamū an</i>	
66	<i>fa-kūnū ma 'a-hu wa lā tadhkharū wa taḥaqqaqū an</i>	“do not spare...” “be sure that...”
67	<i>fa-nqadū ilay-hi wa ta 'āwanū ma 'a-hu</i>	

³⁷¹ Lit. “hold his hand”.

<i>Taqdīm</i>	Verbs transcribed	Translation (1st occurrence only)
68	<i>fa- 'tamirū la-hu fī wa ttafiqū ma 'a-hu 'alá wa kūnū wa staqbilū bi-</i>	“receive...”
69	<i>fa-nqādū wa kūnū ma 'a-hu</i>	
71	<i>fa-rji 'ū ilay-hi bi- wa 'riḏū 'alay-hi wa 'tamirū la-hu fī wa slukū wa a 'īnū-hu wa 'lamū an</i>	“present him...”
72	<i>fa-ta 'āwanū ma 'a-hu wa kūnū ma 'a-hu</i>	
73	<i>fa-qtaṣirū 'alay-hi wa talaqqū-hu bi-</i>	“address only him...”
74	<i>fa-rji 'ū ilay-hi wa qṣirū 'alay-hi wa ta 'arraḑū wa 'lamū an</i>	“entrust only him...” “consider...”
75	<i>fa-ta 'āwanū ma 'a-hu wa sīrū 'alá</i>	
76	<i>fa-lqū ilay-hi azimma-ta wa 'tamirū li- wa kūnū ma 'a-hu wa ltazimū</i>	“offer him the reins...”

Table 8: Orders given to subjects in the final protocols of the *taqādīm* (imperative or subj./apocopic)

This list offers information on a numbers of points. Relations between the sovereign, who has ordered the act, and his subjects, the addressees, are clearly framed by an understanding of authority, born witness to by the number of verbs that evoke obedience, but these relations are presented as the logical consequence (*fa-*) of preceding elements in the *taqādīm* – the *captatio benevolentiae*, the goodness and justice of the government, the excellent choice of officials, their qualities, the rigor of the orders given them. The subjects’ obedience is thus justified in the *taqādīm*, which, through the systematic repetition of verbs in the imperative or subjunctive, relate to advisory letters in the rapid thematic classification of Almoravid and Almohad letters that I established in my dissertation.³⁷² Every appointment of an official, whether for a judgeship, governorship (*āmil* or *wālī*), as a military leader (*qā'id*), is an opportunity for a call to order and another expression of caliphal authority.

The subjects’ duties can be thematically classified by a number of categories:

³⁷² P. BURESI, *La frontière entre chrétienté et Islam*, 142-145.

- welcome, rejoicing, gratitude;³⁷³
- unity, understanding, aid, support, collaboration;³⁷⁴
- recourse, confidence;³⁷⁵
- submission, obedience.³⁷⁶

Accompanying verbs that incite the subjects to hasten,³⁷⁷ to spare no effort,³⁷⁸ or to reinforce the orders given above³⁷⁹ are built with the *maṣḍar* of the verbs cited above.³⁸⁰ Few of the injunctions concern the relationship of authority between subject and ruler, which underlies nevertheless the verb tense used (imperative or subjunctive/apocopic), as much as the relation between subject and appointee – governor, judge, tax collector or military leader. The obedience, aid, welcome or gratitude owed by the subjects to the appointee appear as the logical conclusion of all the elements that constitute the *taqḍīm* and in the first place, the *captatio benevolentiae*, present in the preamble, and affirm that government takes benevolent care of the region and its inhabitants and that it takes to heart the defense of their interests.

In addition, we can see all the possibilities for variation and creation that exist, if only in this very limited part of the *taqḍīm*. The table clearly shows that terms are frequently reused (only the translation of the first occurrence of verbal forms is mentioned) and the “blanks” in the third column express the importance of these repetitions. The most striking thing remains, however, over about seventy acts, the variety and diversity of possible combinations, a theme developed more fully in the chapter on chancellery *saj*’.

b. Enemies from within and without

One of the principal consequences of the divine character of the ruler’s mission is that any resistance or revolt can be assimilated with heterodoxy or a refusal of God’s law. In the first part of the manuscript, which concerns the appointments of governors and military leaders, few

³⁷³ *fa-talaqqū-hu bi-, fa-l-tusarrū* (subj.), *wa bshurū, fa-ghtabiṭū, fa-stabshirū bi-, wa btahijū bi-, wa lamū qadr mā, wa qdurū qadr, fa-rifū qadr, wa ta’arrafū, wa shkurū.*

³⁷⁴ *fa-ḥsunū mu’āḍadata-hu wa jmalū musā’adata-hu, wa āḍidū-hu, wa wāfiqū-hu, wa shārikū-hu, wa ṣilū yada-hu, wa wāṣilū injāda-hu wa adīmū al-ta’āwun, wa kūnū yad^{an}, wa amaddū-hu bi-, wa lta’imū ‘alā, wa taḍāfarū ma’a-hu, wa wālū-hu al-muwālāt, wa kūnū ma’a-hu, fa-ntaḥimū ‘alay-hi, wa sā’idū-hu, wa ta’āwanū ma’a-, fa-waffū-hu, wa ttafiqū, wa lā takhtaliḥū...*

³⁷⁵ *wa riḍū ‘alay-hi, fa-ḡtaṣirū ‘alay-hi, wa ḡsirū ‘alay-hi, fa-lqū ilay-hi azimma-ta.*

³⁷⁶ *fa-nqadū ilay-hi, wa tamirū li-, wa-l-takūnū min... ‘alā atamm mā, wa-l-tanqādū fī, fa-l-yaḥsuna i’timāru-kum.*

³⁷⁷ *wa stabiḡū... wa btadirū, fa-bādirū.*

³⁷⁸ *wa lā tadhkharū, wa s’ū fī... ‘amal, fa-lā tuḡaṣṣirū, wa lā tu’akhkhirū, wa lā taddakhirū, fa-lā taghubbū-hu.*

³⁷⁹ *wa ḥriṣū ‘alā, wa sirū fī... ‘alā, wa-l-yablagh ‘an-kum, wa kūnū...*

³⁸⁰ *i’timār, ṭā’a, inḡiyād, ta’āwun...*

acts do not mention troubles, rebellions, or resistance to enemy attacks, whether internal or external.

External impiety

The documents clearly distinguish between regions threatened from the inside and those on the borders of the Empire: five *taqdīm* mention the province's situation on the *thaghr* (pl. *thughūr*).³⁸¹ Not all of these provinces are identifiable. Ceuta (6) is naturally concerned because of its maritime and port situation which place it in contact with the Latin powers of the Mediterranean. *Taqdīm* 2, an appointment of a *qā'id al-usṭūl* ("leader of the fleet"), and *taqdīm* 1, which concerns an al-Andalus struggling against the generalized offensives of the Iberian Christian kingdoms, both relate to Ceuta. The troubled situation in the Andalusī provinces appears in conquest of *Fulāna* [2] by the troops of *Fulāna* [1], references to future conquests,³⁸² and a strongly eschatological *ḥadīth* that establishes a parallel between the two peninsulas, the Arabian at the beginning of Islam and the Iberian in the thirteenth century, as well as the comparison with the Hegira of Muḥammad.³⁸³

In these six acts, the enemies mentioned are the enemies of Islam. They are designated by terms that sources employ traditionally in regards to Jewish and especially Christian enemies:

- ⑩ *Taqdīm* 1: *al-kuffār* ("the impious"), *al-mu'taddīn wa l-mufsidīn* ("those who attack and corrupt"), the *a'ādī* (pl. of the pl. *a'dā'* of *'aduww*),
- ⑩ *Taqdīm* 2: *al-'udāt* ("the enemies").
- ⑩ *Taqdīm* 6: opposition *aḍwā' al-ḥaqq* ("the light of truth/the law")/*zalmā' al-bāṭil* ("the shadows of error"), *abadatu l-ṣulbān* ("the adorers of the cross"), the *Ifrayriyyān* ("the two brothers [of monastic orders]"), authors of "hidden and blameworthy lies" (*al-zūr al-shanī' al-munkar*) and "pure calomnies" (*al-baht al-*

³⁸¹ *Taqdīm* 1: "which will make manifest and guarantee good administration of its interests and the protection of its borders" (*wa yubayyinu wa yata'akkadu ma'a-hu fī sadādi umūri-hā wa sadādi thughūri-hā al-yaqīn*); *taqdīm* 6: "Security was assured to [their] subjects by their justice and to the borders by their protection" (*wa aminat bi-'adālati-him al-ra'āyā wa bi-ḥimāyati-him al-thughūr*); *taqdīm* 11: "to hold this frontier zone" (*wa ḍabṭ dhalikum al-thaghr*); *taqdīm* 12: "we have decided that affairs in your land (hunālikum) would depend on someone who rigorously takes in hand the frontier zone and closes it" (*ra'aynā an takūna umūrukum hunālikum musnadata ilā man yaqūmu bi-ḍabṭi thaghri-kum aw saddi-hi*) et *taqdīm* 21: "to lock down the borders" (*wa yasudda thughūra-hā*).

³⁸² *Wa mā yarja'u ba'du bi-muḥāwalati-kum min al-jihāti*.

³⁸³ *Tilkum al-jazīra al-latī al-islāmu bi-hā gharīb^{un}*, reference to the *ḥadīth* in al-Tirmidhī's *Sunan* (n° 2553), in Ibn Ḥanbal's *Musnad* (n° 3596 et 8693), in Ibn Māja's *Sunan* (n° 3978) et dans le *Sunan* d'al-Dārimī (n° 2637): *inna l-islāma badā gharīb^{an} wa sa-ya'udu gharīb^{an} ka-mā badā fa-ṭūbā li-l-ghurabā'*... For a commentary on this *ḥadīth* in the Almohad context, see the excellent article by Maribel Fierro, "Spiritual alienation and political activism", 232ff.

baht), who manifest the “hate of the impious” (*ghā’ilata l-kafara*), the “associaters” (*ahl al-shirk*)

- ⑩ *Taqdīm* 11: *ahl al-i’tidā’ wa l-fasād* (“the enemies and the party of corruption”)
- ⑩ *Taqdīm* 12: *‘ādiyyatu ‘udāti-kum* (“the attacks of your enemies”) which must be answered with the duty of rightful war (*farḍ al-jihād*); this leads to the “conquest that [you] hope for against the enemies of the faith” (*al-faṭḥ al-ladhī fī ‘aduwwi l-īmān tu’ammilūna*)
- ⑩ *Taqdīm* 21: *al-a’dā’* (“the enemies”), *al-‘aduww al-ghādir* (“perfidious enemy”), *firqatu l-bāṭil* (“the partisans of error”), *al-kafara* (“the impious”), *al-mufsidīn... wa l-mu’taddīn* (“the corruptors and aggressors”), opposition between *ṭā’ifatu l-ḥaqq wa anṣāri-hi* (“the party of the Truth and its helpers”) and *al-mushaqqīn al-mulḥidīn* (“the deviant heretics”).

‘Azzāwī has suggested that the enemies referred to in the last *taqdīm* (21) are the Marinids. The terms employed refer, however, more to non-Muslims and it would be surprising if this part of Morocco were considered as the *thaghr* at the time.³⁸⁴ Since nothing seems to corroborate ‘Azzāwī’s hypothesis, it seems more reasonable to consider that the *taqdīm* refers to a frontier, perhaps maritime province.

Corruption on the inside

Few of the *taqdīm* mention non-Muslim enemies (six of the forty-eight gubernatorial appointments), but rebels inside the realm appear much more often. This reflects perfectly the difficulties Almohad power faced in holding the imperial territory beginning with the end of al-Mustanṣir’s reign (1213-1224). The acts no longer use the terms *‘aduww* (“enemy”), the plural of *a’dā’* or the plural of the plural *a’ādīn*, but expressions that imply rebellion (*al-baghī*), corruption (*al-fasād*), evil (*al-shirr*), wrongdoing (*al-ḍirar*), aberration (*al-ghayy*), violence (*al-‘inād*, *al-‘anidīn*), hostility (*al-i’tidā’*, *al-‘udwān*, *al-mu’tadīn* from the same root as *‘aduww*), and hypocrisy (*al-nifāq*). Most of these terms were Koranic in origin. These different terms appear isolated or in groups in twenty-six acts, sometimes more than once in each.³⁸⁵

³⁸⁴ Since the Almoravids, however, *jihād* against rebel Muslims, declared “impious”, “deviant”, or “corruptors” was not rare.

³⁸⁵ *ahl al-fasād* (n° 4), *adwā’ al-shirr wa-l-fasād* (n° 7), *al-ghayy et al-‘inād* (n° 8), *al-‘anidīn wa-l-mu’tadīn*, *nahy kull fasād* (n° 9), *ūlī l-shirr wa-l-fasād* (n° 10), *ahl al-i’tidā’ wa-l-fasād* (n° 11), *al-fasād wa-l-mufsidīn... al-bāghīn wa-l-mu’tadīn*, *‘awādī l-shirr wa-l-fasād* (n° 14), *kaff al-fasād wa-l-ḍirar* (n° 15), *mawādd al-fasād... dawā’ī al-ikhtilāl* (n° 16), *kull bāghīn wa ‘ādīn*, *al-baghī wa-l-i’tidā’*, *ahl al-fasād wa-l-‘inād* (n° 17), *al-fasād wa-l-mufsidīn* (n° 18), *ahl al-shirr wa-l-fasād* (n° 19), *ahl al-baghī wa-l-‘udwān*, *ahl al-baghī wa-l-nifāq* (n° 22), *al-baghī wa-l-‘inād*, *ūlī l-shirr wa-l-fasād* (n° 23), *al-shirr wa-l-*

There is one exception, however, in *taqāḍīm* 40. The act does not concern a “frontier” of the Empire, nevertheless, both *‘aduww* and the Koranic term *ahl al-nifāq* (“the hypocrites,” “the partisans of hypocrisy”) appear. Yet, this act concerns the Arabs to whom territories (*jihāt*) have been given and an army sent to help in combating the “enemies” and “hypocrites,” from whom the territories must, in fact, be wrested. It would seem that the enemies in question were the Marinids, since the term *munāfiqūn* or *ahl al-nifāq* is attributed in the Koran to those who rallied to Islam and Muḥammad only to satisfy their appetite for worldly wealth, seeking to mislead the sincere believers, refusing to participate in *jihād*, and betraying the Prophet whenever they could.³⁸⁶ The usefulness of this term is clear in ideologically justifying the Almohads’ struggle against the Marinids, Muslims who betrayed and were less than steadfast in their faith.

Adding to this the six preceding *taqāḍīm* that concern regions threatened by both impious Christians and rebellious Muslims, close to ¾ of the appointments of governors, military leaders, and tax collectors mention the struggle against interior enemies. Though we will come back to the responsibilities of these offices—*‘ummāl*, *wulāt*, or *quwwād*—it is clear that the insecurity that reigned over much of the territory “controlled” by the Almohad caliphs between 1220 and 1260, the restoration of the troubled situation, and the elimination of interior enemies were the principal worries for the weakened state who had a difficult time exercising its authority over a shrinking territory. Christian enemies threatened the frontier provinces, but emerging powers such as the Marinids and tribes reluctant to serve a ruler who was no more than the memory of a past power contested the authority of the Almohad caliphs. The first forty-nine *taqāḍīm*, even if we remove those attributed to Ibn Hūd al-Mutawakkil, reveal the permanent efforts of the Almohad rulers to conserve or restore their power over their territory. As for the twenty-eight following acts which concern judges, their tone is quite different, probably because the juridical-religious offices were less clearly tied to a specific power than military, fiscal, or administrative offices. Indeed, while there was no doubt that measures taken by a governor, no matter what his precise responsibilities were, served a specific ruler, scholars

fasād (n° 25), *al-mufsidīn wa-l-fasād* (n° 26), *ūlī l-baghī wa-l-i‘tidā’*, *adwā’ al-shirr wa-l-fasād* (n° 27), *ahl al-fasād* (n° 28), *ahl al-shirr wa-l-fasād* (n° 29), *ahl al-i‘tidā’ wa-l-fasād* (n° 31), *āthār al-mufsidīn wa-l-fasād* (n° 34), *ahl al-fasād* (n° 37), *ahl al-baghī wa-l-‘adwān*, *adwā’ al-fasād* (n° 38), *ahl al-nifāq*, *al-‘aduww* (n° 40), *āthār al-baghī wa-l-fasād* (n° 43), *ahl al-baghī wa-l-fasād* (n° 47).

³⁸⁶ See M. A. AMIR-MOEZZI (dir.), *Dictionnaire du Coran*, s.v. “Hypocrites”, 403-405.

were still debating at this time whether judgments passed by a *qāḍī* appointed by an unjust ruler, or by one who was himself unjust, were valid or not.³⁸⁷

Judges in the Islamic world were not supposed to serve a particular prince, but Islam and Islamic law, and God through them. The history of Islam is rife of course with examples of *qāḍīs* removed from office after a change in the ruling dynasty, or forced to adopt a doctrine defined by the ruler, or to abjure after trials that occasionally led to the imprisonment or death of the judge being tested (*miḥna*). These episodes bear witness to the incestuous relations between the judicial and political spheres. However, the judicial appointments that follow the “civil and military” ones in the collection present notable variations in their composition, themes, attributions, orders and advice, expressed goal, and, sometimes, the technical details of the tasks imposed. All these differences demonstrate to a certain degree that there was in fact a distinction between politics and religion in the imperial Almohad government, even though Almohadism was born from a political and religious reform that created a very original ideology and doctrine based on the complete intermarriage of the two domains.

These *taqāḍīm* and their portrayal of the Empire’s territorial administration provide a unique window onto how the Almohads reconciled the distinction made between politics and religion in regards to enemies, and the religious basis for Almohad power and ideology. Was this reconciliation due to the weakening of the Almohad caliphate and doctrine during the thirteenth century? Did it correspond to two different discursive levels, theory and *praxis*? Did it refer to a tension that structured medieval Muslim imperial power?

B. The Workings of the Imperial Administration

The Empire’s administration operated on two levels, the central administration around the caliph and the provincial administration. This distinction was not as clear as those terms might seem to indicate, since at least during the first Almohad period the central administration had no fixed seat, following the caliph’s movements as he surveyed his empire. The curial offices that accompanied him thus constantly overlapped provincial administrations that fell automatically into their service. Justice, troop levies, repression of troubles, war against the enemy, military strategy, tactical decisions, fiscal administration, financial management of income and costs, appointment and dismissal of officials, and fortification and mosque construction all came under the control of the ruler and his close advisers.

³⁸⁷See A. CARMONA, “Le malékisme et les conditions requises”, 122-158.

1. CENTRALITY AND ALMOHAD CALIPHAL AUTHORITY

Questions of center and periphery do not apply well to the exercise of power under the first four Almohad rulers.³⁸⁸ The first caliphs were ceaselessly on the move, accompanied by their governmental apparatus, by their curial, administrative, financial, fiscal, and military services. The Almohad ruler incarnated the supreme justice of the Empire and the Community (*umma*), which, with him, was itinerant. The capitals of the Empire, Marrakesh and secondarily Seville, were in fact only substitutes for the caliphal Presence (*ḥadra*), relays for his authority in the periphery of zones from which the caliph was absent. They were neither the unique nor multiple functioning center of the Empire, simply one of its provincial bases of representation.

a. Symbolic center and central power

If there was a symbolic center of the Almohad Empire from the twelfth to the beginning of the thirteenth century, it was Tinmāl, the birthplace of the movement, tomb of the Mahdī and pilgrimage destination before becoming the imperial necropolis. The first Almohad caliph, ‘Abd al-Mu’min, methodically built this place as the chronological, geographic, doctrinal, political, and religious center of the Empire he was building.³⁸⁹ This site, the beginning and end of the Almohad movement corresponded in space and time to the unity of God. Tinmāl was where the *hidāya* (“guidance”) and impeccable *imāmat* of Ibn Tūmart were recognized, it was also his last residence. Nevertheless, the administrative and decisional center of the Empire was not associated with a fixed place, rather with the mobile and living Presence of the caliph. This, at least, was the system ‘Abd al-Mu’min put into place and that his direct descendants continued.

The development of a decisional structure

The central administration was thus nomadic and coexisted with provincial relays. The Almohads developed this, their stamp, not from previous structures, but from the group of faithful and disciples who surrounded the Mahdī Ibn Tūmart, utilizing from an institutional point of view the tools and concepts worked out under the Umayyad caliphates of Damascus and Cordova, the Abbasids of Baghdad, and the Fatimids of Qayrawān and Cairo. ‘Abd al-Mu’min’s character play a determinant role in developing the decisional structure during the three decades of his reign. He was the architect and foreman of the Almohad caliphate, even

³⁸⁸ As formulated by geographers and taken up by Braudel, then Wallerstein in his model of the world system (*Capitalisme et économie-monde, 1450-1640*, Paris, Flammarion, 1980) and Samir AMIN (*Le développement inégal*, Paris, éd. de Minuit, 1973).

³⁸⁹ P. BURESI, “Les cultes rendus”, 391-438.

more so than Ibn Tūmart who had died while the movement he had initiated was still only a rebellion.

The decisional structure, ordered around the caliph and adapted to the personality of the first of them, was founded from the beginning on the solidarities forged by Ibn Tūmart. ‘Abd al-Mu’min later introduced his own trusted relations, either members of his family – essentially his sons – or some of the major tribal representatives in whom he had absolute confidence, such as Abū Ḥafṣ ‘Umar al-Hintātī. We will probably never know the foundations of this trust - calculated balance of power at a time when tribal organizations played an important role, tacit or explicit contractual sharing of power between two heirs to the *Tumārtī* message, blood brotherhood, virile friendship –, but it seems that ‘Abd al-Mu’min never felt threatened by the man who nonetheless the chronicles say was supposed to succeed the Mahdī and who stood aside for ‘Abd al-Mu’min.

The Almohad vizierate

A very strong concentration of decisional power characterized the original version of the Almohad caliphate. The conquest of Marrakesh marks a decisive moment in this. ‘Abd al-Mu’min was finally at the head of a vast territory structured around large cities, and his Almoravid rivals had almost disappeared.³⁹⁰ There were no more states, dynasties, or *dawla* to oppose him in the Maghrib al-Aqṣā, only regions that were sometimes hesitant, sometimes openly rebellious faced with the absence of power that inevitably follows a transition in regimes. On the one hand the Almoravids had fallen, their ruler was dead, their armies defeated, their administration was able to protect their cities neither from Christian attacks to the north in the Iberian Peninsula, nor from harassing raids launched by mountain tribes living to the south in the Atlas. On the other, the new regime had only proven itself militarily, it was simply a message of reform and an army, with no relays among the provincial elite.

This differed immensely from the way the Almoravid Empire had grown at the end of the eleventh century, whose leaders has sought support in the legal scholars and Malikism present and well-developed in the Maghribī urban centers, in the popular themes of the reduction of non-Koranic taxes and *jihād* against the enemies of Islam and the defense of Sunnī orthodoxy through the recognition of the Abbasid caliphate in Baghdad. These elements had all allowed the Almoravids to dethrone local leaders and impose their rule with the support of the

³⁹⁰ It was maintained until the beginning of the thirteenth century in the Balearic Islands, then in Ifrīqiya until the middle of the century, through the Banū Ghāniya dynasty.

Muslim intellectual elite and the population. The Almohads rose to power under different circumstances and with different means. First of all, they did not face small fragmented principalities, but a powerful, though weakened, empire that spread from the borders of Ghana to the center of the Iberian Peninsula. They also did not play on the integrating factor of a routine Islam, but on the distinctiveness of a renewed Islam. The Almohad rise was the proof as well as consequence of the Islamization of Maghribī populations in the twelfth century, an Islamization in which the Almoravids had played a powerful role.

Conquering Marrakesh was thus a decisive moment that gave the Almohads the opportunity to finally prove that they could do more than simply disturb the established order, that they were in fact the defenders of a new public order, of a new organization of power and efficient and just management of resources and the populations of the Maghrib. The scale of responsibilities changed, functions became infinitely more complex, and it is not surprising that in these conditions a vizier was named for the first time to assist the caliph and to direct the central administration and the offices charged with distributing the caliph's orders over a territory of imperial dimensions, with a considerable urban framework and Marrakesh at its head, and over vast regions of tribal nomads more or less well-controlled.

The vizier, in a way, headed an executive branch subject to the caliph's judicial and legislative branches. The Almohad caliph certainly fell under the Law of God, but as the *imām*, the *khalīfa* ("successor") of the "impeccable" *imām* and "recognized Mahdī" (*al-imām al-ma'sūm al-mahdī al-ma'lūm*), and as "commander of the believers", 'Abd al-Mu'min automatically assumed the capacity of unique legitimate interpreter of divine Law, legislating within the path defined by God. The first vizier seems to have been Ibn 'Aṭīyya, from the village of Cambrils in the region of Tortosa. This Almoravid *kātib* who was in Marrakesh in 1147, enrolled as an archer in the Almohad army at the time of the city's fall to avoid the foreseeable punishment that his past allegiances and his family's ties with the fallen dynasty would certainly have brought on him. He was noticed more for his pen than his arrows, for he was charged with writing the announcement informing the caliph of his troops' victory over the rebel Al-Māssī (or al-Māssātī) in 1148. 'Abd al-Mu'min made Ibn 'Aṭīyya his secretary, advisor, and vizier. Ibn 'Aṭīyya's destiny illustrates so well the turn of the wheel of fortune so frequent in the history of the medieval Muslim world, as Dakhliya has well-demonstrated. After grandeur, decadence: an escape and talent opened the path to ascension and the doors of the most important positions,

which, in turn, lead inevitably to execution.³⁹¹ In 1158, Ibn ‘Aṭīyya and his brother were accused of treason, victims probably of a plot within the circles of power, and were arrested and put to death on ‘Abd al-Mu’min’s direct orders. The tragic end of this relationship so typical of the structures of Muslim power, since the friendship between Hārūn al-Rashīd and Ja‘far the Barmakid, takes on particular significance in the dynamic established by ‘Abd al-Mu’min. In the Almohad structure of power, the vizier cannot follow his own personal path, he is but an instrument in the service of the ruler, he can have no individuality, cannot have his own story or legend like the Barmakids, he can only be an anonymous transmitter without his own identity. Paradoxically, Ibn ‘Aṭīyya entered into the ranks of viziers of legendary destiny who had risen to and fallen from the highest heights because he had not understood the specificities of Almohad power.

‘Abd al-Mu’min named ‘Abd al-Salām al-Kūmī as vizier after eliminating the Ibn ‘Aṭīyya brothers, then replaced him with his own son, the *sayyid* Abū Ḥafṣ, with the accord of the Almohad *shaykhs*.³⁹² Later, Abū Sa‘īd ‘Uthmān Ibn Jāmi‘ remained in place under the caliphs al-Nāṣir and al-Mustanṣir despite the *shaykhs* complaints, indicating their accord was no longer necessary under the hereditary caliphate.³⁹³ The viziers that served after Ibn ‘Aṭīyya thus lacked historical depth. Nevertheless, the office was not unimportant, since the vizier headed the central administration.³⁹⁴ The chronicles sometimes mention their name, but other than a few exceptions, they do not seem to have played any real historical role. There was never more than one vizier at a time during the period of expansion for the Empire, but later both al-Mu‘taṣim and al-Sa‘īd employed two viziers at once.³⁹⁵ The viziers for al-Ma’mūn, al-Murtaḍá, and al-Wāthiq are unknown, which probably indicates one of two possibilities: either their viziers were so ineffectual that history did not notice them, or the office had only relative importance and had become functional and emptied of decisional responsibility.

The vizier’s power was in fact inversely proportional to the caliph’s. During the second period of the Empire – from al-Mustanṣir’s reign until al-Rashīd’s – the vizier’s appointment came under the most influential of the Almohad *shaykhs*.³⁹⁶ His power increased along with the *shaykhs*’ from whose sons he was traditionally chosen. The vizier was the link between the

³⁹¹ J. DAKHLIA, *L’empire des passions*.

³⁹² ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 156.

³⁹³ AL-ḤIMYARĪ, *Rawḍ al-Mi‘tār*, s. v. “Ġinjāla” (Chinchilla), n° 70, ed. 67-70, 68, trans. 84-87, 84-85.

³⁹⁴ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 153.

³⁹⁵ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 155.

³⁹⁶ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 156.

caliph and the Almohad institutions of state; he directed the budgetary office for the military; he was responsible for the financial offices until al-Mansūr assigned them to a different person; he organized official ceremonies, caliphal presentations; he presided over the sworn oaths to the new caliph along with the *sayyids* and representatives of the Almohad *shaykhs*. Beginning with al-Mansūr's reign, when the caliph's authority was undermined due to his age or the weakness of provincial support, the vizier's political role grew. Nevertheless, though they may appoint or depose caliphs, sign decrees, decide military policies, spend money from the state's coffers, receive envoys from Christian kings and sign truces and treaties, this was not because of their own authority but the weakening of the caliphal authority and divisions among the *sayyids*. Beginning with al-Rashīd's reign, the viziers returned to the subordinate role that had been theirs under the first four caliphs.³⁹⁷

The sedentarization of the caliphate under al-Mustanşir

The caliphate's situation changed substantially in the thirteenth century. Beginning with al-Mustanşir's reign (1214-1224), the caliphal Presence ceased to be nomadic, became sedentary, and Marrakesh finally became the capital of an Empire shrunken by the caliph's falling back to the rare territories of the Empire that he still managed to control: Marrakesh, Ribāṭ al-Faṭḥ, Tārūdānt, Sijilmāssa, and Fez. This sedentarization of Almohad power was not a choice, but a resignation, it was symptomatic of the regime's critical state. The caliph did not even risk traveling throughout his territories when Ceuta, Granada, Seville, and Tlemcen symbolically swore *bay'a* oaths to al-Rashīd (629/1232-640/1242), despite efforts to restore imperial authority. This is probably the most tangible sign of the exclusively nominal and symbolic character of these forms of recognition. Later *bay'a* oaths thus do not indicate the power of the caliph as he polarized territory around his authority, but rather local strategies of circumstantial alliances and the inscription of the Almohad caliphate among the referential *auctoritates* granting legitimacy to local powers.

³⁹⁷ Guichard insists on the honorific nature of the title of vizier, which is incontestable (P. Guichard, *Les musulmans de Valence*, t. 2, 314). This does not necessarily mean that the Almohad viziers had no responsibilities, or only a representational office. During the first period of the Empire – from 'Abd al-Mu'min to al-Nāşir – they were the working link of the central administration, the intermediary between the caliph and specialized offices. Later, their role grew at the same time as the Almohad *shaykhs*' at the expense of the caliph. Finally, beginning with al-Rashīd, their use and role diminished as did the imperial territory, and their attributions remained the same as during the initial period.

Manuscript 4752 and the *taqāḍīm* presented here date from this particular period when the Almohad regime entered into the more usual framework of a sovereignty whose power radiates from an urban center over a progressively shrinking surrounding territory. Paradoxically, there are no extant *taqāḍīm* from the first caliphs; history has preserved only manuscript 4752 and its documents and appointment acts from the period of weakening caliphal power and reduced imperial territory. This seems to indicate a number of hypotheses. The least probable would be the non-existence of acts dating from the first period: the caliph traveling his Empire would have carried out appointments and dismissals in the regions where he journeyed through a very personal governmental system wherein the caliph's words and the testimony of those present would have sufficed to establish local administrative, judicial, fiscal, or military authority. This hypothesis reduces the role of the *dīwān al-inshā'*, the chancellery offices, to that of a mediator between the caliphal Presence and the provinces through the development of discourse centered on the ruler's activities (victories, defeats). It is more likely that acts from the first period were not kept, that caliphal authority and the confidence it inspired were enough to guarantee the lasting quality of its decisions. This would seem to indicate that it was the loss of confidence in the ruler's authority that led provincial administrators to conserve and transmit acts that served as the basis of their power.

The Almohad Empire entered into an administrative center-periphery rational – attested to by the recurring use of the phrase *fā idha wāfā-kum* (“Thus, when he arrives among you”) – because of the sedentarization of the caliphal court and the weakening of its authority. This was when scribes felt the need to preserve what was left of the act of power. The *dīwān al-inshā'*, at the heart of the imperial communication system, the chamber for registering acts, the issuing and collection center for information, became then the principal actor in political life, the spokesman for a caliphal authority that was only the shadow of its former self.

b. The “Presence” of the caliph, seat of authority (1220-1269)

Manuscript 4752 is divided into two sections, as discussed above in chapter five. The first section concerns “secular” officials, as opposed to the second section which concerns judges (*qāḍīs*), those personnel whose office was “religious” in nature. Yaḥyá al-Khadhūj seems to have developed this classification at the end of the thirteenth century, reflecting current conceptions on the nature of the responsibilities carried out. This distinction made by the medieval author between these two main types of power corresponds only partially to

classifications commonly attributed to the Latin West – legislative, judicial, executive. However, it supports Gardet’s approach which, without recognizing any real “separation” between those powers in the principles of their organization, almost constantly uses this notion of separation to expose the articulation of different public offices.³⁹⁸ However, the fact that the same collection contains appointment acts for governors, military leaders, and tax collectors on the one hand, and judicial officials on the other likewise supports Tyan’s opposing viewpoint that the initial unit of power, source of the idea of “delegation” on which the different magistratures depend, excludes the possibility of any separation between the judicial and executive powers, since the *qāḍī* was merely the representative of the “central executive authority”.³⁹⁹ This means that the relationship between the executive, legislative, and judicial branches in the Islamic world followed a different rationale than those that developed haphazardly over the centuries in Western Europe. The study of the *taqāḍīm* collected in manuscript 4752 of the *khizānat al-ḥasaniyya* can help in understanding how medieval Arab-Muslim political theory during the Almohad period approached the relationship between the Law, divine in its essence, and caliphal authority exercised on earth.

The terminology of power

The term *sulṭān* does not designate caliphal power during the Almohad period, although Guichard notes its spread beginning in the eleventh century.⁴⁰⁰ Indeed, the Almohads use the term *ḥaḍra*,⁴⁰¹ which we have chosen to translate as “the Presence”, rather than one of the terms proposed by Kazimirski (“majesty”, “excellence”, “highness”, or “honor”). This keeps the original connotations of the root and allows an association with the term’s other frequent signification in the chancellery documents, “residence-capital [of power]”, as in *taqāḍīm* 5: “This is what we write from the [palace] residence (*ḥaḍra*) in Granada.”⁴⁰² The Almohads thus preferred a term to designate power which designated both the body of the ruler and an abstraction of authority. This is fairly indicative of how power was exercised during the first period, under the first four caliphs, when the caliph and his court journeyed throughout the

³⁹⁸ This appears even in the organization of the chapters Gardet devotes to this question in his work *La cité musulmane. Vie sociale et politique*, Vrin, Paris, 1976.

³⁹⁹ É. TYAN, *Histoire de l’organisation judiciaire*.

⁴⁰⁰ P. GUICHARD, *Les musulmans de Valence*, t. 2, 278.

⁴⁰¹ *Taqāḍīm* 1 (f° 2v, p. 2, l. 8), 6 (f° 9v, p. 16, l. 9), 13 (f° 14v, p. 26, l. 20), 33 (f° 25r, p. 47, l. 22), 69 (f° 44r, p. 85, l. 22).

⁴⁰² f° 6r, p. 9, l. 21. This is of course an act issued by Ibn Hūd, and so a ruler opposed to the Almohads, but the term is also frequent in the other Almohad chancellery documents.

Empire and when the decisional, jurisdictional, and administrative center followed the ruler's itinerary.

The shadow of power

There were two main functions of this caliphal "Presence": protection and guidance. This protective function is omnipresent in the *taqādīm* and appears in the use of the terms *kanf* ("wing") and *zill* ("shadow" in the singular) or *zalāl* (plural), sometimes redoubled with the adjective from the same root, *zalīl* ("dark").⁴⁰³ The shadow or wing alluded to are those of the *amān*, *amāna* ("security"),⁴⁰⁴ *āfiya* ("salvation"),⁴⁰⁵ *da'a* ("tranquility"), the already mentioned *ri'āya* ("protection"), as well as *adl* ("justice"), *ihsān* ("beneficence", "well-doing"),⁴⁰⁶ etc. This conception of the ruler's authority as "the shadow of God on earth" (*zillu Llāhi fi l-arḍi*) refers to a famous *ḥadīth* and is not specific to the Almohads.⁴⁰⁷ Chancellery documents, however, play on the confusion between the "shadow of God" and that of power. Thus, most of the occurrences refer to the shadow of God – the shadow of His mercy, of His favors, of His goodness... – but some also refer to the ruler, as in *taqdīm* 33 : "the shadow of the authority of the Presence" (*zill iyālati l-ḥaḍra*).⁴⁰⁸

This (con)fusion of the earthly and divine levels of authority appears often in Almohad chancellery texts, particularly in the *taqādīm*. This excerpt from *taqdīm* 8 serves as an excellent example:

May God have written for you the righteousness whose fruits you harvest now and in the future (*fi ḥāli-kum wa stiḡbāli-kum*), and [His] uninterrupted protection (*wa stidāmat^{an} li-l-āfiya*) for the correct actions (*sadād a māli-kum*) you undertake with zeal. Know that our benevolent watch (*al-naẓar al-jamīl*) extends over the interests of [our] subjects (*maṣāliḥ al-ri'āya*) wherever they may be, that it commits to the straight path (*al-sunan al-qawīm*) all that would profit them in this world and the next (*dīn^{an} wa duny^{an}*) and that it welcomes them with justice and the favor of this power (*min 'adli hadha l-amri wa fadli-hi*) under the expanse of its shadow (*al-zill al-madīd*) and its extended wing (*wa-l-kanf al-wāsi*). As a result of which, we appoint as governor among you one who will improve your situation...⁴⁰⁹

This passage juxtaposes and thus brings together ruler and God by juxtaposing the prayer addressed to God and the *captatio benevolentiae* in favor of the ruler. Parallel rhetorical constructions and semantic equivalents reinforce this effect. The binomial *dīn^{an} wa duny^{an}* ("in

⁴⁰³ *Taqādīm* 20 and 32.

⁴⁰⁴ *Taqādīm* 9, 10, 12, 14, 17, 28, 30 and 47.

⁴⁰⁵ *Taqādīm* 13, 22, 49 and 66.

⁴⁰⁶ *Taqādīm* 16 and 30.

⁴⁰⁷ A. LAMBTON, *State and government*, 126 and 140.

⁴⁰⁸ *Taqādīm* 33.

⁴⁰⁹ *Taqādīm* 8, f° 10v, p. 18, l. 14-18.

this world and the next”)⁴¹⁰ corresponds with the divinely oriented *fī ḥālī-kum wa stiqbālī-kum* (“in the present and in the future”).⁴¹¹ In addition, the straight path (*istiḳāma*) invoked in the prayer to God is repeated in regards to the ruler with the adjective *qawīm* (“straight”) from the same root QWM. This act of appointment appears as the necessary consequence (*wa bi-muqtaḍā dhali-kum*) of the suitability between God and the “reality” (*wa an ta‘lamū*) of the sovereign power.

These remarks follow the numismatics analyses developed by Miguel and Salvador Vega Martín with Manuel C. FERIA GARCÍA concerning the term *amr*.⁴¹² They note that the simplification of Almohad monetary inscriptions as compared to Umayyad, Abbassid, and Almoravid coins, namely the disappearance of the date, mint, and name of the official responsible, accompanies linguistic changes without precedent in al-Andalus and the Maghrib.⁴¹³ The legends on the obverse and reverse sides of *dirhams* show a high degree of elaboration based on symmetry, parallelisms, repetitions, and gradations.⁴¹⁴ The term *amr*, “thing” or “matter/affair”, takes on an almost messianic dimension for the Almohads.⁴¹⁵ Thus, when Almohad sources mention *al-amr al-‘āliy*,⁴¹⁶ they are designating the “elevated Enterprise”, the “victorious plan”, which is the Almohad state and its mission. The *amr* was originally the Mahdī Ibn Tūmart’s individual undertaking or enterprise which became the Almohad cause. This origin moment is designated by the terms *awwal hadha l-amr* (“the beginning of this enterprise”). The identity of the divine *amr* and the “glorious” Almohad power (*al-amr al-‘azīm*) is explicit in a victory announcement from the first imperial period:

وَالْيَقِينُ بَأَنَّ هَذَا الْأَمْرَ الْعَظِيمَ هُوَ أَمْرُ اللَّهِ الَّذِي جَعَلَهُ اللَّهُ الْحَرَمَ الْأَمِينَ لِمَنْ تَمَسَّكَ بِسَبِيهِ الْمَتِينِ

“Know that this glorious power is the power of God, that He has made it an inviolable sanctuary for he who clings to His solid rope.”⁴¹⁷

⁴¹⁰ Lit. “religiously and secularly”.

⁴¹¹ Lit. “in your present and in your future”.

⁴¹² See M. and S. VEGA MARTÍN and M. C. FERÍA GARCÍA, *El mensaje de las monedas almohades*.

⁴¹³ M. and S. VEGA MARTÍN and M. C. FERÍA GARCÍA, *El mensaje de las monedas almohades*, 36.

⁴¹⁴ Six nominal phrases are symmetrically organized in two series of three. They all refer to notions of mandate, power, or empire: *Allāhu rabbu-nā, Muḥammad^{un} rasūlu-nā, al-Mahdiyyu imāmu-nā* d’un côté, *lā ilāha illā Llāh, al-amru kullu-hu li-Llāhi, lā quwwatu illā bi-Llāhi* (Koran 3:154: “Say thou: ‘Indeed, this affair is wholly God’s’”).

⁴¹⁵ *Taqādīm* 2, f° 4r, p. 5, l. 14, 3, f° 4r, p. 5, l. 21, 4, f° 5r, p. 7, l. 21 (*amri-hi al-a‘lá*), 5, f° 5r, p. 7, l. 21, 7, f° 10v, p. 18, l. 1, 8, f° 10v, p. 18, l. 17 and 10, f° 12r, p. 21, l. 19...

⁴¹⁶ *Taqādīm* 17, f° 16v, p. 30, l. 19, 22, f° 20r, p. 37, l. 9 and 69, f° 44v, p. 86, l. 1.

⁴¹⁷ AL-BALAWĪ, *al-‘aṭā’ al-jazīl*, f° 4, l. 16 of the manuscript 6148 annexes. NLA, 30, 144-149: letter written by Abū al-Ḥakam Ibn ‘Abd al-‘Azīz Ibn al-Murkhī concerning the conquest of Gafsa.

Thirteenth-century Almohad *taqādīm* thus continue perfectly the *futūḥāt* (“victory announcements”) of the twelfth century, and confirm the findings of Vega Martín and Feria García, as shown by the frequent use of certain terms: *sābiqa*, pl. *sawābiq* (“the precedent”),⁴¹⁸ *da‘wa* (“Cause”),⁴¹⁹ or *madhhab* (“school”, “current”).⁴²⁰ The correct order of things established for worldly affairs is identified with the divine will and plan, while the correct order of things as an expression of divine will likewise is identified with the Almohad movement. The *kuttāb* who wrote these acts often played on the ambiguity of the pronouns so that it is unclear whether they are referring to the Power/Order/Plan of God (*amr Allāh*) or of the Almohad caliph (*hadha l-amr al-‘aliy, al-‘āzīm...*). The Koran-inspired inscription *al-amru kullu-hu li-Llāhi* on coins is at the heart of the Almohad political message and, as *al-qā‘imu bi-amri Llāhi*⁴²¹ also belongs to the Mahdī religious repertoire, becomes one of the foundations of the legitimacy of all the Almohad caliphs.⁴²² This is probably why *taqādīm* 54, written for the violently anti-Almohad Ibn Hūd al-Mutawakkil uses this expression in regards to the Abbasid caliph in Baghdad, contesting its usage by the Almohad caliphs.⁴²³

Al-naẓar al-jamīl or the ruler’s “benevolence”

The various terms mentioned, which appear in all of the Almohad chancellery documents, are closely associated with the Mu’minid exercise of power. The *taqādīm* have their own specificity in this regard: the systematic presence of the term *naẓar*, whose root refers to watching, jurisdiction, authority, and sovereignty. It is often associated with the adjective *jamīl*: *al-naẓar al-jamīl*, which we have translated as “benevolence” or “benevolent watch” depending on the context. Alternately, the verb is used in the first person plural, the “royal we”: *nanẓuru l-bilād* (or *li-l-bilād*) *al-naẓar al-ladhī...*: “we watch over the land with a gaze (watch) that is...” This notion of omnipresence is often associated with the terms *i‘tinā’* or *ināya* (“care, attention”), referring to the regime’s benevolence, forbearance, and care for the provinces and its subjects. *Sadād* (“uprightness”, “right direction”) is sometimes also used, referring to the ruler’s justice and sound administration and rightful direction.

⁴¹⁸ AL-BALAWĪ, *al-‘aṭā’ al-jazīl*, f° 4, l. 16 of the manuscript 6148 annexes. NLA, 30, 144-149: letter written by Abū al-Ḥakam Ibn ‘Abd al-‘Azīz Ibn al-Murkhī concerning the conquest of Gafsa.

⁴¹⁹ *Da‘wat al-tawḥīd* (*taqādīm* 1, f° 2v, p. 2, l. 6), *al-da‘wat al-tawḥīdiyya* (12, f° 13v, p. 24, l. 4), *da‘wat al-ḥaqq* (21, f° 19v, p. 36, l. 18), *da‘ati-nā* (6, f° 8r, p. 13, l. 16, f° 9r, p. 15, l. 15 ; 36, f° 26v, p. 50, l. 5 ; 39, f° 27v, p. 52, l. 16 ; 40, f° 28r, p. 53, l. 10 ; 47, f° 31r, p. 59, l. 4).

⁴²⁰ *Taqādīm* 1, f° 3r, p. 3, l. 3 and 9 ; 3, f° 4v, p. 6, l. 16 ; 10, f° 12r, p. 21, l. 3 ; 12, f° 14v, p. 26, l. 4 ; 17, f° 16v, p. 30, l. 10 ; 36, f° 26v, p. 50, l. 14 ; 49, f° 32r, p. 61, l. 12 ; 76, f° 48r, p. 92, l. 18.

⁴²¹ *Taqādīm* 6, f° 7v, p. 12, l. 22.

⁴²² M. & S. VEGA MARTÍN and M. C. FERIA GARCÍA, *El mensaje de las monedas almohades*, 201.

⁴²³ *Taqādīm* 54, f° 35v, p. 68, l. 4.

Caliphal authority was thus based on the rightful direction in which it guides those under its benevolent watch. *Al-sabīl*, the “path”, its plural, *al-subul*,⁴²⁴ or *al-sunan*, is the most frequently used term, as in the Koran, most often associated with *sawiy*, *sadīd* or *sadād* rather than *mustaqīm*, to express rightful direction. Moreover, the expression *al-ṣirāṭ al-mustaqīm* (“the straight path”) appears only once throughout the *taqāḍīm*, in *taqḍīm* 6 from the caliph al-Murtaḍá to the authorities in Ceuta within a citation of the Surat Yūnus, verse 25: “He renders between His subjects judgments to which submit the governors and the governed and ‘He guides whom He wills to a straight path’.” The only other occurrence of *ṣirāṭ* is in the continuation of this *taqḍīm* and comes from the Surat al-Shūrā, verse 53: “We can neither turn away nor stray from ‘the path of God, to whom belongs whatsoever is in the heavens and whatsoever is on the earth. Do all things not come to God?’”⁴²⁵ These two citations together place in parallel the authority and power of God and those of the ruler: the caliph’s power derives from the *ḥukm* of God, an instrument with which he guides the rulers and the ruled along the straight path that leads to Him. The second passage, which Jacques Berque claims is “decidedly theological”, refers to the revelation and rather ambiguously designates God’s guide for the human race, perhaps the archangel Gabriel according to some interpretations.⁴²⁶ In the Almohad context, however, with a Mahdī as the founder, and an *imām* as the ruler, this citation creates a direct link between God and the ruling dynasty.

The relationship with God and the Revelation

Many of the passages insist on the intermediary function served by the ruler between God and his subjects. This appears most frequently in the prayers addressed to God in the preamble and final protocol on behalf of the addressees:

May God have written for you to follow your predecessors in the party of Unicity (*tawḥīd*) and to gather yourselves to win even more religious and temporal favors... Know that the best thing to bring you an improvement in your situation (...) in the present and future, is for you to follow the paths of this authority of which (...) are evident. Thus, we preserve for you the favors of God on High and wish that He grant you shares of His generous beneficence.⁴²⁷

Prayers for the improvement of their subjects’ situation, invocations so that God will guide them along the right path and on the straight road of obedience to the ruler, consulting

⁴²⁴ It appears 176 times in the Koran (M. A. AMIR-MOEZZI (dir.), *Dictionnaire du Coran*, s. v. “Ṣirāṭ”, 840-842).

⁴²⁵ *Taqḍīm* 6, f° 7v, p. 12, l. 8 to 12.

⁴²⁶ J. Berque, *Le Coran*, 526.

⁴²⁷ *Taqḍīm* 3, f° 4r, p. 5, l. 19-f° 4v, p. 6, l. 3.

God before choosing officials,⁴²⁸ as well as promises in the final protocol,⁴²⁹ though all classically present in chancellery documents across the medieval Muslim world, are treated among the Almohads in a way to confound divine will and ruling decision, God's Plan and the caliph's projects, religion of truth and faithfulness to the Almohad rulers. In our translation, moreover, the passage from the subjunctive ("May God have written for you") to the future ("And He, may He be glorified, He will allow you to know/He will guide you/He will grant you/He will make you happy/...") is meant to communicate the change in tenses in the Arabic, from the accomplished (*kataba*) to the yet to happen (*yu 'arrifu-kum, yujrī-kum, yus 'idu-kum, yumahhidu jawānibi-kum...*). In this discourse, the caliph's decision, appointing a qualified official to whom obedience is due, assures the passage from the initial prayer to the final promise. In the end, and in the administrative discourse, God's attitude towards the faithful is determined by the justice of the Almohad ruler's decisions. God is of course the beginning and end of all things, but at the same time, in the textual logic of the *taqdīm*, the caliph's mediation – the benevolence of his watch, the choice and selection of the perfect official, advice and orders – assures that, as hypothetical and desirable as they were at first, divine rewards become reality in the end.⁴³⁰ In addition, by identifying the divine *amr* and the Almohad *amr*, the Empire's theologians placed the caliph's decisions on the same level as divine Law.

Relations with the servants of the State

Almohad authority is thus revealed through these acts of appointment, in the motives for the choice of officials, in the advice and orders given them, and the qualities required. The construction of the *taqdīm* themselves, and the articulations between the different parts reveal the nature of power for the rulers of the dynasty. The appointment (*qaddamnā*), designation (*'ayyannā*), or the choice (*ikhtarnā*) appear as the logical and necessary consequence of the preamble whose characteristics we have shown: a prayer to God and care for the subjects' interests. The connection between these two parts is made by the different expressions that each

⁴²⁸ *Ba 'da stikhārati Llāhi*, "after having asked the help of God": *taqdīm* 9, f° 11v, p. 20, l. 3 ; 28, f° 22v, p. 42, l. 14 ; 32, f° 25r, p. 47, l. 9 ; 46, f° 30v, p. 58, l. 3 ; 48, f° 31v, p. 60, l. 5 ; 49, f° 32r, p. 61, l. 14 ; 69, f° 44v, p. 86, l. 2 ; 74, f° 47r, p. 90, l. 9 and 77, f° 48v, p. 93, l. 22.

⁴²⁹ They are introduced by *wa huwa subhāna-hu* ("And He – May He be glorified") and announce the just rewards deserved by those who in obeying the official, and through him the ruler's choice, submit to the divine will.

⁴³⁰ This analysis may seem exaggerated since the same structure is found in the acts issued by the chancellery of the violently anti-Almohad Ibn Hūd al-Mutawakkil (5, 30, 54, and 55), but it is not impossible that a significant element in the Almohad context became a routine chancellery practice and lost its original meaning. Only a comparison with earlier appointment acts, from the Almoravids, for example, would shed light on this gradation between prayer/desire in the beginning, expressed as accomplished, and the final promise, as to be accomplished which is specifically Almohad.

insist on the causal link justified by the description of the merits of the appointee (*wa huwa*: “he is...”).⁴³¹ Finally, a gubernatorial designation is the convergence of three movements each with the ruling power at its heart: firstly, closely tied to the material act of appointment by repeating the same verb, *kataba*, successively in the first person plural – the royal we –, then the third person singular,⁴³² the ruler’s wish that God favor the subjects and their region, next the fact (*wa an ta lamū*) that he dedicates his entire attention to them, and finally that he chooses from among the best of his servants.

The second major part of the act is built around another relation of necessity: first, introduced by *wa qad*, the ruler’s injunctions, advice, and orders for the appointee,⁴³³ next the subjects’ obedience, presented as the logical consequence of the preceding elements, through the phrase *fa-idhāi* (“Thus, when...”) in *fa-idhā wāfā-kum* (“Thus, when he arrives among you...”). The ruler mediates between his subjects and God through his prayers; through the conformity of his objectives with divine plans, he incarnates an authority that none can contest without being accused of impiety; through the justice of this choice and the quality of his orders and advice for those he chooses, he imposes himself as the only and best guide possible. His subjects’ obedience thus flows with a kind of logical reason, a rationalization of caliphal authority on earth, and a prelude to life in the hereafter. This omnipresence of the future life, as a horizon for caliphal decisions and the necessary obedience, agrees with the eschatological aspects of the Almohad movement in the beginning. The binomial “life on earth/life in the hereafter”, “present/future” appears in almost every *taqdīm*, in various forms: *ḥāl^{an} wa stiqbāl^{an}*,⁴³⁴ *fī ḥāli-kum wa stiqbāli-kum*,⁴³⁵ *fī ‘ājili-kum wa ma’āli-kum*,⁴³⁶ *fī l-ḥāli wa-l-muntazar*,⁴³⁷ *li-ḥāli wa-l-ma’āl*,⁴³⁸ *fī l-ḥāli wa-l-mustaqbal*,⁴³⁹ *fī ḥāli-kum wa ma’āli-kum*,⁴⁴⁰

⁴³¹ *wa bi-muqtaḍā dhalika, wa bi-mūjibi hadha l-qasḍ, wa li-dhali-kum, wa bi-hadha l-i’tibār* (“this is why...”, “as a result...”, “because of the demands of [our] will...”).

⁴³² *Wa in-nā katabnā-hu kataba Allāhu la-kum*: “This is what we write – May God have written for you...”.

⁴³³ *wa qad amarnā-hu, waṣṣaynā-hu, alzamnā-hu, awza nā-hu, aw’aznā-hu, akkadnā ‘alay-hi...*

⁴³⁴ *Taqdīm* 1, f° 3r, p. 3, l. 21 and 73, f° 46v, p. 89, l. 12.

⁴³⁵ *Taqdīm* 3, f° 4r, p. 5, l. 21 ; f° 4v, p. 6, l. 23 ; 8, f° 10v, p. 18, l. 14 ; 11, f° 12v, p. 22, l. 10 ; 20, f° 19r, p. 35, l. 22 ; 26, f° 22r, p. 41, l. 6 ; 27, f° 22v, p. 42, l. 5 and 72, f° 46v, p. 89, l. 4.

⁴³⁶ *Taqdīm* n° 7, f° 10v, p. 18, l. 13 and 12, f° 14r, p. 25, l. 5.

⁴³⁷ *Taqdīm* 2, f° 4r, p. 5, l. 10.

⁴³⁸ *Taqdīm* 28, f° 22v, p. 42, l. 21 ; 31, f° 24v, p. 46, l. 22 and 47, f° 31r, p. 59, l. 3.

⁴³⁹ *Taqdīm* 71, f° 45r, p. 87, l. 15.

⁴⁴⁰ *Taqdīm* 42, f° 29r, p. 55, l. 17 and 74, f° 47r, p. 90, l. 8.

*fī l- 'ājili wa-l- 'ājil,*⁴⁴¹ *fī l-ūlá wa-l-ukhrá,*⁴⁴² *al-dunya wa-l-dīn,*⁴⁴³ *ma 'āshi-kum wa ma 'ādi-kum.*⁴⁴⁴

The appointment of provincial officials is thus not a simple administrative measure, but an act that implicates the regime's subjects for the hereafter. Because Almohad power (*al-amr al- 'aliy*) is cofounded with the divine Plan (*amr Allāh*) that even the least decision in the here below becomes a promise of rewards in the next life. We can understand then that in these conditions the state's choice of regional servants was the object of so much attention on the part of the central administration and the caliph.

2. PROVINCIAL RELAYS

Provincial administration, unlike its central counterpart was not created *ex nihilo*, but inherited the precedents of its Umayyad, taifal, Ḥammādid, Zirid, and especially Almoravid predecessors. At the beginning of the Empire, this administration relied on the local scholarly elite, especially in al-Andalus, where an elaborate juridical, literary, and administrative tradition had developed in the framework of the emirate and even more so under the Umayyad caliphate of Cordova. This Cordovan tradition was not lost during the taifa period, but in fact spread to every one of the cities of al-Andalus that aspired to independence by becoming the new Cordova. The Almoravid conquests had allowed this tradition to survive within a decentralized state where the governmental system relied on the provincial administrations and on the world of scholars.⁴⁴⁵ The Almohads themselves also benefited from the know-how of local elites in relying on previously existing structures and personnel in regions they conquered. However, for our period, from the end of al-Mustanşir's reign to al-Wāthiq's (1224-1269), after more than seven decades of Almohad reforms, especially under the aegis of the first four caliphs, the provincial administrations were profoundly "Almohadized" and owed little to the previous periods, especially considering the reduction in effectively held territory.

The *taqādīm* use the term *khidma* (pl. *khidam*), the "service", the designate the provincial personnel and the functions it exercised. While the *khihmatu l-sulṭān* is a classic enough expression in sources from the period, the Almohad administrative acts never use the

⁴⁴¹ *Taqādīm* 1, f° 3r, p. 3, l. 14 and 66, f° 42v, p. 82, l. 12.

⁴⁴² *Taqādīm* 6, f° 8r, p. 13, l. 23 and 43, f° 29v, p. 56, l. 1.

⁴⁴³ *Taqādīm* 2, f° 4r, p. 5, l. 14 ; 10, f° 12v, p. 22, l. 2 and 11, f° 13r, p. 23, l. 12.

⁴⁴⁴ *Taqādīm* 20, f° 19r, p. 35, l. 12.

⁴⁴⁵ On decentralization during the Almoravid period, see P. BURESI, "Administration territoriale d'al-Andalus."

term; they instead use the possessive “our” (*khidmatunā*), in a logical abstraction of power: the service is the ruler’s, and through him, God’s.

- a. The regional representatives of the ruling power: order and taxation

In his *Musulmans de Valence*, Guichard claims that “institutional uniformity makes the absence of information specifically on this region or that less regrettable for historians.”⁴⁴⁶ This is without question. However, the *taqāḍīm* of manuscript 4752 reveal that this institutional uniformity is not the same as that traditionally described as much in the political treatises and chronicles of the first Islamic centuries as in historical works from our own time that simply reproduce the image drawn by the Muslim sources. Yet, these same sources often tried to create order in the diversity of local situations. Faced with the fragmented local forms and the multitude of terms specific to each region and period, the authors of the eighth to eleventh centuries forcibly erased the informal character of the original structures, giving them a coherence and unity that they clearly did not have. In doing so, and through the narrative organization of this initial disorder, they contributed to the development of the myth of the prophetic or divine origin of all the political and administrative structures of the Muslim world, as well as the myth of the unity of the prophetic model and of the later and regional decline of the Prophet’s message. The *taqāḍīm* do not allow us to put an end to the imprecise terminology that affects each of the administrative domains and hierarchical levels, but they do contradict certain ideas spread by modern historians based on the narrative sources.

The diversity of titles and functions

A number of different terms were used to designate appointees in the *taqāḍīm*. Yaḥyá al-Khadhūj distinguishes governors (*wūlāt*) and military leaders (*quwwād*) from judges (*quḍāt*).⁴⁴⁷ However, many other terms also appear, in particular in the titles of the *taqāḍīm*, though it is not clear whether they are the work of Yaḥyá or the collection’s later editor. Of the first forty-eight acts in the manuscript, those that do not concern judges, twenty-two more or less explicitly mention the title of the office in question, though this seems sometimes to designate more the capacity of the person appointed rather than the charge with which they were invested (*ṭalaba*, *shaykh*). Certain titles do not carry a title with a precise office, but do

⁴⁴⁶ P. GUICHARD, *Les musulmans de Valence*, t. 2, 313.

⁴⁴⁷ f° 5r, p. 7, l. 3-9.

specify “On the same subject” (*fī l-ma ‘ná, fī ma ‘ná, fī dhalika l-ma ‘ná, w’ ākhar fī ma ‘nā-hu*), introducing *taqādīm* 19, 25, 29, 31, 40, and 48, and so indicate the title of the office in question:

- *qā’id ‘alá l-ustul* (“leader of the fleet, admiral”): 2
- *wālī* (“governor”): 3, 4, 36, and 37
- *qā’id ‘askar* (“head of the army”): 21
- *‘āmil* (“agent”, in fact the equivalent of “governor”): 7, 14, 16, 17, 18, and 43 [6, 15, and 19]
- *nāzir fī l-majbá* (“person responsible for taxes”): 17 and 42
- *‘alá ashghāl al-makhzan* (“official in charge of Treasury affairs”): 46
- *ṭalaba* (“Scholar”): 13
- *shaykh*: 38 and 39 [40]

Titles that sometimes appear in the body of the *taqādīm* can likewise complete this classification:

- *wālī*, pl. *wūlāt* and *wilāya* (“governor”): 6, 10, 18, 20, 21, 22, and 36
- *‘āmil*, pl. *‘ummāl* (“governor, collector”): 20
- *mushtaghil* (“employee”): 19 and 20
- *ḥāfīz* (“Guardian”): 10
- *shaykh*: 3, 4, 16, 17, and 43

The terms *shaykh*, *ḥāfīz* (“Guardian”), and *ṭalaba* (“Scholar”) do not designate an office or function, but a title, except perhaps for the Arab tribes (*taqādīm* 38-41). The title of the *taqdīm* indicates then the specific character of the appointee and not their new responsibilities. The titles within the text of the *taqādīm* do not correspond with the introductory title in at least two cases. *Taqdīm* 18 mentions a *wālī*, while the title indicates an *‘āmil*, as in *taqdīm* 19, which mentions a *mushtaghil*. The titles of *taqādīm* 7 and 16 (“Appointment of another *‘āmil*”, *taqdīm* *‘āmil ākhar*) indicates the previous texts likewise concerns an *‘āmil*, yet in both cases the preceding figure was a *wālī*, the importance of one of whom is shown by his place as governor of Ceuta under al-‘Azafī. Finally, *taqdīm* 21 carries the title *taqdīm qā’id ‘askar* and *de facto* the body of the act carries the phrase “we have chosen him to command the armies” (*ikhtārñā-hu li-qawdi l-‘asākir*). However, the final section designates this official as a *wālī*: “Thus, when you receive our letter, act with your venerated governor as one hand united for all of your

interests.”⁴⁴⁸ We will need to examine the clauses listing the precise attributions for these appointees, as well as the ruler’s orders, to determine whether the terms *‘āmil*, *wālī*, *qā’id*, *mushtaghil*, and *nāzir* refer to specific administrative, civil, or military responsibilities.

Financial and fiscal functions

The *taqādīm* employ a number of terms in reference to taxes. There are first of all the classic terms *a ‘māl...*, *ashghāl...* or *umūr al-makhzaniyya*, translated as “fiscal questions” or “financial matters” depending on the context.⁴⁴⁹ This expression is however often completed with the *a ‘māl...*, *umūr...* or *ashghāl al-maṣlahiyya*, though the difference between the two is not clear.⁴⁵⁰ The first expression explicitly refers to the *makhzan*, that is the fiscal administration or Treasury. The second, however, designates the “interests” (*maṣlāḥ*, pl. *maṣāliḥ*) of the subjects and regions. We have then chosen to translate this expression with “economic affairs”, everything which would allow the subjects to profit as much as possible from their activities.

The term *ishrāf* appears only once throughout the *taqādīm*, though it is associated with *iṭṭilā ‘i-kum ‘alay-ha* (“your vigilance over [the land]”) and after the *ashghāl* of the land had been entrusted to local officials who had not traveled from al-Andalus but were represented by emissaries. This act is not characteristic of the Almohad period, during which the caliph always reserved appointments and dismissals for himself and never delegated his power. Here, however, we have in fact a delegation of power, the recognition of an authority already in place (Seville, Granada?), perhaps under al-Rashīd.⁴⁵¹ Though it was a caliphal prerogative, and had never before been delegated, the recognized authorities thus officially receive the right to make appointments to the offices of “Guardian” (*ḥāfiẓ*), judge, and governor/collector (*‘āmil*).⁴⁵² This represents an adaptation to the difficulties experienced by the Empire in thirteenth century. The

⁴⁴⁸ *Taqdīm* 21, f° 19v, p. 36, l. 20: *fā-idhā wāfā-kum kitābu-nā fa-kūnū ma ‘a wālī-kum al-mukarrami fī l-maṣāliḥi kulli-hā ka-l-yadi al-wāḥidati*.

⁴⁴⁹ In the part where he suggests that the abstract acceptance of the term *makhzan* would diffuse throughout al-Andalus and in the Maghrib beginning in the twelfth century to express the state’s power parallel to the growing personalization of the term *sulṭān*. Guichard gives the translation “administrative affairs” for *a ‘māl al-makhzaniyya* (P. Guichard, *Les musulmans de Valence*, t. 2, 290) and Huici Miranda “administrative activities” for *ashghāl al-makhzaniyya* (Ibn Sāhib al-Ṣalā, *al-Mann bi-l-imāma*, 207/51). The frequent mention of tax collection in the *taqādīm* referring to the *a ‘māl*, *umūr* or *ashghāl*, *al-makhzaniyya* leads us to prefer the choice of a translation that evokes a more precise administrative section: the collection of customs and taxes, without that necessarily invalidating the above ideas on the growing abstraction of the term *makhzan*, the collection of canonical taxes constituting, next to the other symbolic elements (*khuṭba*, *sikka*), the recognition of a superior authority of caliphal nature. We can also wonder whether the caliph in Marrakesh received some part of the taxes collected in al-Andalus at this late date.

⁴⁵⁰ *Taqādīm* 7-12, 16, 25, 37, 43 and 48.

⁴⁵¹ *Taqādīm* 1, f° 2v, p. 2, l. 21.

⁴⁵² f° 2v, p. 3, l. 23.

term *ishrāf* is thus much more general than *ashghāl al-makhzaniyya* and designates the fiscal and economic “guardianship” of the land.

Terminological imprecision: *wūlāt*, *‘ummāl*, *nāzir* and *mushtaghil*

Of the five occurrences where the appointee’s exact title is given, three are *‘ummāl*⁴⁵³ charged with *maṣlahiyya* and *makhzaniyya* functions, and two are *wūlāt*.⁴⁵⁴ There does not seem to be any major difference between the two titles, since they have the same attributes. Yet, in his study on the Almohad administrative system, Mūsá claims that in the provinces the fiscal administration did not come under the governor but was tied directly to the state fiscal administration in the capital. According to the chronicles he used, in particular Ibn Ṣāhib al-Ṣalā’s *Mann bi-l-imāma* and Ibn ‘Idhārī’s *Bayān*, each province had a *wālī* and an *‘āmil*. The Almohads had thus reproduced this central administrative division on a regional scale.⁴⁵⁵

In addition, Mūsá distinguishes the *ṣāhib al-ashghāl*, the official responsible for finances in the capital, and the *ṣāhib al-‘māl*, the financial official in each provincial governorate, and questions the role of the *mushrif*. The office of *ishrāf* had been present in al-Andalus since the Cordovan Umayyad Caliphate, and had continued under the taifas.⁴⁵⁶ It did not appear in the Maghrib al-Aqṣá until the end of the Almoravid period, and only in certain governorates.⁴⁵⁷ Its appearance in the Almohad capital dates from the reign of ‘Abd al-Mu’min’s sons and the reign of al-Rashīd, when the caliphs employed a *mushrif* in addition to the *ṣāhib al-ashghāl*.⁴⁵⁸ The existing *mushrif*s in the provinces, on the other hand, were confirmed by ‘Abd al-Mu’min at the time of the conquests.⁴⁵⁹ In addition, both a *mushrif* and an *‘āmil* were present in a certain number of villages, namely Sijilmāssa, Tlemcen, Fez,

⁴⁵³ *Taqādīm* 7, 16 and 43.

⁴⁵⁴ *Taqādīm* 10 and 37.

⁴⁵⁵ Mūsá has suggested that under the two first caliphs the vizier was responsible for the financial administration of the State. Under al-Manṣūr, Abū Zayd b. Yujān was named at the head of the “*ashghāl* of the two shores” in 593/1197. A new office dated from this period, the *ṣāhib al-ashghāl* who served under all the later caliphs. Mūsá claims, with prudence, that this title may have been created by the Almohads, since it does not appear in any other State structure before, neither in the Maghrib, al-Andalus, nor Mashriq. Mūsá thinks that this office, for which there was only ever one appointee at a time, chosen among the sons of the *shaykhs*, concerned only the central administration of the capital. Charged with collecting money, regrouping it, controlling and spending, the *ṣāhib al-ashghāl* was named by order of the caliph. He directed the *kātibs* who determined the amount of taxes, and showed the list to the caliph who would then sign it. The sources cited in this note come from the presentation of the Almohad *makhzan* in ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 168-170.

⁴⁵⁶ J. F. P. HOPKINS, *Medieval Muslim Government*, 51.

⁴⁵⁷ DIHA, 101.

⁴⁵⁸ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 172.

⁴⁵⁹ Especially Ibn Khayr al-Jayānī, *mushrif* of Fès according to *Akḥbār al-Mahdī* (DIHA, 102)

Meknes, Tāzā, Bougie, Seville, Murcia, Granada, Azemmūr, and Minorca, as well as in Ifrīqiya. In al-Andalus, before the Almohads, this person was responsible for collecting fees required for armament costs.⁴⁶⁰

This is not the situation described by the *taqādīm* in Yaḥyá al-Khadhūj's collection. The term *mushrif* does not appear. The *ishrāf* does not seem to have been a specifically defined function and the attributions of this official in al-Andalus were carried out by the *'ummāl* or *wūlāt*. The imprecisions in Ibn 'Idhārī's *Bayān*, moreover, lead Mūsá to conclude that "sources from the Marinid period sometimes confound *'āmil* and *wālī*, calling the latter *'āmil* or the reverse." In particular, the *Bayān* designates as *'āmil* of Fez and of Meknes two "governors" previously called *wālī*. This imprecision does not stop there, since Ibn 'Idhārī calls *'āmil* a *mushrif*, a *ṣāḥib al-madīa*, a *khāzin al-mal*, and a *ḥāzin al-ṭa'ām*.⁴⁶¹ This does not seem the result of any confusion specific to later authors, but comes more from the generic character of the term *'āmil* ("agent"), while the *wālī* exercised an important, non-specialized function.

Finally, whether he was an "agent" (*'āmil*) or "governor" (*wālī*), the appointee did not carry a title that reflected exactly a certain number of his specific attributions. The taxonomic temptation seems indeed to be a modern anachronism. The fact that medieval authors, such as Yaḥyá al-Khadhūj, *kātib* and author from the end of the Almohad period, Ibn Ṣāḥib al-Ṣalā, or Ibn 'Idhārī use one term or another seems to prove that there was no natural distinction between the two, and indicates the relatively informal character of political and administrative offices during the medieval period in many parts of the Muslim world. This does not necessarily exclude the possibility, one which does not in fact contradict what has just been said, that between the 1220s and the end of the 1260s, the Almohad Empire was a shadow of its former self and the management of those rare and territorially limited regions still under their control required neither numerous nor specialized personnel.

The attributions

The sections of the *taqādīm* that contain the ruler's specific orders for the appointee attribute to the governors (*'ummāl* or *wūlāt*) a number of different tasks:⁴⁶² collect in full taxes, do not favor the rich over the poor, pacify the region, assure security, fight against evil (*al-shirr*), hypocrisy (*al-nifāq*), corruption (*al-fasād wa l-mufsidīn*), aberration (*al-ghayy*), violence (*al-'inād wa l-'ānidīn*), rebellion (*al-baghiy*), maleficence (*al-ḍirar*)... *Taqādīm* 9 and 20

⁴⁶⁰ 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 172.

⁴⁶¹ For references to the source, see 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 168.

⁴⁶² These correspond to the list established by E. MOLINA LÓPEZ, "Economía, propiedad", 213-300.

mention in particular construction and fortification (*ma'āqil*), the repair of a wall to protect the city. It may be surprising to find alongside strictly fiscal attributions – the complete collection or levying (*istīfā'*, *iqṭidā'*, *istiḡdā'*, *istikhrāj*, *istī'āb*) of fees (*ḥaqq*, pl. *ḥuqūq*) and taxes (*majbā'*, pl. *majābī'*), the collection and conservation (*ḍamm*, *ḍabṭ*) of surpluses (*murtafa'āt*) – responsibilities that have nothing to do with taxes. However, as Mūsá reminds us concerning the *'āmil*, who acted as *ṣāhib al-makhzan* in the provinces, governors were responsible not only for collecting taxes owed to the Treasury, but also for paying the salaries of officials, financing and directing construction and fortification projects, and the repair of routes and bridges.

LEVIES: *HAQQ*, PL. *HUQŪQ*, *MAJBA*, PL. *MAJĀBĪ* AND *RUSŪM*

The *taqdīm* do not, of course, provide a detailed description of taxes collected during the Almohad period. Remarks remain general despite the diversity of designations. The different taxes are identified by a number of terms that give the impression of interchangeability, except for *rusūm*, which we will come to later. Levies are designated as either *ḥaqq* (pl. *ḥuqūq*), or with the root *JBY*: *majbā'* (pl. *majābī'*) or *jibāya*. These terms are sometimes combined with complements (*al-makhzaniyya*, *li-l-makhzan*, *al-makhzan*, *al-mukhtaṣṣ*, *fī l-amwāl*), and appear more than thirty times in the *taqdīm* from the first part of the collection. *Taqdīm* 67, a judicial appointment, is an exception wherein the mention of instrumentary witnesses (*shuhūd*) leads to the mention of their importance in determining fees payable to the state.⁴⁶³ This particular case does not seem to refer to a tax, but to a reparation due in connection to a judicial procedure.

The occurrence of *rusūm* is very interesting. Its appearance in *taqdīm* 10 does not describe legally recognized taxes, but illicit fees collected in the markets and at city gates. The Guardian (*ḥāfiẓ*) receives the order to “eliminate taxes not authorized by the Law (*al-shar'*) in the markets and at the gates [of the cities]”.⁴⁶⁴ This confirms Guichard’s hypothesis in his *Les Musulmans de Valence* that during the entire time of the Empire, the Almohad caliphs made an effort to collect only Koranic taxes, remaining faithful to one of their principal arguments

⁴⁶³ *Taqdīm* 67, f° 43v, p. 84, l. 5: “that he devote all his attention and thought to the instrumentary witnesses, on whom the decision to confirm or deny rests and with the help of whom payable dues are calculated” (*wa an yaṣrifa ilā l-shuhūdi al-ladhīna 'alay-him madāru al-nafyi wa-l-ithbāti wa bi-him istikhrāju al-ḥuqūqi al-muqṭadayāti aqwā nazari-hi wa ta'ammuli-hi*).

⁴⁶⁴ *Taqdīm* 10, f° 12r, p. 21, l. 17-18: *mim-mā amarnā bi-hi ḥāfiẓa-kum al-ijtihādu fī [...] maḥqi l-rusūmi al-latī lā yubīhu-hā al-shar'u min al-aswāqi wa-l-abwābi*.

against the Almoravids who had allowed levies over the population to multiply.⁴⁶⁵ Thus, when they came to power, the Almohads suppressed the *mucus*, *maghārim*, *ḍarā'ib*, and *qabālāt*. The fact that Ibn Tūmart's message spoke of Almoravid taxes reveals the religious dimension of the tax system in the medieval Islamic world.⁴⁶⁶ Thus, when 'Abd al-Mu'min attacked Bougie, he sent a letter to the population of Constantine to limit taxes to what the *Sunna* allowed and to eliminate the *maks*, *maghram*, and *qabāla*.⁴⁶⁷

However, the fact that orders were later given to lift the *rusūm* confirms that local authorities sometimes felt at ease to take liberties with the Almohad rulers' announced intentions. Given the territorial extent of the Empire, and the difficulties and slowness of communications, local officials must have often initiated measures contrary to caliphal orders. This led sometimes to their dismissal, when complaints were communicated and made their way to the ruler's ears, and the caliphs had coercive means at their disposal. When this was not the case, such behavior on the part of the governors must have discredited the ruler and his representatives.

Moreover, as Mūsá points out in the lines between religious theory and fiscal practice during the Almohad period, on the one hand there was the Law, *shar'ī*, and on the other there was what rulers promoted as being legal. The Koran and the Tradition of the Prophet were recognized sources of the Law, but the *imām*-Mahdī (later the caliphs-*a'imma*) was the interpreter of these two legal foundations and his decisions were law. For revenue, the Almohad state thus depended on the *zakāt* (the legal alms), the *'ushr* (the tithe on commercial exchange and on agricultural products), and the *khums* (fifth) taken from mines and booty. In the provinces, the fiscal administration *kuttāb* counted the *zakāt*, the legal alms, among the revenues of the state.⁴⁶⁸ The *qāḍīs*, for their part, were charged with collecting the *zakāt al-fiṭr* and redistributing it directly among the poor, without first entering it into the Treasury. It is not clear what the tithes (*'ushūr*) mentioned in the Almohad letter correspond to, beyond their being a legal tax owed to the state.⁴⁶⁹ Mūsá has suggested a number of hypotheses: a land tax levied on

⁴⁶⁵ In a communiqué sent out in 543/1148 to all the provincial governors, 'Abd al-Mu'min insisted on the elimination of illegal taxes and reveals the ambition of the Almohad "call" (*da'wa*) to remain within canonical taxes.

⁴⁶⁶ See IBN TŪMART, *A'azz mā yuṭlab*, 261.

⁴⁶⁷ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 7, 21-22 ; "Un recueil de lettres", 27-28, NLA 2, n° 17, 46-49.

⁴⁶⁸ 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 279

⁴⁶⁹ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 7, 21: *wa lā yalṭafitūna ilā mā awjaba Llāhu min al-zakawāti wa-l-a'shāri*.

Muslim lands, a tax on ships leaving ports or on commercial exchange.⁴⁷⁰ Production from mines early on was subject to the *khums*, “the caliph’s due”. Revenue from the mines seems to have been an important part of fiscal income for the Almohad state.⁴⁷¹ During this period, the mines of Sūs, either discovered or taken over by the central power beginning in 578/1182, must have still been used, and the Sūs was one of the rare regions that came under the caliph’s direct authority. Lastly, the fifth was also collected on war spoils. During the first Almohad imperial period, the *khums* was an important resource, including prisoners, cattle, lands, and movable goods, the other four-fifths being divided among combatants after the caliph’s share was taken.⁴⁷²

‘Abd al-Mu’min put the *kharāj* into place on his return from Tunis in 554/1159. The caliph ordered a land census taken of all the lands of Ifrīqiya and the Maghrib, from Barqa to the *bilād Nūn* of Sūs al-Aqṣá, dividing them by longitude and latitude into *farāsikh* (“parasang”) and *amyāl* (“miles”). He excluded one-third of the total as “public domain” or non-productive – mountains, rivers, roads... – and charged the *mushrif* with collecting the *kharāj* over the rest, thus forcing the population and tribes to pay him from their harvests.⁴⁷³ This implies that until then the fiscal systems in place in the different Maghribī lands did not include this tax which was nevertheless a constitutive part of those taxes traditionally considered as “Islamic” and imposed throughout *dār al-Islām* with few exceptions, like the Arabian peninsula. Indeed, Mūsá notes that before the conquest of Tunis, no tax other than the *zakāt* and the tithe appears in the sources. After 555/1160, however, the *ḥarāj* is mentioned as an important revenue for the state. This is another example of the “return” to the fundamental elements of the Muslim doctrine which Almohad policy raised as its standard.⁴⁷⁴

The *jizya*, or poll tax due by *dhimmi*s, is not mentioned in the sources because the Almohad stopped granting the *dhimma*.⁴⁷⁵ Nevertheless, *taqdīm* 6, though it does not directly

⁴⁷⁰ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 281.

⁴⁷¹ Abū Ya‘qūb Yūsuf (1163-1184) is supposed to have personally gone there and built a fortress to oversee and control production (‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 282).

⁴⁷² In certain cases, booty was not shared, but was an occasion to create new taxes. For example, after the conquest of Tunis, the inhabitants received the right to remain in their houses in exchange for a tax, which fell on half the houses in the city (‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 283).

⁴⁷³ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 283.

⁴⁷⁴ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 284.

⁴⁷⁵ ‘I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 280. The Almohad sources’ insistence on the suppression of the *dhimma* under the Mu’minids contributes to the adaptation of the Muḥammadan prophetic act and the identification of the movement with the beginnings of Islam and the Arabian peninsula, the only territory in *dār al-Islām* where the *dhimma* ceased to be in effect (see M. FIERRO, “Conversion, ancestry and universal religion”, 157-160).

mention the *dhimma*, does refer to the Christians living in Ceuta.⁴⁷⁶ While Ceuta's attachment to the Empire was more nominal than real and the presence of Christian merchants, especially the Genoese, is confirmed by other sources, these Christians must have contributed in one way or another to the provincial or imperial fiscal system and benefited from either an *amān* or a protection status that resembled the one traditionally enjoyed by the "People of the Book" elsewhere in *dār al-Islām*.

The notion of *dhimma* did not disappear from the Almohad political vocabulary, but continued in use perhaps through a semantic evolution or development in the sense of a "pact" passed with the federated peoples or tribes and the Muslims rather than with non-Muslims. We thus read in *taqdīm* 39, an interesting act that dismisses a son previously appointed to succeed his deceased father, replacing him with his paternal uncle as *shaykh* of an unnamed Arab tribe: "But among them all, we praise your services and distinguish your pact of alliance (*dhimma*)."⁴⁷⁷ The Almohad *da'wa* ("call") is mentioned twice in this act, first in the preamble referring to the Arabs in general,⁴⁷⁸ next more specifically in the body in relation to the deceased father's long ties as *shaykh* with the Almohad government.⁴⁷⁹ This coincidence – mention of the Almohad "call" and the "pact" – indicates that the *dhimma* had not disappeared under the Almohads, but that its interpretation had considerably changed. It now applied to Muslim populations who were "foreign" to the Maghrib, in fact those Arab tribes who had recently arrived: Banū Sufyān, Banū Khult, after the Banū Riyāḥ, Banū Sulaym, Banū Hilāl, etc. The term reappears in *taqdīm* 69 in a judicial appointment:

"This is because you have distinguished yourselves in the Presence of the Almohads by the reports of neighbors whose protection (*dhimmatu-hu*) has been confirmed and whose clauses (*ḥurmatu-hu*) with you have been and continue to be respected."⁴⁸⁰

The fact that the terms *min al-jiwār* ("neighboring") were suggested by 'Azzāwī for two illegible words prevents concrete conclusions, but if he is correct, the notion of neighbor or vicinity may also refer to the Arab tribes settled near Marrakesh, such as those who receive, for example, responsibility for *Ānfā* (Casablanca) in *taqdīm* 41.⁴⁸¹

⁴⁷⁶ *Taqdīm* 6, f° 9v, p. 16, l. 2-3.

⁴⁷⁷ *Taqdīm* 39, f° 27v, p. 52, l. 18: *wa antum fī-him mim-man tushkaru khidmatu-hu wa tulḥaẓu dhimmatu-hu.*

⁴⁷⁸ "... Know that the Arabs are known within our cause (*da'wa*) by the abundance of our favors and the profusion of kindness that their ancestors knew."

⁴⁷⁹ "You know that Abū Fulān ([always defended?]) the eminent cause (*al-da'wa*)."

⁴⁸⁰ *Taqdīm* 69, f° 44r, p. 85, l. 23: *dhalikum li-mā tamayyaztum bi-hi li-ḥaḍrati l-muwahḥidīna mina l-jiwāri al-ladhī ta'akkadat dhimmatu-hu wa ru'iyat la-kum qadīm^{an} wa ḥadīth^{an} ḥurmatu-hu.*

⁴⁸¹ f° 28v, p. 54, l. 13.

The *muḥtaṣṣ* and specific caliphal domain taxes

In addition, two documents set apart those taxes that belong to the *mukhtaṣṣ*, or private caliphal domain. The *majābī al-makhzan wa l-mukhtaṣṣ*⁴⁸² or *ashghāli-kum al-maṣlahiyya wa a 'māl majābī-kum al-muḥtaṣṣiyya*⁴⁸³ apparently designate taxes of a different nature, since they are noted apart from others. The *mukhtaṣṣ* was thus taxed separately from the rest of the territory, though the *taqādīm* provide no precise information on the subject. The ruler thus collected not only “canonical” taxes, but he also drew revenue from these territories in using their production as he saw fit. This domain seems to have been quite large, since an appointment act for two regional tax officials mention them, and because the revenue figures for these regions provided by the chronicles are quite impressive. The sale of olives produced in the *Buḥāyra* of Marrakesh at the end of the thirteenth century brought in 30,000 dinars per year, those from Meknes, 35,000 per year, and those from Fez, 50,000 per year.⁴⁸⁴ All three of these regions came under the sphere of caliphal dominance in the thirteenth century.

Caliphal revenues were thus not limited to legal taxes, and were completed by other revenues that had nothing to do with taxes traditionally recognized as legal in the Muslim world. Mūsá reminds us also that successfully prosecuted cases against corrupt individuals or rebels led to the confiscation of their goods and the payment of large fines, all of which enlarged the Domain. This serves as an example of innovations allowed by Islamic law, with princely decisions filling in the interstices between the Book and the Tradition, when they did not pronounce on a specific problem or another. Rejecting the works of Maliki jurisprudence served the Almohads well, since it allowed them to remake an important part of the law. Indeed, an entire body of literature exists on rebellion (*adab al-baghiy*) that seeks to define the right of rebellion and the rights of rebels, as well as regulating the attitude of territorial powers in their regard. By dismissing the juridical validity of this tradition, the Almohad caliphs reserved for themselves the right to interpret as they saw fit and according to their own criteria the silences of the Koran and the Sunna.⁴⁸⁵

⁴⁸² *Taqādīm* 42.

⁴⁸³ *Taqādīm* 46.

⁴⁸⁴ 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 286.

⁴⁸⁵ Khaled Abou El Fadl, in studying the theoretical and practical juridical activity, involvement, and production of premodern jurists, who played a mediating role between the state and the God-fearing masses, has focused on the relationship between the state and the judges and doctors of the Law. He has shown that premodern juridical culture hoped to limit the state's monopoly on the use of force much more than is imagined today. Abou El Fadl has shown how in juridical discourses on rebellion and

Military positions

The sources, and especially the imposing corpus of *tabāqāt*, or bio-bibliographical dictionaries, as well as literary anthologies and chronicles, have led many historians to overestimate the importance of individuals who held civil office or exercised juridical-religious, literary, and administrative functions as opposed to those invested with military responsibilities. The *taqdīm*, however, provide a different view of Almohad society, one that includes the military or “police” organization of the Empire.

The leaders of the army and of war: *qā'id*, pl. *quwwād*

Some of the acts in Yaḥyá al-Ḥadhūj's collection concern military leaders (*qā'id*) or individuals with an explicit military role:

- The title of *taqdīm* 2 announces the appointment of a *qā'id* 'alá *l-usṭūl* (“military leader at the head of the fleet”)
- *Taqdīm* 11 is the “absolute” appointment (*taqdīm muṭlaq*) of an official charged with the taxes and interests of the region, the struggle against the party of corruption (*ahl al-fasād*), and, with the support of the armies (*ajnad*) of the region and reinforcements to be sent, the preparation of ambushes against the enemy.
- The title of *taqdīm* 21 mentions a *qā'id* 'askar charged in the act with command of the armies (*qawd al-'asākir*), to lock down the frontiers, and to combat the perfidious enemy (*al-'aduww al-ghādir*)
- *Taqdīm* 23 concerns an official accompanied by troops ('*asākir*):

“Act with him, as with all of his troops, as one hand united to push back the party of revolt and rebellion.”⁴⁸⁶

- *Taqdīm* 40 is somewhat particular since it places an individual at the head of two armies, one already in place and the second on its way:

“We have named Fulān at the head of the army we have sent you. We have also decided to name him at the head of the first army, so that both armies will fall under his command.”⁴⁸⁷

robbery, the one justifies the appropriation of goods and the death penalty, while the other implies clemency in the treatment of those found guilty. Remarkably, in the Almohad Empire, this general model does not apply. This confirms the innovative character of Almohad caliphal decisions (K. ABOU EL FADL, *Rebellion & Violence*).

⁴⁸⁶ *Taqdīm* 23, f° 20v, p. 38, l. 14-15: *fā-kūnū ma'a-hu wa ma'a kāffati man laday-hi min al-'asākiri yad^{an} wāḥidat^{an} fī difā'i ahli l-baghyi wa-l-'inādi*.

⁴⁸⁷ *Taqdīm* 40, f° 28r, p. 53, l. 13-14: *fā-innā qaddamnā al-ān Fulān^{an} 'alá al-jayshi l-ladhī ashkhašnā-hu al-ān ilay-kum wa ra'aynā ayd^{an} taqdīma-hu 'alá al-jayshi l-awwali li-yarji'a al-jayshān ilá naẓari-hi*.

In the preceding examples, the military functions intimated par the term *qā'id* could allow the translation of “general” for troop command, and “admiral” for the fleet. The only problem is the functional non-specialization of state servants in the medieval Muslims world in general, and in the Almohad Empire in particular. Indeed, of all the persons invested with a military command in the *taqādīm*, only one seems to have had no other attribution (*taqādīm* 40). In this case, the appointment concerned the Arab tribes, who appear to have been “self-governed”, or at least fiscally independent – they received, in fact, probably much more in lands and diverse payments than they rendered to the Treasury through taxes, if they paid any at all – and answered to the caliph only to affirm their loyalty and for correlated military activities. Everyone else was also charged with collecting taxes. They were thus “governor-generals” or “governor-admirals” rather than simple military officers.

Nothing specific appears on the composition of the Almohad armies, and the terms employed (*ajnād*, *asākir*) are too vague to provide any real indications. Except *taqādīm* 40, which concerns the Arab tribes, the troops mentioned were probably the basic elements of the army levied from the tribal groups: Hargha, Ġadmīwa, Ganfisa, *ahl Tinmāl*, and Hintāta to which ‘Abd al-Mu’min had joined the Haskūra, Ṣanhāja, and Kūmya. We can add to this ensemble, which the sources call “the Almohad tribes”, the Almoravid tribes who rallied to the cause after ‘Alī b. Yūsuf b. Tashfīn’s death: the Zanāta and Massūfa, after their scission with the Lamtūna. These troops were called *hasham*. This policy of integration lasted until the reign of al-Nāṣir (1199-1213). Other terms then appear in the chronicles: “the tribes from among the subjects” (*qabā'il min al-ra'iyya*), the “tribes” (*qabā'il*), the “tribes of the Maghrib”, the “Berber categories” (*aṣnāf al-Barbar*). Nothing of the sort, however, appears in the *taqādīm* from the years 1230-1260 during which certain tribes distanced themselves from the Almohad caliphate. Al-Ma'mūn’s reign, for example, was difficult for the Hintāta and their *shaykhs* who were decimated at Marrakesh for their loyalty to the doctrine of the Mahdī Ibn Tūmart’s impeccability. The absence of the *abīd al-makhzan*, the blacks and Christian mercenaries who formed the caliph’s personal guard, is also not surprising, since they came under the central and not provincial administration. Likewise absent are the Andalusī troops stationed in al-Andalus.

The direction of the fleet: the *qā'id al-ustūl*

Almohad power reposed for a number of years on two complimentary military forces, the army and the fleet. During the mid-thirteenth century, part of the fleet had escaped caliphal

authority, along with the ports and shipyards that housed them: Badis, Rīf, Mahdīya, Wahrān, ‘Annāba, Qādis, Tunis, Bougie, Tangiers, Algeciras, Silves – where there was much wood –, Almería, and Ceuta. These last two had been the home ports for the Almoravid fleet, and Ceuta became under ‘Abd al-Mu’min the permanent home for the Almohad fleet.

Picard’s detailed and complete work has relieved us of the need to enter into detail concerning the organization of the Almohad fleet.⁴⁸⁸ It should suffice here to recall that through this period more than half the admirals (*qā’id al-ustūl*) were *shaykhs* and a third were not Almohad. Indeed, since the Mahdī Ibn Tūmart’s first partisans were mountain dwellers and had no knowledge of the sea, they delegated maritime activities to those with experience – first the Banū Maymūn, then the Banū Mardanīsh (such as Ghānim and Abū al-‘Alā) or Abū l-‘Abbās al-Siqillī.⁴⁸⁹ Later, two *shaykhs* received command of the fleet, one from the council of 50 (‘Abd Allāh b. Sulaymān), the other from the *ahl al-dār* (‘Abd Allāh b. Ishāq b. Jāmi‘). For this entire period, Mūsā has noted one single *sayyid* as *qā’id al-ustūl*: Abū l-‘Alā Idrīs b. Yūsuf b. ‘Abd al-Mu’min under al-Nāṣir.⁴⁹⁰ The head of the fleet, who resided in Ceuta, carried the title of *qā’id ‘amm* or *qā’id asāṭil al-barrayn*, but the *qā’id al-marāsī*, *ṣāhib imārat al-baḥr*, directed the shipyards and ports. The admiral was independent of the governor of Ceuta, and came directly under the caliph’s authority. Each ship was commanded by a Scholar (*ṭalaba*) or Guardian (*ḥāfiẓ*).⁴⁹¹

	<i>Sayyid</i>	<i>Shaykh</i>	Non-Almohads	Total
‘Abd al-Mu’min	1	2	3	
Yūsuf	1	3	4	
Al-Manṣūr		4	1	5
Al-Nāṣir	1	4	1	6
1214-1269		2		2
Total	1	12	7	20

Table 9: Origin of the heads of the Almohad fleet.⁴⁹²

The Almohad navy began to lose power at the beginning of the thirteenth century, ceding the important role it had played in the twelfth, especially in the control of Ifrīqiya under al-

⁴⁸⁸ C. PICARD, *La Mer et les musulmans ; L’océan Atlantique musulman* ; “Les Arsenaux musulmans” ; “L’échec maritime musulman ?”.

⁴⁸⁹ There is no need to revisit here the history of the Banū Maymūn, the dynasty of admirals under the Almoravids who rapidly rallied to ‘Abd al-Mu’min and the Almohads. The subject has been treated thoroughly elsewhere, and is significantly anterior to the period in question here. See P. GUICHARD, *Les Musulmans de Valence*, t. 2, 323-324 and “Recherche onomastique”, ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 265 and C. PICARD, *L’océan atlantique musulman*, 505.

⁴⁹⁰ AL-ḤIMYARĪ, *Rawḍ al-Mi‘fār*, s.v. “Mayūrqa” (Majorque), ed. 188-191, 189, trans. 228-231, 229, cited by ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 272.

⁴⁹¹ ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 272.

⁴⁹² ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 269.

Manṣūr.⁴⁹³ During al-Nāṣir's reign, the population of Tripoli had asked the caliph for the fleet's help in defending the city,⁴⁹⁴ but once the Empire began to disintegrate the fleet appeared only twice in the chronicles.⁴⁹⁵ After the loss of al-Andalus and Ifrīqiya, two additional steps in the weakening of the fleet were crossed. The first involved the loss of the shipyards at Ceuta, when the *sayyid* Abū Mūsá, brother of al-Ma'mūn, rebelled in 629/1232. The second came with the conquest of Bougie by the Ḥafṣids in 627/1230. Al-Ma'mūn's use of the fleet during his siege of Ceuta to counter his brother's rebellion in 628/1230-1231 marks one of the last times the fleet served the caliph. Indeed, the failure of the siege is explained by the fact that the part of the Almohad fleet based in al-Andalus and the Straits passed over to Ibn Hūd al-Mutawakkil who ordered it to supply Ceuta.⁴⁹⁶ In addition, the residents of Ceuta had rented sixteen galleys and five ships from the Genoese to support the siege.⁴⁹⁷ In fact, the caliphal successions, which were particularly numerous in the 1220s, resulted in a lack of planning or initiatives, which translated into the dismemberment of the fleet.⁴⁹⁸

Ceuta at the time was at the center of Christian-Muslim rivalries, as well as those simply between Muslims. The city's central role in Almohad maritime policy allowed it to remain independent and autonomous as much in regards to the Almohad caliphs as to Hūdīd, Ḥafṣīd, and even Genoese pretensions. This situation and the presence of the fleet gave the local authorities, such as al-Jushtī, admiral of the fleet for the Ḥūdīds, al-Yanashtī, a rich local merchant, the admiral Abū l-'Abbās Hajbūn, and especially Abū l-Qāsim al-'Azafī, an incontestable moral authority and member of one of Ceuta's great families, the ability to assure the city's independence between 1232 and 1270.⁴⁹⁹ Ceuta then was a veritable maritime republic, even if it did recognize caliphal authority during al-Rashīd's reign, before a brief intervention by the Ḥafṣīd Empire and before Abū al-'Abbās al-'Azafī's rise to power (1248-1279), mentioned in *taqdīm* 6.

⁴⁹³ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 29, 173-178.

⁴⁹⁴ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 37, 255. For more details on these operations, see 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 273.

⁴⁹⁵ Barcelona defeated the Almohad float in the waters in front of the city and took the fortifications in the region of Valencia ('I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 274).

⁴⁹⁶ C. PICARD, *L'océan Atlantique musulman*, 174.

⁴⁹⁷ See H. FERHAT, *Sabta*, 203-269.

⁴⁹⁸ The Banū Ghāniya thus took Ifrīqiya and entered Bougie at the time of Abū Ya'qūb Yūsuf's death (1184), when the fleet was absent and without leadership. This serves as another example of the concentration of power in the hands of the caliph during the Almohad period. The Almoravid fleet would have lasted much longer, if its many successes from the Balearic Islands are any indication ('I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 275).

⁴⁹⁹ See H. FERHAT and M. CHERIF, *Ceuta*, 39 ff.

Taqdīm 2 refers then to the last moments of any real caliphal authority over the fleet. The act is particularly interesting for the information it provides beyond that present in the usual chronicles. The document states that the appointee is given responsibility for the fleet and *jamī‘ ashghāl al-baħr* (“all maritime affairs”). Later in the document, we learn that these “affairs” include the direction of the *dīwān*, the mint (*sikka*), “successions” (*mawārīth*), and the tithe or legal alms (*zakāt*). For the particular context of this *taqdīm*, we have translated *dīwān* by “customs”, because of the taxes collected, rather than “administrative offices”:

“the customs office (*dīwān*) falls under his authority, complemented by the mint, successions, and the tithe.”⁵⁰⁰

“All of the surplus from customs (*dīwān*) and annex taxes will be spent in the interests of the fleet and for the pay of its [sailor-]combatants, which will barely suffice to develop it and provide devices. Large or small, [these taxes] will all serve to pay for its supplies and cover expenses for its missions (*muhimmāti-hi*).”⁵⁰¹

The “admiral” is thus responsible for collecting taxes and using the surplus to improve the fleet and pay sailor-combatants (*arzāq al-ghuzāt*).⁵⁰² *Taqdīm 2* then seems to remove some of the fiscal elements theoretically under the local governor and entrusts them to the *qā‘id ‘alā l-ustūl*, like the *zakāt* or *sikka*, a royal prerogative that came directly under caliphal authority. This was an exceptional delegation of power due not only to the difficult circumstances afflicting the Empire beginning with al-Mustansīr’s reign (1214-1224), especially the pressure brought to bear on the Maghribī and Andalusī coasts by the Christian fleets, but also the precedent established by the “reign” of Abū l-‘Abbās al-Yanashtī.

The exceptional prerogatives of the appointed “official” in *taqdīm 2* in fact allows us to more precisely date and localize the document’s setting. The chronicles inform us that Abū l-‘Abbās al-Yanashtī took power in Ceuta after having directed customs and supervised state revenues and the mint (*sikka*) in the city, this with the support of the local merchant and judicial oligarchy (*khāṣṣa*) that had ousted the Hūdīd representative, the Sevillian admiral Abū l-Aṣḡagh al-Jushtī.⁵⁰³ Al-Yanashtī was quickly rejected by his peers who did not appreciate his

⁵⁰⁰ *Taqdīm 2*, f° 3v, p. 4, l. 16-17: *wa min amānati-hi al-dīwānu wa-l-sikkatu wa-l-mawārīthu wa-l-zakātu kamālu-hu.*

⁵⁰¹ *Taqdīm 2*, f° 3v, p. 4, l. 20-23: *fa-kullu mā yartafi‘u min majbā al-dīwāni wa mā uđifa ilay-hi yutaṣarrafu fī maṣālihi l-ustūli wa arzāqi ghuzāti-hi wa yuqşiru ‘an iqāmati ‘adadi-hi wa iṭlāqi ‘ālāti-hi wa yusta‘ān bi-qalīli-hi wa kathīri-hi ‘alā tawfiyati manāfi‘i-hi wa tatmīmi muhimmāti-hi.*

⁵⁰² Picard confirms that in Ceuta during the Almohad period, customs revenues were used to pay recruited sailors, called the *ghuzāt al-baħr* (C. PICARD, *L’océan Atlantique musulman*, 464).

⁵⁰³ IBN ‘IDHĀRĪ, *Bayān*, t. 5, 277, and 294.

unbounded ambitions and so recognized the authority of al-Rashīd (1232-1242).⁵⁰⁴ The similarity between al-Yanashī's fiscal and monetary attributes and those of the "official" appointed [in *taqdīm* 2] seems to indicate that the latter was replacing al-Yanashī; *taqdīm* 2 thus concerned Ceuta during the reign of al-Rashīd and constitutes an investiture letter for al-Yanashī's successor; the caliph al-Rashīd place responsibilities held by al-Yanashī in the hands of the appointed "official".

Whether this is true or not, the efforts to bring the situation back under control as shown by this *taqdīm* did not prevent the weakening of caliphal authority over the navy. After al-Rashīd, under his successor Mu'taḍid bi-Llāh al-Sa'īd (640/1242-646/1248), the Almohads were without any maritime power and were forced to ask the help of the Sicilian king's fleet to try, in vain, to retake Ifrīqiya from the Ḥafṣids (645/1247).

The Arab *Shaykhs*

The role of the Arab tribes in the Maghrib after the eleventh century is well-known. 'Abd al-Mu'min defeated them at Sétif in 548/1153, and they were integrated into the Almohad army after the conquest of Tunis and Ifrīqiya in 555/1160. 'Abd al-Mu'min used them at first to affirm his power versus the Almohad *shaykhs*, then on a regular basis in the larger military expeditions within the Empire. For example, in 579/1184, 40,000 Arab horsemen fought alongside Abū Ya'qūb Yūsuf on his expedition to Santarem. They formed the most important contingents in the Almohad army in Ifrīqiya, in al-Andalus, and in the provinces. However, their tribal organization led the different caliphal candidates during the 1220s to rely on certain segments to the detriment of others, dividing the bases on which the Empire's military power rested. There were 5,000 Arab horsemen in al-Andalus during al-Marrākushī's reign at the beginning of the thirteenth century. Under al-Rashīd, the Khulṭ Arabs alone counted for 12,000 horsemen, plus foot soldiers.⁵⁰⁵

As under the first caliphs at the end of the twelfth century, the Arabs played a primarily military role in the Almohad political game at the beginning of the thirteenth, as shown in *taqāḍīm* 38-41. Under 'Abd al-Mu'min (1130-1163), and especially his son Abū Ya'qūb Yūsuf (1163-1184), beginning with the first victories against the Arabs of Ifrīqiya and their subsequent integration into the Almohad political and military system, the Arab *shaykhs* intervened in the most of the military operations in the Maghrib and al-Andalus, and their counsel was solicited

⁵⁰⁴ H. FERHAT, *Sabta*, 213-219.

⁵⁰⁵ 'I. al-D. MŪSĀ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 224.

for each expedition in which they participated.⁵⁰⁶ It is not surprising then that the acts concerning the Arabs mention armies, and *taqdīm* 40 places two armies under the unified command of the appointed leader. However, while the Arabs constituted an important auxiliary force during the period of expansion, after having been exterior enemies, they divided during the period of decline and took an active part in the political game, supporting different Almohad pretenders and charging dearly for their services. Originally employed for the *jihād* against the Christians, the Arabs were used by the caliphs in the internecine quarrels between various pretenders. The phrase “enemies of the faith” thus cedes its place to “hypocrites” (*ahl al-nifāq*).⁵⁰⁷ There is the possibility that the son dismissed in *taqdīm* 39 found himself in that situation because he had poorly chosen his allies: his father, Abū Fulān, had been “tied” or “loyal” to the eminent Cause (*al-da‘wa al-‘aliyya*),⁵⁰⁸ while the son, appointed as his father’s successor, “delayed not in renouncing [that] favor and in calling misfortune on himself through his deeds.”⁵⁰⁹ Under al-Rashīd (1232-1242), alliance reversals between the Banū Khulṭ and the Banū Sufyān were frequent and reveal different strategies within the tribes themselves. This choice of a paternal uncle, Abū Fulān’s brother, reveals rivalries within the Arab groups themselves that correspond to divergent political tendencies. The call for Arab unity and solidarity behind the *shaykh*, who was loyal to and appointed by the caliph,⁵¹⁰ bears witness to the essential military force of the Arab tribes and the correlative weakening of the Berbers in the balance of power within the Maghrib in the thirteenth century. The tension within the Almohad dynasty between (vertical) tendencies towards hereditary transmission of leadership and the (horizontal) resistance of brothers is reproduced here on the tribal scale. The authorities and exterior powers play on this tension to divide the tribal groups and reign in an anthropological context of political and family instability. In their competition for favors from the Arab tribes, the Almohad caliphal contenders engaged in an escalation of gifts and favors mentioned in *taqdīm* 41 concerning the Banū Sufyān.⁵¹¹ First of all, power is maintained in the family line with the son. Secondly, control over sections of imperial territory devolve to the tribe that exercises total authority over the population, collecting taxes and living on the lands,

⁵⁰⁶ ‘I. al-D. Mūsā, *al-Muwahhidūn fī l-Gharb al-Islāmī*, 144.

⁵⁰⁷ *Taqdīm* 40, f° 28r, p. 53, l. 18.

⁵⁰⁸ *Taqdīm* 39, f° 27v, p. 52, l. 22.

⁵⁰⁹ *Idem*, f° 28r, p. 53, l. 3.

⁵¹⁰ *Taqdīm* 40, f° 28r, p. 53, l. 19-20.

⁵¹¹ *Taqdīm* 41, f° 28v, p. 54, l. 8-9: ...*al-taqdīm wa-l-takrīm wa-l-an‘ām wa-l-ashām wa-l-faql al-ladhī sabaqtum ilay-hi fī khidmati-nā*... (“...for the appointment, honors, benefices, retributions, and the favor you have received by being in our service...”).

in a system that recalls fiefs in the western world, with a “privatization” of public authority that benefits the tribal groups managing these property and fiscal concessions.

The *taqādīm* perfectly confirm Mūsá’s description of provincial governors in his study of the chronicles. However, they differ in regards to fiscal functions. Mūsá claims that the governors were primarily responsible for security, while the fiscal administration did not come under their control.⁵¹² Yet, in the majority of cases, the “officials” appointed in the *taqādīm* were responsible for taxes in the regions they were charged with protecting and developing. In addition, Mūsá claims that during the period of imperial decline shared by these *taqādīm*, there is no trace of any governor being dismissed or transferred because of errors such as negligence, spoliation, or rebellion. Nevertheless, the example provided above with *taqādīm* 39, concerning the Arabs, reveals that dismissals were not nonexistent during the period of imperial disintegration. The game and reversal of alliances often led to reprisals against “state servants” who had made a “bad” choice.

Maintaining order

Maintaining order was the primary responsibility for appointees (*wūlāt*, *‘ummāl*): fighting against evil (*al-shirr*), moral corruption (*al-fasād*), divergence (*al-ghayy*), rebellion (*al-baghiy*), violence and aggression (*al-‘inād* and *al-i‘tinād*) and their partisans (*mu‘tadīn*, *mufsidīn*, *‘ānidīn*). This task appears in each of the *taqādīm*, and order seems have been a prime concern for the regime. Supplemental functions add to this responsibility for provincial governors, for example defending the borders or outfitting the fleet. Basically, the local authority was responsible for defending and developing the land. In addition to firmness, the ruler demands justice and the application of the “law” (*ḥaqq*) against troublemakers.⁵¹³ These injunctions sometimes become more concrete: regular tours of the province, repairs of walls, the repair or construction of walls.⁵¹⁴

⁵¹² ‘I. al-D. MŪSĀ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 184.

⁵¹³ *Taqdīm* 22, f° 20r, p. 37, l. 15-17: “We have ordered him to bring the population of your land back to the obedience that gave happiness to the believers and that has been, by order of the Book and tradition (*sunna*), a duty (*farḍ*^m) weighing on each individual (*‘alā al-a‘yān*)” (*wa amarnā-hu an yasta’nifa ahla tilkum al-bilādi ‘alā hadhihi l-ṭā‘ati l-latī su‘ida bi-hā ahlū l-īmāni wa kānat bi-ḥukmi l-kitābi wa-l-sunnati farḍ^{an} ‘alā l-a‘yāni*).

⁵¹⁴ *Taqdīm* 14, f° 15r, p. 27, l. 11-13: “we have named Fulān to lead your regions [...] to guarantee for all regions, near and far, regular visits” (*qaddamnā al-ān Fulān^{an} ‘alā jihāti-kum li- [...] yastawfiya bi-l-taṭwāfi jamī‘a dānī-hā wa shāsi‘i-hā*).

Fortifications

Taqdīm 10 thus mentions the construction of fortifications (*taḥṣīn*),⁵¹⁵ *taqdīm* 9 the reinforcement of fortresses (*ma‘āqil*),⁵¹⁶ 12 the “closing of the borders”,⁵¹⁷ but *taqdīm* 20 is the most detailed on this question:

We have insisted that they build the missing parts of your city (*baladi-kum*) walls, which surround its palm groves and protect its inhabitants from attack on its borders, that they take responsibility for watching over the final completion of these fortifications and defenses, with all the fierceness and persistence they can, that they devote themselves to these [works] to finish them in the briefest of time, with the help of God on High, and to fill in the fortifications’ breaches by raising and barricading them. Our explicit order on this has been communicated to the governor (*‘āmil*) – May God assist him – so that he hasten the works, with the help of God, and immediately carry out [our] instructions.⁵¹⁸

Aḥmad ‘Azzāwī has posited that Sijilmāssa is the city in question because of its palm grove (*nakhla*). In addition, the fact that two officials are appointed to assume the local responsibilities indicates a fairly large city and not a small locality.

Mazālim, muḥdathāt and munkarāt: the struggle against abuse and “innovations”

Guichard has noted that the destitution of *mashārif*, those charged with fiscal matters serving in the capitals, as a result of irregularities in their management are frequently indicated in the chronicles for the Almohad era.⁵¹⁹ All of the examples cited refer to the “great” Almohad period, under the first four caliphs of uncontested authority. They are, however, much rarer during the second imperial period. Though dismissals were not nonexistent, as seen above, they concerned less financial or fiscal corruption than political betrayal.⁵²⁰ In addition, it would seem

⁵¹⁵ *Taqdīm* 10, f° 12r, p. 21, l. 9: “that he defend and fortify your lands” (*wa ḥimāyati arjā’i-kum wa taḥṣīni-hā*).

⁵¹⁶ *Taqdīm* 9, f° 11r, p. 19, l. 21-22: “and that the important fortresses receive all they need to close all entries” (*wa tantahī fī l-ma‘āqili l-muḥimmatī ilā atammi mā yafiya bi-sidādi-hā*).

⁵¹⁷ *Taqdīm* 12, f° 13v, p. 24, l. 6: “...someone who rigorously takes in hand the frontier zone and closes it” (*man yaqūmu bi-ḍabṭi thaghri-kum wa saddi-hi*).

⁵¹⁸ *Taqdīm* 20, f° 19r, p. 35, l. 8-13: *wa akkadnā ‘alay-himā fī binā’i mā yaḥtāju ilā binā’i-hi fī sūri baladi-kum al-muḥīṭi bi-nakhli-hi al-ḥāmī min taḥarrufi l-maḍarrati li-ahli-hi wa an yatawallayā al-naẓara fī tatmīmi dhalika bi-l-taḥṣīni wa-l-tasdīdi bi-atammi mā laday-himā min al-jiddi al-dā’imi wa al-‘azmi al-shadīdi wa an ya’ kifā ‘alay-hi li-yukmala bi-ma’ūnati Llāhi ta’ālā fī l-amaddi l-qarībi wa yunḥasam ‘ilalu l-ḥilali bi-l-tashyīdi la-hu wa-l-ta’shībi wa unhiya min amri-nā al-jazmi fī dhalika li-l-‘āmili anjada-hu Llāhu mā yubādiru bi-hawli Llāhi li-a’ māli-hi wa ya’ malu min fawri-hi mā yajibu min imtithāli-hi.*

⁵¹⁹ For example, IBN ‘IDHĀRĪ, *Bayān*, trans. Huici, 31 (for the *mushrif*s of Séville and Sijilmāssa in 1178-1179), 59 (for Tlemcen in 1183-1184), 67 (for eighteen officials in various places in Morocco, the same year) or 195-198 (for the *mushrif* of Seville in 1196-1197) cited by P. GUICHARD, *Les musulmans de Valence*, t. 2, 330.

⁵²⁰ See *taqdīm* 39.

that the diminishing territory under effective caliphal authority led to reinforced control over lands and personnel. Finally, the orders given in the *taqādīm* hardly differ from those mentioned in the letter, sent in 580/1185, shortly after his rise to power, by the caliph Abū Yūsuf Ya‘qūb, the future al-Manṣūr, to the governors and fiscal officials enjoining them to be just and affable with their subjects, to be careful that they suffer no oppression and to receive the complaints of all those who formulate them.⁵²¹

Ten *taqādīm* mention “abuses, injustices, extortions” (*mazālim*), but none mentions a specific official – such as the *sāhib al-mazālim*. In fact, the governors (*wūlāt*, *ḥuffāz*, or *‘ummāl*) were responsible for erasing their subjects’ causes of discontent. The *mazālim* thus appear in two different parts of the *taqādīm*: the *captatio benevolentiae*, at the beginning of the act, and in the specific orders given to the appointed official. *Taqādīm* 6 is somewhat particular, since it refers to a conflict with the Ceuta authorities, and *taqādīm* 68 and 74 concern a judge and not a governor:

- *Taqādīm* 6:

“Did we neglect [...] to eliminate the injustices (*mazālim*) that still blocked your ears?”⁵²²

“and our promises to eliminate abuses and to cease innovations, he knows them well (having seen and heard them).”⁵²³

- *Taqādīm* 8:

“[we have likewise insisted] that he act against injustice (*mazālim*) and that he abolish innovations (*muḥdatāt*) by fully following the orders we give to all those we employ.”⁵²⁴

- *Taqādīm* 9:

“We have insisted that he eliminate innovations (*muḥdatāt*) and abuses (*mazālim*), that he treat with subjects in respecting the law in the most obvious way, that he eliminate any abuse (*mazlama*) brought before him, that he erase any blamable act (*munkar*) when discovers it, in accordance with our intention to make definitively disappear all trace of injustice and its partisans, and to decide with an impartiality that knows no path that strays from the obvious paths.”⁵²⁵

⁵²¹ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 28, 164-167, HPIA, t. 1, 318-319.

⁵²² f° 8v, p. 14, l. 8-10: *wa hal ‘adawnā [...] an rafa ‘nā ‘an-kum al-mazālima al-latī lam tazal al-adhānu min-hā tastakku.*

⁵²³ f° 10r, p. 17, l. 8: *wa ‘uhūdu-nā bi-raf‘i l-mazālimi wa izālati l-muḥdathāti bi-mar‘an min-hu wa masma‘.*

⁵²⁴ f° 11r, p. 19, l. 5-6: *akkadnā ‘alay-hi [...] an yujriya fī raf‘i l-mazālimi wa izālati l-muḥdathāti ‘alā atammi mā na‘muru bi-hi kulla man nasta‘milu-hu.*

⁵²⁵ f° 11v, p. 20, l. 13-17: *wa akkadnā ‘alay-hi fī izālati l-muḥdathāti wa-l-mazālimi wa ijrā‘i l-ra‘iyyati fī l-wuqūfi bi-him ma‘a l-ḥaqqi ‘alā awḍaḥi l-ma‘ālimi wa an yarfa‘a kulla mazlama matá intahat ilay-hi wa yamḥuwa kulla munkara matá uthira ‘alay-hi ‘amal‘an bi-mā naqṣidu-hu min ḥamsi kulli athar, in li-l-zulmi wa ahli-hi wa ṣad‘an bi-l-‘adli l-ladhī lā ma‘dalata ‘an wāqihāti subuli-hi.*

- Taqdīm 10:

“Among the orders we have given your “Guardian” (*ḥāfiẓ*) and on which we have insisted, there is the obligation of eliminating with zeal innovations (*muḥdathāt*), of erasing all trace of reprehensible things (*munkarāt*), of eliminating taxes (*rusūm*) that are not authorized by the Law in the markets (*aswāq*) and at the gates (*abwāb*) [of the cities], and to end all that Tradition and the Book do not clearly authorize, until all that remains is the law respected by the pious ancestors of this Power and until falseness totally disappears, in spite of those committed to it. For the [Almohad] cause was only proclaimed by God on High to renew the signs that distinguish Islam, to erase, through justice, the traces of the extortion (*mazālim*)”⁵²⁶

- Taqdīm 12:

“to eliminate abuses (*mazālim*) that deserve to be abolished and eliminated”⁵²⁷

- Taqdīm 16:

“We have insisted that [...] he prohibit innovations (*muḥathāt*) condemned by the Law, that he put a stop to exactions (*mazālim*) concerning [His] creations”⁵²⁸

- Taqdīm 28:

“We have enjoined him, to put an end to innovations, to combat abuse and to respect the limits and signs of the Law by which His subjects worship God on High, which is what we insist on for all those whom we appoint as governor”⁵²⁹

“to bring to pass what God – May He be exalted and magnified – impelled us to do to protect [our] subjects, to bring an end to complaints (*shakāyā*)”⁵³⁰

- Taqdīm 46:

“Among the most important tasks we care about and for which we spend as much as necessary are the suppression of diverse abuses (*mazālim*), the elimination of innovations (*muḥdathāt*), the prohibition of inebriating drinks, the correction of reprehensible actions (*munkarāt*), and, addressed to your peoples, the incitement to accomplish virtuous actions useful during their lifetime and after the death.”⁵³¹

- Taqdīm 68:

“We have ordered him to dedicate himself to eliminating new things (*muḥdathāt*) not authorized by the law and to repress reprehensible actions (*munkarāt*) that should be fled

⁵²⁶ f° 12r, p. 21, l. 20-21: *fa-hadhi-hi l-da`watu inna-mā našaba-hā Allāhu ta`ālā li-tajaddudi mā li-l-islāmi min al-ma`ālimi wa tu`aqqiya bi-l-`adli `āthāra l-mazālimi.*

⁵²⁷ f° 13v, p. 24, l. 18: *wa an yarfa`a al-mazālima l-latī yuḥaqqu la-hā al-izālata wa-l-raf`u.*

⁵²⁸ f° 16r, p. 29, l. 16-17: *wa akkadnā `alay-hi [...] an yarfa`a al-muḥdathāti l-latī hiya bi-ḥukmi l-shar`i marfū`at^{un} wa yaḍa`a l-mazālima l-latī hiyā `alā l-khalqi mawḍū`at^{un}.*

⁵²⁹ f° 23r, p. 43, l. 4-5: *wa ḥaddadnā la-hu fī izālati l-muḥdathāti wa raf`i l-mazālimi wa-l-wuqūfi ma`a mā li-l-shar`i l-ladhī ta`abbada Allāhu ta`ālā bi-hi `ibāda-hu min al-ḥudūdi wa-l-ma`ālimi mā lā nazālu nahuddu-hu li-kulli man nasta`milu-hu.*

⁵³⁰ f° 22v, p. 42, l. 10-11: *qiyām^{an} bi-mā li-Llāhi `azza wa jalla `alay-nā fī ḥiyāṭati l-ra`ayā wa imāṭati l-shakāyā.*

⁵³¹ f° 30v, p. 58, l. 14-16: *wa min ahammi mā nujīdu bi-hi al-i`tinā`a wa nabdulu fī-hi al-ghanā`a raf`u l-mazālimi `alā ikhtilāfi-hā wa izālata l-muḥdathāti wa qaṭ`u l-muskirāti wa taghyīru l-munkarāti wa akhdhu l-nāsi hunālī-kum bi-mā yajidūna l-naf`a bi-hi min al-a`māli l-ṣāliḥāti fī l-maḥyā wa-l-mamāti.*

and forbidden, to erase all trace of them, whether in the markets or elsewhere, to follow the most direct and clearest paths to eliminate all abuses (*kull maḥluma*)”⁵³²

- Taqdīm 74:

“Among the points on which we have insisted with him, there is one which we do not cease to repeat at all times and to which we invite any official in the provinces and regions: to eliminate innovations (*muḥdathāt*) and abuses (*maḥlīm*) and to bring them back to the state of the erased remains”⁵³³

The term *maḥlīm* is most often associated with *muḥdathāt* (“innovations”, “new things”) and *munkarāt* (“reprehensible actions”).⁵³⁴ In the traditional world of the steppe and desert, and so Islam during its first centuries, any rupture with tradition is seen as a risk for the group.⁵³⁵ As much for commercial, social, or craft practices as political and religious, innovation is warily received by the authorities – when they are not the ones at the origin of the movement and cannot present it as the reprisal of a traditional practice – and by society. Brought together, these three notions (“extortions”, “innovations”, “reprehensible actions”) take on a strong moral dimension. They submerge the extortions of representatives of the central authority within the ensemble of reprehensible practices without giving them a status of their own. It is however difficult to know if this situation is the result of an evolution revealed in the *taqdīm* or if it corresponds in the administrative language to what the chronicles describe in the narrative domain.

We should note, moreover, the complete absence of the term *bid‘a* (“innovation”), traditionally used in the medieval Islamic world to designate any new thing, reprehensible in principle. This may be another example of an Almohad lexical innovation through the re-appropriation and re-semanticization of an expression that exists but is usually used in other

⁵³² f° 44r, p. 85, l. 7-10: *wa amarnā an yajtahida fī izālati l-muḥdathāti l-latī lā yujizu-hā al-shar‘u wa maḥqi l-munkarāti l-latī yajibū al-zajru ‘an-hā wa-l-man‘u wa an yaḥmisa ‘āthāra dhalika kulli-hi ḥaythu kāna fī l-aswāqi wa siwā-hā wa yasluḥa fī raf‘i kulli maḥlami aqwam al-ṭuruqi wa ajlā-hā.*

⁵³³ f° 47v, p. 91, l. 1-2: *wa mim-mā akkadnā ‘alay-hi fī-hi mā lam nazal nuraddidu-hu fī kulli l-anā‘i wa naḥuththu ‘alay-hi kulla musta‘malin fī l-jihāti wa-l-arjā‘i min izālati l-muḥdathāti wa-l-maḥlīmi wa i‘ādati-hā ka-l-ṭulūli l-ṭawāsīmi.*

⁵³⁴ This term appears alone in two *taqdīm*: 11, f° 12v, p. 22, l. 21: “to eliminate abusive novelties with titles [that they give themselves]” (*wa an yuzīla al-muḥdathāt al-jawriyya wa alqāba-hā*) and 76, f° 48r, p. 92, l. 22-23: “...may he correct evil and cause it to cease, may he guard against inadvisable or forbidden innovations” (*min izālati l-munkarāti wa taḥyīri-hā wa-l-taḥdhīri min mamnū‘i l-muḥdathāti wa maḥdhūri-hā*).

⁵³⁵ In a very constraining climatic, pedological, and, in general, geographic environment, the survival of the tribe was guaranteed by respect for rules proven over centuries. Experimentation was discouraged because it could lead to dangerous consequences for the entire community. This profound structure for nomadic Arab, Berber, Persian, and Turkish societies merits the attention of historians of the origins of Islam because it reinforces the ideas of those who espouse the *longue durée* concerning Islam, at the expense of those, including Muslim theologians, who defend the idea of a brutal rupture introduced by Muḥammad and spread with the message of the Revelation.

contexts. A comparison with the practices and language of chancelleries in other regions of Islam would be necessary to elucidate this question.

THE *HISBA*

These orders to fight against “reprehensible practices” resemble on a number of levels Chalmeta’s description of the *hisba* in his *Señor del zoco*.⁵³⁶ Indeed, provincial governors (*ummāl* and *wūlāt*) received attributions similar to the *muhtasibs* in al-Andalus: policing the markets, moral censure, repression of fraud and non-Islamic practices. These attributions were the continuation of the moral reform incarnated by the Mahdī Ibn Tūmart on returning from his possible journey to the East. *Taqdīm* 46, for example, in the passage cited above, preaches the suppression of alcoholic beverages (*muskirāt*), while *taqdīm* 10 charges the “Guardian” (*ḥāfiẓ*) with eliminating illicit taxes collected at the city gates or in the markets. Certain *taqādīm* even employ the emblematic watchword of the Almohad regime: *al-amr bi-l-ma’rūf wa l-nahyi ‘an al-munkar*.⁵³⁷

The governors and representatives of the central authority in the provinces were essentially charged, in the negative, with struggling against all that is reprehensible (*munkar*, pl. *munkarāt*). A number of verbs serve to signify this combat: *maḥw*, *ṭams*, *maḥq* (“erase”), *ikhfā’* (“cause to disappear”), *taghyīr* (“correct”). Only one official seems to have had the positive task of enjoining the “good” (*ma’rūf*), as, for example, the “Scholar” (*ṭalaba*) appointed in *taqdīm* 13. He is ordered to “teach the recommendations we have imparted to him, those that God on High addressed to his subjects in His Word: “Verily we have directed the People of the Book before you, and you (o Muslims) to fear God.”⁵³⁸

The “fear of God” (*taqwá Allāh*) that appears in practically every one of the *taqdīm*, whether in the preamble, final protocol, or in the *wiṣāya* (“counsel”) is the backbone of relations between the Almohad caliph and the subjects of the Empire. It inspires the ruler and his

⁵³⁶ P. Chalmeta, “El *Kitāb fi adab al-hisba*”; “La figura del almotacén”; “La *hisba*” and *El ‘señor del zoco’*.

⁵³⁷ In reference to Koran 22:41, cited explicitly (*qāla Allāh ta’ālā*) in *taqdīm* 55, f° 38r, p. 73, l. 20, and implicitly in *taqādīm* 14, f° 14v, p. 28, l. 2: “be with him as one hand united to ordain good and prohibit evil” (*wa kūnū ma’a-hu yad^{an} wāḥidat^{an} fi l-amr bi-l-ma’rūf wa l-nahyi ‘an al-munkar*), 34, f° 25v, p. 48, l. 13-14: “We have ordered him to advocate good, to prohibit evil and annihilate the traces of corruptors and corruption to the point of erasing all memory and recollection of them” (*wa amarnā-hu bi-l-amri bi-l-ma’rūfi wa l-nahyi ‘an al-munkari wa maḥwi ‘āthāri l-mufsidīna wa l-fasādi ḥattā lā tudhkaru wa lā yudhkaru*), 35, f° 26r, p. 49, l. 8-9 et n° 44, f° 30r, p. 57, l. 11: “Act, each of you, as the law imposes and requires to cause good to appear and evil to disappear” (*wa ‘malū jamī’an fi izhāri l-ma’rūfi wa ikhfā’i al-munkari bi-alzami ḥaqqⁱⁿ wa awjabi-hi*), 60, f° 40v, p. 78, l. 17: “Collaborate with him when he orders good or forbids evil” (*wa wāqifū-hu fi mā ya’muru bi-hi min al-ma’rūfi wa yunhi ‘an-hu mina l-munkari*) and 61, 62, 66, 68, and 76.

⁵³⁸ Koran 4:131; *taqdīm* 13, f° 14v, p. 26, l. 16: *wa yu’lim mā fāwaḍnā-hu bi-hi min al-waṣāyā al-latī waṣṣā Llāhu ta’ālā bi-hā ‘ibāda-hu fi qawli-hi wa laqad waṣṣaynā l-ladhīna ūtū l-kitāba min qabli-kum wa iyyā-kum an ittaqū Allāha*.

decisions, and is supposed to guide imperial officials and motivate subjects to obedience. This fear, or awe, assures the link between the here below and the hereafter, between caliphal decisions and God's Law, between the earthly behavior of all the faithful and celestial Judgement. Jacques Berque chose to translate the Koranic verb *ittaqa* with "be prepared", but we have preferred to keep the idea of reverential "fear/awe" in regards to the divine omnipotence. The *taqdīm* sometimes associate *taqwá Allāh* with the verb *istish'ār* ("shiver", "feel", "be sensitive to"),⁵³⁹ expressing more an idea of feeling and sensitivity than that of reasoned precaution suggested by "be prepared". Likewise, frequent reoccurrence of the last judgment, of preparations for the hereafter and the next meeting with God in a strongly eschatological context excludes a translation that minimizes the expression. Finally, the identification noted above between *amr al-'aliy* ("the eminent Power") and *amr Allāh* draws together God's punishment and the very real retribution which the ruler implicitly promises to carry out against his disobedient subjects.

b. The Judiciary institution in the provinces: the *quḍāt* and delegates

The *taqdīm* also provide valuable information on the judicial-religious positions which, because they are consecrated in tradition, partially escaped the imprecision noted by Guichard. Yaḥyá al-Khadhūj's collection supplements the figurative dossier on administrative functions and contributes to questions concerning the nature – religious, profane, military, civil – of power and authority in the medieval Islamic world.⁵⁴⁰ Twenty-eight appointments to the post of judge (*khuttat al-qaḍā'*) are given, mentioning the principal responsibility for this post, and secondary functions. We should first note that these acts are fewer and less diverse

⁵³⁹ *Taqdīm* 20, f° 19r, p. 35, l. 6-7: "We have advised them to fear God in exercising authority" (*waṣṣaynā-humā bi-stish'āri taqwá Llāhi fī l-iṣḍāri wa-l-irādi*) ; *taqdīm* 59, f° 40r, p. 77, l. 13-14: "We have counseled him to fear God, to keep His power in awe, to tremble at the idea that the Highest knows everything about him, in secret and in public" (*wa qad wuṣiya bi-taqwá Llāhi wa murāqabati amri-hi wa stish'āri iṭṭilā'i-hi ta'alá 'alay-hi fī sirri-hi wa jahri-hi*) ; *taqdīm* 64, f° 41v, p. 80, l. 11-13: "We have recommended that he fear God, for that is the traveling supplies of the blissful, the support of the pure and the virtuous, and the duty that must terrorize without end the proud (*abbā'*)" (*wa qad waṣṣaynā-hu bi-taqwá Llāhi fa-hiya 'uddatu l-muflīḥina wa 'amadatu l-ṣulaḥā'i wa-l-muṣliḥina wa-l-waḥīfatu l-latī yajibu 'alá al-abbā'i istish'āru-hā al-ḥina ba'da l-ḥini*): *taqdīm* 71, f° 45v, p. 88, l. 14-15: "to fear God on High with an absolute fear and to act as he who waits trembling for the retribution of God on the day of Judgment" (*wa an yattaqiya Allāha ḥaḥḥa ttiqā'i-hi wa ya'mala 'amala l-mustash'iri li-jazā'i Llāhi yawma liqā'i-hi*) ; *taqdīm* 72, f° 46r, p. 89, l. 16: "we have counseled him to fear God the Magnificent, to respect His design, and to tremble in fear before Him, in private as in public." (*fa-inna-hu muwaṣṣá bi-taqwá Llāhi l-'azīmi wa murāqabati amri-hi wa stish'āri l-khayfati la-hu fī sirri-hi wa jahri-hi*) ; *taqdīm* 74, f° 47r, p. 90, l. 15-16: "We have counseled him moreover to fear God on High and to tremble before him" (*wa qad waṣṣaynā-hu ma'a dhalikum bi-taqwá Llāhi ta'alá wa stish'āri-hā*).

⁵⁴⁰ For a summarizing presentation of the judiciary during the Almohad period, see F. RODRÍGUEZ MEDIANO, "Instituciones judiciales", 169-186.

than the first forty-eight, as if the responsibilities in question were more defined, more precise, the margin of exercise stricter, and the professional more firmly specialized. However, since the manuscripts ends abruptly, we do not know how many *taqādīm* the collection originally included. The informal character of the political, military, administrative, and fiscal functions reflected by the terminological imprecision of gubernatorial titles (*wūlāt*, *‘ummāl*, *nāzīr*, *mushtaghil*...) contrasts with the hierarchical organization which appears clearly for the judicial appointments: *quḍāt* were charged with appointing *shuhūd* (“instrumentary witnesses”) and *musaddidūn* (“delegate, secondary, or deputy judges”), and the caliph headed the judicial hierarchy.⁵⁴¹

The office of judge (khuṭṭat al-qaḍā’)

Paradoxically, the secretaries writing in the caliph’s name define best the importance invested in the judiciary (*khuṭṭāt al-qaḍā’*) in the Almohad period:

“[know also] that the most important function, the first to consider, the one that is most suitable to leading your affairs along the straight path is the judgeship, by which decrees are pronounced among you and which assures order if it is carried out according to religious rules in all disputes.”⁵⁴²

The concrete task of this “official” is described with practically the same terms in each of the relevant *taqādīm*:

⑩ *taqādīm* 49:

“We have seen fit, after having asked the help of God on High, to name Fulān to judge your affairs related to the Law and to take charge of the religious aspects of your problems.”⁵⁴³

⑩ *taqādīm* 50:

“We accordingly name Fulān to arbitrate and judge your disputes, to pronounce and apply the law in the questions you pose”⁵⁴⁴

⑩ *taqādīm* 52:

⁵⁴¹ For an exhaustive presentation of the judicial system during the Almohad period, refer to ‘I. al-D. MŪSĀ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 191-210.

⁵⁴² *Taqādīm* 59, f° 40r, p. 77, l. 8-9: *wa ūlā muhimmati-kum bi-l-taqādīmi wa aḥrā mā jarat fī-hi umūru-kum ‘alā l-sunani l-qawīmi khuṭṭatu l-qaḍā’i al-latī tuqāmu bi-hā bayna-kum al-aḥkāmu wa yattasiqu bi-ijrā’i-hā ‘alā l-qawānīni l-dīniyyati li-jamī’i l-nawāzili al-nizāmu*. The idea that regulating disputes is the highest possible function appears in numerous other judicial *taqādīm* for example *taqādīm* 50, f° 32v, p. 62, l. 15: “Since the judgment of affairs pertaining to the Law deserves more than anything to be treated as a priority and to see its organization protected with benevolent attention...” (*wa li-mā kānat al-aḥkāmu al-shar’iyyatu aḥaqqā mā quddima aḥkāmu-hu wa ḥufīza bi-jamīl al-i’tinā’i nizāmu-hu*...).

⁵⁴³ *Taqādīm* 49, f° 32r, p. 61, l. 14-15: *wa qad ra’aynā ba’da stikhārati Llāhi ta’alā an nuqaddima li-l-qaḍā’i fī shar’iyyi nawāzili-kum wa tawallī l-naẓari fī l-dīnī min masā’ili-kum Fulān^{an}*.

⁵⁴⁴ *Taqādīm* 50, f° 32v, p. 62, l. 18-19: *wa bi-ḥasbi hadha l-naẓari qaddamnā Fulān^{an} li-l-faṣli fī nawāzili-kum wa-l-infādhi li-l-ḥaqqi fī masā’ili-kum wa-l-imḍā’i*.

“We name Fulān alone to manage your affairs regarding the Law and to make an effort to arbitrate your religious disputes”⁵⁴⁵

⑩ *taqdīm* 66:

“we saw fit to strengthen his arm with this allocution so that he might establish the law and justice in the affairs pertaining to him in his legal appointment (*ḥuṭṭāti-hi al-sharʿiyya*), and in arbitrating among you, which is incumbent on him alone for your religious disputes; may he apply the law without fear of blame”⁵⁴⁶

⑩ *taqdīm* 67:

“In consideration of this, we have named Fulān to rule according to the law in your differences and disputes, to arbitrate with justice the quarrels you bring before him when problems arise among you”⁵⁴⁷.

However it is phrased, and it is almost always the same, the judge is appointed to arbitrate differences (*ḥiṣām*, *nawāzil*, *qaḍāya*) between subjects and pronounce decrees (*aḥkām*). There is no mention of *iftāʿ* (“jurisprudential expertise or counsel”), which corresponds with what we know of Almohad attitudes towards *fatwa* collections, the destruction of which was ordered on a number of occasions. The activity of the *fuqahāʿ* and the *ʿulamāʿ* recruited to exercise an “official” activity is thus reduced, at least in the case of this activity, to its “judicial” arbitration in conflicts arising among the population. Moreover, a number of attributions traditionally considered within the responsibility of judges or their delegates are assigned to the governors or military leaders. This is the case for “successions” (*mawārīth*) and alms (*zakāt*), the management of which fell to the *qāʿid ʿalā l-usṭūl* named in *taqdīm* 2.⁵⁴⁸ Judges thus appear alienated from many of their previous activities as a result of a profound reorganization of relations between the ruler and his religious scholars, the *fuqahāʿ* and *ʿulamāʿ*.

Tyan has noted that in the Muslim system of public law, justice has always been the reserve of the head of the community, the caliph, and the magistrates serve only as his delegates. In periods of caliphal decline (Umayyad and Abbasid), ministers and emirs enjoy the same standing.⁵⁴⁹ The Almohad period clearly corresponds with a restoration of caliphal authority in all its prerogatives (justice, leadership of the prayer), and this restoration is reaffirmed by the

⁵⁴⁵ *Taqdīm* 52, f° 34r, p. 65, l. 12-13: *wa innā qaḍdamnā Fulān^{an} li-l-infirādi bi-l-naẓari fī aḥkāmi-kum al-sharʿiyyati wa-l-ijtihādi fī l-faṣli bayna-kum fī l-nawāzili l-dīniyyati.*

⁵⁴⁶ *Taqdīm* 66, f° 42v, p. 82, l. 14-17: *raʿaynā an nashidda ʿaḍada-hu bi-khiṭābi-nā hadha fī an yuqīma l-ḥaqqā wa-l-ʿadla fī mā yarjiʿa ilay-hi min khuṭṭati-hi al-sharʿiyyati wa yakhtaṣṣa bi-hi mina l-faṣli bayna-kum fī nawāzili-kum al-dīniyyati wa an yaṣda ʿa bi-l-sharʿi lā yakhāfu fī-hi lūmata lāʿimⁱⁿ.*

⁵⁴⁷ *Taqdīm* 67, f° 43r, p. 83, l. 19-21: *wa bi-hadha l-i-tibāri qaḍdamnā al-ʿān Fulān^{an} li-l-faṣli bi-l-sharʿi fī qaḍāyā-kum wa nawāzili-kum wa-l-ṣadʿi bi-l-ʿadli fī mā tūridūna ʿalay-hi mina l-takhāṣumi fī ṭawārī masāʿili-kum.*

⁵⁴⁸ f° 3v, p. 4, l. 17.

⁵⁴⁹ É. TYAN, “L’autorité de la chose jugée”, 89.

caliph's exclusive claim over "royal justice", or executions, to borrow a term from the medieval West. During the same period, the caliph's movements allowed him to affirm throughout the provinces this supreme privilege of exercising justice. While in al-Andalus in 1190, the future al-Manṣūr, after a victorious attack against the Kingdom of Portugal, exercised his right and had a number of prisoners waiting in the city jails executed.⁵⁵⁰ During the second Almohad period, when the caliph scarcely left his capital in Marrakesh, he seems to have still considered justice an imperial privilege with the judges acting in the Empire's cities and regions through a "reserved delegation" of this prerogative.

The occupation of the appointed *quḍāt* is thus limited at one end by the authority of the caliph, the supreme judge of the Empire, and at the other by the imperative that weighed on the subjects of the Empire to enjoin good and forbid evil, especially for "public" officials.⁵⁵¹ The "moral" imperatives that traditionally framed judicial activities are reiterated in almost every act: treat equally each of those who come before justice, without regard for rank or wealth (*al-martaba wa l-athrā'* or *al-manāṣib*), the powerful and the weak (*al-qawiyy* and *al-ḍa'if*), the poor and the rich (*faqīr* and *ghaniyy*),⁵⁵² those who are known and those of the people (*al-sharīf* and *al-mashrūf* or *al-fāḍil* and *al-maḍḍūl*). Concrete measures, showing the judges equal respect for the plaintiffs, are sometimes mentioned and refer to the acts and actions expected during court sessions. Thus, for example, in *taqdīm* 69, the authority enjoins the judge "to treat equally both parties when he convokes them or asks them to be seated."⁵⁵³ The fact of being present, standing or seated, mentioned a number of times in the judicial *taqāḍīm*, signified something that is in part unclear, and expressed specific marks of respect and social relational codes whose symbolic importance is evident while the rules are not. In addition, the judges are advised to not fear taking unpopular measures that lead to reproach or criticism (*lawmat lā'imīn*),⁵⁵⁴ to

⁵⁵⁰ IBN 'IDHĀRĪ, *Bayān*, t. 5, p. 207, trans. 1953, p. 163.

⁵⁵¹ *Taqdīm* 56, f° 38v, p. 74, l. 19-20: "We have ordained that he enjoin good and forbid evil; that he establish the law with all this strength and all his zeal" (*wa aw'aznā ilay-hi an ya'mira bi-l-ma'rūfi wa yunhiya 'an ḍiddi-hi wa an yuqīma bi-aqṣá wus'i-hi wa awfá juhdi-hi*).

⁵⁵² In fact, the only act that cites these two terms, through a Koranic verse, is number 55 written in the name of Ibn Hūd al-Mutawakkil (Koran 4:135): "O ye who believe! stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for God can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if ye distort (justice) or decline to do justice, verily God is well-acquainted with all that ye do..."). There is no direct reference to this verse in any Almohad act, and the terms used are never *ghaniyy* or *faqīr*.

⁵⁵³ *Taqdīm* 69, f° 44v, p. 86, l. 12: *an yusawwiya bayna l-mutakhāṣimayn fī l-ḥuḍūri laday-hi wa-l-qu'ūdi*.

⁵⁵⁴ This is a Koranic expression; Koranic 5:54: جَاهِدُونَ فِي سَبِيلِ اللَّهِ وَلَا يَخَافُونَ لَوْمَةَ لَائِمٍ ذَلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَن يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ (...fighting in the way of God, and never afraid of the reproaches of such as find fault. That is the grace of God, which He will bestow on whom He pleaseth. And God encompasseth all, and He knoweth all things").

show justice and temperance (*i'tidāl*), forbearance (*rifq*) or severity (*shidda*) when necessary. Judges occasionally receive attributions that we might consider “notarial”, such as verifying contracts and previous acts.⁵⁵⁵

Provincial judges were also vested with the important attribution of appointing instrumentary witnesses (*shuhūd*, and more rarely *shuhada*) and sometimes provincial deputies or secondary judges (*musaddidūn*).⁵⁵⁶ Traditionally, in al-Andalus, the *qāḍī l-jamā'a* of Cordova, first introduced under the Umayyads, sat at the top of the judicial pyramid. Under the Almohads this fell to Seville, though the Great Judge of Marrakesh was likewise head of the Maghribī judicial system. With the loss of the Iberian peninsula, from the end of the 1220s to 1269, there was only one *qāḍī l-jamā'a*, or *qāḍī l-quḍāt*, who sat in Marrakesh. Given the gradual diminishing of imperial territory, the *taqāḍīm* in Yaḥyá al-Khadhūj's collection concern essentially the Maghrib al-Aqṣá and the Sūs, the judges of which, named by the caliph, appointed representatives (*musaddidūn*) in the smaller localities under their judicial responsibility.

Witnesses, delegates and secondary judges (shuhūd, nuwwāb, and musaddidūn)

Instrumentary witnesses, or *shuhūd*, were incontestably the most important of the judges' delegates. The judge is charged with selecting them in person and verifying with care their morality and behavior, to monitor what they do and who they are, and to dismiss them at the slightest suspicion.⁵⁵⁷ Indeed, the acts ceaselessly repeat that the witnesses “are the foundation stone on which he [the *qāḍī*] bases and authenticates his judgments,”⁵⁵⁸ that testimony (*al-shahāda*) “is the judge's pillar and support [...] the source of what he binds and

⁵⁵⁵ *Taqdīm* 61, f° 41r, p. 79, l. 3-4: “nd to judge according to the incontestable law whose path he will follow and whose footsteps he will pursue. We have ordered him to verify [the worth] of contracts and instrumentary witnesses” (*wa-l-ḥukmi bi-l-ḥaqqi al-wāḍiḥi yasluḥu sunana-hu wa yaqfū athara-hu wa amarnā-hu bi-tafaqqudi l-'uqūdi wa-l-shuhūdi*)

⁵⁵⁶ *Taqāḍīm* 49, f° 32r, p. 61, l. 19, 60, f° 40, p. 78, l. 12 and 71, f° 45v, p. 88, l. 11.

⁵⁵⁷ On the importance of instrumentary witnesses in the Almohad judicial process, see R. BRUNSCHVIG, “Sur la doctrine”, 146. Brunschvig demonstrates how the question of the witness's “honorability” plays an important role in “rendering probable” the veracity of his testimony, a necessary condition for the *ḥukm* (“judicial decision”). On the capacity of testimony to procure a conviction, through rhetorical procedures that play on persuasion and that leave room for doubt and the possibility of its contrary, or certitude, through information (*khābar*), see M. AOUAD, “La valeur épistémologique”. In a short annex to this article (143-44), Guichard brings together Ibn Rushd's original positions which tie the prophetic Tradition to *ẓann* (“opinion”), rather than *'ilm yaqīn* (“certain knowledge”) as do theologians, the disappearance of jurisprudential collections during the Almohad period and the mu'tazilite approach, which “lorsqu'elle est récupérée par le califat (dans une idée de refondation de l'État ?) [manifeste] un souci au moins virtuel de libérer le politique des normes trop contraignantes du droit.”

⁵⁵⁸ *Taqdīm* 49, f° 32r, p. 61, l. 19-20: *fa-hum 'umdatu ta'sisi-hi li-l-qaḍa'i wa ta'sīli-hi*.

unbinds in his judgments.”⁵⁵⁹ He must then “accept only those whose sense of justice is obvious and whose religious or profane behavior (*ḥālatu-hu*) is without fault”,⁵⁶⁰ that is

“men who have proven their intelligence, virtue and sincerity; for his judgments depend on witnesses. He relies on them to confirm or annul [a sentence]; they are the best arbitrators to determine forbidden or authorized decrees; they bring back by the bridle whoever goes to the right or left, according to justice or against it.”⁵⁶¹

Cahen has noted that the term *shāhid* (pl. *shuhūd*) refers to two categories of witnesses: those for material facts, and who change obviously from case to case, and so cannot be named in advance, and “instrumentary witnesses”, those who testify by their participation to the regularity of judicial acts and who can technically form a list from which the *quḍāt* can recruit their normal deputies.⁵⁶² The Almohad *taqāḍīm* simply repeat the traditional requirements of the *fiqh* for choosing *shuhūd*: wellness of mind, honorability, and absence of personal ties, family or other, with those implicated in the affair.⁵⁶³ Investigations (*tafaqqud*) were necessary to be sure witnesses indeed possessed the moral qualities necessary.

The *shuhūd* were thus expected to act as instrumentary witnesses during judgments, to take up notarized acts, and to guarantee contracts. The clauses of the *taqāḍīm* demonstrate that they were highly dependent on the judges, who were charged with choosing them, appointing them, and monitoring their situations. The importance of testimony and instrumentary witnesses in the pronouncement of judgments is most fully developed in *taqāḍīm* 55 from Ibn Hūd al-Mutawakkil, with citations from the Koran and the *ḥadīth*.⁵⁶⁴ The sole mention of the *ḥisba* significantly also appears in an act by Ibn Hūd, just after the instrumentary witnesses:

“May he act in the same way with the instrumentary witnesses who help in validating or annulling rights and on whose witness the detestable is rejected and the comely is accepted. We have ordered him to protect the market police (*ḥisba*) who support the resources and framework of life and to give responsibility for these, no matter where, only to one known for the purity of his initiatives and the uprightness of his methods.”⁵⁶⁵

⁵⁵⁹ *Taqāḍīm* 52, f° 34r, p. 65, l. 23-f° 34v, p. 66, l. 1: *fa-l-shahādatu mustanadu l-ḥakimi wa mu'tamaduhu [...] wa hiya aṣlu mā yaḥullu-hu mina qaḍāyā-hu wa ya'taqidu-hu.*

⁵⁶⁰ *Taqāḍīm* 53, f° 35r, p. 67, l. 7: *fa-lā yaqbalu illā man tabayyanat 'adālatu-hu wa ḥasunāt dīn^{an} wa dunyā^{an} ḥālatu-hu.*

⁵⁶¹ *Taqāḍīm* 64, f° 41v, p. 80, l. 16-19: *illā l-mushahhidīn bi-l-dhakā'i wa-l-zakā'i wa-l-ṣidqi fa-l-shuhūdu manāṭu aḥkāmī-hi wa mustanadu naqḍi-hi wa ibrāmi-hi wa-l-farūqu l-aqwā bayna ḥalālī l-faṣlī wa ḥarāmī-hi wa-l-'ā'idūna ḥasba l-'adālati aw dīddi-hā dhāt al-yamīn aw dhāt al-shimāl bi-zimāmi-hi.*

⁵⁶² C. CAHEN, “À propos des Shuhūd,” 71.

⁵⁶³ C. CAHEN, “À propos des Shuhūd,” 75.

⁵⁶⁴ *Taqāḍīm* 55, f° 37v, p. 72, l. 20-f° 38r, p. 73, l. 18, and Koranic citations: Koranic 43:19, Koran 65:2, and MĀLIK, *Muwattā'*, n° 1208.

⁵⁶⁵ *Taqāḍīm* 54, f° 36r, p. 69, l. 6-10: *wa kadhalika fa-l-yakun 'amalu-hu fī l-shuhūdi al-ladhīna tuṣaḥḥu l-ḥuqūqu bi-him wa tubṭalu wa bi-shahādati-him yaruddu mā yaqbaḥu wa yaqbīlu mā yajmalu wa amarnā*

Under Umayyads, then the Almoravids, the *muḥtasib* had played an important role, as shown by Ibn Sahl's *Aḥkām al-kubrā* (1087) or Ibn 'Abdūn's treatise from Seville at the beginning of the twelfth century.⁵⁶⁶ This official was chosen for his moral qualities, and was responsible for policing the markets, censuring morals, prohibiting alcoholic beverages, and verifying weights and measures. Yet, except for this act, which was issued by an authority hostile to the Almohads and who had built his legitimacy on a recognition of the Abbasid caliph in Baghdad and a return to the traditional values that had characterized the Almoravid Empire in the beginning, the *ḥisba* appears in no *taqdīm* from the Almohad period. This would again seem to point to a rupture between the Almohad system and the political and religious organization of its predecessors. Mūsá notes that though the *ḥisba* traditionally fell under the judges, the Almohads seem to have modified its nature in according the title of *muḥtasib* to the tribal leaders, enjoining them to defend good and prohibit evil.⁵⁶⁷ Thus, in the name of the obligation to *amr bi-l-ma'rūf* and *nahyi 'an al-munkar* that fell to everyone, the *ḥisba* ceased to be the reserve of judges, or their delegates, and became an obligation for all the officials of the Almohad state.

Secondary judges came next, delegated by the judges of the principal city in the localities under their responsibility.⁵⁶⁸ *Taqdīm* 51 confirms, moreover, the nature of the *musaddidūn*'s office:

“He must select secondary judges (*musaddidīn*) to employ in the regions, appoint only those who are reputed for the purity [of their intentions] and the confidence [we can grant them].”⁵⁶⁹

The constraints involved in choosing these *musaddids* are as important as those for the *shuhūd*. The choice of *shuhūd* appears in almost every act, *musaddids* are less frequently mentioned.⁵⁷⁰ This is probably tied to the importance of the judge's responsibilities: only in large cities, or regions, does the judge appoint subalterns for secondary cities under his authority. *Taqdīm* 53 is the only one that mentions, indirectly, the judge's deputies (*nā'ib al-qāḍī*) and secretaries (*kātib al-qāḍī*), using the two verbs in the tenth form, *istaktaba* and

an yaḥtātā li-l-ḥisbati l-latī hiya qawāmu al-ma'ā'ishi wa-l-marāfiqi wa an lā yatawallā-hā fī mawḍi'i mina l-mawāḍi'i illā l-shahīra la-hu bi-nazāhati l-tanāwulāti wa sadādi al-ṭarā'iqi.

⁵⁶⁶ IBN 'ABDŪN (twelfth century), “Un document sur la vie urbaine” ; *Sevilla a comienzos del siglo XII*.

⁵⁶⁷ 'I. al-D. Mūsá, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 305.

⁵⁶⁸ On the responsibility of judicial deputies (administration of the possessions of orphans and those under guardianship), see H. YANAGIHASHI, “The Judicial Functions of the Sultān”.

⁵⁶⁹ *Taqdīm* 51, f° 33v, p. 64, l. 13-14: *wa 'alay-hi an yantaqiya l-musaddīna l-ladhīna yasta'milu-hum fī l-jihāti wa lā yuqaddimu illā al-mashhūra mina l-azkiyā'i l-thiqāti.*

⁵⁷⁰ The *musaddids* are mentioned notably in *taqāḍīm* 49, 51, 56, 71 et 74.

istanāba.⁵⁷¹ This then limits the available information for these judicial officials during the Almohad period.

The law between “Almohadism” and “Malikism”

Almohad law is known for having broken with prior practices. Ibn Tūmart limited the foundations of the law to the Koran and the Tradition of the Prophet Muḥammad, while the *imām* himself interpreted between these two sources. This important modification of the juridical practices in place in the Maghrib and in the Iberian peninsula since the ninth century consecrated the rupture with the Malīkī doctors of the Law (*fuqahā'* and *'ulamā'*) who had organized their “corporation” on judicial careers (*qāḍī*, *mufti*, *ṣāhib*, *al-mazālim*, *muḥtasib*, etc.) and on casuistry and writing collections of jurisprudence (*nawāzil* and *fatāwā*). The Almohad caliphs remained faithful to the precepts of the Empire’s founder and his first successor, ‘Abd al-Mu’min, until the reign of al-Ma’mūn, who also broke with the Almohad doctrine of the impeccability (*'iṣma*) of the Maḥdī. They confirmed for the practice of justice the obligation to refer solely to the Book and Tradition, and the prohibition of relying on *ijtihād*. Finally, they required judges to call on the caliph for obscure or difficult cases.⁵⁷² Two complementary legal sources quickly appeared: the actions of the Maḥdī Ibn Tūmart, considered the infallible interpreter, and the reigning caliphs, starting with ‘Abd al-Mu’min, because they had inherited from the Maḥdī his ability for interpretation.⁵⁷³ This is why caliphal decisions could go against certain usages established and validated long before by the corporation of scholars.⁵⁷⁴

Nevertheless, the *taqāḍīm* in Yaḥyá’s collection do not exactly fit with this image of legal practice during the Almohad period. Out of twenty-eight documents, twenty-four specify

⁵⁷¹ *Taqḍīm* 53, f° 35r, p. 67, l. 9: “to take as secretary or substitute only those persons of words and deeds worthy of confidence” (*wa lā yastaktibu wa yastanību illā man yathīqu qawlu-hu wa fa'lu-hu*).

⁵⁷² See *risālat al-fuṣūl*, É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 23, 126-138, DIHA, ar. 134-145, 16 *rabī'* / 543/4 August 1148.

⁵⁷³ In the letter from the *fuṣūl* sent to all the provinces, ‘Abd al-Mu’min ordered the imitation of the Maḥdī’s attitude with those who did not pray, who refused to pay the *zakāt* or who practiced illicit acts, for “a décision et son pouvoir sont la décision, le pouvoir, la volonté et le jugement de son maître” (É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 23, p. 135 and DIHA, 142: *wa-l-rujū' ilay-hi fī amri l-dīni wa-l-dunyā farḍun li-anna qaḍā'a-hu wa amru-hu huwa qaḍā'u rabbi-hi wa amru-hu wa irādatu-hu wa ḥukmu-hu*). For more details, see 'I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 192-193.

⁵⁷⁴ MŪSÁ notes the proximity, from the juridical point of view, between Almohadism and the *zāhirī* school. The move towards *zāhirī* law began under Abū Ya'qūb Yūsuf b. ‘Abd al-Mu’min, but did not become official until the caliphate of al-Manṣūr, when people relied exclusively on the Koran and Tradition. At that time, jurists from the *zāhirī* school took over the top judicial posts and al-Manṣūr ordered Mālīkī books to be burned following the unfulfilled goal of this father and grandfather of replacing Mālīkī works with collections of the Tradition. This *zāhirī* policy apparently did not last long after al-Manṣūr’s reign ('I. al-D. MŪSÁ, *al-Muwaḥḥidūn fī l-Gharb al-islāmī*, 194).

the foundations of the law on which the judge should rely for his decisions. Most indicate, in addition to the Koran and Tradition, the consensus of the Community (*ijmāʿ al-umma*), even, on two occasions, the “effort of personal interpretation” (*ijtihād*),⁵⁷⁵ which hardly corresponds with the Almohad doctrine described above.

There are a number of explanations for this:

↪ the first is al-Maʿmūn’s rupture with the Almohad doctrine. The scribe attributes *taqdīm* 49, 52, and 53 to al-Maʿmūn. Since the documents are in chronological order, we can deduce that numbers 50 and 51 are also from the same ruler. *Taqdīm* 49 is the only one to mention only the Koran and Tradition as the basis for the judge’s words and deeds.⁵⁷⁶ All the others, except number 50, add a third pillar (*aṣl*) – the consensus (*ijmāʿ*) of the Community (*umma*). *Taqdīm* 51 even adds a fourth pillar, as do *taqdīm* 54 and 55 by Ibn Hūd al-Mutawakkil, the (jurisprudential) opinions or “words” of the *imāms* (*fatāwā l-ayimma*, or *aqwāl al-ayimma* for number 55).⁵⁷⁷ The first act was thus written before the renunciation of the Almohad doctrine, the others after. *Taqdīm* 50, if it was indeed written for al-Maʿmūn, was perhaps a transitional piece, since it does not mention *ijmāʿ*, but the path of the “pious ancestors” (*sunan al-salaf al-ṣāliḥ*). It is not clear if this last part refers to the *imāms* of the Community (*umma*) or to the “rightly-guided” interpreters, such as the Mahdī and Almohad caliphs. *Taqdīm* 55, written for Ibn Hūd al-Mutawakkil, sets itself apart from the others by the length of the passage presenting the foundations on which the judge must rely for his decisions.⁵⁷⁸ The expansion of this part, due to the citations that justify each element with passages from the Koran⁵⁷⁹ or Tradition,⁵⁸⁰ expresses perhaps a desire to establish distance with Almohad law. Indeed, Ibn Hūd built his reign in opposition to the Almohads, who were contested in the Iberian peninsula, but still strong in the Maghrib.

Al-Maʿmūn’s repudiation of the Almohad doctrine thus had considerable legal consequences and saw Malīkism reinstated as the official juridical school for the Empire. The

⁵⁷⁵ *Taqdīm* 52, f° 34r, p. 65, l. 12-13 and *taqdīm* 58, f° 39v, p. 76, l. 16-17: “and [finally], in cases without a text, to call on that which the words of the scholars have built on the two foundations which are reflection (*naẓar*) and personal effort (*ijtihād*)” (... *wa yastazhira fī mā ʿadama l-naṣṣu fī-hi bi-mā nbanā min aqwāli l-ʿulamāʾi ʿalā usayyi al-naẓari wa-l-ijtihādi*).

⁵⁷⁶ *Taqdīm* 49, f° 32r, p. 61, l. 18-19: “We have ordered him to base his judgments on the Book of God and the Tradition of His messenger, to use them as the basis of his words and actions” (*wa amarnā-hu bi-l-istizhāri fī aḥkāmi-hi bi-kitābi Llāhi wa sunnati rasūli-hi wa-l-iʿtimādi ʿalay-hā fī maqūli-hi wa mafʿūli-hi*).

⁵⁷⁷ *Taqdīm* 51, f° 33v, p. 64, l. 12, n° 54, f° 36r, p. 69, l. 3 55, f° 37v, p. 72, l. 7.

⁵⁷⁸ *Taqdīm* 55, f° 37r, p. 71, l. 13-37v, p. 72, l. 17.

⁵⁷⁹ Koran 41:42, *fuṣṣilat*, 6:155, 17:9, 53:3, 5:92, 54:7, 4:58, 115 and 135, 3:159, and 10:57.

⁵⁸⁰ MĀLIK, *Muwatṭʿā*, n° 1395 and IBN MAJIH, *Sunan*, n° 3940.

rupture caused by al-Ma'mūn, however, lasted in theory only a decade. His son, al-Raṣīd (629/1232-640/1242) reversed the al-Ma'mūn's decision and rehabilitated the Almohad doctrine. It is possible that *taqdīm* 62 bears witness to this turn, since it mentions only “the royal and exemplary path of the Law and [...] the footsteps of the Book and Tradition,” without citing consensus (*ijmā'*).⁵⁸¹ To confirm this, we would have to be sure the document dates from the time of al-Raṣīd, as do each of acts 57 to 64. This is likely if the acts are indeed organized according to their place of origin – whether present in the *shaykh's* collection or not - and then chronologically, which seems to be the case. The title of *taqdīm* 65 specifies that it was written for al-Mu'taḍid bi-Llāh al-Sa'īd (640/1242-646/1248), and so we may suppose the preceding acts date from the ruler before him, al-Raṣīd, in which case the nominations citing consensus (*ijmā'*) as the third foundation for judicial decisions would have been written during the first part of his reign, before the rehabilitation of the Almohad doctrine, and *taqdīm* 62 just after.⁵⁸²

↪ this constitutes the second explanation for the large number of acts mentioning the *ijmā' al-umma*. Indeed, except for *taqdīm* 62, all the other judicial acts, including those coming later from the reign of al-Mu'taḍid bi-Llāh al-Sa'īd, mention the *ijmā' al-umma* even though the Almohad doctrine had been officially reinstated.⁵⁸³ Al-Rāshīd's reversal does not seem to have had lasting effects, at least legally. Though the Maḥdī's *'iṣma* was once again invoked during the Friday sermons and on coins, as well as in the chancellery documents, it would seem that the Mālikī *'ulamā'* had succeeded in imposing their demands and Mālikī standards on the law.⁵⁸⁴ This concession of caliphal power is doubtlessly the sign of its weakening and a sign of its lessening ambition. The Maḥdī and his successors, especially 'Abd al-Mu'min, had worked to affirm their authority over the corporation of the religious elite, and to impose themselves as the exclusive interpreters of the divine Law, ensuring their autonomy and power to legislate. Al-Ma'mūn's decision put a temporary end to this historic attempt to separate the ruler and Almohad state from the control of the religious elite. For a few years, the caliph was simply the first among them, the auto-legitimizing authority, the “guide” indicating the “straight path” and

⁵⁸¹ *Taqdīm* 62, f° 41r, p. 79, l. 14-16: “We have counseled him to fear God on High, to take the royal and exemplary path of the Law and to follow the footsteps of the Book and Tradition” (*wa qad waṣṣaynā-hu bi-taqwā Llāhi ta'alā wa-l-sayri 'alā jādḍati l-shar'i l-muthlā wa-l-iqtidā'i bi-āthāri l-kitābi wa-l-sunnati*).

⁵⁸² *Taqdīm* 57, dated from 1st dhū l-qa'da 636/5 June 1239, and probably 58 and 59.

⁵⁸³ Only *taqdīm* 70 also omits this foundation, but it is incomplete, and ends abruptly after the mention of the Koran and Tradition.

⁵⁸⁴ As attested to by the late letter from the caliph al-Murtaḍá to Pope Innocent IV, translated by E. TISSERAND and G. WIET, “Une lettre de l'almohade” and K.-E. LUPPRIAN, *Die Beziehungen der Päpste*, 200-203, NLA, n° 126, 401-44.

deciding the correct interpretation of the Koran and *Sunna*. He reclaimed his *wilāya* (“magistrature”), certainly, the most important one, but this time in the service of the Law whose interpretation had devolved, as before and now permanently, to the specialists (‘*ulamā*’).⁵⁸⁵

↔ the third and most probable explanation refers to tensions within the Almohad movement between those who accepted for better or for worse the historical experience of the Community and those who were faithful to the most “fundamentalist” position of the movement’s founders and the *zāhirī* doctrine, and recognized only the consensus (*ijmā*’) of the first generations of Muslims. The phrase “consensus of the community” (*ijmā*’ *l-ummati*), which the Mālikī sources seem not to use, was a voluntarily ambiguous formulation which allowed for a normalization within Sunni Islam of the Almohad doctrine, sparing the original severity without referring explicitly to Mālikism.⁵⁸⁶

Al-Rashīd’s return to the original Almohad doctrine created a new complex reality for the Empire: the characteristic emblems of the *Tūmartī* movement were reestablished concerning the theoretical position of Unicity (*tawḥīd*) and caliphal legitimacy, and the judges remained confined to purely judicial and juridical functions. At the same time, a concession was made in the “tribunals” to the Mālikī juridical system which guaranteed the social function of the *fuqahā*’ and ‘*ulamā*’. This situation continues the one described by Mūsá in regards to the first period of the Empire: a certain number of jurists were Mālikī from a legal point of view and partisans of *kalām* from a theological point of view.⁵⁸⁷ The tension caused by the rise of the Almohad within the corporation of scholars and between them and the caliphal authority translated into the expulsion of the ‘*ulamā*’ from state service – either as judges and legal functionaries or as secretaries of the *diwān al-inshā*’.⁵⁸⁸ Scholars were henceforth legitimated in their functions by the caliph’s authority, whereas they had heretofore legitimated the caliph’s decisions by virtue of the authority conferred on them by their religious Knowledge. A new contract seems to have been passed in the 1230s which, in a different way, allowed for collaboration between scholars

⁵⁸⁵ This is the classic schema described in the eleventh century by al-Māwardī in his *Aḥkām al-sultāniyya* or later by al-Wansharīsī, in his *Livre des magistratures* (AL-WANSHARISI, *Livre des magistratures*).

⁵⁸⁶ I would like to thank Maribel Fierro for having suggested this explanation which has the advantage of taking into account the tensions within the Almohad movement, of revealing the empiricism of the juridical and political choices made by the chancellery secretaries, and of bringing out the originality of these choices on the religious level.

⁵⁸⁷ I. al-D. MŪSÁ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, p. 198.

⁵⁸⁸ On the evolution of the recruitment of *kuttāb* during the Almoravid and Almohad periods, see P. BURESI and H. EL AALLAOUI, “La chancellerie almohade”.

and the Almohad power, without it being enough to restore caliphal authority over its erstwhile domain.

c. Choice and Appointment

The *taqādīm* insist in particular on the choice of the imperial “agents” in describing the qualities of those chosen. This list of virtues serves a number of purposes, the first of which is to give an air of rationality to the caliph’s decision. Likewise, the appointment becomes an honor and a mark of consideration for the subjects who will benefit from the qualities described. Finally, the list of virtues makes the *taqādīm* an inevitable meeting between a region and its governor that assures the subjects’ obedience and collaboration. These qualities can be personal, family-related, or social.

**Personal qualities: *ghanā’*, *istiqlāl*,
iḍtilā’, etc.**

Most of the qualities appear indistinctly for all the officials. Courage (*najda*) and bravery (*majd*) are perhaps reserved for the *quwwād*, since they are more specifically military.⁵⁸⁹ The *wālī* (“governor”) in *taqādīm* 14 is characterized as holding *najda*, but this, in fact, refers to his mission to bring the subjects back into obedience.⁵⁹⁰ *Ghanā’* is an essential quality for imperial officials: it is mentioned in twenty-two of the forty-nine gubernatorial appointments, and in five of the twenty-eight for judges. In Carmona’s excellent article on the required conditions for judicial exercise, the wealth of the candidates is put forward, leading to reading *ghīnā’* (“wealth”) and not *ghanā’*.⁵⁹¹ Nevertheless, we believe it more accurate to see the means necessary to carry through a project or plan,⁵⁹² which in this context evokes “competence” more than “wealth”.⁵⁹³ We might also add to this list *istiqlā* (“sense of responsibilities”), *iḍtilā’* (“aptitude”), *iktifā’* (“effectiveness”), *sadād* (“uprightness”), etc.

These qualities partially cover the criteria judged necessary by Mālikī jurists for exercising a judicial profession, which they limit to five or seven, based on different traditions

⁵⁸⁹ *Taqādīm* 21, 22 and 39. *Taqdīm* 22, f° 20r, p. 37, l. 7-8: “we choose from among brave and capable men those who will defend it by striking with the sword and severity” (*wa nakhtāru la-hā min ūlī al-najdati wa-l-kifāyati min yadhibbu bi-l-ṣarāmi ḡarb^{an} wa ṭaⁿ bi-l-sinānī*).

⁵⁹⁰ *Taqdīm* 14, f° 15r, p. 27, l. 14-15: “He is known for his wisdom and reputed for his firmness, following the path of his predecessors in courage and bravery” (*wa huwa al-ma^r rufu bi-l-shahāmati al-mawṣūfu bi-l-ḡazāmati al-sāliku sabīli salafi-hi fī l-najdati wa-l-ṣarāmati*).

⁵⁹¹ A. CARMONA, “Le malékisme”. See also Gh. M. AZAD, “Qualifications of a *qāḍī*”.

⁵⁹² We would like to thank Abdallah Cheikh-Moussa for his advice and lexical help..

⁵⁹³ This is the term we have chosen most often. See for example *taqādīm* 21, f° 19v, p. 36, l. 11-13: “We are thankful for the commendable competence (*ghanā’*) he has shown in many contexts, as well as the justice of opinions he has given in [diverse] endeavors (*fī-muḡāwalāt*) like a seasoned expert” (*wa naḡnu nashkuru la-hu ghanā^{an} ḡamīd^{an} qaddama-hu fī kathīri mina l-mawāqifi wa ra^y^{an} sadīd^{an} a^m mala-hu fī l-muḡāwalāti*).

going back to ‘Umar b. al-Khaṭṭāb (634-644), Mū‘āwiya (660-680), or sometimes ‘Umar b. ‘Abd al-‘Azīz (d. 101/720) or ‘Alī b. Abī Ṭālib (d. 40/660). Carmona lists the details in his article: the knowledge of juridical precedents, an aptitude for taking council from those who are trustworthy, honesty, self-control and a disdain for criticisms.⁵⁹⁴ The first of this is, of course, absent from the *taqāḍīm*, since it concretely refers to Mālikī juridical practices. The same is true of council, since it refers to the activity of *muftī*. Self-control, however, and honesty and indifference in the fact of criticism or blame – *lawmat lā’im*_{in} in the *taqāḍīm* – appear in the Almohad acts in one form or another through equivalent terms that evoke a sense of justice and equity (‘*adl*), sagacity (*shahāma*), firmness (*ḥazāma*), seriousness (*jidd*), etc., which are revealed by the appointee’s experience (*ikhtibār*), previous positions (*isti’māl*), initiatives (*taḥāwulāt*), ease (*khilāl*), behavior (*siyar*, *taṣarrufāt*), or attributions (*tanāwulāt*). The person’s qualities (*dhāti-hi*), however, are not always enough, and integration within a family group is often a supplementary guarantee.

Lineage and the heredity of office

Family does in fact appear in the *taqāḍīm* as determinant criterion of selection for provincial officials, perhaps even more than personal qualities. These can be divided into two types of examples: well-known lineage (*salaf*, *bayt*)⁵⁹⁵ or simply the transmission of an office from father to son.⁵⁹⁶ This type of transmission appears in the collection a number of times: firstly in certain particular and personalized *taqāḍīm*, like number 5 by Ibn Hūd concerning Ibn Ramaymī,⁵⁹⁷ or 6 by al-Murtaḍā meant for Ceuta and al-‘Azadī; next, in the *taqāḍīm* concerning the Arabs (39 and 41); finally in a number of judicial appointments (50, 51, 72, 73, and 75). It seems indeed that the transmission of provincial imperial functions from father to son obeyed different necessities depending on the context.

In the case of the recall of Ibn al-Ramaymī, who was replaced by his son as governor of Almería, there is a monopolization of leadership positions in the hands of a few families close to the ruler. Beyond the Almohad Empire, this situation is comparable to relations the *Mu’minids* maintained with the descendants of Abū Ḥafṣ ‘Umar al-Hintātī, a loyal companion of Ibn Tūmart and his successor ‘Abd al-Mu’min. In both cases, limits are maintained between

⁵⁹⁴ A. CARMONA, “Le malékisme”, 126.

⁵⁹⁵ *Taqāḍīm* 7 (*bayt*), 14, 17, 20, 29, 59, 67 and 68 (*salaf*).

⁵⁹⁶ *Taqāḍīm* 5, 6, 30, 33, 39, 41, 50, 51, 72, 73, 74 and 75 (mention of father-son ties).

⁵⁹⁷ For the phonetic transcription of Ibn Hūd's vizier's name, we have followed the *tashkīl* present in the document (*Ibn al-Ramaymī*, f° 5v, p. 8, l. 22) rather than the transcription usually found in works by historians (*Ibn al-Ramīmī*).

the need to justly reward unfailing faithfulness and effective independence. Also in both cases, autonomy of action emerges through the transfer of trust from an individual to a lineage: in 1238, Ibn Hūd's vizier, Ibn al-Ramaymī, assassinated him, and at the end of the 1220s, the powerful *Ḥafṣid* governors of Ifrīqiya used the pretext of al-Ma'mūn's rejection of the Almohad doctrine to declare their independence from Marrakesh.

This pattern can be compared to the transmission of the function of *shaykh* from father to son among the Arabs.⁵⁹⁸ The heredity of this responsibility was clearly a limit to caliphal authority, a concession offered to groups whose support was sought and whose defection would have gravely weakened the ruler. It seems in particular to have developed with the reign of al-Mustanṣir (1214-1224). Whereas it had previously served as a government strategy to assure the loyalty of provincial elites, it became a symptom of a crisis of authority and the ruler's weakened means of action and coercion. As on the caliphal level, the ruler played on the competition between the brothers and sons of the deceased to impose his power. *Taqdīm* 39 is a perfect example of this strategy of division among the Arab families with the dismissal of a son in favor of his paternal uncle, and so a support for lateral legitimacy to the detriment of vertical legitimacy and direct parentage:

When he died, we kept his post for his son, whom we honored with an appointment at the head of the Arabs because [of his father], for we believed that in [our] service he would comport himself as his father, and that his plans would not stray from the praiseworthy paths his father had followed. Nevertheless, he delayed not in renouncing [that] favor and in calling misfortune on himself through his misdeeds. We have dismissed him and [in his place] have named his [paternal] uncle, Fulān, at the head of the Arabs, to manage their affairs and govern them as well as possible.⁵⁹⁹

The mention of fathers in the judicial *taqādīm* or in act 5 concerning al-'Azafī of Ceuta is different. In this case, paternal ascendancy is not the sign of a family autonomy rivaling the ruling authority, but of the transmission of knowledge through the family, in particular religious and juridical. Al-'Azafī's case is a bit particular, of course, since the monopoly of knowledge transmitted by his father, the famous *faqīh* Abū l-'Abbās al-'Azafī, opened the doors of power in Ceuta to a member of the family. However, this occurred during a dynastic crisis for the central Almohad power, and the competition that resulted between Ibn Hūd of Murcia, the

⁵⁹⁸ *Taqādīm* 39 and 41.

⁵⁹⁹ *Taqdīm* 39, f° 28r, p. 53, l. 1-5: *wa lammā tuwuffi abqaynā walada-hu fī makāni-hi wa nawwahnā bi-taqdīmi-hi 'alā al-'arabi mina shāni-hi wa qaddarnā fī-hi anna-hu yasluka fī l-khidmati maslaka wālidī-hi wa an lā ya dila 'an mashkūri maqāšidi-hi fa-mā 'adā an kafara l-na'mā'a wa jalaba ilā nafsi-hi bi-sū'i af'āli-hi al-aswā'i wa akhkharnā-hu wa qaddamnā Fulān^{an} 'amma-hu 'alā l-'Arabi li-yaqḍiḥa umūra-hā wa yasūsa aḥsan siyāsat jumhūra-hā.*

Ḥafṣids of Ifrīqiya, and the Italian city-ports for the control of this strategic port. As during the second *taifa* period in al-Andalus (1144-1157), the great judicial families were a source of stability during a time of political crisis.

This popular confidence in religious authorities, despite the Almohad struggle against institutional Mālikism, attests to the failure of Ibn Tūmart and ‘Abd al-Mu’min’s ambitions and the powerful inertia of religious institutions in their relations with political authority.⁶⁰⁰ The power of this resistance can be related to the family structures that played a role in the transmission of knowledge, whether professional or craft-related, artistic or literary, military or religious.⁶⁰¹ The mentions of “we appreciated that he followed in his father’s footsteps,”⁶⁰² “and he steadfastly followed in the footsteps of this father and his (paternal) uncle,”⁶⁰³ “he placed his steps in those of his father,”⁶⁰⁴ justify the appointment by transmission, with the paternal specialization and knowledge, reputation and respectability.

In addition, judges were often from the localities where they were appointed.⁶⁰⁵ The phrase *fa-idhā wāfā-kum* in the *taqādīm* proves only that they went to the caliphal court to receive their act of investiture. It is difficult, however, to evaluate the share of “foreigners” from al-Andalus among the judges appointed, even if the proportion must not have been negligible, at least for the more important positions. The majority of the studies on juridical-religious institutions focus on al-Andalus, but they all reveal efforts by families to monopolize judicial offices within a network of family relations: Muḥammad b. ‘Abd Allāh Ibn Ḥawṭ Allāh al-Ḥārithī (d. 607)⁶⁰⁶ held the post of *ṣāhib al-aḥkām* in Cordova and Murcia for his father, the *qādī* Abū Muḥammad ‘Abd Allāh, who was *qādī* of different cities in al-Andalus and North Africa. Makhlad b. Yazīd b. ‘Abd al-Raḥmān al-Umawī (d. 622)⁶⁰⁷ held the *ḥuṭṭat ‘aqd al-manākiḥ* for his brother Aḥmad when he was judge of the city. These examples, taken from

⁶⁰⁰ On the institutional character of the scholarly world in *dār al-Islām* in the Middle Ages, see M. CHAMBERLAIN, *Knowledge and Social Practice*.

⁶⁰¹ This process of dynamic construction of a religious identity developed most completely in situations where the population was politically subject, as with the Mudejars of Aragon in the thirteenth and fourteenth centuries, when the family played in full its role of conserving the collective memory and the identity of the group, as shown by Kathryn MILLER in *Guardians of Islam*.

⁶⁰² *Taqdīm* 50, f° 32v, p. 62, l. 21: *wa quddira fī-hi al-iqtidā’u bi-abī-hi*.

⁶⁰³ *Taqdīm* 51, f° 33v, p. 64, l. 8: *al-mutaraddid bayn abī-hi wa ‘ammi-hi bi-l-iqtidā’i wa-l-iqtifā’i*.

⁶⁰⁴ *Tadīm* 73, f° 46v, p. 89, l. 10: *wa ḥadhā ḥadhwu abī-hi*.

⁶⁰⁵ ‘I. al-D. MŪSÁ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, p. 201.

⁶⁰⁶ See J. LIROLA DELGADO et J.M. PUERTA VÍLCHEZ (dir.), *Biblioteca de al-Andalus*, t. 3, s.v. “Ibn Ḥawṭ Allāh, Abū Muḥammad,” n° 566, 321-325, p. 324.

⁶⁰⁷ IBN AL-ZUBAYR, *Ṣilat al-ṣila*, 76, n° 101.

sources other than the *taqādīm*, shed additional light on the family management of offices tied to judicial authority in al-Andalus and the Maghrib in the twelfth and thirteenth centuries.

Belonging to the circles of power

The ultimate criterion of selection for provincial officials is loyalty to the regime, especially when added to the previous two criteria: personal qualities and long-term relations between the chosen official's lineage and the Almohad regime. *Taqdīm* 33 gives a perfect example of the unique and exceptional character conferred by the accumulation of these three through the personal qualities inherited by way of the sound and upright education received through contact with the court by way of the family's long-term faithfulness to the regime:

we have named Fulān, who has long been a servant [of the state], a loyal being whom we have sought out and whose company we have kept because of his excellent nature, someone whom His Presence has raised in the lap of his guardianship, that was cast into the shadow of his power, refined of all suspicion. He has ancestors who were faithful in the service [of the state], deserving of praise and favors, spending all of their energy and possible deeds in the service of this power.⁶⁰⁸

Familiarity with the ruler and the court is thus a mark of nobility and a standard of quality that will allow the subjects, if they are worthy, to come closer to God in the hereafter. *Taqdīm* 72 reveals that proximity with God in the hereafter hangs on this factor in the here below:

“in addition, he has merited to be close and near [to Our Presence] because of the services rendered (*wasā'il*) by his father, a servant known and eminently respectable.”⁶⁰⁹

This is another example of the parallel established between the earthly Almohad caliphal power and the celestial power of God: “the *amr al-‘aẓīm* is the *amr* of God”, and proximity and familiarity with the caliphal prefigures proximity with God.

d. Conclusions

This presentation of the seventy-seven *taqādīm* in Yaḥyá's collection offers an image of provincial officials that differs considerably from that present in the chronicles and literary sources. There are a number of reasons for this, related either to the nature of the sources used,

⁶⁰⁸ *Taqdīm* 33, f° 25r, p. 47, l. 21-f° 25v, p. 48, l. 2: *qaddamnā Fulān^{an} wa huwa al-khadīmu l-qadīmu wa-l-nāṣihu l-ladhī nastashibu ḥusna l-ṭawīyyati wa nastadīmu wa man rabbat-hu al-ḥaḍratu fī ḥajri kafālati-hā wa ḍarrajat-hu l-muhadhdhabu l-aryabu fī ḡilli iyālati-hā wa la-hu al-salafu al-akīdu l-khidmati al-khalīqu bi-shukri l-ni'mati al-mufná fī khidmati hadhā l-amri al-‘āliyyi wus‘a l-ṭāqati wa mamkana l-himmatu.*

⁶⁰⁹ *Taqdīm* 72, f° 46r, p. 89, l. 14-15: *wa taqāḍat la-hu wasā'ilu abī-hi al-athīri l-ḥurmati al-shahīri l-khidmati maziyyata l-taqrībi wa-l-izdilāfi.*

chronicles, geographic or bio-bibliographical dictionaries and literary anthologies versus chancellery documents, or to the context illuminated by these respective sources.

Delegation of power versus centralization

The imprecision of the term *‘āmil* revealed by Guichard is relative. The word certainly means “agent” and can be used indistinctly in the narrative sources for all levels of administration,⁶¹⁰ but in Yaḥyá’s collection it always designates an important official with an authority equivalent to the *wālī* and holding identical and defined prerogatives: policing and maintaining order, tax collection and economic management in their regions of appointment. As for the duality noted by Guichard between an administrative structure that is essentially fiscal and a more political organization, each relatively independent of the other, though the second obviously trumps the first, this would seem to be a deformation of the sources used or perhaps a reflection of the Almohad Empire’s situation in the twelfth rather than the thirteenth century.⁶¹¹ Indeed, in the Maghrib from the end of the 1220s to the disappearance of the Almohad dynasty, this duality is not glaring. The only clear distinction shown by the appointment acts comes not between the administrative and political functions, but between the fiscal, military and administrative functions and the judiciary.

Nevertheless, we would agree with Guichard’s recognition of the financial dependence on the state of not only the military, but also those elites and officials charged with maintaining order. The non-privatization of royal prerogatives (coinage, army, justice) and the enlistment of provincial elites in the administration constitutes “one of the fundamentals traits of the Islamic socio-political system and one of the major differences with the largely feudal structures of the contemporary Latin kingdoms.”⁶¹² Mūsá recalls that some governors received a total delegation of financial matters and coinage from the government, explained either by the caliph’s confidence in them, or by the inherent necessities of the region in question.⁶¹³ We can also add that the large autonomy occasionally granted to certain regions, as in *taqdīm* 1, with in particular the delegation of power to appoint regional officials, was not the cause of weakened central power, rather its consequence. For the provinces, this corresponds to a political dynamic of putting different “legitimizing” authorities in competition with each other – the Abbasids in

⁶¹⁰ P. GUICHARD, *Les musulmans de Valence*, t. 2, 366.

⁶¹¹ P. GUICHARD, *Les musulmans de Valence*, t. 2, 337.

⁶¹² P. GUICHARD, *Les musulmans de Valence*, t. 2, 367.

⁶¹³ ‘I. al-D. MŪSÁ, *al-Muwahḥidūn fī l-Gharb al-islāmī*, 185.

Baghdad, the Almohads in Marrakesh, and the Ḥafṣids in Ifrīqiya – and, for the capital, it conveys an effort to restore the prestige of an increasingly fragile and contested caliphate.

It is remarkable that the term *niyāba* (“delegation”) does not appear in the collection, with one exception, not even in *taqdīm* 1. This governmental practice was emblematic of the Almoravid provincial administration, and contrasts with the extremely centralized system developed by the first Almohad rulers.⁶¹⁴ In fact, *niyāba* occurs only in *taqdīm* 20, where it does not reflect a real delegation of power so much as the quality of the appointee, the importance of the missions entrusted to him and of the city placed in his hands:

We have issued a delegation decree (*rasm al-niyāba*) to keep Fulān in his post among you, thus choosing the qualification [given him by] (*tanāwulāt*) his righteousness and efficiency. We have named together with him for all [your affairs] Fulān because of his prestigious rank in the community (*ṭā’ifa*) of Unicity (*tawḥid*) and his faithfulness to his ancestors’ just and righteous path.⁶¹⁵

Associated nominations

The above citation from *taqdīm* 20 also sheds light on the practice of associated appointments, which do not seem exceptional. Yet, they are grouped in the collection from *taqdīm* 15 to 20, excepting *taqdīm* 16. This would indicate that the provinces in question and their fiscal stakes were important. The “shared” appointments were probably also motivated by the desire to ensure the mutual control of each of the officials in the decisions and actions of the other. The reduced size of the Empire and the weakening of caliphal authority explain thus the contrast between the information present in the chronicles for the Empire’s period of expansion and organization, and those present in the *taqdīm* written during the phase of political and territorial crisis.

The size of the cities and provinces entrusted to the “servants of the state” during the first period necessitated more specialization than in the middle of the thirteenth century, when the authority of the caliph in Marrakesh covered only the territory of present-day Morocco. The non-specialization of the officials named in the *taqdīm* may then be simply the symptom of the crisis endured by the Almohad regime beginning with the reign of al-Ma’mūn, while the specialization reported in the chronicles would not necessarily have been a principle of government – the separation of military and fiscal responsibilities, of military operations and

⁶¹⁴ We should also mention the verbal form *wa yanūbu aḥmad manāb* in *taqdīm* 26 (f° 21v, p. 40, l. 19.). On the comparison between the Almoravid system of delegation and the Almohad centralized management of provincial administration, see P. Buresi, “Administration territoriale,” 129-145.

⁶¹⁵ *Taqdīm* 20, f° 18v, p. 34, l. 15-17.

the maintenance of interior order – but an empirical adaptation to the complex management of vast and populated territories.

The respective place of judges and territorial administrators

The functions attributed to the central power’s civil and military representatives in the regions encroached in fact on the religious domain. As for the judges, while they may have obtained an arrangement of the Almohad doctrine in the juridical domain, their activities seem to have been restricted to the resolution of disputes between the Empire’s subjects. Their opinion had been sought in all domains, political, social, and religious, under the Almoravids, but the *taqāḍīm* reveal that under the Almohads not only did they depend on the central regime, but in addition they received exclusively “judiciary” attributions. No more the solicitations for advice on political decisions, no more their universal expertise, the *qāḍīs* under the Almohads were judges in the name of the Law, in the service of the central administration, and no more.

Al-īrād wa l-iṣḍār: authority and its practice

The translation of this notion is difficult, because the dictionary definition does not correspond with reality: this notion, twofold in fact, appears in the great majority of the *taqāḍīm*, either as the binomial *īrād-iṣḍār*, or more rarely as *wird-ṣadr*.⁶¹⁶ Dozy claims in his *Supplément aux dictionnaires arabe-français* that this couple designated in Egypt, under the Mamluks, “income and expenses”. This translation is difficult to accept in the Almohad context. The term appears as much in those acts concerning judges as those for governors (*wulāt* or *‘ummāl*), and includes as much the Almohads as the Arabs. Also, certain formulations indicate a quality, a function, or a more abstract and general activity, and less “budgetary” than that represented by income and expenses:

“May, for him, the strong and the weak, the noble and the [man of the people] be equal, no matter the decree he issues or receives (*mā yūridu-hu aw yuṣḍiru-hu min qaḍā’i-hi*).⁶¹⁷

or also:

“Thus when he arrives among you, may your submission to his authority [which he holds from us] be irrefragable (*li-iṣḍāri-hi wa īrādi-hi*).”⁶¹⁸

Moreover, *īrād* and *iṣḍār* concern not only the appointees, but also the caliph:

⁶¹⁶ In *taqāḍīm* 11, 53, and 54.

⁶¹⁷ *Taqḍīm* 73, f° 46v, p. 89, l. 16-17: *wa an yakūna ‘inda-hu l-qawīyyu wa-l-ḍa’īfu wa-l-maṣhrūfu wa-l-sharīfu siwā^{an} mā yūridu-hu aw yuṣḍiru-hu min qaḍā’i-hi*.

⁶¹⁸ *Taqḍīm* 58, f° 40r, p. 77, l. 2: *fā-idhā wāfā-kum fa-l-yaḥsuna i’timāru-kum li-iṣḍāri-hi wa īrādi-hi*.

“May God on High grant us the continuation of that with His aid and His support and may His assistance accompany us in the exercise of our authority (literally “in the *iṣḍār* and *īrād*”).”⁶¹⁹

We should note that, as in the preceding example, all the passages concerning the *īrād* and *iṣḍār* of the ruler are prayers asking God for His help, His support or His direction in this area. The mention of *īrād* and *iṣḍār* for officials, however, appears in sections where the caliph lists the orders, advice, or injunctions he has given to the designated governor or judge.

The complementary terms of *īrād* and *iṣḍār* (*wird-ṣadr*) evoke a double movement of sending or transmitting and reception. They can thus concern not only revenues and expenses, but also orders and information. They situate the person exercising this *īrād* and *iṣḍār* at the center of a twofold movement: that to which he submits and that which he exercises. They thus place the official, most often, and ruler, more rarely, in a position of articulation in the chain of power. The quality of the person concerned is then measured by the obedience he manifests to the superior obligation of his office, for the caliph, to the ruler’s orders, for the provincial officials, at the same time as the manner in which he acts as a well-oiled and extremely reliable mechanism between God and the faithful. At the higher echelons, the binomial *īrād-iṣḍār*, which articulates the message from God (Koran and Sunna) towards the faithful, gives the caliph his legitimacy and confirms him as an intermediary between the earthly world and God, an obligatory interpreter of the divine word; at lower echelons, the transfer of this same binomial reproduces the higher hierarchy and implicitly places the official in a relationship with the caliph that is almost identical to that which the caliph maintains with God. The caliph exercises his *īrād-iṣḍār* through prayer and the help of God, the official practices it in obeying the superior authority of the ruler, on the one hand, and governing as justly as possible, on the other.

This conception of authority, from God to His representative on earth, the Almohad caliph (*khalīfat Allāh*), and from him to the provincial officials, and through them to the subjects of the Empire, all within the framework of the “fear of God” (*taqwā Allāh*), is based on an organic and hierarchical vision of Creation. This vision differs greatly from the much more functionalist one present in the *Aḥkām al-sulṭāniyya* by al-Māwardī (d. 450/1058), the *Aḥkām*

⁶¹⁹ *Taqdīm* 14, f° 15r, p. 27, l. 8-9: *wa Llāhu ta’alā yamuddu-nā fī dhalikum bi-l-ta’yīdi wa-l-injādi wa yaj’alu tawfiqa-hu la-nā rafīq^{an} fī l-iṣḍāri wa-l-īrādi*. Other examples in *taqdīm* 6, 9, 25, 38, 62, and 77.

al-kubrā by the Andalusī jurist Abū l-Aṣṣbagh ‘Īsā b. Sahl (d. 486/1093), or later in al-Wansharīsī’s *Kitāb al-wilāyāt*.⁶²⁰

3. THE CHANCELLERY, CENTRAL MECHANISM OF THE IMPERIAL POWER

Yaḥyá’s collection does not lend itself to a detailed study of how the chancelleries that produced these documents functioned. The names of *kuttāb* are not mentioned, so we cannot know if known secretaries wrote these acts, or if they were secondary scribes. Other sources, such as bio-bibliographical dictionaries, will have to serve for a prosopographical study.⁶²¹ The following presentation of the Almohad chancellery is thus limited to the general framework of exercise for the *kitāba*, to the general structure of the secretaries’ activity and will more precisely address the detail of the acts in themselves and the procedures of production as indicated in Yaḥyá’s manuscript.

A. THE *KITĀBA*, THE *KUTTĀB*, AND THE *DĪWĀN AL-INSHĀ’*

In a previous work, we noted the distinction between the group of *kuttāb* charged with juridical-religious functions and the body of *kuttāb* termed “lettered” (*udabā*).⁶²² Indeed, the Almohads had taken firm control of state institutions, including the *kitāba*, and had introduced selection criteria different from the sole, and traditional, literary performance. This notable social-political evolution is confirmed by a rapid thematic analysis of the corpus of documents.

The juridical education of the *kuttāb* under the Almohads

Although the description of a major historic event had traditionally allowed its reporter to be cited by the chronicles, under the Almohads there seems to be a generalization of anonymity. The *kuttāb* behind the numerous important letters are unidentified and this silence, which results probably from the specific means of transmission of memory in medieval Islam, reveals also a depersonalization of the state administration during the Almohad period. The omnipresent literary ornaments are no longer there to glorify the particular *kātib*, but participate in celebrating the regime. After Ibn ‘Aṭīyya’s execution in 1158, the choice of secretaries seems progressively to obey new criteria different from the literary and poetic competencies that had allowed this Almoravid scholar to become secretary, vizier, and councilor to ‘Abd al-Mu’min.

⁶²⁰ H. BRUNO and M. GAUDEFROY-DEMOMBYNES (ed. and trans.), *Le livre des Magistratures*.

⁶²¹ Using for example the database developed by Mustapha Benouis in his dissertation *Le système juridico-judiciaire almohade en al-Andalus et au Maghreb, 542-668/1147-1269*, defended June 29, 2002, under the direction of Pierre Guichard at the Université Lumière Lyon 2.

⁶²² P. CRESSIER, M. FIERRO, and E. MOLINA (dir.), *Los Almohades*, and in particular our article “La chancellerie almohade”, t. 2, 477-503. The list of *kuttāb* provided in our article can be completed with that provided by ‘I. al-D. MŪSĀ and presented below in Annexes 4.

According to the *ṭabaqāt*, the *kuttāb* no longer distinguished themselves only by their literary or poetic talent, but also, and especially, by their juridical-religious knowledge: *ḥadīth*, *ūṣūl al-fiqh* (“foundations of the law”), *qira‘āt* (Koranic readings), *lughā* (language), Koran, *‘ulūm al-lisān* (“sciences of the Arab language”).

At the beginning of the twelfth century, in the continuance from the *taifa* period studied by Bruna Soravia, the chancellery secretaries (*kuttāb al-inshā‘*) were still tied, with few exceptions, to the lettered milieu (*udabā‘*). Beginning with the Almohad period, however, the bio-bibliographical dictionaries reveal that these *kuttāb* frequently exercised judiciary or religious functions: *qāḍī*, *ṣāḥib al-mawārīth*, *ṣāḥib al-mazālim*. The Almohad rulers favored the juridical-religious criteria rather than the strictly literary or worldly qualities of their *kuttāb*. Contrary to their predecessors, they used judges (*qāḍīs*) and doctors of the Law (*fuqahā‘*) in attributing them the function of *kātib* and vice-versa.⁶²³ Contrary to what we claimed in our earlier work, this was not a sign of flexibility for the Almohad administrative system, but a reformulation of the social role of the *fuqahā‘* and *‘ulamā‘*, who were barred from juridical service but still enrolled in the chancellery services that, in a way, took the place of the body of scholars to issue the law.

The geographic origin of the *kuttāb*: al-Andalus and the Maghrib

This functional evolution was accompanied by a modification in recruitment that consolidated the emergence of the Maghrib in the profession of letters. Under the Almoravids, no secretaries came from the Maghrib. Andalusī scholars totally dominated the Almoravid chancellery and each of these Andalusīs had honed their skills in the courts of the *taifa* kings.

⁶²³ The careers of Ibn al-Abbār and Ibn ‘Amīra are a perfect illustration of the ties between chancellery activities and judicial-religious functions. After having served as *kātib* for the last Almohad governor of Valencia, the *sayyid* Abū Zayd (c. 1220-1229), then his successor Zayyān b. Mardānīsh (1229-1238), Ibn al-Abbār was named *qāḍī* of Denia in 633/1236. As Guichard notes in his *Musulmans de Valence*, the family environment of this scholar carried him towards judicial and religious activities.. He was trained as a *faqīh*, his father had been the prayer leader at the Zaidia mosque (*al-Sayyida*) in Valencia, and his principal teacher had been the traditionist Abū l-rabī‘ Sulaymān al-Kilā‘ī. In addition, his most important work, with the *Takmila* and *Mu‘jam*, was dedicate to *fiqh*. As for Ibn ‘Amīra, after having served as *kātib* for Almohad governors, then various local rulers (Murcia, Alcira, Mallorca, Valencia), he fled al-Andalus to enter into the service of the Almohad caliph al-Rashīd, whom he served as secretary for a number of years. He then was named *qāḍī* of Hilāna, Rabat, and Salé. During the reign of al-Mu‘taḍid bi-Llāh al-Sa‘īd, Ibn ‘Amīra became *qāḍī* of Meknés. After the assassination of the caliph al-Mu‘taḍid bi-Llāh al-Sa‘īd, in 1248, Ibn ‘Amīra fled once again, this time to Ifrīqiya where he joined other *Andalusīs*, such as his friend Ibn al-Abbār. After working in Bougie in the chancellery of the ḥafṣid prince Abū Yaḥyā Zakariyā b. Abī Zakariyā, he left after the ruler's death for Tunis in 1249. He was named *qāḍī* of Gabès, then Constantine. These biographical elements are drawn from Hicham EL AALLAOUI's dissertation (*L'art du secrétaire*, 386-391) citing M. Benshrīfa, *Abū l-Muṭarrif Aḥmad b. ‘Amīra*.

In the Almohad period, of the thirty-one *kuttāb al-inshā'* named by 'Azzaoui, fifteen came from al-Andalus, and six from the Maghrib; two probably came from al-Andalus given their careers, but no source specifies their place of birth, three were Mu'minids, and so members of the ruling family and from the Maghrib. No information is available for the last five. The prevalence of the Andalusīs is more flagrant if we take into account the number of letters extant: a *kātib* like Ibn 'Aṭīyya, for example, has left sixteen letters, many more than any of the Maghribī secretaries. The *kitāba*'s Andalusī character continued then under the Almohads (between half and two-thirds of the *kuttāb* close to the caliph), but much less systematically than under the Almoravids. The Maghribīs were beginning to penetrate and make a place for themselves in those domains from which they had heretofore been completely excluded.

Mūsá claims that during the first decades of Almohad domination, when the Andalusī scholars went to Marrakesh in search of fame only available through service to the ruler, their interests continued to focus on matters in al-Andalus. Beginning with the crisis, they headed for the court of the Ḥafṣids in Ifrīqiya – like Ibn al-Abbār and Ibn 'Amīra – while those who continued to serve the Almohads in the Maghrib al-Aqṣá stayed only a short while. According to his study then, we can hypothesize that excepting those *taqāḍīm* issued by Ibn Hūd's chancellery (5, 30, 54, and 55), and those by al-Ma'mūn while he was in Granada (4), a large number of the acts in Yaḥyá's collection were written by Maghribī secretaries, though we cannot know which.

B. THE IMPORTANCE OF THE *KITĀBA* IN CONTROLLING TERRITORY

The office of *kātib* does not, in theory, imply governmental responsibility, since the secretary's vocation was simply one of transcribing in the de rigueur literary style directives given by the ruler to his subjects or to subordinates invested with a *wilāya* or *khuṭṭa*. A *kātib* wrote always "in the name of" (*'an*), as shown in the title of a large number of the *taqāḍīm* in Yaḥyá's collection.⁶²⁴ Nevertheless, as in the Latin chancelleries from the same period, the high-ranking *kuttāb* often held a power that largely exceeded their original attributions. They led offices of central government, the antechamber of the distinction of vizier, and took second place hierarchically behind the vizier. However, in valorizing these exceptional persons, famous because their names, talents, and power were memorized in other sources (chronicles, anthologies, bio-bibliographical dictionaries), there is the risk of neglecting those secretaries of

⁶²⁴ *Taqāḍīm* 4, 5, 6, 42-44, 47-49, 52-55, 57, 58, and 65.

inferior rank, often anonymous, collectively charged with preparing and writing the caliphal message and Almohad ideology.

The diffusion of chancellery documents

Information circulated slowly in the Middle Ages, at best at the speed of a galloping horse or carrier pigeon.⁶²⁵ Chronicles sometimes give indications on the temporal dimension of circulating information in the Empire: forty days were necessary for a letter written in Mahdīya to arrive in Granada, sixteen from Murcia to Marrakesh.⁶²⁶ It is difficult to imagine in modern societies, where the transfer of information and finance are practically instantaneous, the situation and dimension of premodern empires, as well as the correlative role of time and the mastery of information for controlling a territory and its inhabitants, for the management of resources and establishing an enduring power. The importance in these vast empires of the postal services (*barīd*) and mounted couriers, carriers of official messages, is understandable. In the Almohad period, the courier was called the *raqqās*.⁶²⁷

The *kuttāb* prepared the message, wrote the acts of *bay‘a*, letters of information, acts of appointment or dismissal, caliphal orders or decrees. These texts were then read from the *minbars* in the great mosques of the cities of the Empire. The writing of these texts carries thus an fundamental importance in the relationship between the ruler and his subjects. It is of course not possible to evaluate the impact of what resembles a service of “institutional state propaganda”, nor to measure the adhesion of the subjects vis-à-vis the transmitted message. Nevertheless, the attention the caliphs give the mention of their names in the *khutba* (Friday sermon) and on coinage, and in general to “signs of recognition” indicates that these manifestations of obedience and allegiance must have had a certain social effectiveness, at least symbolically.⁶²⁸ They justified and legitimized taxes, the respect for social, political, and religious norms, and they gave a sense to relations with foreign powers.

The taqdīm as an act of power

Framed by these ideological and political-religious tenets, it is understandable that the texts written to announce the arrival of a new administrator, judge or governor demanded the talents of the greatest *kuttāb* in the Empire and that, despite the disappearance of the

⁶²⁵ See Y. RAGHEB, *Les messagers volants*.

⁶²⁶ É. LÉVI-PROVENÇAL, *Trente-sept lettres officielles*, letter 19, p. 95-99.

⁶²⁷ See R. DOZY, *Supplément*, t. 1, 547.

⁶²⁸ Cf. the chapter titles from GUICHARD'S, *Les Musulmans de Valence*, t. 2, 275: “Le pouvoir sultanien et ses signes de 'reconnaissance' dans les villes de l'Andalus oriental” and 305: “Les 'signes du pouvoir' dans les capitales de l'Espagne orientale”.

Almoravids, or perhaps because of it, scholars felt the need to preserve the contents of these acts, which a quick reading may make seem daunting and repetitive. Indeed, these texts are an expression of authority, they are power in action, as attested by the numerous performative verbs – “we order, name, council, enjoin...” – and the presence of orders, underlying threats, and prayers.

The name even of these documents, *taqdīm*, is a performative, the *maṣḍar* of the verb in the second form: *qaddama*. It is noteworthy that it differs from the terms *taqlīd* – though built on the same construction as *taqdīm* from the root QLD –, *sijill* or *‘ahd*, usually used by the other territorial powers, Fatimids, Abbasids, or Umayyads. This choice clearly reveals a desire on the part of the Almohads to set themselves apart by semantically renewing an existing expression, renewing the language, while also respecting tradition. The proof from a contrary position of the fundamentally Almohad character of the term *taqdīm* comes from those acts issued by Ibn Hūd al-Mutawakkil. In the four acts issued by this ruler from Murcia (5, 30, 54, and 55), the term appears only once (5), in a comment-worthy context. The three other documents do not use the root QDM, but prefer *QLD* (second and fifth forms).⁶²⁹ *Taqdīm* 5, where the term *qaddamnā* is used, is significantly one of the rare acts to use the notion of *niyāba*. The text claims that the *Dhū l-wizāratayn* (Ibn al-Ramaymī) had been sent to “represent” (*li-yunība*) the regime, as a substitute for the ruler. When he recalls his vizier, Ibn Hūd suggests that the son of his official take his place, and uses the term *qaddamnā*.⁶³⁰ The verb here is constructed without the *maf‘ūl muṭlaq* (*qaddamnā Fulān^{an} taqdīm^{an}...*) and without the complement, introduced by the particle *li-* (+ noun or verb)⁶³¹ or the preposition *‘alā*,⁶³² which usually accompany it in these acts and indicate the prerogatives, area of competence, or the nature of the office. Contrary to Almohad acts, it is followed only by a precision of place,

⁶²⁹ *Taqdīm* 30, f° 24r, p. 45, l. 10-11: “we have chosen, to govern your interests and defend your [countries], near and far, someone whom we could not have not chosen” (*takhayyarnā li-wilāyati maṣālihi-kum wa ḥimāyati dānī-kum wa nāzihi-kum man lam ya ‘du-hu al-ikhtiyāru*) ; *Taqdīm* 54, f° 35v, p. 68, l. 13-14: “We called to arbitrate disputes among its inhabitants someone whose good reputation, purity of intentions, equity, and merit we know well” (*wa nanhaḍu li-taqalludi l-faṣli fī l-aḥkāmi bayna ahli-hi man ‘arafnā-hu bi-l-nabāhati wa-l-nazāhati wa-l-‘adālati wa-l-faḍīlati*) ; *taqdim* 55, f° 36v, p. 70, l. 17-18: “With this in mind, we choose with the greatest care the person we will appoint as governor among you and whom we will order to lead you. We make him responsible for assuring a task in your regions, more specifically the function of judge” (*wa bi-hadhā l-‘tibāri nujiddu l-ikhtiyāra li-man nasta‘milu-hu fī-kum wa nastanhiḍu-hu li-tawallī-kum wa nuqallidu-hu shagh^{an} min ashghāli nawāḥī-kum wa bi-khāṣṣat^m khuṭṭāta l-qaḍā’i*).

⁶³⁰ First person plural of the past tense of the second form of the root QDM.

⁶³¹ *Li-l-nazār, li-l-istibdād, li-l-faṣl, li-l-infirād bi-l-nazar, li-khuṭṭati l-qaḍā’, li-l-ishtighāl bi-aḥkāmi-kum, li-tawallī, li-yatawallā al-nazar, li-ḍabṭ, li-yanzura, li-yujriya l-ḥukma...*

⁶³² *‘Alā jamī’ al-ashghāl, ‘alay-kum, ‘alā tilkum al-bilād, ‘alā l-‘arab, ‘alā l-jaysh, ‘alā a‘māli-kum, ‘alā jihāti-kum li-yaqūma bi-maṣāliḥī-hā, ‘alay-kum li-l-qaḍā’...*

“in your region” (*fī qaṭri-kum*). This is why we have translated the verb with its original sense “cause to advance”, “place before”, rather than “appoint”.⁶³³ This lexical choice is not innocuous, for it is the act itself of sovereign power that is at stake, the essence of the authority to appoint and dismiss. The adoption of a new term fully reveals that the Almohads aspired to exercise an authority different from that of their predecessors and of their rivals in legitimacy, the Abbasids in Baghdad. The chancellery was a vector for these ambitions, the place of expression for a new manner of exercising power and the center of conceptualization of the historic political and religious reform that the Almohads had put in place.

c. Chancellery writing: between tradition and innovation

The internal organization of the documents points to the very strict rules and norms of writing for the chancellery. These took their root in an empirical practice of literature and administration that had developed over time, and had periodically been the object of theoretical essays. We refer here to works by Cahen, Sourdel, Cheikh-Moussa, Soravia, and El Aalloui.⁶³⁴ The education of a good *kātib* supposed the study and knowledge of an ensemble of notions and texts the mastery of which was not formally verified, as in an examination. Recruitment relied on an informal process, a compromise between choice, social and family reproduction, and recognition by one’s peers through “confraternal” epistolary exchanges (*ikhwāniyyāt*). The opportunity to benefit from the study of classics under the direction of recognized masters in the places of the court designated for this was in and of itself a criterion of selection for the *kuttāb*.⁶³⁵ A rapid comparison of the Almohad *taqāḍīm* in Yaḥyá’s collection with some Almoravid appointments will help sort out the Almohad specificities in structure, lexical and style choices, within the constraining framework of chancellery practices.

⁶³³ *Taqḍīm* 5, f° 6v, p. 10, l. 9-12: “*Dhū l-wizāratayn* (“the man with two vizierates”) [...] s heading toward your country — May God protect it — to represent us in the administration of your affairs and fill our place to ease the success of your hopes” (*wa bi-ḥasbi hadhā kāna tawajjuhu waliyyi-nā Dhī l-wizāratayn [...] ilā qaṭri-kum al-mubārak ḥāṭa-hu Llāhu li-yunība ‘an-nā fī mubāsharati aḥwāli-kum wa yaqūma maqāma-nā fī taysīri amāli-kum*) and f° 7r, p. 11, l. 3-4: “[This decision] is to put forward (*qaddamnā*), in your land with all its provinces, near and far, the leader (*ra’īs*) Fulān, son of our companion *Dhū l-wizāratayn*” (*wa dhalika an qaddamnā fī qaṭri-kum wa jamī’i jihāti-hi dānī-hā wa nāzihi-hā al-ra’īs Fulān^{an} ibn waliyyi-nā Dhī l-wizāratayn*).

⁶³⁴ D. SOURDEL, “Le “Livre des secrétaires,” 115-153 ; C. CAHEN, “Notes diplomatique arabo-musulmane,” 65-80 ; A. CHEIKH MOUSSA, *Le “scribe” et le pouvoir* (in Arabic and not consulted) ; B. SORAVIA, *Les fonctionnaires-épistoliers*, non published, “Un traité andalou,” 4-20, “Entre bureaucratie et littérature,” 165-200 ; EL AALLAOUI, *L’art du secrétaire*.

⁶³⁵ B. SORAVIA, *Les fonctionnaires-épistoliers*, 47.

Almoravid appointments vs. Almohad taqādīm

The following passage borrows from Hicham El Aallaoui's presentation of Almoravid appointments.⁶³⁶ The general structure of both Almoravid and Almohad acts is similar, but the Almoravid appointment carries the name *taqlīd* or *tawliya*, and the date is indicated at the end of the preamble rather than the end of the act. The usual investiture phrase for state officials was *wa qad ra'aynā an nuwalliya Fulān* ("we have decided to invest Fulān"), followed by the place of appointment. The ruler directly addresses the appointee in certain documents, in the second person singular: *nata 'ahhadu ilay-ka...* ("we entrust you...") or *wa nataqaddamu ilay-ka* ("we grant you..."). As in Almohad documents, however, the *taqwā Llāh* is the essential element in the *waṣīyya* ("command"). The respective construction for the judicial and gubernatorial appointments is similar, but the style for governors is marked by rhetorical effects – for example the accumulation of a series of prohibitions constructed in rhyming pairs⁶³⁷ –, while for judges the terms are juridical and religious. The *taqālīd* are more explicit than their Almohad equivalents in warning the *'amma* against any opposition to the new investiture. The governor is institutionally the emir's *nā'ib*, his "substitute". Unlike the Almohad documents, the acts concerning judges mention numerous subordinate responsibilities, such as the *khuttat al-aḥkām* ("official responsible for judgments") or the *khuttat al-mawārīth* ("guardianship of successions"), which totally disappear under the Almohads. The Almoravid writing employs a rhymed prose (*saj*) illustrated by Koranic verses concerning justice and the last judgment.

Koranic citations

These Almoravid and Almohad documents merit likewise a thorough literary analysis, not just historical, even if the two are closely related in the world of the *kitāba* and little difference was made between the administrative writing of the *dīwān al-inshā'* and literature (*adab*). A strictly literary study would make little sense, but likewise a historical study that ignored the words and styling would miss the political dimension of letters in the medieval Islamic world. Comparing the styles, rhetorical effects, and *saj*, respectively of the Almoravids

⁶³⁶ In addition to these acts, we can add those presented and edited by Maḥmūd 'Alī MAKKĪ in his "Wathā'iq tārikhiyyat jadīda." The image that comes through, in the process of official appointments and in the style and structure, is very different from that present in the Almohad-era *taqādīm* (M. 'A. MAKKĪ, "Wathā'iq tārikhiyyat jadīda," doc. 7, 176-177, 8, p. 177, 15, 183-184, 17, 185-186, and 18, p. 186).

⁶³⁷ For example, in document 7 of M. 'A. MAKKĪ, "Wathā'iq tārikhiyyat jadīda," doc. 7, p. 176-177: this document was written in the name of 'Alī b. Yūsuf b. Tashfīn, from his camp in the suburbs of Cordova. It confirms the appointment of a governor and enjoins the inhabitants of the region concerned to obey him without trouble.

and Almohads, would exceed the limits of this study of the *taqdīm*. We should note, however, the importance and the role of Koranic citations, since the documents in Yaḥyá’s collection differ greatly on this point. It may seem strange that the Almohads, who valued the Koran so much in practicing the law, explicitly cite it less often than the Almoravids do, especially in their appointments acts. This choice carries large political significance, since Ibn Hūd al-Mutawakkil’s *kuttāb* reestablish these citations to the point of saturation, as for example in *taqdīm* 55. This contrast between the almost total absence of citations in the Almohad documents and their importance in the acts of other regimes (earlier, later, or contemporary but rival) bears witness to a different relationship with the Revelation.

These Koranic citations are not graphically different than the rest of the text, no particular care is given to their writing, the same ink and characters are used, there is no supplementary *tashkīl*. Nevertheless, though quotation marks are absent from medieval Arabic, certain words serve to announce Koranic citations: *qāla Allā ta ‘ālā... wa qāla... wa qāla*: “God on High said:... and He said:... and He said...”, and allow for a distinction between “profane” acts in the act and the “divine” from the Koran.⁶³⁸ This is absent from the Almohad *taqdīm*, where Koranic references underlie the whole and are not differentiated from the rest of the text, where the terms used are recomposed to echo the Book, without necessarily citing it explicitly.

Taqdīm 6 offers a number of examples for this practice: the Koranic fragment *a-fa-lā ya ‘lama idha bu ‘thira mā fī l-qubur* (“Does he not know that when the contents of the graves are scattered...”) ⁶³⁹ is evoked in shortened form: *idhā bu ‘thirat al-qubūru* (“when the graves are scattered”).⁶⁴⁰ Elsewhere, the terms of a verse from the sūrat “The Constellations” (*al-burūj*) are inversed: *Wa Llāhu min warā ‘i-him muḥīṭ^{un}* (“For God, from behind, surrounds them”)⁶⁴¹ becomes *wa Llāhu muḥīṭ^{un} min warā ‘i-him* (“[For] God surrounds them from behind”).⁶⁴² This inversion probably is justified by the *saj*’, since the text continues with *wa muḥīṭ bi-him sū ‘ārā ‘i-ihim* (“and causes their maleficent ideas to fall upon them”) with the double parallel *muḥīṭ/muḥīṭ*, *warā ‘i-him/ārā ‘i-him*, reinforced by the internal rhyme *bi-him*. This allows a semantic renewal of the Koranic phrase and reinforces the effectiveness of the Almohad *saj*’.

Certain examples are repeated in a number of *taqdīm*. The call for mutual aid which appears often in the final protocol of Almohad acts echoes verse 2 of the sūrat *al-Mā ‘ida* (“The

⁶³⁸ Numerous examples in *taqdīm* 55, f° 37r, p. 71, l. 11-f° 38v, p. 74, l. 3.

⁶³⁹ Koran 100:9.

⁶⁴⁰ *Taqdīm* 6, f° 7v, p. 12, l. 16.

⁶⁴¹ Koran 85:20: وَاللَّهُ مِنْ وَرَائِهِمْ مُحِيطٌ .

⁶⁴² *Taqdīm* 6, f° 9v, p. 16, l. 11.

Table”): *ta’āwanū ‘alá l-bitti wa l-taqwá wa lā ta’āwanū...* (“help each other in righteousness and pious duty”). The secretaries do not hesitate, though, to create variations on this theme by replacing one term with another, for example *al-birr* (“goodness”) with *al-ṣabr* (“patience”)⁶⁴³ in *taqdīm* 26, adding *ma’a-hu* (“with him [the judge]”) between the verb and its complement or adding a *maf’ul muṭlaq* (*kull al-ta’āwun*).⁶⁴⁴ *Taqdīm* 72 offers an exemplary case of reworking the Koranic text to lend the weight of the Word to the caliphal order: *li-dhalikum natakhayyaru li-ahkāmi-kum man yuqīmu wazna-hā bi-l-qisṭi* (“this is why we will choose to judge your affairs someone who will weigh with precise weights”)⁶⁴⁵ is the logical consequence of verse 42 of the *sūrat al-Mā’ida*: *wa in ḥakamta fa-ḥkum bayna-hum bi-l-qisṭi inna Llāha yuḥibbu al-muqsiṭin* (“If you judge, judge between them with equity. For God loves those who judge with equity”)⁶⁴⁶ and verse 9 of the *sūrat al-Raḥmān*: *wa aqīmū al-wazna bi-l-qisṭi wa lā tukhsirū l-mizāna* (“[Always] Give the exact weight and never fall short of the balance”).⁶⁴⁷ Another inversion appears in *taqdīm* 74, with a fragment of verse 57 of the *sūrat Yūnus*: *wa ḥujjatu-hu al-ladhī hiya hud^{an} wa shafa^{um} li-mā fi l-ṣudūr* (“as a sign that will be like guidance for him and healing in the breasts”),⁶⁴⁸ a variation on the Koranic phrase *wa shafā^{um} li-mā fi l-ṣudūri wa hud^{an} wa raḥmat^{um} li-l-mu’minīna* (“a healing for that which is in the breasts, a guidance and a mercy for the believers”).⁶⁴⁹ We have noted each of these echoes, reworkings and modifications of Koranic expressions in the critical edition presented below.⁶⁵⁰

This reworking of Koranic text and literary and poetic echo contributes to the creation of a political language that commands the sacredness of the Koran without referencing it clearly. Caliphal decisions and Almohad administrative language thus form the basis of a law that enjoys the same aura as the Law of God. Using a Koranic verse is a form of functionalizing the religious original. This processes is perfectly visible in Almohad coinage and epigraphy,⁶⁵¹ but strangely, this use of the Koranic word does not penetrate the chancellery, even though the *kuttāb* were increasingly recruited from among the specialists of the Law. A detailed look at the

⁶⁴³ For example in *taqdīm* 26, f° 22r, p. 41, 4.

⁶⁴⁴ For example in *taqdīm* 57, f° 39r, p. 75, l. 19.

⁶⁴⁵ *Taqdīm* 72, f° 46r, p. 89, l. 8.

⁶⁴⁶ Koran 4:42: *وَإِنْ حَكَمْتَ فَأَحْكُم بَيْنَهُم بِالْقِسْطِ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ.*

⁶⁴⁷ Koran 55:9: *وَأَقِيمُوا الْوَزْنَ بِالْقِسْطِ وَلَا تُخْسِرُوا الْمِيزَانَ.*

⁶⁴⁸ *Taqdīm* 74, f° 47r, p. 90, l. 19.

⁶⁴⁹ Koran 10:57.

⁶⁵⁰ Hassan Chahdi, specialist in the Koran, *ḥadīth* and reading variants (*qira’āt*), doctoral candidate under François Déroche (EPHE), who has been efficiently responsible for this work of noting and referencing..

⁶⁵¹ M. A. MARTINEZ NUÑEZ, “Epigrafía y propaganda almohades,” 415-445.

writing can help explain this paradox. The Word, for the Almohads was only a celestial pre-text on which the earthly language of power rested to shine light on its legitimacy, its faithfulness to divine precepts, to assure the addressees, readers and listeners that a political decision respected the commands of the Law, or to recognize the superiority of one order, the Prophecy, over another, the state. Before the Almohads, the Scholars (‘*ulamā*’) had collectively mediated between the Word of God and that of the ruler, between the Law and law, or between the Path of righteousness and concrete political decisions. Oscillating from interpreting the message of God, supporting the authorities, ensuring morality, backing political decisions, or on the contrary criticizing, contesting or rebelling, the specialists of the Law and their mystical variation, the “saints”, were in a double position of mediation between God and the ruler, and between the faithful and authority.

The creation of an Almohad writing of power

The Almohad doctrine and the Mu’minid dynasty, in rejecting Mālikism and that school’s works of jurisprudence and in promoting the *imamate* and the notion of the impeccability of the Mahdī, claimed for themselves alone the right to interpret. However, this reversal of authority was accompanied by a mutation in the discursive procedures of legitimation. The Almohad *kuttāb* used the Koranic lexicon and roots, but recomposed them, using more the evocative power of language and direct citation. In Ibn Hūd’s acts, the Koranic citations form a kind of network that structures the text in two ways: they support the sense, playing their foundational role of *auctoritates*, while they also rhetorically form a tight armored weave of “strong points” that thus punctuate the text. The paradox is thus only surface deep: the elements used are all very well-known, but the ensemble is original and sets itself off within the production of the chancellery.⁶⁵²

The global composition of the Almohad *taqāḍīm* ensemble resembles a tapestry “à la Péguy”, with each document not quite like the previous, but not entirely different. This work of infinitely recreating elements enriched by small touches constitutes the essence of administrative writing during this period. The stereotype is present everywhere, without there being a heap of insignificant or routine phrases. Common ground is consubstantial for such texts, but the way it is used is essential and must be taken into consideration. The acts are repellently repetitive, and seem at first fastidiously similar, but this should not hide the fact that

⁶⁵² On the originality and the function of the citations, see S. BARRET, “*Ad captandam benevolentiam*,” 331.

none is exactly like another. The fact that *taqāḍīm* 35 and 44 are the same is probably explained by a compositional error, even if we cannot completely exclude the possibility of a double. Yaḥyá’s collection is undoubtedly a selection of acts, and not an exhaustive reproduction of all the appointments between 1224 and 1269. This selection must have eliminated duplicates, while allowing acts 35 and 44 to slip through. Writing similarities between certain subgroups can be tied either to the activity of a *kātib*, to the organization of a chancellery office, or to the specific orders of respective reigns and so the context of production. As for the differences within a rather similar subgroup produced over a short amount of time, they are the exact expression of *inshā’*, creativity, variation on a theme, on the same structure.

The end of *taqāḍīm* 1 provides an example of the styling work developed by the Almohad secretaries:

<—1—>	<— 2 — reading direction —>	<—3—>	<—4—>
وهو المنجد والمعين	وهو سبحانه يعرفكم أطراد الإسعاد	ويمدكم في اعمال السداد	بالاعانة والانجاد
It is He who brings assistance and help,	and He – May He be glorified –, He will cause you to know unending aide	and will bring you, for just actions,	His support and His help.
<i>Wa huwa</i> + A (<i>munjid</i> , NJD)+ B (<i>mu’īn</i> , ‘WN)	Eulogy + verb (3 rd pers. sing.) + pers. pronoun (- <i>kum</i>), direct object (noun in <i>ād</i> + <i>iḍāfa</i> in rhyme <i>ād</i>)	verbe (3 ^e pers. sing.) + pers. pronom (- <i>kum</i>) + CC (<i>fī</i> + noun + <i>iḍāfa</i> in <i>ād</i>)	object <i>bi</i> + B’ (<i>i’āna</i> , ‘WN)+ A’ (<i>injād</i> , NJD)

Table 10: example of the styling work developed by the Almohad secretaries

This passage condenses a certain number of rhetorical effects characteristic of chancellery *saj’* in general, and the Almohad style in particular. Classically, the overall structure is a system of encased redundancies: the radical binomial ‘WN-NJD, repeated at the beginning and the end, frames the structure; but the binomial is itself a semantic redundancy, *anjanda* being stronger than *a’āna*; the second part (3 + 4) echoes redundantly 2, but the redundancy is updated by the surrounding chiasm NJD-‘WN (1) becoming ‘WN-NJD (4), which allows in 4 the process of “inverse gradation” regularly observed in listings where the first term is semantically stronger than those following. The repletion of termes (*wa huwa... wa huwa*), of verbal constructions (*yu’arrifu-kum/yamaddu-kum*) or nominal constructions - with both annexing relations: *iṭṭirāda l-is’ād / fī i’ māli l-sadād* –, and the presence of rhymes – *al-is’ād* (2) / *al-injād* (4), doubled by *iṭṭirād* (2) and *al-sadād* (3) – gives this passage a rhythm whose force would have come through during its proclamation in the great mosque. This analysis applies to each of the *taqāḍīm*; some passages are more elaborate and successful than others, but they all reflect literary and poetic work, built around not only the constraints of oral “publication”, of “recitation” in fact, and the combinative nature of the Arabic language built

on the permanent reformulation of roots, but also the constraints of the Almohad ideology which impose the use of concepts and the Koranic vocabulary within a specific doctrinal context. This goldsmith's work was possible only for craftsmen of the language who had memorized not only a corpus of reference texts – mainly the Koran and *ḥadīth* - but also the rules of Arabic prosody and an ensemble of models of which Yaḥyá's collection belonged to one category.

A number of deletions and erasures throughout the text point to the principle of creation: in *taqdīm* 55, f. 38r, p. 73, l. 18, a deletion on the theme of *ṣalā(t)* is corrected with *ṣalawāt*: the scribe's mechanical memory took over his body during a loss of attention easily imagined in the work of the copier. In the chain of authors and copiers in Yaḥyá's collection, this error fits in the last segment: nevertheless, the machine-like character of writing this succession of words reveals quite well the work of composition. This is a fixed phrase (*iqāmatu l-ṣalā*) that both the scribes hand and mind spontaneously chain together since they would have been fixed in his mind since childhood, for the copier as much for the various authors of the manuscript. The deletion and correction represent the share of interval and innovation within a ready-made phrase. Knowingly portioned on the scale of a document, this balance between recognizable elements, respect for an expected discursive structure, and subtle variations – inverted word order, use of a different form from the same root, bringing terms together through rhyme and *saj'*, plays on verb tense – allow an act to serve as a model, to honor it through memorization, and to thus enter it into the ever-growing *thesaurus* of phrases those who aspired to the *inshā'* learned by heart. Yaḥyá's collection represents of course more a formulary than a collection of model-worthy letters, which are generally honored through citation in literary anthologies, bio-bibliographical and even geographical dictionaries. The chosen pieces of victory letters, or those of defeat, enjoy a much larger diffusion and audience than the *taqāḍīm*. Nevertheless, the practical character of Yaḥyá's manual is obvious, since it provides apprentice secretaries with a dossier of thematically consistent studies.

A long study of the archives throughout the Islamic world would be necessary to understand the diffusion of this type of manuscript. However, the existence of this type of note and document, preserved in a collection, indicates the share of peripheral regions in the development of Islamic chancellery standards, as they were formalized by al-Qalqashandī in the fourteenth century.

Conclusion

A number of questions arise after this presentation of the structure and composition of Yaḥyá's collection: how and why did the author select each *taqdīm*? How useful was this work for the *kuttāb* of the time and later periods. What relationships existed between the collection and this type of work in general with archival documents, as well as with textual production in the Islamic world? The usefulness of this formulary seems without a doubt, given the structure itself of manuscript 4752, a copy of two successive and connected collections – Yaḥyá's and the *shaykh*'s. The collection may have aimed to be exhaustive, given the number of almost identical, though each different, *taqāḍīm*, that the scribe brought together. However, a selection of the most representative pieces from the Almohad *inshā'*, and even contemporary non-Almohad, seems more likely. The survival of this "series" of *taqāḍīm* helps shed light on the specificity of chancellery style, which rests on the readjustment of recurring phrases and on the reformulation of Koranic terms and partial citations. These variations on segments from a referential corpus are favored by the structure the Arabic language, which is based on derivations from a limited number of roots, the process of writing/rewriting then relying on an almost unlimited number of combinations at the intersection of the axes of paradigm and idiom.

Yaḥyá's collection also illustrates the process of accumulation of texts at the basis of writing in medieval Islamic societies. Borrowings, glosses, successive copies, anonymity, the repetition of structures and variations in detail all contribute to creating a reality outside time. Michel Zimmerman has noted that this is not plagiarism or sterile mimesis: this borrowing is a revitalized inheritance, reuse and citation come from a strategy that associates respect for tradition and innovation, referring to authorities establishes the process of legitimation and reveals strategies specific to rival powers, such as the Almohads of Marrakesh, or Ibn Hūd of Murcia.⁶⁵³

Rote memorization and the repeated copying of these acts constituted a *thesaurus* for the future *kuttāb* who would be able to practice the mental gymnastics involved in composing chancellery texts. The mastery of internal rhymes, knowledge of a lexicon which the Arabic language allowed to be almost infinitely renewed, and sensitivity to the declamatory music specific to *saj'* gave the secretaries the rhetorical tools that opened the way to social ascension. The competence that came from this apprenticeship of anonymous models and infinite

⁶⁵³ M. ZIMMERMANN, "Overture," 8.

variations on the theme of election, appointment, and the exercise of power, as well as the adaption to contextual variations of the scriptural standards of a caliphate apart, made the *kuttāb* de facto practitioners of authority.

Yaḥyá's collection does of course remain within the tradition of compilation that characterized *adab* works from the beginning. Copying a referential text then was not considered servile imitation or plagiarizing: to reproduce is to speak of authority. Medieval men granted as much worth to the imitation of consecrated words as to originality and innovation (*bid'a*), which were necessarily suspect. The last man whose textual innovations attracted no blame, or at least only from those unable to recognize the original One behind the originality, was obviously the prophet Muḥammad, the carrier of the divine Word. Heidi Toelle thus notes that during the Middle Ages "the status of text and the notion of intellectual property were both vaguer and more subtle than in the modern period [...] Exchange from text to text through imitation or copying is constant, borrowing from erstwhile elders, or even contemporaries, was a common practice [...] It was not that the author was less important, for, just as in the *ḥadith*, the author plays, in the case of *adab*, the role of intermediary."⁶⁵⁴

We should also wonder about the relation, within the literary, administrative, and political domains, between model letters extant in different anthologies and attributed to this or that famous writer, whose name had become, from Central Asia to al-Andalus, part of medieval Islam's universal heritage – like Ibn Khallikān or Ibn Abī l-Khiṣāl for the Almoravid period, al-Qāḍī al-Fāḍil and al-Isfahānī for Saladin's time, and Ibn 'Aṭīyya, Ibn 'Amira, or Ibn al-Abbār for the Mu'minids – and these anonymous and anonymized texts transmitted by undated manuscripts. Does the difference in treatment reflect an internal specialization for the chancelleries, reserving the major texts (letters of allegiance, victory announcements, communiqués concerning the general policies of the state...) for the masters of *inshā'* and routine matters for the unnamed or forgotten in the imperial administration? Or does the nature of the documents themselves determine their respective means of transmission?

The diversity of the *kuttāb*, the writers of the different appointment acts, must have contributed to the heterogeneity of the collection, in addition to the different addressees and interlocutors. Brought together in this collection, these different *taqāḍīm* exalt Almohad specificity, providing its letters of nobility. The production of these successive collections, the *shaykh*'s, Yaḥyá's, and then the final stage in transmission, the later copy that is manuscript

⁶⁵⁴ H. TOELLE, "L'expression littéraire," 459.

4752, participates in establishing the Mu'minid dynasty's own tradition and posthumously consecrates the Almohad political creation. The formulary, which brings together in one collection a diversity of documents, without their differentiating more specific elements – dates, personal and place names – is an attempt to establish coherence and the sense of a specific history within the greater history of the peoples of Islam. It holds within one collection the concrete experiences of the essence of power – order, counsel, appointment, threat – and fills in part the void that exists between the chancellery document and its many embodiments.

The collection's composition also sheds light on the disappearance of archives in the medieval Islamic world. The original documents that served as the basis for this collection undoubtedly still existed at the end of the thirteenth century, probably within scholarly families. Yaḥyá thus belongs to a tradition of immortalizing administrative practice, and we can suppose that he got rid of any personal notes or the acts which, for the needs of his “work”, he had brought together through a real labor of research. The acts themselves, as original documents, do not seem to have great importance for him, or for his descendants, only as the vehicle for an endangered text, a “power in acts” threatening to disappear. Through their collection, reproduction, and compilation, Yaḥyá integrated the content of these *taqāḍīm* into the body of referential texts, into the engorging belly of *adab* swelling with any source of literary dimension. The fact that the collection carries for a name only the *ism* of his author (*majmūʿ* Yaḥyá) can be seen as an expression of ownership for the work, even as the expression of an intimate tie between the author and his text. Nevertheless, it is more likely that the refusal to give the collection a name related to its content, as was customary, that the choice of affixing rather his own *ism*, noted only by its frequency and diffusion, reveals that this was meant less as a “book” in true form than it was Yaḥyá's creation of a dossier of diverse elements. It was a random act of history that honored this dossier, centuries after its composition, with becoming a “book” copied with care by a scribe who had understood its historical importance. This was Yaḥyá's almost anonymous contribution to the process of conserving and accumulating and of memory in the Islamic world.⁶⁵⁵

Somewhere between memory aid and manual, Yaḥyá's *majmūʿ* is a formulary collection, whose structure and organization were designed by their author. On a number of points, the manuscript is not a book written for publication. Borrowing the categories used by

⁶⁵⁵ On the question of the author and the genesis of medieval writing, see M. ZIMMERMANN, “Overture,” 10

Gregor Schœler in his *Écrire et transmettre dans les débuts de l'islam*, manuscript 4752 is more a *hypomnēma* than a *syngramma*. The manuscript is an intermediary stage between personal notes meant as a memory aid in his work of “creation” (*hypomnēmata*) and works meant for a public audience (*syngrammata*). The *taqādīm*, as for the earliest Islamic periods, are located in the articulation of oral *publication* and the process of written memorization.⁶⁵⁶ Numerous indications in the manuscript for vocalization and assimilation (*idghām*) reveal the oral intention of the copied forms: memory of an original orality – for these *taqādīm* were meant to be pronounced in the great mosques – and indications for a future publication by other *kuttāb*. Schœler has noted a kind of intermediary literature between *hypomnēmata* and *syngrammata*: the *muṣannaḑāt*. “Neither course notebooks, nor literature”, these writings are thoroughly and minutely produced, but “they were not destined for publication for a larger literary public of non-initiates.” “These were written pieces (*grammata*), and they do belong to literature, but to a school literature, meant exclusively for that use, the publication of which was oral – the practical means of which were audition, dictation or recitation by a disciple.”⁶⁵⁷ Taxonomic attention is clear in Yahyá’s *majmū‘*, mentioned in the four extant intercalary commentaries presented above.

This compositional process has a number of consequences: it neutralizes the power contained in the *taqādīm*; they go from acts to references and memory. This neutralization attaches the temporal and textual ramifications of a specific, marginal, and peripheral power, characterized by an almost revolutionary birth, an original ideology, as well as by unique artistic, literary, architectural, and religious creations, to the trunk of the great dynasties of universal Islam. Whatever the religious and political theories that produced the Almohad caliphate, the work of compiling and transmitting the corpus of *taqādīm* abolishes their heterodoxy and returns them to the heritage of Islam. The Almohads are no more Fatimid, Shiite, Khārijī, Mu‘tazilī, Zāhirī, or Ash‘arī, heterodox or schismatic, but one among many of the political and religious realizations of Islam. This attachment to a textual tradition functions on a specular level, by way of a mirror game that places the text in a void. This process affects all the lexical aspects of administrative writing: if the sense of the phrases, titles, or functions necessarily evolves according to the constraints of literary reformulation and the ideological and political-religious imperatives of the ordering powers, it can only appear as a reminiscence

⁶⁵⁶ G. SCHŒLER, *Écrire et transmettre*, 15.

⁶⁵⁷ G. SCHŒLER, *Écrire et transmettre*, 83.

in order to avoid entering the category of the *muḥadathāt* (“new things”) or *bidaʿ* (“innovations”). Until now, historians have relied on narrative sources in seeking to understand the nature of the titles and functions covered by these documents. However, though medieval Muslim chronicles sometimes took care to specify the meaning of certain terms – *sayyid*, *ṭalaba*, or *ḥāfiẓ* during the Almohad period – they often forgot to trace the future evolution or disappearance in a memorial process of infinite accumulation. The Arabic language acts as a witness to this sedimentation, with the meaning of the words inflating with each innovation and the subtle game of literary creation; a meaning attributed one day then forgotten for years could be exhumed much later in a different context. This semantic revitalization gave an authority and poetic depth to the text, which thus always appeared to originate out of reminiscence, from the revelation of a meaning hidden and buried by time and use. The art of the secretary was thus to give the illusion that he was only reveling the signification present at the heart of the words, that he was imitating an unsurpassable earlier model, unveiling the sense hidden by unflagging variations, publicly exposing the eternal contents of the Arabic language as the Revelation had fixed it forever, even while he was reinventing its usage.

The other effect of neutralization was the disappearance of all performative effectiveness. From “order”, the *taqdīm* became text, it was no longer the “ex-pression” of political authority, but the manuscript “im-pression” of *auctoritas*, of a reference for future powers. Only this neutralization explains how a Maghribī author from the end of the thirteenth century could conceive of placing side by side texts produced by rulers as radically opposed as were the caliphs of Marrakesh and Ibn Hūd al-Mutawakkil, as al-Maʿmūn before and after the renunciation of the Almohad doctrine. The dynasties or polities who had given birth to them having disappeared, the acts lost all political utility and effectiveness. Because these texts had an authoritative value when they were written, and they were power in acts, their material destruction appears as the logical consequence of the disappearance of the *sulṭān* who have given them birth. Finally, once the Empire had disintegrated, once its officials had dispersed, only the text was left, which can then enter into the impersonal eternity of knowledge. The author intervenes only to disassociate the material vehicle from the text it carried.

Another important consequence of this process of composition is its decontextualisation, its extraction from time and uprooting which alone could enable its resuscitation. Through compiling and copying, these acts entered into the timelessness of patrimony and text. They lost all Maghribī character, which at other times betrayed Almohad

ideology, to enter into the encompassing world of Islam. This disappropriation of the *taqādīm* translates into the suppression of proper names – replaced by *Fulān*, *Abū Fulān*, as in the juridical compilations to which the collection can be compared for its function and utility –, dates, and of anything that could root the acts in a particular space (*Fulāna*) and time. This uniformization disassociates the appointments from anything that could relativize their belonging to the grand history of Islam. Beheaded and depersonalized, the assembled acts enrich the collective production of Arab-Muslim civilization and open the door to a future reappropriation, elsewhere and by others, in a rational of continuous and collective writing.

The original *taqdīm* was thus the material and horizontal support of an act of power, the caliphal *taqdīm*. The articulation between “act” (of power) and “act” (document) came about when the text was read aloud in the mosque or on the public square: that was the vertical and immaterial aspect of authority that existed before the text. In its various forms, the recitation carried the expression of a simple authority by duplicating an original vocal presence, in this case the caliph immobilized in his capital. The production of this collection created the conditions for an inverse operation: henceforth the text laid to paper could, by the same process that had given it birth, could be brought back to life in future appointments for new temporal authorities textually and politically seated on their predecessors. The temporal and textual flattening caused by the compilation is thus the condition for the rehabilitation and renewal of the verb of power.

The last consequence of this process of compilation is in a way the canonization of the text. There exists a prime or first type of textual authority: “in the genealogy of texts, there is a first text, a sacred prototype, a writing which the readers always approach through the text before them.”⁶⁵⁸ In the medieval Islamic world, that prototype was the Koran, the original standard. Any genealogy of authoritative texts in Islam thus traces back to the Koran, both the beginning and end of writing, the *kitāb* whose particular virtue initiates and delimits a discursive tradition. This specific religious logocentrism has widespread political, cultural, and institutional implications, many of which are related to the recitative character of referential texts. The operation of the Law was the matrix of a great number of scientific domains: the initial recitation by a master of a segment of the basic text, the *matn*, *ḥadīth*, or Koran, is followed and completed by an explicative commentary, the *sharḥ*, the subordinated role of

⁶⁵⁸ E.W. SAID, *The World, the text, and the critic*, 46.

which is to facilitate the student's understanding of the principal educational object, the *matn*.⁶⁵⁹ This *matn/sharḥ* link, referential text/commentary, is the basis of all Islamic hermeneutics. It provides the key to reading and understanding the particular function of Yaḥyá's collection in regards to those chancellery manuals that came before and after.⁶⁶⁰

Meant for memorization, the *taqāḍīm* function as the *matn*, as the referential text, at the origin of all other text, while chancellery manuals, through the citation of letters of reference, explain and establish the rules of writing and production and give order to the diversity of medieval creations. The complimentary quality of the *matn/sharḥ* is mirrored by that of the formularies, such as Yaḥyá's *majmū'*, and the manuals, such as al-Kilā'ī's *Iḥkām ṣan'at al-kalām* or rather al-Qalqashandī's *Ṣubḥ al-a'shā'*. This last author defines the rules of production for chancellery documents – address, phrases, order of sections, date and place clauses, etc. – through the diversity of regional corpuses to which he had access, the conception of which he retrospectively explains by regrouping of all the texts produced, through comparison and deduction, calling on techniques perfected by centuries of commentaries.⁶⁶¹ However, unlike the Official Closed Corpus (M. Arkoun) – the Koran, *ḥadīth*, *Sīra* – the corpus of chancellery forms is not fixed, it is living material in perpetual renewal. In the process of transmission, of which manuscript 4752 is an example, the *kuttāb*, and Yaḥyá with them, took less care to preserve the textual exactness, or fidelity to the original, than for the preservation, even the improvement of the artistic and linguistic quality of the texts being transmitted. This conception of transmission is incompatible with the idea of a definitive recension that would make possible a normative publication of the texts.

The distinction between Yaḥyá's formulary and later chancellery manuals offers strong similarities with the complimentary nature which Grévin describes in his *Rhétorique du pouvoir médiéval* between the *summe dictaminis* and the *artes dictaminis*.⁶⁶² In regards to linguistic

⁶⁵⁹ B. MESSICK, *The Calligraphic State*, 30.

⁶⁶⁰ Such as the *Aḥkām ṣan'at al-kalām* by al-Kilā'ī, *'Aṭā' al-jazīl* by al-Balawī (though this last text could be considered mixed) or the *Ṣubḥ al-a'shā'* by al-Qalqashandī.

⁶⁶¹ For a rapid presentation of the *Ṣubḥ al-a'shā'*, see C. CAHEN, "Notes de diplomatique arabo-musulmane."

⁶⁶² "Les exemples inclus dans les *artes dictaminis* théoriques furent généralement des modèles de lettres fictives, créés par leurs auteurs pour les besoins de leurs démonstrations. Les "lettres" comprises dans les *summe* étaient généralement des documents qui avaient été réellement rédigés à fin d'expédition publique ou privée et dont une copie était ultérieurement incluse dans la collection formée soit par leur auteur de son vivant, soit par un des héritiers de son art. Les *summe dictaminis* sont donc des recueils de documents généralement produits dans un milieu restreint voire par un même rédacteur, ultérieurement rassemblés à des fins en partie mémorielles, puisqu'elles forment des matrices liées à des précédents administratifs ou juridiques pour la rédaction ultérieure de documents, et en partie didactiques, puisqu'elles facilitent l'apprentissage et la création de la rhétorique politique" (B. GREVIN,

practices and textual rationales, Grévin lays out in a forthcoming work the bridges between medieval Latindom and the Arab-Muslim world:

“The scholarly apprentice thus accustomed himself through incessant mental gymnastics to jump from the infinitely big of memorizing the Book to the infinitely small of its reduction in a handful of verses, from the transposition in rhymed or simple prose to the pointing of corpuses fragmented by reading of collections, from the etymological decomposition of names to their assemblage through semantic constellations... The practice of medieval memory, benefiting from the enlarged capacities of an orality inflected and galvanized by the potentialities of the written form, prepared [students] for creation by multiplying experiences of a sacred and profane material they were first meant to transmit, eventually to comment, exceptionally to reformulate through its own recreation. And still, for that, the apprentice would need to pull together his energy for a last effort of concentration.”⁶⁶³

Memorizing formularies allowed the scholar who had assimilated the rhetorical lines of *saj‘* to find in his memory the resources to create even more variations. “The arts of memory allowed for the metamorphosis of these accumulating sums of knowledge from the centuries into a mechanism of combinational tables.” The chancellery language could thus oscillate between sacred hermeticism, fruit of the reformulation of the Koranic verb, and a necessary clarity of communication, for the needs of the administration, between the sources of linguistic legitimation of power and their vulgarization.

The edition, and facing translation, of Yahyá’s collection will allow the reader to measure the degree of elaboration of the language of power and the virtuosity of the secretaries of the Almohad period. The translation’s legitimacy can be questioned, given what we have written concerning the *inshā‘*, concerning the tension between textual tradition and the unicity of each *taqdīm*, between the hermeticism of power and minimal clarity. The choice made was meant to form a foundational basis of work, to create a reference for all those who work on chancellery documents in throughout the medieval Islamic world. It represents an impossible wager given that content was privileged over form. The proposed translation gives an impression of the level of meaning, but it is of course incapable of translating the poetic depth of the original text. It is a point of departure, not an arrival. It is open to the criticism of specialists of the Arabic language and literature, poetry or prose, of law, historical and

Rhétorique du pouvoir médiéval, 22-23). The historical importance of the *summe* depends on the conservation of the corresponding archives. Yet, originals were rarely kept in the medieval Muslim world. The majority of the acts and letters contained in the *summe* are thus only known in that form.

⁶⁶³ B. GRÉVIN, *Le Moyen Âge du langage*, chapter 3.4.1. *Machina memorialis*. I would like to thank Benoît Grévin for having provided me with a copy of his excellent work before its publication.

geographical sources, as well as to comparison, and constitutes a prelude to the translation of the ensemble of Almohad chancellery documents.

Part Three

Edition and translation of Yaḥyā's formulary

Governing the Empire

Introductory remarks

The critical edition and translation of Yaḥyá’s collection follows below, manuscript 4752, from the *Khizāna al-Ḥasaniyya* of Rabat, systematically mentioning the variants present in Aḥmad ‘Azzāwī’s edition in his *Nouvelles lettres almohades*. We have tried to remain as faithful as possible to the text, as much for the written form Yaḥyá adopts for the lengthened horizontal line for certain letters, as for the vocalization (*tashkīl*), placement of the *hamza* (ء) - very rare over the *alif* -, the presence or not of diacritical points (under *yā*’ in terminal position in particular), the presence or not of the lengthened vowel ‘a’ (*alif*).

We thus took care to distinguish the two forms of *kāf* in terminal position: either with a *hamza* (ك), or without (ك), the different forms of *yā*’ without a dot in terminal position or of *alif maqsūra*, either classically (ا), or in abbreviated form (ا). We likewise respected the writing of *tā’ marbūṭa*, often represented open, which ‘Azzawī systematically corrected. We have also respected the writing of the *waṣla* over *alif*, indicated either classically (ا) for a number of internal plurals, though a number of current edition standards do not mention it, or non-contracted when *fatha* is elongated over *hamza*: (ا) and not (ا). Moreover, we have left breaks when they appear in the original since separated letters always end lines and a connected letter is never cut. Contrary to ‘Azzāwī, we never impose punctuation, which is in itself an interpretation, and we have respected the punctuating symbols in the manuscript, □, ⊙, or □. We have also tried to respect the manuscript’s colors, essentially for the titles.

Nevertheless, a few interventions were made in the text. We have represented *fā*’ and *qāf* classically, because publishing programs in Arabic do not allow the “Maghribī style” of representation, with a dot under *fā*’, and a dot over *qāf*. Koranic citations are not absolutely distinguished from the rest of the manuscript text, either by a more developed *tashkīl* or a particular graphic detail. Notes are included to indicate ‘Azzāwī’s version, specifying if he indicated the original version or not. We have provided the corrections he proposes, or suggestions made (these have moreover been taken into consideration for the translation). Brackets were added, either by ourselves or ‘Azzāwī, specified in the note, where the scribe has obviously forgotten something. Finally, lines begin with line number (Arabic), folio number and the number written in blue on the manuscript.

Taqdīm 1: *In response to a delegation carrying the allegiance of a region in al-Andalus, recognition, written after 1224, of already*

**constituted authority with a delegation of the
power to appoint (excerpt from the “collection of
the shaykh”).⁶⁶⁴**

<p>rising⁶⁶⁵, to rejoice in the advantageous affair you have concluded in joining rightness and its party, to observe</p>	<p>[١-v-22] المصاعد □ والاستبشار⁶⁶⁶ بصفتكم الرابحة من موالاة الحق وحزبه والاستبصار</p>
<p>the correct beliefs and virtuous actions for which this Power has granted you the favor of being</p>	<p>[٢-v-22] من عقابكم الصَّحِيحة وأعمالكم الصالحة في ما⁶⁶⁷ احظاكم لدى هذا الأمر بدنو⁶⁶⁸ المحلّ</p>
<p>near to it and to lavish your clear and evident counsel, in order to multiply His offerings (<i>li-inmā qisama-hu</i>) and increase His benefactions (<i>wa ihmā suḥuba-hu</i>). Indeed,</p>	<p>[٣-v-22] وقربه والاستدرار بنصايحكم البيّنة الواضحة لانمي قسمه واهمي سحبه فانكم</p>
<p>fortunately, you have taken the great road that will lead you directly to the goal.⁶⁶⁹</p>	<p>[٤-v-22] بموجب السَّعادة قد سلكتم الجادة السَّوية اهتداء واجدتم العمل والنية⁶⁷⁰</p>
<p>Your actions and intentions have always been excellent and you have been the first to acquire [such] sublime qualities. This is why we have lavished upon you</p>	<p>[٥-v-22] اعادة وابداء واحرزتم المزية السَّنية سبقا وابتداءً لذلك خصصناكم من العنا</p>
<p>particular attention and we have set you apart to occupy the rank merited by your sincere [response] to the convocation (<i>da'wa</i>) of Unicity (<i>tawḥīd</i>).</p>	<p>[٦-v-22] ية بالمزيد واستخلصناكم للمكانة التي اهلتكم لها مخالصتكم لدعوة التوحيد</p>
<p>We have accorded you our confidence by virtue of the specificity of the sentence of duration and eternity rendered for your past noble actions</p>	<p>[٧-v-22] واعتمدناكم من الاختصاص بما حكم لسوابقكم الشريفة وخصايصكم المنيفة با</p>
<p>and your superior qualities. Indeed, your delegates advanced into Our Presence, carriers</p>	<p>[٨-v-22] لتبقيّة والتخليد وقد كان الوافدون من قبلكم قدموا على هذه الحضرة بما اوردوه</p>
<p>of <i>bay'as</i> from your land and laden with counsel emanating from your sincere convictions.</p>	<p>[٩-v-22] من بيعات تلكم البلاد وتحملوه من النصايح التي صدرت عن صادق ذلكم⁶⁷¹ الاعتقاد</p>

⁶⁶⁴ 'Azzāwī, *NLA*, t. 1, 411-412.

⁶⁶⁵ "May God have written for you...?"

⁶⁶⁶ 'Azzāwī places a *ḍamma* on the final *rā'*, but it seems to be *fatha*, even if it is not quite clear in the manuscript.

⁶⁶⁷ 'Azzāwī: فيما.

⁶⁶⁸ *Shadda* and *kasra* under *wāw*.

⁶⁶⁹ Echo and reformulation of the following *ḥadīth* reported by al-Bukhārī, *Ṣaḥīḥ*, t. 1, 6, n° 1: "works have worth but by intention" (*inna-mā l-a'māl bi-l-niyya*).

⁶⁷⁰ Echo and reformulation of the following *ḥadīth* reported by al-Bukhārī, *Ṣaḥīḥ*, t. 1, 6, n° 1:

إنما الاعمال بالنية

⁶⁷¹ 'Azzāwī: ذلكم.

It has been learned by that which you reported how the inhabitants of Fulāna [1] and of its regions distinguished themselves, the people and the elite,

[١٠-v-22] وتعرف في ما نصصتم عليه
ما تميز به من بفلانة وجهاتها خاصة
وعامة

and what the inhabitants of Fulāna [2] and of all your regions, by their haste to obey and rally

[١١-v-22] وما اخذ باخذها من بفلانة
وساير تلكم الجهات من الاستباق إلى
الطاعة والا

to the community (*al-jamā'a*), had obtained in taking [Fulāna 1] so that [its inhabitants] respond to your call to return (*li-ihābati-kum bi-him*) [to a path that leads them] to happiness in this world and the next

[١٢-v-22] تساق في الجماعة تلبية
لاهابتكم بهم إلى خير دنياهم واخرهم
وتوفية

and so that, the lights of friendship enlightening them and purifying their souls from the evils of dissidence, they fulfill all the favorable conditions [for their access]

[١٣-v-22] في تنور البصائر بانوار
الائتلاف وتطهر السراير من اوضار
الخلاف لما يسرهم

to their happiness (*li-yusrā-hum*). This placed them in the forefront, giving them the same rank (*sābiqa*)⁶⁷² as the one that the Hijra had given to those who participated in it (*ahla-hā*), this gives them

[١٤-v-22] ليسراهم وقد رتب ذلك لهم
سابقة افازتهم بما افازت به الهجرة اهلها
وانالتهم

honor such as they knew not before, and by which they deserve to be received under a protection that covers all their situations.

[١٥-v-22] الكرامة⁶⁷³ التي لم ينالوا قبلها
مثلها واستقبلتهم لها الرعاية التي تشمل
احوالهم

May God On High cause [us] to succeed in leading their interests towards that which is best and greatest and choose for us the clearest and

[١٦-v-22] كلها والله تعالى يُيسر في
مصالحهم إلى الاصلاح الاحسن وياخذ
لنا في سبل النظر

most evident path to govern them. And we, persuaded that you are excellent representatives and assured that you seek

[١٧-v-22] لهم على الاوضح الابين □
وانا بحسب التيقن بحسن منابكم والتحقق
لابتداركم إلى

to deploy all of your efforts and all of your zeal and that you are able to do so, we entrust you with the administration of the aforementioned land

[١٨-v-22] بذل وسعى الجد والاجتهاد
وانتدابكم فوضنا اليكم النظر في البلاد
المذكورة

and all that has come under your responsibility, as well as with [the administration] of neighboring regions and places, both far and near, that come to you as a

[١٩-v-22] وما رجع معها على يدكم وما
يرجع بعد بمحاولتكم من الجهات
المصاغبة والمواضع

result of your [military] enterprises. We place under your competence all responsibility for finances in the region, whatever their nature.

[٢٠-v-22] المتنايئة والمتقاربة واسندنا
اشغالها كلها على اختلافها إلى
اضطلاعكم

⁶⁷² See Dozy, *Supplément*, s.v. *sābiqa*, 628, for the meaning of *maziyya al-sābiqati*, or just *al-sābiqa* for *ahl al-sābiqa*, the first to adopt Islam. For the Almohads, who preferred to model themselves on the first Muslims, going as far as to imitate their language, *ahl al-sābiqa* designated “those who sided with the Mahdī before his dominance was well-established, that is before he had taken the city of Marrakech.” These tribes that had rallied early on to the Mahdī were said to possess *maziyyat al-sābiqa*, or simply *al-sābiqa*.

⁶⁷³ 'Azzāwī: الكرامة, more probably الكرامة.

We have full confidence in your guardianship (*ishrāfi-kum*) and your vigilance (*iṭṭilā 'i-kum*) for all [of the land's] affairs. Exercise this power through persons

that manifest noble competence and great care in the administration of interests and the permanent quality of counsel.

Appoint to the office of Guardian (*hāfiẓ*), judge (*qāḍī*) or agent (*ʿāmil*) those whom you judge [apt] and whose sense for responsibilities you appreciate. Choose

for each post someone who will steadfastly invest it with his authority. Control all affairs, both small and large,

in a way that respects, in this land and with its inhabitants (*ra'iyati-hā*), our beautiful project and our generous principles. In step with the bearing

of this power, founded on justice, gentleness and the establishment of that which is right, search out all that permits hope for excellent and

correct situations. Know with certitude and let it be known that for your Peninsula where Islam is

foreign⁶⁷⁴, we will allow ourselves to go neither into slumber nor into neglect and that the first thing we ask

and demand of God – May He be glorified – is His aid so that the religion of God on High succeeds over His enemies. For we will not cease in watching over it to install amenities and places to live⁶⁷⁶,

to improve it and strengthen it, to bring tranquility and security, to protect it and defend it and to negotiate, when the impious

are near, peace accords that satisfy God and the Muslims and that allow to distance from their regions the aggressions of those who attack them and corrupt them. Our method

[٢١-٧-22] واكتفينا في جميع امورها
باشرافكم عليها واطلاكم فتولوا ذلك
اجمع تولى

[٢٢-٧-22] من كرم غناؤه وحسن في اقامة
المصالح وادامة النصايح اعتناؤه
واستعملوا

[٢٣-٧-22] فيها من ترون استعمله
وترضون استقلاله من حافظ وقاض
وعامل وتخيرا

[١-٢-33] لكل شغل من يولى الضبط له
ويواصل وتفقدوا قليل الامور وكثيرها
تفقدا

[٢-٢-33] توفون به في البلاد ورعتها
غرضنا الجميل ومذهبنا الكريم وتوخوا
من سير

[٣-٢-33] هذا الامر المبنية على العدل
والرفق واقامة الحق كل ما يرجي ان
تصلح الاحوال

[٤-٢-33] عليه وتستقيم واعلموا علم يقين
واعلموا به انا لا تنام عن تلكم الجزيرة
التي الاسلام

[٥-٢-33] بها غريب⁶⁷⁵ ولا نذهل وان
المعونة في اظهار دين الله تعالى فيها
على اعدائه اول

[٦-٢-33] ما نلتمس من الله سبحانه
ونسئل⁶⁷⁷ وانا لا نالوا نظرا لها في
التمهيد والتوطين والاصلاح

[٧-٢-33] والتسديد والتسكين والتامين
والحماية والتحصين وعقد السلم اذا جنح
الكفار

[٨-٢-33] لها على ما يرضى الله
والمسلمين ويكف عن ارجابهم عوادي
المعتدين والمفسدين مذهبنا

⁶⁷⁴ Reference to the *ḥadīth* reported by al-Tirmidhī, *Sunan*, 593, n° 2 629, by Aḥmad Ibn Ḥanbal, *Musnad*, t. 13, 117, n° 16 636, by Ibn Mājah, *Sunan*, 695, n° 3 987 and by al-Dārimī, *Sanan*, t. 2, 768, n° 2 653.

⁶⁷⁵ *Ḥadīth*: al-Tirmidhī, *Sunan*, 593, n° 2 629 ; Aḥmad Ibn Ḥanbal, *Musnad*, t. 13, 117, n° 16 636 ; Ibn Mājah, *Sunan*, n° 3 987, 695 ; al-Dārimī, *Sanan*, t. 2, 768, n° 2 653: إن الإسلام بدأ غريبا وسيعود غريبا كما بدأ فطوبى للغرباء.

⁶⁷⁶ See Dozy, *tawḥīn*: “establishment, action of establishing,” Dozy, *Supplément*, t. 2, 820.

⁶⁷⁷ *Azzāwī*: نسال.

for reinforcing the call (*da'wa*) that is addressed to them and their security and for soothing their domain and their land is known to He who “embraces all things in His

[٩-٣٣] في تمكين دعوتهم وامانهم
وتهدين مقارهم واطانهم يعلمه الذر
احاط بكل شيء

Knowledge”.⁶⁷⁸ Our will to chase away their enemies and defend their regions is that of someone for whom it has always been their

[١٠-٣٣] علما⁶⁷⁹ وحرصنا على ردع
اعادهم⁶⁸⁰ ومنع نواحيهم حرص من
يرى ذلك في صدر الوا

primary duty. All that has to do with this depends on the fact that the word (*kalima*) of Islam must be recognized (*muttafiqa*) and that the desires

[١١-٣٣] جبات حتما ومدار الامر في
ذلك على ان تكون كلمة الاسلام متفقة
وعزمات

of its faithful must be reunited (*muttasiqa*)⁶⁸¹ in the community that the hand of God supports. Incessantly search out

[١٢-٣٣] اهله الى الانتظام في الجماعة
التى معها يد الله متسقة⁶⁸² فلنحرصوا
ابداً على الا

harmony,⁶⁸³ it is the axis upon which a perfect state rests; call on he who departs from its path to return to ensure

[١٣-٣٣] لفة فهي قطب الصلاح
الشامل⁶⁸⁴ ولتهيبوا بمن نكب عن جادتها
الى ما له في مراجعتها

present and future happiness.⁶⁸⁵ May the people know well that they will find with us, to restore their situation and preserve

[١٤-٣٣] من الخيرين العاجل والاجل⁶⁸⁶
وليعلم الناس احق⁶⁸⁷ العلم ان لهم منا في
تلافي احوالهم وتدا

their land, all that the well-guarded flock (*li-l-ra'iyā al-makfūla*) could hope for from a responsible “shepherd” (*ra'ī al-kāfil*), that their protection is a concern from which

[١٥-٣٣] رك بلادهم افضل ما للرعية
المكفولة من رعى الكافل وان حياطتهم
هو الشغل الذر

none may deter us, and a priority task that no event and no circumstance may prevent us from privileging and achieving.

[١٦-٣٣] لا نثنى عنه لشاغل والشاؤ
الذر ندفع عن تقديمه وتتميمه كل عاقب
وحابل وطا

Always have more [information] sent to us, it will receive from us a favorable welcome, and maintain with us the relation

[١٧-٣٣] لعوا ابداً بالمتزيدات فانها ترد
من قبولنا على محل قابل وواصلوا
اسباب المنا

⁶⁷⁸ Koran 65:12: “God comprehends all things in (His) knowledge” (*wa inna Llāha qad aḥāṭā bi-kulli shay'in 'ilmān*). Except where otherwise stated, we have used Abdullah Yusuf Ali's translation for Koranic citations.

⁶⁷⁹ Koran 65:12: وَأَنَّ اللَّهَ قَدْ أَحَاطَ بِكُلِّ شَيْءٍ عِلْمًا

⁶⁸⁰ أعادهم ومنع نواحيهم: Azzāwī proposes.

⁶⁸¹ Reference to *ḥadīth* by al-Tirmidhī, *Sunan*, n° 2 167: *yadu Llāhi ma'a al-jamā'a*.

⁶⁸² Reference to *ḥadīth* by al-Tirmidhī, *Sunan*, n° 2 167: عليكم بالجماعة فان يد الله مع الجماعة

⁶⁸³ Koran 8:63: “And (moreover) He hath put affection between their hearts” (*wa allafa bayna qulūbi-him*).

⁶⁸⁴ Koran 8:63: وَأَلَفَ بَيْنَ قُلُوبِهِمْ

⁶⁸⁵ Koran 75:20-21: “No, (you men!) But you love the fleeting life, and leave alone the Hereafter” (*kallā bal tuḥibbūna l-ājilata wa tadharūna l-ākhirata*).

⁶⁸⁶ Koran 75:20-21: كَلَّا بَلْ تُحِبُّونَ الْعَاجِلَةَ وَتَذَرُونَ الْآخِرَةَ

⁶⁸⁷ خير: Azzāwī.

of your counsels, for we have great interest in all that they bring to us. Your delegation is on the verge of departing for your lands

[١٨-r-33] صحاح فلدينا اهتمام بكل وارد
منها وواصل وقد اخذ الان وفدكم في
الاياب اليكم

carrying the best gift that a traveler⁶⁸⁸ could offer you. We continue to search out with care that which will have [positive] consequences for the affairs of the land,

[١٩-r-33] بايمن ما يقدم به قادم عليكم
والاعتناء متوال بما يظهر اثره⁶⁸⁹ في
مصالح البلاد

which will make manifest and guarantee good administration of its interests and the protection of its borders and which will fulfill with abundant benefits

[٢٠-r-33] ويبين ويتأكد معه في سداد
امورها وسداد تغورها اليقين وبفيض به
للخيرات

felicitous tomorrows, today and in the future, if God on High wills it. It is He who brings assistance and help. And He — May He be glorified —, He will cause you

[٢١-r-33] حالا واستقبالا الغد المعين ان
شاء الله تعالى وهو المنجد⁶⁹⁰ والمعين⁶⁹¹
وهو سبحانه يعرفكم

to know unending aide and will bring you for just actions His support and His help.

[٢٢-r-33] اطراد الاسعاد ويمدكم في
اعمال السداد بالاعانة والانجاد □

Taqdīm 2: Appointment (excerpt from the “collection of the shaykh”) of an admiral of the fleet, probably in Ceuta, by the caliph al-Rashīd (629/1232-640/1242), with great military, fiscal, and monetary attributions.⁶⁹²

[٢٣-r-33] وَ مِنْ مَخَاطَبَةِ جُمْهُورِيَّةٍ فِي تَقْدِيمِ قَائِدٍ

[١-v-43] عَلَى الْأُسْطُولِ وَاشْغَالِ الْبَحْرِ

[Excerpt] from a public (*jumhūrīyya*) allocution for the appointment of a commander (*qā'id*) at the head of the fleet (*ūstūl*) and maritime affairs (*ashghāl al-baḥr*)

which is called for by the links and ties [between us and] your district, [the merits] which are your own because of the manifest proofs

[٢-v-43] ذلكم بما اقتضته اسباب ولايكم
ووسايله ووضحت لكم في
الاختصاص

and testimonies [that you have given] of your sincerity, and which is demanded by your land as care in the administration of its affairs and as measures to guarantee

[٣-v-43] به شواهد الاخلاص ودلايله وبما
ترتب لبلدكم من لوازم الاعتناء بأمره وعزائم

⁶⁸⁸ Lit. “he who arrives”.

⁶⁸⁹ اثره. 'Azzāwī.

⁶⁹⁰ *Al-munjid* is not one of the recognized names of God (*asmā' al-ḥusnā*). It is a characteristic (*ṣifa*) that authors attribute to God, but is not a divine name. Attributes can be drawn from any divine name, but not the opposite..

⁶⁹¹ One of the ninety-nine names of God.

⁶⁹² 'Azzāwī, *NLA*, t. 1, 413-414. A. 'Azzāwī suggests this appointment may concern Ceuta (*Sabta*). The *Dīwān al-baḥr* is the institution responsible for port affairs.

its land and maritime protection for it is the most trusted lock for all of the hinterland, the capital from which	[٤-v-43] الغناء في حماية بره وبخره لانه القفل الاوثق لما وراءه من الاقطار والمصر ⁶⁹³ الذي
all the capitals receive multiple and various benefits and the country that for us has all the advantages of	[٥-v-43] تستمدُّ منه شتى المنافع جوامع الأمصار والقطر الذي له لدينا شوف ⁶⁹⁴
rank and the superiority of merit. May God — May He be glorified — favor the best and most just administration to establish its interests and constantly protect	[٦-v-43] الرتبة وانافة المقدار والله سبحانه بيسر في اقامة مصالحه وادامة الحياطة
he who comes and he who goes and may He orient [our] decisions in the most felicitous and profitable manner	[٧-v-43] لغاديه وراجه لاسد النظر واصلحه ويرشد في ما يعتمد من تحسين احواله
to reinforce its situation and fortify its inhabited places. In addition, the sea is for you the route	[٨-v-43] وتحصين جلاله الى ائمن الراى وانججه والى هذا فان البحر هناك هو جادة ما يجلب
taken by provisions, the source of all goods and the pillar from which you draw all manner	[٩-v-43] اليكُم من الاقوات ومادة ما يرد عليكم من الخيرات والعمدة في ما يستجر من ضروب
of profits and which protects you from all harm. And in order to inscribe that in every mind and to assign the work	[١٠-v-43] المنافع ويُسندَفَعُ من المضرات ولتُقَرَّرُ ⁶⁹⁵ هذا في جميع الخواطر وتعين العمل
for that which we have entrusted you, for by the presence of your watch you replace he who is absent, we have distinguished you in appointing	[١١-v-43] بحسبه في ما نعتمدكم به وانتم بحال الغائب من النظر الحاضر خصصناكم من تقديم
Fulān from among you to lead the fleet and all maritime affairs, as well as all the responsibilities of	[١٢-v-43] فلان على الاسطول هنالكم وجميع اشغال البحر مع ما اسندناه الى امانته من الديوان ⁶⁹⁶ وسائر ما اضيف اليه ممَّا قد تعرفتم سماعًا قصدنا الاحمد فيه وتتعرف
the customs (<i>dīwān</i>) that we have commended to him, with the rest of our grand projects of which you already know for having heard of them; you will,	[١٤-v-43] فون عيانا بعون الله حسن اثره في كل ما ينتحيه فهو خالصة الموحدين الذي
with God's help, note with your own eyes the felicitous consequences of all that he will undertake. He is the Almohad elite	[١٥-v-43] نصع ابريزه ونصيحهم الذى وضح في المصافات ⁶⁹⁷ والمخالصة تبريزه وما توخينا
to appoint him alone to lead the fleet and maritime affairs, a charge that no other than himself could bear;	[١٦-v-43] افراده من النظر في الأسطول واشغال البحر بالمهم الذى لا يعدله سواه ومن

⁶⁹³ النصر: Azzāwī.

⁶⁹⁴ شرف: Azzāwī.

⁶⁹⁵ ولتُقَرَّرُ: Azzāwī.

⁶⁹⁶ Compare with *taqādīm* 46, 48 and 50.

⁶⁹⁷ المصافة: Azzāwī.

customs (*dīwān*) fall under his responsibility, complemented by the mint (*sikka*), inheritances (*mawārīth*) and tithes (*zakāt*). We have chosen him to organize

those works destined to defend your lands and to protect your populations until the sea,

with the help of God, no longer fears its enemies and is totally protected, if God so wishes, in its ports (*masbaḥa-hu*) and harbors (*marsā-hu*). May

the traveler know morning and night permanent safety and protection aboard his ship. All of the surplus

from customs (*dīwān*) and annex taxes will be spent in the interests of the fleet and for the pay of its [sailor-]combatants,

which will barely suffice to develop it and provide for the safety of its instruments. Small and large, [these taxes] will all serve

to pay for supplies and cover the costs of its missions (*muhimmāti-hi*). In doing so, we wanted to put aside vices and suppress the obstacles

for arming [the fleet]. We have commended to him alone the above mentioned charges to show you our plan to protect you and to shed light on (*firās*)⁷⁰⁰

existing complaints (*al-dawā'ī*). You will know the various benefits that flow to you, the vast regions

from which come all manner (*anwā'... wa aṣnāfu-hā*) of benedictions for you, while the blind incursions of your enemies will be ceaselessly chased away

and pushed back into the sea. By this decision (*nazar*), you are ensured of attentive care that will accompany you in all

Circumstances and a firm volition will multiply for you, under the shadow of salvation, the reasons for you to rejoice.⁷⁰¹ In trusting Fulān, we have simply

trusted one who fully merits it and who has shown this government the greatest loyalty. We hope that, thanks to his gravity and mettle,

we will continue to keep watch over and defend the sea

and to completely and radically eliminate the harm and damages provoked by the enemy. He has perfectly understood and grasped the remarks we have communicated to him to insist

[١٧-v-43] امانته الديوان والسكة والمواريث
والزكاة كماله تخيرناه الا⁶⁹⁸ لينظم له بتقلا⁶⁹⁹

[١٨-v-43] هذه الاشغال مقصود الدب عن
ارجابكم ومراد الحماية لدهمايكم حتى يامن
البحر

[١٩-v-43] بمعونة الله عداه وتعم الحراسة ان
شاء الله مسبحه ومرساة ويتعرف

[٢٠-v-43] الراكب لسفينه اطراد الامنة
والرعى في مصبحه وممساه فكل ما يرتفع

[٢١-v-43] من مجبى الديوان وما اضيف اليه
يتصرف في مصالح الاسطول وارزاق
غزاته

[٢٢-v-43] ويقتصر عن اقامة عدده واطلاق
لمناته والاته ويستعان بقليله وكثيره

[٢٣-v-43] على توفية منافعه وتنميم مهماته
اردنا بذلك ان تنزاح العلل في عمارته
وترتفع

[١-r-54] التذذرات وقصرنا ما ذكرنا عليه
اظهارا لما في النفس على الحماية لكم
وفراس

[٢-r-54] الدعاوى المتوفرات فاذنوا بالخيرات
تدر عليكم اخلافها والجهات النازحة

[٣-r-54] ترد عليكم منها انواع البركات
واصنافها والعداة المتقاحمات في اللجج يطرد

[٤-r-54] لديكم انزجارها وانكفافها فما ذكر
عنكم بهذا النظر اعتناء تستصحبونه في كل

[٥-r-54] احوالكم واعتزام ينميكم في ظل
العافية ملء اجفانكم وما استكفينا من فلان

[٦-r-54] الا من تحققت كفايته وامتدت في
مناصحة الامر غايته ورجى ان تستمر بجده

[٧-r-54] وتشميره حراسة البحر وحمايته
وتندفع على اتم الوجوه واكمل المقصود
مضرة

[٨-r-54] العدو واذابته وقد القينا اليه من معان
التوكيد في هذا الشان ما فهمه عنا

⁶⁹⁸ 'Azzāwī corrects this with الآن.

⁶⁹⁹ El Aallaoui contributed to this reading.

⁷⁰⁰ Dozy, *Supplément*, t. 2, s. v. "FRS", *firāsa*: "sagacité, bon sens, jugement".

⁷⁰¹ Lit. "the fullness of your eyelides".

on this point. We have commended to him the multiple and various cares we have for your region and of which we inform you with a clear and limpid

[٩-r-54] ووعاه وحملناه من ضروب عنايتنا
بذاك⁷⁰² المكان ما نورد عليكم منه اوضح
نص

text. His appointment is a distinction for you, so that you may know which qualities we choose and require for you.

[١٠-r-54] واجلاه وخصصناكم به ليعلموا⁷⁰³
قدر ما نوثره من ايجاب المزية لكم ونتوخاه

Behind this decision, there are felicitous consequences for which one will be praised in the present and future. We will not cease to work

[١١-r-54] ووراء هذا النظر ما تحمد في الحال
والمنتظر بمن عقباه ونحن لانزال دآبين

...fair effort that Islam and its faithful deserve. You will have an abundant part

[١٢-r-54] (..._ ال)⁷⁰⁴ سعى جميل في حق
الاسلام واهله ولكم من ذلك السعى

of this effort... If the affairs of the land flow to us, yours have priority,

[١٣-r-54] (وافرة)⁷⁰⁵ وأوفاه واذا ازدحمت
اشغال البلاد فشغلكم لدينا هو المهم الذي لا

and no other (...), nor is as urgent. Be absolutely convinced of that and all the rest. Know

[١٤-r-54] (...)⁷⁰⁶ غيره ولا يزحمه سواه
فلتكونوا من هذا وامثاله على اتم يقين
ولتعلموا

that you welcome with the attention of the government that which will bring you a perfect state in this world and in the next and that you will not

[١٥-r-54] (أنكم منزلون)⁷⁰⁷ من عناية الامر⁷⁰⁸
بما يعود عليكم بشامل الصلاح في دنيا ودين
ولا

(...) the joys and the discovery of ever easier happiness If

[١٦-r-54] (...) والمسرات واستطلاع
الخيرات المتيسرات حيناً بعد حين ان شاء

God on High wills it. And He — May He be glorified —, He will grant you the abundant parts of His grace and His favor and will always shelter you under the wing

[١٧-r-54] الله تعالى وهو سبحانه يخولكم اوفر
قسَم نِعْماه ورحمته ويديم أويكم الى كنف

(...) its defense will never fail...

[١٨-r-54] (...) لا يضام حماه □

Taqdīm 3: *appointment of an important governor*

(excerpt from the “collection of the shaykh”)⁷⁰⁹

[١٩-r-54] مُخَاطَبَةٌ أُخْرَى فِي تَقْدِيمِ وَالٍ بَعْدَ الصَّدْرِ

Another allocution concerning the appointment of a governor (*wālin*). After the preamble:

...May God have written for you to follow your predecessors in the party of من الله لكم اتباعاً للسلف من [٢٠-r-54] كتب⁷¹⁰
the Unicity (*tawhīd*) and to gather yourselves to win حزب التوحيد واجتماعاً على ما يحظيكم

⁷⁰² بذلك. ‘Azzāwī.

⁷⁰³ لتعلموا. ‘Azzāwī corrects this rightly with:

⁷⁰⁴ About three words stained.

⁷⁰⁵ ‘Azzāwī proposes this to fill a blank.

⁷⁰⁶ One or two words erased, here and hereafter.

⁷⁰⁷ ‘Azzāwī proposes this to fill a blank.

⁷⁰⁸ ‘Azzāwī: من عناية هذا الأمر.

⁷⁰⁹ ‘Azzāwī, *NLA*, t. 1, 415-416.

⁷¹⁰ ‘Azzāwī proposes ادام but most probably it is here كتب.

even more religious and temporal (favours?). Know that the best thing to bring you an improvement in your situation

[٢١-r-54] (...) 711 الدِّينَ وَالْدُّنْيَا بِالْمَزِيدِ
وَأَنْ تَعْلَمُوا أَنَّ خَيْرَ مَا عَادَ بِالصَّلَاحِ عَلَى
أَحْوَالِكُمْ

(...) in the present and future, is for you to follow the paths of this authority of which (...) are evident,

[٢٢-r-54] (...) 712 حَلِكُمْ وَمَأَلِكُمْ هُوَ أَنْ
تَسْلُكُوا سَبِيلَ هَذَا الْأَمْرِ الَّذِي وَضَعْتُ
(الْتِ...بَيْنَ)

for you to agree to continue along the path opened by the first Almohads, and to devote yourselves to an attitude of perfect submission and

[١-v-64] 713 وَنَرَأَبُوا عَلَى مَا دَرَجَ عَلَيْهِ مِنْ
تَقَدَّمَ مِنَ الْمُؤَحِّدِينَ وَتَلَزَمُوا أَمْرَ حَسَنِ
الْإِنْتِمَارِ وَالْأَلَا

obedience that will allow the organization of your land and guarantee the security of your populations. Thus, we preserve the favours

[٢-v-64] 714 نَقِيَادَ مَا يُمْكِنُ لِأَوْطَانِكُمْ التَّمْهِيدِ
وَيُوكِّدُ لَجُمْهُورِكُمُ التَّأْمِينَ بِذَلِكَ نَتَحَفِظُ
نَعْمَ

of God on High for you and wish that He grant you parts of His generous beneficence; you will gain from the divine Power's blessings,

[٣-v-64] 715 اللَّهُ تَعَالَى عَلَيْكُمْ وَنَتَمَنَّى قِسْمَ
أِحْسَانِهِ الْكَرِيمِ لَدَيْكُمْ وَتَسْتَفِيدُونَ مِنْ
بَرَكَاتِ أَمْرِ اللَّهِ

which will incessantly be accompanied by multiple attentions for you. May God on High allow you to know the happiness of the support that our

[٤-v-64] 716 مَا لَا تَزَالُ مَعَهُ وَجْوهُ الْعِنَايَةِ
مَصْرُوفَةَ الْيَكْمِ وَاللَّهُ تَعَالَى يَعْرِفُكُمْ يَمُنْ مَا
نَعْتَمِدُكُمْ

indulgence and justice brings you and may He take you along the clearest of paths so that you will merit honors by your commitment

[٥-v-64] 717 بِهِ مِنَ الرِّفْقِ وَالْعَدْلِ وَيَأْخُذُ بِكُمْ
فِي اسْتِجَابِ الْكِرَامَةِ بِلِزُومِ الْإِسْتِقَامَةِ
عَلَى

to uprightness. This is why we have chosen Fulān to lead your regions with the most just and salutary of

[٦-v-64] 718 أَوْضَحِ السُّبُلِ وَالْيَ هَذَا فَاذَا تَخَيَّرْنَا
فَلَا نَا لَتَوْلَى تَلِكُمُ الْجِهَاتِ بِأَسَدِ النَّظَرِ

visions and to take care of their interests with the firmest and most

[٧-v-64] 719 وَأَصْلَحِهِ وَأَجْرَاءَ الْعَمَلِ فِي
مِصَالِحِهِ وَأَجْرَاءَ الْعَمَلِ فِي مِصَالِحِهَا 715
عَلَى أَحَدٍ

sincere of wills. We have ordered him to follow in his work, from beginning to end, the useful counsel

[٨-v-64] 720 قَصْدَ وَأَنْصَحَهُ وَالْقَيْنَا إِلَيْهِ مِنْ نَافِعِ
الْوَصَايَا فِي أُمُورِ الْخَاصَّةِ وَالْجُمْهُورِ

we have given him for the affairs of the elite and the people. As for him, he has distinguished himself by his

[٩-v-64] 721 مَا حَدَدْنَا أَنْ يَدِيمَهُ فِي مَخْتَلَمِ عَمَلِهِ
وَمُفْتَتِحِهِ وَهُوَ الْمَوْصُوفُ فِي مَا يَسْنَدُ

competence in the charges entrusted to him, he drew our service's attention to himself by the excellence of his intentions and we appreciated his sense for responsibilities and

[١٠-v-64] 722 إِلَيْهِ بِالْغِنَاءِ وَالْمَعْرُوفِ فِي الْخِدْمِ
بِأَحْسَنِ الْإِنْحَاءِ وَالْمَقْدَّرِ فِيهِ أتمَّ الْإِسْتِقْلَالَ

711 One or two words are missing. Compared to the construction of the other *taqādīm*, it is probably من or فضل. It is unlikely to be من خير because the term appears in the next sentence (*khayr*).

712 One or two words missing.

713 'Azzāwī justly corrects this to وترأبوا which corresponds better.

714 'Azzāwī: بذلك.

715 Repetition of the formula. 'Azzāwī chooses the second: مصالحتها.

his absolute loyalty in all that depended on him. May your worthy obedience in matters and your precious support in

[١١-v-64] بما نيط به والوفاء فليكن من مشكور طوعتكم له في المصالح وموثر اعانتكم

accomplishing the undertakings we have ordered for him and on which depend, with the help of God, the existence (*qawām*) of each of you, going

[١٢-v-64] له على توفية ما أمر به من المحاولات التي فيها بحول الله قوام الغادے منكم

or coming, and the well-being of your lands, near or far, guarantee the value of your actions, the quality

[١٣-v-64] والرّايح وصلاح الدّاني من ارجايكم والنازح ما تحسن فيه اثاركم ويُسكر

of your obedience, the security of your regions as well as the seriousness of work and the sincerity of intentions at work in your plans.

[١٤-v-64] فيه انتماركم وتامن عليه نواحيكم وتتلاقى بجد العمل وصدق النية فيه مناحيكم

When he appears in your regions, designate from among your *shaykhs* and leaders those who will go out to meet him and present him

[١٥-v-64] واذا استقبل تلكم الجهات فعينوا من اشياخكم ووجهكم من يصل اليه ويتلقى

with the matters under his charge; we have already given him all those demanded by the benevolence of our manner with you and all

[١٦-v-64] من مصالحكم ما لديّه فقد اودع من ذلكم ما اقتضاه مذهبنا الجميل لكم ولكافة

your brothers and, because we choose justice and generosity (*ihsān*)⁷¹⁶, we have given him the charge of supporting you, if God on High wills it,

[١٧-v-64] اخوانكم وحمل من ايثارنا للعدل والاحسان⁷¹⁷ ما يتعمدكم به ان شاء الله تعالى

in all circumstances. When your *shaykhs* and notables meet with him, they will recognize the well being we wish

[١٨-v-64] في كل احيانكم واذا اجتمع به اشياخكم واعيانكم عرفوا الخير الذے نوثره

and desire for all and they will see that, in our great solicitude for all of your matters, we seek to extend and expand

[١٩-v-64] للكافة ونريده ووجدوا من حسن⁷¹⁸ الاعتناء باموركم كلها ما نستديم عون الله

the help of God on High. Thus, do not forswear working fully together to accomplish good and fear [God] in all circumstances.⁷¹⁹

[٢٠-v-64] تعالى ونستزيده فلا تقصروا في التعاون على البر والتقوى⁷²⁰ في كل احوالكم

Hurry yourselves in aiding each other in the essence of God and standing together to do that which He approves, so that your

[٢١-v-64] ولا توخروا من التظافر في ذات الله والتعاقد على ما يرضاه ما يفضي بكم الى نيل

⁷¹⁶ Reference to Koran 16:90: “God commands justice, the doing of good” (*inna Llāha ya’ muru bi-l-’adli wa-l- ihsāni*)

⁷¹⁷ Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

⁷¹⁸ حس: ‘Azzāwī.

⁷¹⁹ Reference to Koran 5:2: “Help ye one another in righteousness and piety” (*wa ta’āwanū ‘alā l-birri wa-l-taqwā*).

⁷²⁰ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى

hopes may bloom. Proceed straightly on the road that, in none of your actions, will lead you astray of that

[٢٢-v-64] امالكمواستقيموا على الجادة
التى لا تحيد بكم عن السداد في عمل من
[٢٣-v-64] اعمالكم واعلموا انكم متخولون
من نظرنا بما لا تعبكم بركنه في حالكم و
استقبالكم

which is right. Know that you are under the protection of our watch (*nazari-nā*) of which the blessings will fail you neither in the present nor in the future,

[١-r-75] ان شاء الله تعالى وهو سبحانه
يبسرکم للحسنى⁷²² ولا يعدمكم باستدامة
الاستقا

if God on High wills it. And He — May He be glorified —, He will guide you towards the most beautiful [reward] (*al-husnā*)⁷²¹ and with steadfastness in that which is right, He will assure for

[٢-r-75] مة هدوا وأمنا

you calm and security...

[٣-r-75] قَالَ يَحْيَى وَفَقَهُ اللهُ إِنَّتَهَى مَا فِي أَنْتَاءِ الْمَجْمُوعِ

Yaḥyā – May God help him – said: “ends here in the compilation

the summary of appointments of governors (*al-wūlāt*) over the land or the confirmations of military leaders (*quwwād*) capable⁷²³ of closing the border zones

[٤-r-75] من المكتب في تقاديم الولايات⁷²⁴ على
البلاد واقرار من فيه المصلحة لسد الثغور
و⁷²⁵

in order to hold them securely. I myself found such appointments, which were not in the compilation and were not entered

[٥-r-75] لضبطها من القواد ومما الفيت انا من
هذه التقاديم مما لم تكن في المجموع ولم
تتصل

in this project; if God wills it, there are some that I will record with these, so that they will be tied to them and complete them,

[٦-r-75] في ذلك الموضوع ما اثبتته ان شاء الله
مع هذه ليكون بها متصلا وبها مكمل

so that they will be found together in the presentation, to form a series and constitute a coherent and joined whole; thus these appointments will find

[٧-r-75] حتى تتساوى انسياقا وترتبط مساقا
وتلتئم انتظاما وانساقا لتختص

their proper place, they will be illuminated by way of their exposition and their resemblance will place them fully in the light. I will next add

[٨-r-75] هذه التقاديم بمكانها وتبين ببيانها
وتجرى في التماثل ملء عنانها ثم آتت

the appointments of judges, whether they are in the compilation or whether I found them elsewhere, to define the titles (the *laqaḥs*)

[٩-r-75] بعد ذلك بتقاديم القضاة مما في
المجموع ومما وجدته في غيره لتتنحصر
القاب

of what I wanted, and so that what I have set out may be useful. After which I will add the authentic acts, decrees, etc.,

[١٠-r-75] ما اردته وتتحصل فابدة ما اورده
وآتت بعد ذلك بالصكوك والظواهر⁷²⁶

that do not belong in these chapters (*funūn*) and do not enter in these excerpts; they will be separated

[١١-r-75] وغيرهما مما لم ترتبط في هذه
الفنون ولا تدخل في هذه العيون وتكون
منحازة و

⁷²¹ Reference to Koran 10:26: “To those who do right is a goodly (reward) – yea more (than in measure)!” (*li-l-hadhīna aḥsanū al-ḥusnā wa ziyādatun*) and Koran 92:5-7: “So he who gives (in charity) and fears (God), and (in all sincerity) testifies to the best—We will indeed make smooth for him the path to bliss” (*fa-ammā man a ḥā wa ttaqā wa ṣadaqa bi-l-ḥusnā fa-sanuyassiru-hu li-l-yusrā*).

⁷²² Reference to Koran 10:26: لِلَّذِينَ أَحْسَنُوا الْحُسْنَىٰ وَزِيَادَةٌ
and Koran 92:5-7: فَأَمَّا مَنْ أَعْطَىٰ وَاتَّقَىٰ وَصَدَّقَ بِالْحُسْنَىٰ فَسَنُيَسِّرُهُ لِلْيُسْرَىٰ

⁷²³ Or “useful for”.

⁷²⁴ Azzāwī: الولاية.

⁷²⁵ Azzāwī omits wāw.

⁷²⁶ Azzāwī: الظواهر.

and will provide their contents, so that there is no error in this book and that its different parts are linked. If, after having finished [my] project, I find something else related to these categories and that I am able

[١٢-r-75] حدها ومعطاةً ما عندها حتى لا يقع في الكتاب غلط ويكون بعضه

to acquire, then I will set it out in full if God wills it and I will publish it as a full moon.

[١٣-r-75] ببعض مرتبط وان وجدت شيئاً بعد تمام هذا القصد من هذه الأنوع وحصلت

God is the One who helps in doing right and it is He who brings projects to fruition and responds to needs.

[١٤-r-75] على امتاع هذا المتاع فسأورد ان شاء الله شاملاً واطلعه هلالاً كاملاً

[١٥-r-75] والله الموفق للصواب والملي لتوفية المقاصد والارباب

Taqdīm 4: From Cordova, the appointment of a governor with fiscal attributions (wālin) by Abū l-‘Alā al-Ma’mūn before his ascension to the caliphate (summer 1226-September 1227)⁷²⁷

[١٦-r-75] كَتَبَ رَحْمَةُ اللَّهِ قَدِيمًا عَنِ الْمَأْمُونِ أَبِي الْعَلَى

[١٧-r-75] وَذَلِكَ قَبْلَ خِلَافَتِهِ فِي تَقْدِيمِ وَالٍ مُخَاطَبَةً

[١٨-r-75] جُمْهُورِيَّةً

He wrote – May God have mercy on him – a long time ago, a public allocution for the appointment of a governor (wālin), in the name of al-Ma’mūn Abū al-‘Alā, and this before he became caliph

To the population of *Fulāna* — May God gather them to do right and fear Him, and provide them with a just vision of what will

[١٩-r-75] الى اهل فلانة جمع الله على البر والتقوى جمهوركم⁷²⁸ وعرفهم من سديد النظر ما

restore their situation and put their affairs back in order; salutations. This is what we write from Cordova — May God have written for you to assimilate counsel well

[٢٠-r-75] يصلح احوالهم وينظم امورهم سلام فكتبناه كتب الله لكم وعياً للنصائح

and to watch over your interests. The only thing that we know with the favor of God and the blessings of His highest plan, are the benefactions

[٢١-r-75] ورعياً للمصالح من قرطبة ولا متعرف بفضل الله وبركات امره الاعلى الا الخيرات

that flow like rain in the springtime and the joys whose assistance renews without ceasing. We praise God grandly, that His favors always continue

[١-v-85] الوالفة العهاد والمسرات المترادفة الاسعاد والحمد لله كثيراً حمداً يقرن نعمه

to grow and increase. You know — May God treat you generously — that the most important advantage in your situation,

[٢-v-85] بالنمو والازدياد وقد علمتم اكرمكم الله ان اخص المصالح بمكانكم واعودها بالامر

⁷²⁷ ‘Azzawī, *NLA*, t. 1, 417. ‘Azzawī suggests that this appointment took place while al-Ma’mūn was governor of Cordova for his brother al-‘Ādil, or of Cordova and Seville after he took these cities at the expense of al-Bayāsī.

⁷²⁸ ‘Azzawī: جمهورهم.

that which will bring you power and tranquility at any moment, is the choice of a governor who will take charge of your affairs (*ashghāl*) and take concern for your situation;

[٣-v-85] والدَّعَا عَلَيْكُمْ فِي كُلِّ أَحْيَانِكُمْ
تَخِيرُ وَالْأَيْتَانَ وَيَنْقَلِدُ أَحْوَالِكُمْ
وَيُرِيكُمْ مِنْ حَسَنِ

by the quality of his behavior, he will show you how to welcome the future in a new way, and will exert with you all of his efforts so that you will

[٤-v-85] تَصْرَفَاتِهِ مَا تَسْتَقْبَلُونَ بِهِ
الزَّمَانَ 729 جَدِيدًا وَيَجْرِيكُمْ فِي كُلِّ
مَحَاوَلَاتِهِ عَلَى مَا تَعْدُمُونَ

find solutions and keep a just vision [of things]. And the *shaykh* Abū Fulān — May God always assure him respect — belongs to those

[٥-v-85] مَعَهُ تَمْهِيدًا وَلَا تَفْقَدُونَ نَظْرًا
سَدِيدًا وَإِنَّ الشَّيْخَ أَبَا فَلَانَ إِدَامَ اللَّهُ كِرَامَتَهُ

who have all the qualities of a responsible man and who evince the noblest of characters and the best nature. We trusted his

[٦-v-85] مَمَّنْ جَمَعَ أَوْصَافَ الْإِسْتِقْلَالِ
وَاسْتَظْهَرَ بَأَكْرَمِ الشَّيْمِ وَأَحْسَنِ الْخِلَالِ
وَوُثِّقَ مِنْهُ

ability to assume the affairs (*al-ashghāl*) that were entrusted to him; that is why he was chosen to look after the interests (*maṣāliḥ*) of your country

[٧-v-85] بِالْأَضْطِلَاعِ فِيمَا اسْتَدَى إِلَيْهِ مِنَ
الْإِشْغَالِ وَلِذَلِكَ اخْتِيرَ (فِي) 730 النَّظْرَ فِي
مَصَالِحِ أَفْئِكُمْ

and its districts. He was placed at the head of your affairs after having been tested and selected. We called on him to be alone in looking after them (*bi-umūri-kum*)

[٨-v-85] وَأَنْظَارِهِ وَقَدِمَ لِإِشْغَالِكُمْ بَعْدَ
إِخْتِبَارِهِ وَإِخْتِيَارِهِ وَأَنْهَضَ لِلْإِسْتِبْدَادِ
بِأُمُورِكُمْ 731

when we were sure of the excellence of his authority (*bi-ḥusni irādi-hi wa iṣḍāri-hi*)⁷³². We have counseled him to fear God on High for that which we have entrusted

[٩-v-85] حِينَ الثَّقَةِ بِحَسَنِ إِيْرَادِهِ وَأَصْدَارِهِ
وَقَدْ وَصِيْنَاهُ بِتَقْوَى اللَّهِ تَعَالَى فِيمَا اسْتَدْنَاهُ

Him, we wanted to confide your important missions to him. To lead your regions well and chase from your lands

[١٠-v-85] إِلَيْهِ وَقَصْدْنَاهُ مِنْ مَهْمَاتِكُمْ عَلَيْهِ
وَأَوْزَعْنَا إِلَيْهِ أَنْ يَسْتَلِكَ فِي تَسْدِيدِ مَنَاحِيكُمْ

the camp of corruption, we have incited him to take the straight path; if he follows it, your situation will improve, your hopes,

[١١-v-85] وَتَشْرِيدِ أَهْلِ الْفُسَادِ عَنْ نَوَاحِيكُمْ
السَّيِّئَاتِ الَّتِي تَصْلُحُ بِسُلُوكِهَا أَحْوَالِكُمْ
وَتَنْبَسِطُ

under his command, will blossom and with him your words and your actions will progress along the great road. We have enjoined him

[١٢-v-85] بِهِ فِي الْأَمْرِ أَعْمَالِكُمْ وَتَتَمَشَّى
مَعَهُ عَلَى الْجَادَةِ أَقْوَالِكُمْ وَأَعْمَالِكُمْ وَالزَّمَانَةَ

to be attentive to all questions of your concern, to be serious and zealous in the counsel he gives for those he has been entrusted with,

[١٣-v-85] أَنْ يَكُونَ لِأُمُورِكُمْ كُلِّهَا مَتَفَقِدًا
وَفِي آدَاءِ النَّصِيْحَةِ 733 فِيمَا قَلَّدَ مِنْهَا مُجَدِّدًا
مَجْتَهِدًا

so that nothing important for you escapes from his attention, and his watch neglects none of your regions. You must

[١٤-v-85] حَتَّى لَا يَشُدَّ عَنْ تَفَقُّدِهِ مَهْمٌ مِنْ
مَهْمَاتِكُمْ وَلَا يَهْمَلُ نَظْرَهُ جِهَةً مِنْ جِهَاتِكُمْ
وَعَلَيْكُمْ

aid him in executing and applying that which is righteous and lawful, and support him in fully retrieving and paying for the things that are due.

[١٥-v-85] بِمَعُونَتِهِ فِي تَنْفِيْذِ الْحَقِّ وَأَمْضَائِهِ
وَمُعَاوَدَتِهِ فِي اسْتِيفَاءِ الْوَاجِبِ وَاقْتِضَائِهِ

729 'Azzāwī: الزمان.

730 'Azzāwī: اختير للنظر.

731 'Azzāwī: لأموركم.

732 Lit. "of his *irād* and *iṣḍār*".

733 This is probably an echo of the *ḥadīth* reported by Muslim, *Ṣaḥīḥ*, t. 1, 225, n° 194 and Tirmidhī, *Sunan*, 440, n° 1 926: *الدينُ النصيحةُ* *al-dīnu l-naṣīḥa* ("Religion is sincerity").

You must know that, before the Law, the famous man and the unknown are equal, and [belong] to the same category, and that religious

[١٦-v-85] والعلم بان النبىة والخامل في الشّرع شرع سواء وصنف واحد وان الحق

intentions and goals are equally present in the sweet and bitter [aspects] of the law. As long as efforts are exerted

[١٧-v-85] تستوي في حلوه ومره الانحاء الدينية والمقاصد ومتى كانت المحاولات

according to this plan, the weak will receive justice from the strong, the noble

[١٨-v-85] جارية على هذا الاسلوب انتصف الضعيف من القوي وسار الشريف

and the man of the people will take together the same straight path (*sanan*). Thus, when he arrives among you – If God on High wills it – acquit yourselves fully of what you (owe him?),

[١٩-v-85] والمشروف على السنن السوي فاذا وافاكم ان شاء الله تعالى فوفوه 734(...)

seek to satisfy him, follow him along the path of mutual aid for good and piety, and God on High

[٢٠-v-85] وتوخوا وفقه واسلكوا في التعاون على الخير والبر طرفة والله تعالى

will bring you, to you and to him, His help to carry forward just causes (*maṣāliḥ*), and He will use you in a virtuous work. By His grace and His generosity. Peace.

[٢١-v-85] ينجدكم واياه على تمشية المصالح ويستعملكم بالعمل الصالح بمنه وكرمه والسلام

Taqdīm 5: From Granada, Ibn Hūd al-Mutawakkil recalls his vizier, Ibn al-Ramaymī, from Almería, and replaces him with the vizier's son at the head of the region, ramaḍān 630/June 18 1233 (Act complete)⁷³⁵

[٢٢-v-85] وَكَتَبَ رَحْمَهُ اللهُ عَنِ ابْنِ هُوْدٍ فِي اسْتِدْعَاءِ ابْنِ الرَّمَيْمِيِّ وَزِيْرَهُ اِلَيْهِ

[٢٣-v-85] وَتَقْدِيْمِ وَلَدِهِ بِالْمَرْيَةِ وَجِهَاتِيْهَا وَاِلْقَاءِ 736 اَزْمَتِيْهَا بِيَدِيْهِ مَا نَصَّه

This is what he wrote – May God have mercy on him – in the name of Ibn Hūd to recall Ibn al-Ramaymī his vizier to him, to name his son in Almería and its regions and to commend to him its administration⁷³⁷

To the viziers, jurists (*fuqahā*), notables, scholars, nobles (*ḥusabā*) and all principal (*ṣuḍūr*) figures:

[١-r-96] الى الوزراء والفقهاء والاعيان والاعلام والحسباء والصدور العلية النبهاء

⁷³⁴ Word erased, probably حقه.

⁷³⁵ 'Azzāwī, *NLA*, t. 1, 419-421: this act corresponds to the zenith of Ibn Hūd's political power in the Sharq al-Andalus.

⁷³⁶ Hicham El Aallaoui deciphered the last two words

⁷³⁷ Literally “entrust him with the reigns.”

eminences, nobles, familiars ⁷³⁸ , loyal followers, sincere and affectionate friends, the oldest and the first to have shown a faithful nature and qualities	[٢-٢-96] الأولياء النصحاء الأوداء ⁷³⁹ الصرحاء السابقين الأولين بسجايا الاخلاص ومزايا
of loyalty, truthful in the love and purity that clearly express their tongues according to their hearts;	[٣-٢-96] الولاء الصادقين فيما تفصح به السنتهم عن صدورهم من الحب والصفاء
to the elite of the population of our land, to our brothers in sincere affection, to our beloved among whom we have chosen	[٤-٢-96] صفوتنا من أهل بلادنا واخوتنا بصريح الأوداد واخلابنا الذين اجتبينا من
nobles and princes and the fine flower of illustrious (<i>al-amjād</i>) nobility, and to all for whom our benevolence	[٥-٢-96] نجابهم وحسابهم نخبة السرات ⁷⁴⁰ الامجاد والكافة الذين يتعهدهم نظرنا
cares to seek out the best situation in granting their hopes and fulfilling their desires — May God assure them always	[٦-٢-96] الجميل بما يحظيهم بقاصية ⁷⁴¹ الأمل من صلاح أحوالهم وغاية المراد ادام الله
respect and influence, by the awe that He inspires in them, may He allow them to know abundant grace and multiple favors and may He lead them in all	[٧-٢-96] كرامتهم وأنرتهم بتقواه وعرفهم أجزال منته واسباغ نعماه واجراهم في كل
their affairs on the path that gives an easy access to His beneficence. Peace and honor on you, the honored familiars, affectionate	[٨-٢-96] أمورهم على ما يبسرهم لحسنه سلام كريم عليكم ايها الأولياء المكرمون
Friends who compete to occupy the first place in the hippodrome (<i>miḍmār</i>) of faithfulness (<i>khulūs</i>). After having praised God, who spreads	[٩-٢-96] والوداء الذين يسبقون في مضمار الخلوص ويتقدمون أما بعد حمد الله المنعم
His blessings on those close to Him, of whom praises inspire the multiplication of the parts of His favor, of whom all favorable actions and	[١٠-٢-96] بألأبه على أوليابه الملهم من حمده الى ما يضاعف قسم نعمابه الميسر من صنعه
generous gifts render all thanksgiving paltry and impotent; [after] having called His benediction on our lord Muhammad ,	[١١-٢-96] الاجمل ومنحه الاجزل ما يستقل كل شكر بازابه والصلاة على سيدنا محمد
His elected and generous messenger, lord of His messengers and seal of His prophets, charged with carrying the truth, described	[١٢-٢-96] رسوله المصطفى الكريم سيد رسله وخاتم انبيابه المبعوث بالحق والمنعوت
as the most noble of creatures for the manifest quality of his election, he who leads along the straight path and invites to follow in his footsteps (<i>iqṭfā'i-hi</i>),	[١٣-٢-96] باكرم الخلق لتبيين ⁷⁴² مزية اصطفاه الهادى الى الرشيد والداعي الى افتقابه

⁷³⁸ The translation “familiars” transmits only one aspect of this polyvalent word which signifies both protectors and patrons as well as clients, defenders, partisans, companions, friends, and, in Fatimid terms, also applies to missionaries (*dā'ī*, pl. *du'ā'*). The word often has the vague meaning of soldiers or officers, officials in the entourage of a caliph or emir, his bodyguard and, by extension, simply troops or soldiers. Among the Fatimids, the *awliya' Allāh*, the friends of God, are the *imāms* (Canard, *Vie de l'ustadh Jaudhar*..., 1958, 52).

⁷³⁹ 'Azzāwī: الأوداء.

⁷⁴⁰ 'Azzāwī: السرات.

⁷⁴¹ 'Azzāwī: بقصية.

⁷⁴² 'Azzāwī: لتبين.

[as well as] to his family and his noble companions, banners of Islam and stars of his guidance,⁷⁴³ those who went to the end of

the road to spread and triumph the Abrahamic religion (*al-dīn al-ḥanīfī*), acting in the most just manner and never straying

from his straight path; [after] having asked Him to approve the *imām* the Abbasid caliph, prince of the believers, he of whom the purity

of lineage (*ṣarīḥ intimā'i-hi*) confers illustrious nobility and glory without equal,⁷⁴⁵ he who defends the prophetic cause (*al-da'wa al-nabawiyya*)

as did the orthodox caliphs, his fathers, he [finally] who asked to drink from his ancestor — Salvation be upon him —, celestial cloud⁷⁴⁶ that granted

its water to him. This is what we write from the [palatial] residence (*ḥaḍra*) Granada — May God keep it —; may God have written for you the knowledge of multiple and unending benefactions

and may He lavish on you His favor which will add without end new gifts to the old. And we

(...)

... and make it grow. Our care for you, in large and small matters is constantly renewed, and the protection that we grant the interests of

you all, people and elite, is always growing. And that because God is your Lord of the important place you have acquired

in [our] mind, [because] of your past which warranted for you recognition without equal and [because] of your loyalty distinguishable

by the nobility of the qualifiers that corresponds among you to the nobility of those who are qualified. For you are the people (*qawm*) who cannot be contested in the hippodrome (*miḍmār*)

[١٤-ر-96] وعلى ءاله وصحبه الكرام اعلام
الاسلام ونجوم اهتدائه⁷⁴⁴ البالغين في اظهار

[١٥-ر-96] الدين الحنيفي واعلايه الى غاية
انتهائه العالمين على سنن السنن لا ينگبون

[١٦-ر-96] عن جادة استوائيه والرضى عن
الامام الخليفة العباسي امير المؤمنين
المختوى

[١٧-ر-96] على الشرف الباذخ والمجد الراسخ
بصريح انتمائه القايم بالدعوة النبوية

[١٨-ر-96] قيام الخلفاء الراشدين ابايه
المستسقى بجده عليه السلام مزن⁷⁴⁷ السماء
وقد

[١٩-ر-96] من بمابه فانا كتبناه كتب الله لكم
تعرفا لمتضاعف النعم ومترادفها ولقاكم

[٢٠-ر-96] من فضله ما يشفع لديكم سالف
المن بخالفها من حضرة غرناطة حرسها
الله ونحن

[٢١-ر-96] (...)⁷⁴⁸

[١-ص-106] وانماها فان عنايتنا بالاقل والاكثر
من اموركم لاتزال تتجدد وان رعايتنا
لمصالح خا

[٢-ص-106] صتكم وجمهوركم لا تنفك
تتزيد ذلكم لله ربكم⁷⁴⁹ لمكانتكم في النفس
التى احظتكم با

[٣-ص-106] لشؤف ولسابقتكم التى لم تشركوا
في تقدمها المعروف ولمولاتكم التى
خصت

[٤-ص-106] من شرف الصفات بما يناسب منكم
شرف الموصوف فانكم القوم لا يجارون في
مضمار

⁷⁴³ Reference to a *ḥadīth* considered as weak (*ḍa'īf*): “My companions are the stars, follow any of them and you will go in the right direction” (*aṣḥābi ka-l-nujūm fa-bi-ayyi-him iqtadaytum ihtadaytum*); see Ibn ‘Abd al-Barr al-Mālikī, *Jāmi‘u bayān al-‘ilmi wa faḍli-hi*, t. 2, 898, n° 1684.

⁷⁴⁴ Reference to a *ḥadīth* considered as weak (*ḍa'īf*) Ibn ‘Abd al-Barr al-Mālikī, *Jāmi‘u bayān al-‘ilmi wa faḍli-hi*, t. 2, p. 898, n° 1684: أصحابي كالنجوم فبايهم اقتديتم اهتديتم

⁷⁴⁵ Lit. “firm, strong, rooted”.

⁷⁴⁶ Koran 56:69: “Do ye bring it down (in rain) from the cloud or do we?” (*a-antum anzaltumū-hu min al-muzni am nahnu al-munzilūna*).

⁷⁴⁷ Koran 56:69: أَنْتُمْ أَنْزَلْتُمُوهُ مِنَ الْمُزْنِ أَمْ نَحْنُ الْمُنزِلُونَ

⁷⁴⁸ Three lines erased.

⁷⁴⁹ ‘Azzāwī does not mention this deletion by the copyist.

of sincerity or purity, nor rived in the race of horses of zeal and faithfulness, people of the disciples of the truth who follow steadfastly

[٥-v-106] خلوص وصفاء ولا يبارون اذا استبقت حلبة جد ووفاء ولا يزلون من اتباع الحق

the straight paths and the right direction. An excellent administration to ensure the organization of your lands and the security of your regions is,

[٦-v-106] علي سنن اهتداء واقتفاء فالنظر الاجمل في تمهيد جنباتكم وتامين جهاتكم

of all our missions, the one to which we give preference and priority; the abundant good that we project for you and for which we bring you support is a permanent task

[٧-v-106] مما نقدمه على كل المهمات ونسبته والخير الاجزل الذي نتوخاصكم به ونعتمدكم لا نزال

that we take on without end. It is in those terms that our most faithful companion, our most sincere friend,

[٨-v-106] نواليه ونسقه وبحسب هذا⁷⁵⁰ كان توجه ولينا الاخلاص وصفينا المستخلص

an aid whose watch leads us and whose administration (*tadbīr*) saw illustrious actions shine, *Dhū*

[٩-v-106] وظهيرنا المعتمد على سديد⁷⁵¹ نظره وخالصتنا الذي لاح في التدبير كريم اثره ذي

l-wizāratayn (“the man with two vizierates”)⁷⁵² whose sublime rank distinguishes him at our side, and who is as intimate and close to us

[١٠-v-106] الوزراءتين المخصوص بسنة المكانة لدينا الحال اختصاصا بنا واتصالا محل اليمنى

as our right hand — May God allow his rise to continue and prolong his existence — is heading toward your country — May God protect it — to represent

[١١-v-106] من يدينا وصل الله ارتقاءه وفسح بقاءه الى قطركم المبارك حاطه الله لينيب

us in the administration of your affairs and fill our place to ease the success of your hopes. This was decided after we learned

[١٢-v-106] عنا في مباشرة احوالكم ويقوم مقامنا في تيسير امالكم وقد كان من ذلكم ما علمنا

that it corresponded with your choice. We have thus fulfilled our most important objective concerning organizing your regions

[١٣-v-106] انه يوافق اختياركم هنالك وقضينا به الغرض الاهم لدينا من تمهيد ارجابكم

and your domains. It will not elude you that the administration of our principality — May God raise it up — depends on his energy and aptitudes,

[١٤-v-106] وجلالكم ولا خفاء عليكم ان تدبير امارتنا اعلاها الله منوط لانتهاضه⁷⁵³ وغنايه

and that he settles the revenues (*al-irādāt*) that circulate in our land with competence and efficiency. These are the reasons

[١٥-v-106] وان الايرادات المترددة لدينا مضبوطة باضطراره واكتفائه وانا بحسب

for which we require his presence among us; we call upon the accuracy of this watch and the weight of his judgment to

[١٦-v-106] ذلكم نحتاج الى حضوره بين ايدينا ونستمد من سداد نظره ورجاحة حلمه ما

progress and move forward according to the priorities of the administration. We have tolerated his absence from among us these last days and endured

[١٧-v-106] يحملنا على الاولى من التدبير ويجرينا وما سمحنا في هذه الايام بغيبته عنا ولا

⁷⁵⁰ *Alif* inserted between the *hā'* and *dhā'*.

⁷⁵¹ *Azzāwī*: سبيل.

⁷⁵² This is Abū 'Abd Allāh Muḥammad b. al-Ramaymī, who was named vizier of Murcia. On Ibn Hūd's death, he became governor of Almería before his son rebelled against him and the city fell into the hands of Ibn al-Aḥmar (al-Maqqarī, *Nafh al-ṭīb*, t. 4, 464).

⁷⁵³ *Azzāwī*: بانتهاضه.

the discomfort of his leaving solely because the care that we grant you requires that we choose for you he who is the most dear	[١٨-v-106] اٰختملنا مشقة انفصاله منا الا لما اقتضاه اعتناؤنا بكم من ايثاركم بالموثر لدى
to [our] hearts and that we generously give you he who is like the apple of [our] eye. Because the nobility of his vicariate shown	[١٩-v-106] الخاطر والسّماح لكم بمنّ يحل محل السّواد من الناظر ولما وضح كرم منابه في
in the improvement of your entire situation and of all your measures as well as the quality of care he showed in protecting your domains and their borders ⁷⁵⁴ , our need [for him] opposed	[٢٠-v-106] تحسين احوالكم كلها ومذاهبكم وحسن عِنايه في تحصيل خلالكم وجوانبكم وتعارض
yours (... [so much so that] we were solicitous with his person for you ⁷⁵⁵the favor...)	[٢١-v-106] احتياجنا واحتياجكم (... أن نستهمّ معكم عليه... النعمة...) ⁷⁵⁶
... of him in the presence? of which benefits will come to your regions and to others. Our watch over	[٢٢-v-106] عنه في الحضور لما يعود نفعه على نواحي سواكم ونواحيكم نظرنا في ذلكم نظر
(attempts to conciliate?) two goals: to not deprive you of this wealth and to have him present, with us in flesh	[١-r-117] (مبا؟ وقد جمع) ⁷⁵⁷ بين قصدين في ان لا نخلى منه ⁷⁵⁸ ذلكم المغنى وان يكون حاضرنا لدينا بالحس
and blood, with you in mind. We thought for that of a plan that would be an excellent program and project and of a decision whose justice and rightfulness	[٢-r-117] ولديكم بالمعنى فاتجه في ذلكم مذهب حسن توخّيه واعتماده ومنحّى وضح صوابه
are obvious. It seemed to us that it would infringe on the desires and choice of neither of us. [This decision] is to put forward (<i>qaddamnā</i>), in	[٣-r-117] وسداده وظهر لنا انه لا يعدوه اختيار كل واحد منكم ومراده وذلك ان قدمنا في
your land with all its provinces, near and far, the leader (<i>ra'īs</i>) Fulān, son of our companion <i>Dhū l-wizāratayn</i>	[٤-r-117] قطركم وجميع جهاته دانيتها ونازحها الرّئيس فلانا بن وليّنا ذى الوزارتين وصلّ
— May God always assure him His assistance and His aid and may He prolong his rise and his elevation on the stairs of glory. Previously, we noted his	[٥-r-117] الله اسعاده وانجاده وادام ارقآه في درج المجد واصعاده بعد ان توسّمنا فيه
Nobility and remarked his efficiency; witnessing for him before us were the incontestable antiquity of his family	[٦-r-117] النجابة وتحققنا منه الاصابة وشهدت لدينا اصالته التّى لا تنكر ومكانته
and the merit of this rank; it is clear that he follows in the footsteps of this father and does not stray from his generous	[٧-r-117] التّى لها المنصب الاسمى والمظهر انه يحذوا ⁷⁵⁹ حذو والده ولا ينكب عن كرم مقا

⁷⁵⁴ Lit. "your flanks".

⁷⁵⁵ With the eighth form of SHM (*nastahimu*). Another possibility with the tenth form of HMM (*nastahimmu*): "or we thought concernedly of him with you".

⁷⁵⁶ Two lines erased.

⁷⁵⁷ 'Azzāwī propose: مبال لا يجمع.

⁷⁵⁸ 'Azzāwī: منكم.

⁷⁵⁹ 'Azzāwī: يحذو.

Plans. He is a nephew for us by affection and loyalty and for his father our companion, a pious son faithful to the nobility of his lineage. We watch over

him like a loving father over his beloved sons (*nujabā' al-abnā'*). He knows the fondness we have for him.

After having asked the help of God on High, we decided to appoint him [to watch over] your interests and resources. We commended

to him the administration of your lands, the closest and the most far. In doing so, we count on you and on him to do well and act correctly

always and continuously. We have designated him as governor among you in entrusting him alone with the charge

of your affairs, thus protecting him from the attacks of associates and rivals. We know with certitude⁷⁶¹ that, like his father, our eminent companion,

he constitutes a guarantee that will leave no room for negligence, and that, by his great personal qualities, he will not fail to rise to the rank

deserved by energy and a sense for responsibilities. This is a appointment whose choice and selection are specially meant for you. It is a gracious gift

that will eternally stay with you and your children. Rejoice in the abundant blessings you

will receive. Be happy in the profusion of benefactions the vision of which will fill your eyes and your hearts

with joy, if God on High wills it. And He — May He be glorified —, He will guarantee for you His protection and Salvation

and He will make you happy, now and in the future. Written the 8th of the glorious month of *ramaḍān* of the year 630.

صدّه وهو لنا نجل بالوَدِّ والولاء
ولايبه ولينا المبرور بكرم الانتماء واعتناؤنا

به اعتناء رحماء الاباء بنجباء
الابناء وله الاتصال بما خصصناه به من
مزية الاحتباء

وقد امضينا بعد استخارة الله تعالى
تقديمه على المصلح⁷⁶⁰ التي لَدَيْكُمْ والمنافع
وأسدنا

الى نظره جميع الداني من
اقطاركم والشاسع واعتمدناه واعتمدناكم في
ذلك بالخير

المتوالى والاحسان المتتابع
واقررناه واليا عَلَيْكُمْ محميا بالاستبداد بنظره

في ما لَدَيْكُمْ من مجاذبة المشارك
والمنازع وعلما علم يقين⁷⁶² انه من ابيه
وولينا الاعلى

حال في كفالة لا يتطرق لها
الاهمال وانه من ذاته السنية لا يعدم الترقى
الى رتب

الانتهاض والاستقلال وهذا نظر
خصصناكم بمختاره ومنتقاه وحبوناكم منه
بما

يخلد في الاباء منكم والبنين مؤبده
ومبقاه فاستبشروا بما تستقبلون من البركات

الجزيلة وابتهجوا بما يملأ عيونكم
قرة ونفوسكم مسرة اجتلاء الموصولة
والممنح الممبذ

المبذولة ان شاء الله تعالى وهو
سبحانه يصل اکتفالكم بالعاافية واكتنفاكم

ويسعد حالكم واستينافكم كتب في
ثامن شهر رمضان المعظم عام ثلاثين
وستمائة

Taqdīm 6: Recognition, solicited by the population of Ceuta, of the appointment of Abū l-Qāsim al-‘Azafī as governor by the

⁷⁶⁰ المصالح: ‘Azzāwī.

⁷⁶¹ See Koran 12:5.

⁷⁶² See Koran 12:5: كَلَّا لَوْ تَعْلَمُونَ عِلْمَ الْيَقِينِ

وَمِنْ الْمَكْتُوبِ عَنِ الْخَلِيفَةِ الْمُرْتَضَى رَحْمَهُ اللهُ [٢٠-r-117]

فِي ذَلِكَ مُخَاطَبَةٌ جُمهُورِيَّةٌ لِأَهْلِ سَبْتَةَ [٢١-r-117]

Among the writings in the name of the caliph al-Murtaḍá – May God have mercy on him – on this subject: public allocution (*jumhūriyya*) to the people of Ceuta

... requires care in managing their interests and constant preoccupation for what can bring happiness

تَقْتَضِيهِ الْإِعْتِنَاءُ بِالنَّظَرِ فِي
مَصَالِحِهِمُ وَالْإِحْتِفَالُ بِالْأُمُورِ الْعَائِدَةِ
بِالْخَيْرِ عَلَى

to those who come and those who go. It contains the response that was addressed to them concerning their desire to see the illustrious legal expert (*faqīh*)

غَادِيهِمْ وَرَابِحِهِمْ وَتَنْضَمُنِ
الْجَوَابَ لَهُمْ عَنْ رَغْبَتِهِمْ فِي تَقْدِيمِ الْفَقِيهِ
الْأَجَلِ أَبِي الْقَاسِمِ

Abū l-Qāsim al-‘Azafī named over their land and to have their request approved, which was recognized as unanimous. Here,

الْعَزْفِيُّ عَلَى بِلَدَتِهِمْ وَأَسْعَافِهِمْ
فِي مَا 764 تَأَكَّدَتْ فِيهِ مِنْ ذَلِكَ طَلِبَةَ
جَمَلَتِهِمْ وَهِيَ

after the preamble (*al-taṣḍīr*): In the name of the caliph and the addressors (*mukhātibīn*) — May God, may He be exalted and magnified, allow them to know the grace contained in His demands,

بَعْدَ التَّصْدِيرِ بِاسْمِ الْخَلِيفَةِ
وَالْمُخَاطَبِينَ عَرَفَهُمُ اللهُ عَزَّ وَجَلَّ
الْخَيْرَةَ فِيمَا 765 يَقْتَضِيهِ

may He use them to be pleasing to him by cooperating to do good and fear Him⁷⁶⁶ and may He allow us to obtain all the good that we wish and

وَاسْتَعْمَلَهُمْ مِنَ التَّعَاوُنِ عَلَى
الْبِرِّ وَالتَّقْوَى 767 بِمَا يَرْتَضِيهِ وَإِنَّا مِنْ
الْخَيْرِ 768 مِثْلَ مَا نُرِيدُهُ

desire for them and all of their Muslim brothers. Peace.⁷⁶⁹ Next, we praise for you God — May He be exalted and magnified, there is

لَهُمْ 770 وَلَسَابِرِ إِخْوَانِهِمْ
الْمُسْلِمِينَ وَنَنْوِيهِ سَلَامًا أَمَّا بَعْدُ فَإِنَّا نَحْمَدُ
الْيَكْمَ اللهُ عَزَّ وَجَلَّ

no other god but Him — and we give him thanks for His favors and His kindness. We pray for our lord Muḥammad, the generous, the sympathetic (*ra‘ūf*)

الذِّمَّةَ لِأَلِهِ الْإِلَهِ الْوَاحِدِ وَنَشْكُرُهُ
عَلَى نِعْمِهِ وَعِزِّهِ وَإِنَّا نَسْتَعِينُكَ عَلَى سَيِّدِنَا
مُحَمَّدِ الْكَرِيمِ الرَّعُوفِ

⁷⁶³ ‘Azzāwī, *NLA*, t. 1, 422-426.

⁷⁶⁴ ‘Azzāwī: فيما.

⁷⁶⁵ ‘Azzāwī: في ما.

⁷⁶⁶ Reference to Koran 5:2: “...help ye one another in righteousness and piety” (*wa ta‘āwanū ‘alā l-birri wa-l-taqwā*).

⁷⁶⁷ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى

⁷⁶⁸ ‘Azzāwī justly corrects this with الخير by adding a dot that had disappeared over yā’.

⁷⁶⁹ It is not clear whether the passage beginning with *bi-smi l-khalīfa* comes from the original document or if it was reconstituted by the manuscript's author. ‘Azzāwī notes elsewhere that this introduction seems to be a sort of synthesis between the original *taqḍīm* and different preambles from the Almohad chancellery.

⁷⁷⁰ ‘Azzāwī: اليهم.

and the merciful,⁷⁷¹ the purest of His creatures, the seal of His prophets. Praise be to God who “knows of (the tricks) that deceive with the eyes, and al

[٧-٧-127] الرحيم⁷⁷² صفوة خلقه وخاتم
انبيائه والحمد لله الذي يعلم خائنة
الاعين وما

that the hearts (of men) conceal;⁷⁷³ according to His will and His power, the desire (*murād*) and the possible (*maqdūr*) are fulfilled. He renders between His subjects

[٨-٧-127] تخفي الصدور⁷⁷⁴ وينفذ وفق
ارادته وقدرته المراد والمقدور ويحكم
بين عباده

judgments to which submit the governors and the governed and “He doth guide whom He pleaseth to a Way that is Straight.”⁷⁷⁵ We can neither turn away

[٩-٧-127] بما يذعن له الامر والمأمور
ويهدى من يشاء الى صراط مستقيم⁷⁷⁶
فلا ينكب عنه

nor stray from “the way of God to Whom belongs whatever is in the heavens and whatever is on earth. Behold (how) all affairs tend towards God!”⁷⁷⁷

[١٠-٧-127] ولا يجور صراط الله الذي
له ما في السماوات وما في الارض الا
الى الله تصير الامور⁷⁷⁸

Constantly abundant and ceaselessly multiplied prayers on His prophet, he who is preferred to all the messengers and all

[١١-٧-127] والصلاة الهامية الديم النامية
القسم على نبيه المفضل على جميع
الارسال

Communities, messenger [to carry] the tolerant religion of Abraham (*al-hanīfiyya*) to the Arabs and non-Arabs, our lord and master **Muhammad** whose

[١٢-٧-127] والامم المرسل⁷⁷⁹ بالحنيفية
السمة للعرب والعجم سيدنا ومولانا
محمّد الذي

merit is worthy of glory and obvious superiority over the [other] prophets and by whose obvious and brilliant limpidity,

[١٣-٧-127] تعين لمكانته على الانبياء
الشفوف والظهور وتبين بابانته للمتحة
المتضحة

necessity and omnipresence were illuminated; his Lord supported him with the miracles of the Koran that remain new despite

[١٤-٧-127] الجلاء الواجب والمحضور
وايده ربه من معجزات القران بما
لايزال جديداً وان بليت

the wear of the centuries and last despite the end of times; He made of him the first over which the earth⁷⁸⁰ will split when

[١٥-٧-127] الأهور ولا يبرح باقيا وان
فنيت العصور وجعله اول من تنشق
عنه⁷⁸¹ الارض⁷⁸² اذا

⁷⁷¹ Koran 9:128: “Now hath come unto you an Apostle from amongst yourselves: it grieves him that ye perish: ardently anxious is he over you: to the believers is he most kind and merciful”.

⁷⁷² Koran 9:128: لَقَدْ جَاءَكُمْ رَسُولٌ مِّنْ أَنفُسِكُمْ عَزِيزٌ عَلَيْهِ مَا عَنِتُّمْ حَرِيصٌ عَلَيْكُمْ بِالْمُؤْمِنِينَ رَؤُوفٌ رَّحِيمٌ.

⁷⁷³ Koran 40:19.

⁷⁷⁴ Koran 40:19: يَعْلَمُ خَائِنَةَ الْأَعْيُنِ وَمَا تُخْفِي الصُّدُورُ

⁷⁷⁵ Koran 10:25: “The fools among the people will say” ‘What hath turned them from the Qibla?’ Say: ‘To God belong both East and West: He guideth whom He will to a way that is straight.”

⁷⁷⁶ Koran 10:25: وَاللَّهُ يَدْعُو إِلَى دَارِ السَّلَامِ وَيَهْدِي مَن يَشَاءُ إِلَى صِرَاطٍ مُسْتَقِيمٍ

and Koran 2:142: سَيَقُولُ السُّفَهَاءُ مِنَ النَّاسِ مَا وَلَّاهُمْ عَن قِبْلَتِهِمُ الَّتِي كَانُوا عَلَيْهَا قُلِ اللَّهُ الْمَشْرِقُ وَالْمَغْرِبُ يَهْدِي مَن يَشَاءُ إِلَى صِرَاطٍ مُسْتَقِيمٍ

⁷⁷⁷ Koran 42:53.

⁷⁷⁸ Koran 42:53: صِرَاطِ اللَّهِ الَّذِي لَهُ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ أَلَا إِلَى اللَّهِ تَصِيرُ الْأُمُورُ

⁷⁷⁹ المرسل: ‘Azzāwī.

⁷⁸⁰ Reference to *ḥadīth* transmitted by Muslim in the *Sharḥ d’al-Nawāwī, Kitāb al-faḍā’il, bāb tafḍīl nabiyyinā ‘alā jamī’ al-khalq* (Muslim, *Ṣaḥīḥ*, t. 15, p. 39, n° 5899).

⁷⁸¹ عليه: ‘Azzāwī.

⁷⁸² Reference to *ḥadīth* transmitted by Muslim in the *Sharḥ d’al-Nawāwī, Kitāb al-faḍā’il, bāb tafḍīl nabiyyinā ‘alā jamī’ al-khalq* (Muslim, *Ṣaḥīḥ*, t. 15, p. 39, n° 5899): أنا سيد ولد آدم يوم القيامة و أول من ينشق عنه القبر:

the tombs are scattered,⁷⁸³ the first intercessor whose intercession⁷⁸⁴ will be accepted when the people will be brought together on a single rug the day of the

universal resurrection; and on his family and companions, virtuous and generous, who made the moon shine, from the first to the last quarter,

in the sky of Islam and whose right hands received the keys to the vast countries and the metropolises,

near and far; they received in abundance the rewards and prizes for their struggle (*jihād*) on the path of God and the defense

of His religion; the paths and fields lowered themselves to allow them to cross over to the enemies of the regions

and faraway lands. Thanks to their strength of will, neither the deserts nor the seas kept them from seizing

their desire and well-being. May the *imām* be approved who accomplishes the plan of God on High (*al-qā'im bi-amri Llāhi*), who calls unto himself with a resolution

untroubled by tepidity, with a zeal that proceeds straight into the essence of God without turning back until the light shines,

such guidance! that straying be erased to avoid iniquity, that the lights of the truth rise [in the sky] to never disappear nor

set (*wa lā taghūr*), and that the shadows of error disperse to never reappear nor come again (*wa lā taghūr*). [May] the orthodox rightly-guided

[١٦٠-٧-١٢٧] بعثرت القبور⁷⁸⁵ واول شافع
مشفع⁷⁸⁶ اذا جمع الناس في بساط واحد
[يوم]⁷⁸⁷ الحشر

[١٧٠-٧-١٢٧] والنشور وعلى ءاله
وصحابته الابرار الكرام الذين تألقت
منهم في سماء الاسلام

[١٨٠-٧-١٢٧] الالهة والبدور والقي في
ايمانهم مفاتيح الاقطار الواسعة
والامصار الدانية

[١٩٠-٧-١٢٧] الشاسعة المعمور وتضاعفت
لهم بالجهاد في سبيل الله والذب عن
دينه

[٢٠٠-٧-١٢٧] المثوبات والاجور وذل
لاجتياهم للاعداء من قواصة
النواحي والارجاء

[٢١٠-٧-١٢٧] الموطؤ والمعبور فما عاقتهم
عن الاخذ بناصيته⁷⁸⁸ مرامهم والبر
لغاية اعترامهم

[٢٢٠-٧-١٢٧] البيد ولا البحور والررضى
عن الامام القايم بامر الله تعالى والداعى
اليه بالعزم

[٢٣٠-٧-١٢٧] الذى لا يشوبه الفتور والجد
الذى يمضى في ذات الله قدما فلا
يخور حتى اشرق

[١٠٠-١٣٨] وللهدى النور وامحق من
الضلال الا يجور وطلعت اضواء
الحق فلا تغيب ولا

[٢٠٠-١٣٨] تغور وانفشعت ظلماء الباطل
فلا تنجد بعد ولا تغور⁷⁸⁹ وعن الخلفاء
الراشدين

⁷⁸³ See Koran 100:9: "when that which is in the graves is scattered abroad".

⁷⁸⁴ *Hadīth* by Muslim with al-Nawāwī's commentary, *Kitāb al-faḍā'il, bāb tafḍīl nabīyyi-nā 'alā jamī' al-khalq* (Muslim, *Ṣaḥīḥ*, t. 15, p. 39, n° 5899): *anna sayyidu waladi Ādāma yawma al-qiyāma wa awwalu man yunshaqu 'an-hu al-qabru wa awwalu shāfi' in wa awalu mushaffa'.*

⁷⁸⁵ See Koran 100:9: أَفَلَا يَعْلَمُ إِذَا بُعْثِرَ مَا فِي الْقُبُورِ

⁷⁸⁶ *Hadīth* by Muslim with al-Nawāwī's commentary, *Kitāb al-faḍā'il, bāb tafḍīl nabīyyi-nā 'alā jamī' al-khalq* (Muslim, *Ṣaḥīḥ*, t. 15, p. 39, n° 5899): أنا سيد ولد آدم يوم القيامة و أول من ينشق عنه القبر

⁷⁸⁷ Addition by 'Azzāwī.

⁷⁸⁸ بناصية: 'Azzāwī.

⁷⁸⁹ من النجد والغور وهما ضدان

caliphs [be approved], whose victorious emblems and unfurled banners covered the East and the West. Security was assured

[٣-r-138] المهتدين الذين طبق الخافقين
شعارهم المنصور ولواؤهم المنشور
وامنت

to [their] subjects by their justice and to the borders by their protection. They found in the exultation of the name of the faith and in the destruction of the worshipers

[٤-r-138] بعدالتهم الرعايا وبحمايتهم
الثغور وكان لهم في اعلاء كلمة
الايمان وارداء عبدة

of the cross memorable satisfaction (*ghanā*) and immemorial praise. They protected the honor and well-being of Islam,

[٥-r-138] الصلبان الغناء المذكور والثناء
الماتور وحاطوا ما للاسلام من الدمار
بالحماة

but not of the ravishers who stole the souls of the impious like birds of prey (*al-ṣuqūr*) with fish (*banāt al-mā*). May He grant our lord

[٦-r-138] الا زمار المتخطفين لأرواح
الكفار كما تتخطف بنات الماء الصقور
وعن سيدنا

Prince al-Ṭāhir (“the Pure”) [Abū] Ibrāhīm⁷⁹⁰ double approval that will multiply visits to his pure (*al-ṭāhir*)

[٧-r-138] الامير الطاهر له [ابي]⁷⁹¹
ابراهيم من مضاعف الرضوان ما
يتعهد بالروح والريحان⁷⁹² جدته⁷⁹³

tomb bringing rest and satisfaction⁷⁹⁴ and will allow increasing shares of grace and pardon to be abundantly renewed in his presence; and he will

[٨-r-138] الطاهر ويزور ويتجدد لديه به
من قسم الرحمة والغفران النماء
والوفور ويكون

deserve this generous reward by his blessed and laudable efforts to bind himself to knowledge and work, That [That which is agreeable] will manifest

[٩-r-138] جزاء⁷⁹⁵ كريمًا لما اسلف في
التزام العلم والعمل سعيه المبارك
المشكور ويسعى

⁷⁹⁰ This is the father of the caliph al-Murtaḍá, the uterine brother of Ya‘qūb al-Manṣūr. He was the governor of Granada, then Seville under al-Nāṣir, then he received the government of Fez in 610/1213-1214 and was defeated by the Banū Marīn during one of their earliest attacks.

⁷⁹¹ Addition by ‘Azzāwī.

⁷⁹² Koran 56:88-89: فَأَمَّا إِنْ كَانَ مِنَ الْمُقَرَّبِينَ فَرَوْحٌ وَرَيْحَانٌ وَجَنَّتْ نَعِيمٌ

⁷⁹³ *T* pronunciation of *th: jadatha-hu*: “his grave”.

⁷⁹⁴ Koran 56:88-89: “Thus, then, if he be of those Nearest to God, [there is for him] rest and satisfaction, and a garden of delights.” The term *rayḥān*, sweet-smelling plants, is used as an indication in the verse of satisfaction and delight. The use of both terms in the *taqdim*, of *rawḥ* et *rayḥān*, assimilates the tomb in question with Paradise through a phonetic and graphic play on *jadatha-hu* or *jadata-hu*, written and pronounced almost like the Koranic *jannatu* (Paradise) coranique: وجنة and وجدته.

⁷⁹⁵ ‘Azzāwī: جزاء.

itself like light between his hands, the day his prevalent book is placed in his right hand⁷⁹⁶ and when the angels⁷⁹⁷ will welcome him, if God

[١٠-r-138] نورا بين يديه يوم يلقى في
يمينهما⁷⁹⁸ كتابه المنشور⁷⁹⁹ وتتلقاه
الملائكة⁸⁰⁰ ان شاء

on High wills it, with gifts of great reward foreseen at God's side for he who has prepared himself and has lain up those treasures.

[١١-r-138] الله تعالى من البشر بما يوجبه
المعدُّ له عند الله من جزيل ثوابه
والمذخور

This is what we write to you from our Presence in Fulāna⁸⁰¹ — May God have written for you a guard whose protection and assurance accompany you in all circumstances,

[١٢-r-138] وانا كتبناه كتب الله تعالى لكم
حفظاً تصحبكم في كل احوالكم كآلئهِ
وكافله

and a well-being that, by His illustrious favor and His immense power, spills over you in abundant streams, and never deprives you

[١٣-r-138] وحظاً⁸⁰² من فضله العظيم
وطوله الجسيم تدرُّ عليكم حوافله ولا
تغيبكم رغبته

of its gifts and benefaction. Be well convinced that, for you and in the folds of our pact, you are the first among

[١٤-r-138] ونوافله من حضرتنا بفلانة ثم
اعلموا علم يقين انكم عندنا وفي ما⁸⁰³
طوينا عقدنا

the faithful familiars, ranked among the loyal and sincere and marked by the sign

[١٥-r-138] في الاولياء الخالصاء
منتدّمون وفي عدد النصحاء الصرحاء
منتظمون وبشيم

of frankness and faithfulness. You have distinguished yourselves in welcoming our cause with the greatest of haste (*bi-maziyyat al-sabaq*), in answering it you have taken

[١٦-r-138] الصدق والوفاء متسمون
تميزتم في تلبية دعوتنا بمزية السبق
وسلكتم

the straightest road and your sincere feelings for it were pure of all vice and fault. This is why

[١٧-r-138] في البدار اليها على اهدى
الطرق وخلصت مصافاتكم لها من
الشوب⁸⁰⁴ والمدق⁸⁰⁵ لذلكم

he has granted you a special supplement of care and predilection, he has placed you in the first division of those who are assured, in the deepest part of themselves, of his protecting

[١٨-r-138] خصتكم بمزيد الرعي
والايتار ونصتكم في الرعي الاول من
اول التيقن في موالاتها⁸⁰⁶

⁷⁹⁶ Koranic reformulation with *bi-aymāni-him* (their right) which becomes *bi-yumnā-huma* (their right hand [of them both]), see Koran 57:12: "One day shalt thou see the believing men and the believing women—how their light runs forward before them and by their right hands" and Koran 66:8: "Their light will run forward before them and by their right hands".

⁷⁹⁷ Koran 21:103: "The great terror will bring them no grief: but the angels will meet them [with mutual greetings]: 'This is your day—the day) that ye were promised".

⁷⁹⁸ Koranic reformulation with *bi-aymāni-him* (their right) which becomes *bi-yumnā-huma* (their right hand [of them both]), see Koran 57:12: *يَوْمَ تَرَى الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ يَسْعَى نُورُهُمْ بَيْنَ أَيْدِيهِمْ وَبِأَيْمَانِهِمْ* and Koran 66:8: *نُورُهُمْ يَسْعَى بَيْنَ أَيْدِيهِمْ وَبِأَيْمَانِهِمْ*

⁷⁹⁹ المنثور. 'Azzāwī.

⁸⁰⁰ *يَحْرُزُهُمُ الْفَرَعُ الْأَكْبَرُ وَتَتَلَقَّاهُمُ الْمَلَائِكَةُ هَذَا يَوْمُكُمْ الَّذِي كُنْتُمْ تُوعَدُونَ*

⁸⁰¹ 'Azzāwī proposes Marrakesh.

⁸⁰² وحفظاً. 'Azzāwī.

⁸⁰³ فيما. 'Azzāwī.

⁸⁰⁴ الشوب. 'Azzāwī.

⁸⁰⁵ لذالكم. 'Azzāwī.

⁸⁰⁶ موالاتنا. 'Azzāwī.

alliance (*muwālātī-hā*), he has judged you to be close despite the distance⁸⁰⁷ and length of the journey, he has not strayed from

[١٩-r-138] والاستبصار وقضت لكم
بالقرب لديها على بعد الشقة⁸⁰⁸ ونأي
المزار ولم تعدل في

this point of view in taking care for your flanks and watching over your paths and, in helping you to accomplish

[٢٠-r-138] الاعتناء بجوانبكم والالتفات
لمذاهبكم عن هذا الاعتبار ولا بعُدت
لكم في الاسعاف

your hopes and satisfy your needs, he has not distanced himself from the choices (*al-ikhṭyār*) and the rewards (*al-baqiyya*) owed to you (*mā la-kum*). May God on High give you easy access to

[٢١-r-138] لامالكوم ومأربكم عمًا لكم من
البقية والاختيار والله تعالى يبسرركم في
ما⁸⁰⁹ ننويه

bliss (*al-yusrā*) through our intentions for you and the great care⁸¹⁰ we extend on your behalf, and may He cause you to know His grace by the priority that we accord

[٢٢-r-138] لكم ونصرف فيه وجوه النظر
الجميل قبلكم لليسرى⁸¹¹ ويعرفكم من
تقديمنا لمهماتكم وحسن

your affairs and the quality of our support for you, the elite and the people, in this world and in the next. In addition, as God enlightened

[٢٣-r-138] الكفالة لخاصتكم وجمهوركم
في الاولى والاخرى بمنه والى هذا
نور الله

your intelligence and filled your hearts with awe for Him, your letter⁸¹² came to us after [another] had preceded it and wherein you

[١-v-148] بصأبركم وعمر بتقواهُ
خاطركم فانا كتابكم وصل الينا اثر
كتاب منكم تقدمه تذكرون

evoke what you have undertaken to integrate and come together on the path of community (*silk al-jamā'a*), and wherein you confirm having been the first to hasten

[٢-v-148] ما ابتداتم به من انتظامكم في
سلك الجماعة واتساقكم وتقررون ما
تقدمتم اليه من

and rush to be at his disposal and to fasten⁸¹³ and tie yourselves to the rope of God on High to be the ally

[٣-v-148] حُسن ابتداركم الى الطاعة
واستباقكم واعتصامكم بحبل الله تعالى
في موالات⁸¹⁴ هذه⁸¹⁵

of this cause. All that – May God on High exalt your worth – is an imperishable (*lā yuḏā'*) treasure (*mar'ī*)⁸¹⁶, supported as much as possible

[٤-v-148] الدعوة واعتلاقكم وذلكم
اعزكم الله تعالى مرعى لكم لا يضاع
ومعتمد من السير

⁸⁰⁷ Echo of Koran 9:42: “but the distance was long, (and weighed) on them”.

⁸⁰⁸ Echo of Koran 9:42: وَلَكِنْ بَعُدَتْ عَلَيْهِمُ الشُّقَّةُ

⁸⁰⁹ فيما: 'Azzāwī.

⁸¹⁰ Echo of Koran 92:7: “We will indeed make smooth for him the path to bliss”.

⁸¹¹ Echo of Koran 92:7: فَسَنَيْسِرُهُ لِلْيُسْرَى

⁸¹² Letter from al-'Azafī to *sayyid* Abū Ishāq, al-Murtaḏā's vizier, about dispatching a delegation to swear the *bay'a* to al-Murtaḏā. In this letter, he refers to previous letters sent to the caliphal capital to enter into the *da'wat al-ḥaqq* (Khalaf al-Ghāfiqī al-Qabtūrī, *Rasā'il dīwāniyya min Sabta fī l-'ahd al-'Azafī*, éd. Muḥammad al-Hayla, Rabat, 1979, 109-111 cited by A. 'Azzāwī)

⁸¹³ Koran 3:103: *wa 'taṣimū bi-ḥabli Llāhi jamī'an*; Koran 3:101: *wa man ya 'taṣimu bi-Llāhi*; Koran, IV, 175: *fa-ammā al-ladhina āmanū bi-Llāhi wa 'taṣimū bi-hi*; Koran 22:78: *wa 'taṣimū bi-Llāhi*.

⁸¹⁴ موالات: 'Azzāwī.

⁸¹⁵ هاته: 'Azzāwī.

⁸¹⁶ Literally “a flock/herd that does not get lost.”

through practice, protection and watchfulness. God on High did not want to turn you away from our nature (...)

[٥-v-148] وَالرَّعْيِ وَاللَّحْظِ بِمَا يَسْتُنْطَاعُ
أَبَى اللَّهِ تَعَالَى أَنْ يَعْدَلَ فِيكُمْ عَنْ سَجِيَّتِنَا
817(...)

to keep the pacts of those concerned, to ignore a primacy that none would contest you. On the contrary,

[٦-v-148] عَلَى رَعْيِ الدَّمَمِ لِأَهْلِهَا وَإِنْ
تَهْمَلُ سَابِقَتِكُمُ التَّيِّ لَمْ يَسْبِقْكُمْ سِوَاكُمْ
إِلَى مِثْلِهَا بَلْ

with us you rejoice in all that God — May He be exalted and magnified — requires us to provide for his faithful whose care he has charged us with, and you receive

[٧-v-148] أَنْتُمْ مُوفُونَ لِدِينِنَا أَيْ مَا لَمْ يَكُنْ
عِزًّا عَلَيْنَا أَنْ نُوفِيَهُ لِمَنْ اسْتَرْعَانَا مِنْ
عِبَادِهِ وَمُتَلَقُونَ

from us all the solicitude possible with its instructions. Did we neglect, when, on meeting the messenger who invited you

[٨-v-148] مِمَّا بَدَأَ فِي الْأَمْكَانِ مِنْ
حَسَنِ النَّظَرِ وَسَدَادِهِ وَهَلْ عَدَوْنَا عِنْدَمَا
أَهَابَ بِكُمْ دَاعِيَ

to the gathering (*al-tawfiq*), you responded favorably, and when you did not weaken when he asked you to walk on the exemplary road, to eliminate injustices

[٩-v-148] التَّوْفِيقِ فَلَبَّيْتُمْ وَدَعَاكُمْ إِلَى
سُلُوكِ مِثْلِ الطَّرِيقِ فَمَا وَنَيْتُمْ أَنْ رَفَعْنَا
عِنْدَكُمْ الْمِظَالِمَ

that still blocked your ears and the innovations your land was unable to exorcize

[١٠-v-148] التَّيِّ لَمْ تَزَلْ الْأَذَانُ مِنْهَا
تَسْتَكُ وَالْمُحَدَّثَاتُ التَّيِّ كَانَتْ الْبِلَادُ
فِي الْمُدَّةِ السَّالِفَةِ

during the previous period?⁸¹⁸ We have ordered that the traces of those unjust decrees be rubbed out and erased and we have distinguished and determined the texts that do

[١١-v-148] عَنْهَا لَا تَنْفِكُ فَأَمَرْنَا بِمَحْوِ
تِلْكَ الرُّسُومِ الْجَائِرَةِ وَطَمْسِهَا وَصَدْعِنَا
بِالنُّصُوصِ التَّيِّ

not tolerate the interpretation (*ta'wīl*) to remove their ambiguity. Today, we have wiped out through justice that which

[١٢-v-148] لَا تَحْتَمِلُ التَّوِيلَ فِي إِزَالَةِ
لَبْسِهَا وَاعْدَمْنَا بِالْعَدْلِ فِي الْيَوْمِ مَا كَانَ
مَوْجُودًا فِي 819 الْجُورِ

yesterday was in injustice. We have lavished the crowds with our affection and our forbearance, we have imposed nothing more on them than [taxes]

[١٣-v-148] فِي أَمْسِهَا وَأَوْسَعْنَا الدَّهْمَاءَ
حَنَانًا وَرَفَقًا وَلَمْ نَحْمِلْهَا لِعِبَاءٍ مِنْ غَيْرِ
الْوَاجِبَاتِ

Owed and, in that domain, we have refused no one their rights. God knows, He who probes breasts⁸²⁰ and knows

[١٤-v-148] شَقًّا وَلَمْ نَرُدْ مِنْهَا عَنْ حَقِّهِ
مُحَقًّا وَفِي عِلْمِ اللَّهِ الْعَلِيمِ بِذَاتِ
الصُّدُورِ 821 الْمَطَّلَعِ عَلَى

what conscience hides in its folds and what it lays out, that we thus wanted, with the virtuous plans and measures

[١٥-v-148] الْمَخْفِي طَيِّ الضَّمَائِرِ
وَالْمُنشُورِ أَنَا أَرَدْنَا بِهَذَا وَبِمَا يَنْسَبُ مِنْ
الْمَقَاصِدِ الْحَسَنِ

⁸¹⁷ Word erased.

⁸¹⁸ Reference to the time when Ceuta was under Hafsīd rule, before al-‘Azafī’s revolt.

⁸¹⁹ من ‘Azzāwī.

⁸²⁰ Koran 3:119: “God knoweth well all the secrets of the heart.”

⁸²¹ Koran 3:119: إِنَّ اللَّهَ عَلِيمٌ بِذَاتِ الصُّدُورِ

based on justice and benevolence⁸²² it implies, to render unto Him that to which He is entitled in Creation — May His face be exalted —

[١٦-v-148] والمذاهب المبنية على العدل
والإحسان⁸²³ ان نقوم له عز وجهه
بحقّه في الخلق

and to renew in proclaiming the religion of God the paths that had been erased. With God — May He be glorified — the prize

[١٧-v-148] ونجدد في اظهار دين الله ما
عفا من الطرق وعند الله سبحانه في
ذلك الجزاء

and the reward [are found]. To Him — May His face be exalted — we come back and return, and in His help and His orders rightful bearing bears its fruits.

[١٨-v-148] والثواب واليه عز وجهه
المرء والمأب ومن توفيقه [و]⁸²⁴
تسديده يُستثمر الصواب

There is no master but Him. As for your remarks concerning the person we named as governor among you and what happened (...),

[١٩-v-148] لا رب سواه فامّا ما ذكرتم
في شأن من استعملناه هُنالكُم وما صدر
عن (...)⁸²⁵

first of all, you know that we never name a governor among you without your having expressed your wishes on many occasions

[٢٠-v-148] فقد علمتم أوّلا اننا لم نقدّم
واليا لشغل عندكم حتى تكررت في
التقديم له رغباتكم

and without your demands following on each other to hasten it. Your two emissaries⁸²⁶, with the missives they brought us, pushed

[٢١-v-148] وتردّدت في التعجيل به
طلباتكم واستحثنا في ذلك خطيباكم
الوافدان علينا ومخا

us to this, we have thus designated, ceding to your insistent request (*is 'āf'm la-kum*), someone who we are sure has the qualities needed for that which we judged him worthy, someone whom we have judged competent for the charge we have

[٢٢-v-148] طباتكم فعينا أسعافا لكم من
قرّرنا فيه الصلاحية لما له اهلناه ووطننا
به الاضطلاع

commended to him. We have impelled him to cling to justice and to privilege the law in all for which we have named him governor;

[٢٣-v-148] بما حملناه وعهدنا له ان
يلتزم العدل ويوثر الحق في كلّ ما فيه
استعملناه والذي كان

[the duty] that we owed to you to make the best choice and the best selection, we have acquitted ourselves of it. And in our efforts for you

[١-r-159] في ذلكم⁸²⁷ من حُسن الانتقاء
والاختيار وفيناه ولم نقف دون غاية من
الاجتهاد لكم

and your land we did not stop until we achieved the impossible for what we had planned and desired. We do not know⁸²⁸ that which is intimate (*damā 'ir*) and hidden (*bawā'in*).

[٢-r-159] ولقطركم في ما⁸²⁹ اعتمدناه
من ذلك⁸³⁰ وتوخيّنناه وليس البنا
علم⁸³¹ البواطن والضمائر

⁸²² Reference to Koran 16:90: "God commands justice, the doing of good..." (*inna Llāha ya'muru bi-l-`adli wa-l-iḥṣāni*).

⁸²³ Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

⁸²⁴ Addition by 'Azzāwī.

⁸²⁵ Two words erased.

⁸²⁶ Detail taken from the letter from al-'Azafī (al-Ghāfiqī al-Qabtūrī, *Rasā'il dīwāniyya min Sabta*, 111).

⁸²⁷ 'Azzāwī: ذالكم.

⁸²⁸ Evocation of Koran 12:81: "We bear witness only to what we know."

⁸²⁹ 'Azzāwī: فيما.

⁸³⁰ 'Azzāwī: ذلك.

⁸³¹ Evocation of Koran 12:81: وَمَا شَهِدْنَا إِلَّا بِمَا عَلَّمْنَا

We do not worship our Master — May He be magnified and exalted — except by that which is apparent (*bi-l-zāhir*).⁸³² Concerning such hidden situations, our prophet

[٣-٤-159] وَمَا تَعْبَدُنَا رَبَّنَا جَلًّا وَعَلَا إِلَّا
بِالظَّاهِرِ⁸³³ وَفِي مِثْلِ هَذَا مِنْ غَائِبِ
الْأَحْوَالِ قَالَ

— Peace be upon him — said: “I was not sent to penetrate the hearts of men.”⁸³⁴ We do not admonish you⁸³⁵ for the remarks you made about

[٤-٤-159] نَبِينَا عَلَيْهِ السَّلَامُ إِنَّنِي لَمْ أُبْعَثْ
لِأَنْقَبِ عَلَى قُلُوبِ الرِّجَالِ⁸³⁶ وَلِسْنَا
نُنزِّبُ عَلَيْكُمْ⁸³⁷ فِيمَا

matters you noticed among them, nor do we reproach you your praise for their inefficiency in

[٥-٤-159] ذَكَرْتُمُوهُ مِمَّا ظَهَرَ لَكُمْ مِنْ
أُمُورِهِمْ وَلَا نَعْتَبِكُمْ عَلَى مَا شَكَرْتُمُوهُ
مِنْ عَدَمِ الْإِصَابَةِ فِي تَد

administration, for ~~we name him in~~ we name governor over you and over our other subjects — May God defend them —

[٦-٤-159] بِيْرِهِمْ لِأَنَّا لَا نَسْتَعْمَلُهُ بِحَالٍ
نَسْتَعْمَلُ عَلَيْكُمْ وَلَا عَلَى سِوَاكُمْ مِنْ
الرِّعَايَا حَاطَهُمُ اللَّهُ

only those [persons] whose behavior they agree with and whose excellent intentions they follow. He who the subjects detested,

[٧-٤-159] إِلَّا مَنْ يَكُونُ لَهُمْ رِضْوَانٌ
بِسِيرَتِهِ وَاسْتِقَامَةِ الْإِلَى حَسَنٌ سِرِيرَتِهِ
وَمَنْ كَرِهْتَهُ الرَّعِيَّةُ

we would never name governor among them and we prohibit him access among them by not confirming [his charge] thus acting according

[٨-٤-159] فَإِنَّا لَا نَسْتَعْمَلُهُ بِحَالٍ عَلَيْهَا وَلَا
نُوجِدُهُ بِالْإِقْرَارِ فِيهِمْ سَبِيلًا إِلَيْهَا عَمَلًا
فِي ذَلِكَ

to the law that God — May He be exalted and magnified — imposed on the shepherds of [the flock] for which they were responsible and taking the paths of justice

[٩-٤-159] بِالْحَقِّ الَّذِي لَلَّهِ عِزٌّ وَجَلٌّ عَلَى
الرِّعَايَاتِ⁸³⁸ فِيمَنْ اسْتَرْعَوْهُ وَاقْتَفَاءَ
لِسُنَنِ الْعَدْلِ الَّذِي

followed and taken by the orthodox caliphs. As for the words attributed to the people

[١٠-٤-159] اقْتَفَاءَ الْخُلَفَاءِ الرَّاشِدِينَ
وَاتَّبَعُوهُ وَأَمَّا مَا ذَكَرْتُمْ مِمَّا جَرَى عَلَى
السَّنَةِ

of the governors' house of which you spoke, [we know] no sane man who could repeat them and no one knows who pronounced them; it would have been so much better had you neither

[١١-٤-159] اتِّبَاعِ الْوَلَاةِ مِنْ أَقْوَالِ لَا
يَهْتَفُ بِهَا عَاقِلٌ وَلَا يَتَعَيَّنُ لَهَا قَائِلٌ فَمَا
أَخْلَقَكُمْ بَانَ لَا يَكُونُ

⁸³² Evocation of an *athar mu'allaq* attributed to 'Umar and reported by Bukhārī, *Ṣaḥīḥ*, t. 3, 169, n° 2 641: *ma ta 'abadda-nā rabbu-nā illā bi-l-zawāhir*.

⁸³³ Evocation of an *athar mu'allaq* attributed to 'Umar and reported by Bukhārī, *Ṣaḥīḥ*, t. 3, 169, n° 2 641:

وَمَا تَعْبَدُنَا رَبَّنَا إِلَّا بِالظَّاهِرِ

⁸³⁴ *Hadīth*: Ibn Ḥanbal, *Musnad*, t. 10, 14, n° 10 950 ; Muslim, *Ṣaḥīḥ*, t. 7, 162, n° 2 449, *Kitāb al-zakāt, bāb dhikr al-khawārij* ; al-Bukhārī, *Ṣaḥīḥ*, n° 3 344.

⁸³⁵ Evocation of Koran 12:92: “This day let no reproach be (cast) on you.”

⁸³⁶ *Hadīth*: Ibn Ḥanbal, *Musnad*, t. 10, 14, n° 10 950 ; Muslim, *Ṣaḥīḥ*, t. 7, 162, n° 2 449, *Kitāb al-zakāt, bāb dhikr al-khawārij* ; al-Bukhārī, *Ṣaḥīḥ*, n° 3 344:

إِنِّي لَمْ أَمُرْ أَنْ أَنْقَبَ عَنْ قُلُوبِ النَّاسِ وَلَا أَشُقَّ بِطُونِهِمْ قَالَ ثُمَّ نَظَرَ إِلَيْهِ وَهُوَ مَقْفٌ فَقَالَ إِنَّهُ يَخْرُجُ مِنْ ضَنْضِي هَذَا قَوْمٌ يَتْلُونَ كِتَابَ اللَّهِ رَطْبًا لَا يَجَاوِزُ حَنَاجِرَهُمْ يَمْرِقُونَ مِنَ الدِّينِ كَمَا يَمْرِقُ السَّهْمُ مِنَ الرَّمِيَةِ قَالَ أَظْنَهُ قَالَ لَنْ أَدْرِكْتَهُمْ لِأَقْتُلَنَّهُمْ قَتْلَ ثَمُودَ.

⁸³⁷ Evocation of Koran 12:92: قَالَ لَا تُنْزِبْ عَلَيْكُمُ الْيَوْمَ

⁸³⁸ *Azzāwī*: الرعاة.

let them influence your minds nor produce any change whatsoever in your souls, since such words

[١٢-٢-159] لذلکم 839 في خواطركم تأثير
ولا ينشأ لاجله في نفس من نفوسكم
تغيير فان مثله

should not be heard. Such things are far from you! That does not correspond to what we know of your excellent intentions in regards to obedience. How [is that possible?]

[١٣-٢-159] لا يُسمع وحاشي انه فيكم ولا
يليق بما علم في الطاعة من حسن
مناحيكم وانى

considering that you distinguished yourselves with real and sincere friendship that led to the signature of pacts, that your

[١٤-٢-159] وقد تميزتم من الموالات 840
الصريحة الصحيحة بما ابرمت منه
المعاقد وتنزهتم

loyalty for our cause kept you far from all accusations and all critiques, and that the demands

[١٥-٢-159] في المناصحة لدعوتنا عن
كل ما ينقمه الناقد وينقده الناقد ونايتم
عن موافق

of your intuitions and of your profound convictions placed you above all suspicion. The words of whoever says

[١٦-٢-159] التهم بما اقتضته منكم
البصائر الراسخة والعقائد فقول القائل
فيكم لما عدا

otherwise about you are refused and the door for receiving them is absolutely closed; no matter who he may be,

[١٧-٢-159] ذلكم عليه مردود وباب
القبول دونه فيه موصد مسدود والقائل
كاننا

he is rejected and cast out from our door. Trust our requests and our praises that support your measures [nourished]

[١٨-٢-159] من كان مخلصاً 841 عن بابنا
مطروود فتقوا بما نعتمد به مذاهبكم في
طاعتنا من الا

with obedience towards us, rejoice and cry with joy, filled as you are with such beautiful

[١٩-٢-159] ستعان 842 والاحماء وطيبوا
نفوساً وقروا عيوننا بما وقر لكم في
النفوس من جميل

Conviction. Busy yourselves with matters useful to you in a way that will benefit you in this life and the next.

[٢٠-٢-159] الاعتقاد واقبلوا على ما
يعينكم من الشؤون 843 اقبالا ينفعكم في
المعاش والمعاد

Know that we have affection for you, the desire to obtain happiness for you and to distance from you all harm and that we will never renounce

[٢١-٢-159] واعلموا ان لدينا من الحنوء
عليكم واردة الخير لكم ودفع المضار
عنكم ما لا ننفك

that in the exercise of our authority (*fī l-iṣḍāri wa-l-irād*); In this matter, our consideration for you is as complete as it is for our other subjects who inhabit the land.

[٢٢-٢-159] عنه في الاصدار والايراد
وما نتخولكم منه باوفى ما نتخول به
رعايانا من اهل البلاد

839 'Azzāwī: لذلکم.

840 'Azzāwī: الموالات.

841 'Azzāwī: مخلصاً.

842 'Azzāwī proposes الاستخارة.

843 'Azzāwī: الشؤون.

God is the one who favors virtue and righteousness and He is the one who offers us support and help in exercising our powers.

[٢٣-r-159] والله الميسر للصلاح والسداد
والمان علينا في كل ما تولينا بالاعانة
والانجاد

As for that which you recalled concerning the declaration of the two
“(religious) brothers” (*ifrayriyyān*)⁸⁴⁴, whom you reported as having arrived
in your land

[١-v-169] **وَأَمَّا مَا ذَكَرْتُمْ مِمَّا صَرَخَ بِهِ**
الْأَفْرِيْرِيَانِ اللَّذَانِ ذَكَرْتُمْ أَنَّهُمَا قَدِيمًا
عَلَى ذَلِكُمُ الْقَطْرِ⁸⁴⁵

— May God protect it — from Seville — May God return it [to Islam] — to
join with the Christians who are there

[٢-v-169] حماه الله من اشبيلية اعادها الله
من كونها وصلا للاجتماع بالنصارى
الذين

with you, concerning matters about which they were interviewed in Our
presence — May God watch over it — how could such a hideous and
reprehensible lie

[٣-v-169] هنالكم في امور خوطبوا بها
من حضرتنا كلاها الله فكيف يلج في
اسماع امثالكم

penetrate the ears of Muslims as reasonable as yourselves? What a marvel to
hear the remarks of impious enemies

[٤-v-169] من المسلمين العقلاء هذا
الزور الشنيع المنكر ويا عجباً من
الاصغاء لاقوال

who “will not fail to corrupt you. They only desire your ruin: rank hatred has
already appeared from

[٥-v-169] كفرة الأعداء الذين لا يالونكم
خبالاً ودوا ما عندتم⁸⁴⁶ قد بدت
البغضاء من

their mouths: what their hearts conceal is far worse!”⁸⁴⁷ We should have
silenced this pure lie (*saffh^m*)

[٦-v-169] افواهم وما تخفى صدورهم
أكبر⁸⁴⁸ وقد كنا نضرب عن هذا البهت
البحت صفحا

for it has no place in our letter and does not deserve to be there, and the mind
should not take heed nor worry about the fact that the hate of the impious (*al-*
kafara) appears clearly therein,

[٧-v-169] فلا يورد في كتابنا ولا يُذكر
ولا يشغل به لبيان غابلة الكفرة فيه
البال ولا يُعمر⁸⁴⁹

but we decided to refute it according to what has been learned and confirmed
of your spirits; [so] we thought

[٨-v-169] **لَا كُنْ**⁸⁵⁰ **تَوْقَعْنَا (أَنْ**
يَكُونَ)⁸⁵¹ **لَا نَكَارَهُ مِمَّا قَدْ يَثْبَتُ بِهِ فِي**
خَوَاطِرِكُمْ وَيَتَقَرَّرُ وَرَأَيْنَا أَنْ

it a good thing to warn you of the turpitude that would result from listening to
it and from taking in that by which it hurts and causes sorrow. God on High
purified the Presence

[٩-v-169] **نَنْبَهُكُمْ عَلَى قَبْحِ الْإِصَاحَةِ مِنْهُ**
لَمَا يَمْتَعِضُ لَهُ وَيَتَأَثَّرُ وَقَدْ نَزَّهَ اللَّهُ تَعَالَى
حَضْرَةَ

⁸⁴⁴ This term also appears in official documents. The term refers to brethren in military orders or, as in the present case, monastic orders (probably Franciscans).

⁸⁴⁵ Illegible; ‘Azzāwī also proposes التغر: ”border”.

⁸⁴⁶ ‘Azzāwī: عَنَّمْ.

⁸⁴⁷ Koran 3:118.

⁸⁴⁸ Koran 3:118: لَا يَأْلُونَكُمْ خَبَالًا وَدُؤًا مَا عَنِتُّمْ قَدْ بَدَتِ الْبَغْضَاءُ مِنْ أَفْوَاهِهِمْ وَمَا تُخْفِي صُدُورُهُمْ أَكْبَرُ

⁸⁴⁹ The last two letters are illegible. Proposal by ‘Azzāwī.

⁸⁵⁰ ‘Azzāwī: لَكِنْ.

⁸⁵¹ Absent from ‘Azzāwī.

of the Almohads — May God exalt their valor — from the lies pronounced by the associators and, fortunately, He preserved the conviction	[١٠٠-v-169] الموحدين اعزهم الله عما يفوه به أهل الشرك من بهتانهم وعصم من الرضى
of their faith (= of the Almohads) from the lies [the associators] threw at them. [For] God, behind them ⁸⁵² , circles them from all parts and makes their evil ideas fall	[١١-v-169] بما يرمونهم به من الأفيك عقاب إيمانهم والله محيط من ورأيهم ⁸⁵³ ومحيق بهم سوء
back on them, with His grace and His power. As for the desire you formulated — May God exalt your worth — about seeing us confide the exclusive management of your interests and your taxes to Fulān	[١٢-v-169] ءارأيهم بئنه وقدرته وَأَمَّا ما انهيتم أعزكم الله من رغبتم في ان تفرد ⁸⁵⁴ فلان
— May God assure him radiancy and respect and may He continue to grant him his help in virtuous actions —	[١٣-v-169] اءام الله أثرته وكرامته ووصل على الاعمال الصالحات اعانته بالنظر في مصالحكم
as well as the charge of defending you and perfectly protecting your flanks and your lands; this wish	[١٤-v-169] ومجايبكم والتولّى بحسن الحياطة والحماية لجوانبكم ونواحيكم فقد وافقت
agrees with our choice and in no way contradicts — God on High knows it — the high esteem we have for the nobility of the particular tie	[١٥-v-169] رغبتم في ذلك اختيارنا ولم تعد علم الله تعالى ايثارنا لما له بنا قديماً وحديثاً ⁸⁵⁵
he has long had with us, for the sincere loyalty that distinguishes him in our friendship, and for the manner for which he, his ancestors,	[١٦-v-169] من كريم ⁸⁵⁶ الاختصاص ولتميزه في موالاتنا بصريح الاخلاص ولكونه بذاته وسلفه
his religion and his knowledge deserve pure and sincere affection. And had he not initially shown	[١٧-v-169] ودينه ومعرفته اهلاً للاستصفاء والاستخلاص ولو لا ما صدر عنه أو لا
reticence for this position, we would not have discarded [the idea] of commending [to him] the governorship of your land whose importance is crucial for us.	[١٨-v-169] لهذا المعنى من الاباية لما عدلنا عنه في ذلك القطر المهم شأنه لدينا بالولاية
We have decided to entrust him completely with this position and we have placed in his hands that which before fell only under his watch	[١٩-v-169] ونحن قد امضينا تقديمه مفوضا اليه وجعلنا بيده من ذلك ⁸⁵⁷ ما كان نظره قبل فيه
of [only] supervisory power. Indeed, those governors whom we named before were used to seeing	[٢٠-v-169] بحكم الاشراف عليه اذ كان الولاة المقدمون من قبلنا قبل معهوداً لهم ان لا يقطع

⁸⁵² Inversion from Koran 85:20: “But God doth encompass them from behind”.

⁸⁵³ Inversion from Koran 85:20: وَاللَّهُ مِنْ وَرَائِهِمْ مُحِيطٌ

⁸⁵⁴ ‘Azzāwī corrects with أن يفرد, but it is simpler to read أن نفرده. We thank Abdallah Cheikh-Moussa for this proposal.

⁸⁵⁵ Last three letters illegible, completed by ‘Azzāwī.

⁸⁵⁶ كرم. ‘Azzāwī.

⁸⁵⁷ ذلك. ‘Azzāwī.

no matter decided without him and to consulting him for the decisions they made and carried out. From now on, we have placed	[21-v-169] في أمر من الامور دونه وان يفاوضوه فيما ⁸⁵⁸ يعملونه من النظر ويمضونه فقد جعلنا
the responsibility for all that in his hands. ⁸⁵⁹ We entrusted him with that based entirely on his counsel and in being sure	[22-v-169] الان زمام ذلك كله في يمينه واسدناه اليه اسناد الاستئامة الى نصحه والثقة ⁸⁶⁰
of his faith. With him, we have given for your satisfaction a representative who will work for your interests with all his knowledge for he perfectly knows — May God exalt his worth —	[23-v-169] بدينه وارضيانكم منه بمؤلّى يعمل في مصالحكم على يقينه لانه اعزه الله يحفظ
the details of your situation and of your affairs. He adds to his superior qualities (<i>istiqlāli-hi</i>) for which we are attached to him the argument that he grew up	[1-r-1710] جزءيات أحوالكم وأموركم ويزيد الى استقلاله بما نطنا به بصيرة النشء بين ظهوركم
among you (...) the elite or the people. Welcome him with perfect submission, bring him pure and sincere affection,	[2-r-1710] ومن (...) ⁸⁶¹ بخاصتكم وجمهوركم فتلقوه بحسن انقيادكم وامحضوه خالص وداكم
and help him in your affairs with your loyalty, your efforts and your zeal. It is right to take advantage in the exercise of his authority (<i>irād</i>)	[3-r-1710] وامدوه في مصالحكم بنصحكم وجدكم واجتهادكم وهو خليق ان يتلقى في ايراده
of the counsel we gave him to fear God on High with total submission and obedience, making it the target	[4-r-1710] وصايانا له بتقوى الله تعالى باتم امتثاله وائتماره وان يجعلها نصب عينه
of his authority (<i>fī irādi-hi wa iṣḍāri-hi</i>). The Law (<i>al-sharī'a</i>) nourished him with its milk and raised him on its breast.	[5-r-1710] في ايراده واصداره فقد ارضعته الشريعة بلبانها وانشاته بين سحرها ولبانها
He acquired during his father's lifetime ⁸⁶² — May God have mercy on him — and under his direction, experience in the domain [of the Law]; it is through his power that he judges ⁸⁶³	[6-r-1710] وحظى في حياة ابيه رحمه الله وبين يديه بالسبق في ميدانها فبامرها يصدع ⁸⁶⁴
and according to his decrees that he takes or leaves — If God on High wills it — and our promises to eliminate abuses and to cease innovations,	[7-r-1710] وبحكمها ياخذ ان شاء الله تعالى ويدع وعهودنا برفع المظالم وازالة المحدثات

⁸⁵⁸ في ما 'Azzāwī.

⁸⁵⁹ Lit. "the bridal in his right [hand]".

⁸⁶⁰ Word unread by 'Azzāwī, deciphered by H. El Aallaoui.

⁸⁶¹ Two words erased.

⁸⁶² On the *faqīh* Abū l-'Abbās al-'Azafī, see the introduction by al-Ghāfiqī al-Qabtūrī, *Rasā'il dīwāniyya min Sabta*, 15-17 and J. D. Latham, "al-'Azafī", *Et*, t. 12, Supplement, 110-112.

⁸⁶³ Reversed evocation of Koran 15:94: "Therefore expound openly what thou art commanded".

⁸⁶⁴ Reversed evocation of Koran 15:94: فَاصْدَعْ بِمَا تُؤْمَرُ

he knows them well (having seen and heard them) and all that we have explained to him concerning this, he perfectly understood. When our letter

[٨-r-1710] بمرءاً⁸⁶⁵ منه ومسمع وهو
لما اوردناه منها قبل او عى مسمع فاذا
وفاكم كتنا

comes to you, hasten to support him and help him in all that will improve your actions. Be

[٩-r-1710] بنا هذا فلتنادروا من
المعاضة له والمساعدة لما تحسن فيه
ءاثاركم ولتكونوا

with him as one hand united in that which concerns the security of your regions and your lands. Know that there are no decisions

[١٠-r-1710] معه يداً واحدة فيما⁸⁶⁶ تامن
عليه ارجاؤكم واقطاركم ولتعلموا انه
لا يعينكم من نظرنا

concerning you that do not become your choice and interests, and do not protect you, you and your houses, by their repetition and following. If

[١١-r-1710] [إلا]⁸⁶⁷ ما يتمشى به في
المصالح اختياركم ويصان بتواليه
وتتاليه حماكم وذماركم ان شاء

God on High wills it. And He — May He be glorified — He will fasten your faith to the awe He inspires and He will always assure you health, tranquility and security.

[١٢-r-1710] الله تعالى وهو سبحانه يعلق
بالتقوى ايمانكم ويصل عافيتكم ودعتكم
وامانكم

Written the 14th of *rajab* “the isolated” of the year 648.

[١٣-r-1710] كتب في الرابع عشر لرجب
الفرد عام ثمانية واربعين وسئمانية

Taqdīm 7: Gubernatorial appointment (‘āmil), with fiscal and military attributions⁸⁶⁸

[١٤-r-1710] وَمِنْ تَقْدِيمِ عَامِلٍ آخَرَ

[Excerpt] from another appointment of a governor (‘āmil)

This is what we have written you – May God have written for you a situation that improves, and actions, from beginning to end, that are based

[١٥-r-1710] وانا كتبناه كتب الله لكم
أحوالاً يتزيد صلاحها وأعمالاً يتأصل
على التقوى ختمها

on the fear [of God] Know that we watch over you with benevolence, we appoint as governor over you people who lead your interests

[١٦-r-1710] وافتتاحها⁸⁶⁹ وان تعلموا انا
نتعهدكم بالنظر الجميل ونستعمل فيكم
من يجري مصالحكم

along the straight path.⁸⁷¹ We prefer to call on justice (‘*adl*) and forbearance (*rifq*) in your affairs, large and small. As a result of

[١٧-r-1710] على سواء السبيل⁸⁷⁰ ونوثر
العمل بالعدل والرفق في الكثير من
اموركم والقليل وبمقتضى

⁸⁶⁵ بمرأى: ‘Azzāwī.

⁸⁶⁶ فيما: ‘Azzāwī.

⁸⁶⁷ Added by ‘Azzāwī.

⁸⁶⁸ ‘Azzawī, *NLA*, t. 1, 427.

⁸⁶⁹ Evocation of a *ḥadīth* reported by Ibn Mājah, *Sunan*, 697, n° 4 199 and by Ibn Ḥibbān, *Ṣaḥīḥ*, t. 2, 51, n° 339 and 340: إنما الأعمال بالخواتيم (*inna-mā l-a ‘māl bi-l-khawātim*).

⁸⁷⁰ Koran 5:77: وَضَلُّوا عَنْ سَوَاءِ السَّبِيلِ

⁸⁷¹ Koran 5:77: “strayed from the even Way” (*sawā’ al-sabīl*).

which, we have appointed (*ʿayyannā*) Fulān – May God cause his radiance (*athrata-hu*) and generosity to endure (*waṣāla*) and may He continue (*wālā*) to help him (*injāda-hu*) and aid him (*wa i ʿānata-hu*) – to watch over

[١٨-r-1710] ذلكم عيّنًا الان فلانا وصل
الله اثرته وكرامته ووالى انجاده واعانته
للنظر في

the economic matters (*ashghāli-kum al-maṣlahiyya*) and tax questions (*a māla-kum al-makhzaniyya*) that concern you and to assure for you an administration true to straight paths. Among

[١٩-r-1710] اشغالكم المصلحية واعمالكم
المخزنية والاجراء لكم على السبيل
السوية وهو

the Almohad *shaykhs* – May God exalt their worth – he is at the head (*man la-hu*) of a great family (*al-bayt al-kabīr*), he has a famous rank and choice

[٢٠-r-1710] من له في اشياخ الموحدين
اعزهم الله البيت الكبير والمنصب
الشهير والمكان

place; in addition to that, he has distinguished himself by his laudable nature, his behavior worthy of praise, his reputation for

[٢١-r-1710] الاثير مع ما تميزت به ذاته
من مشكور الخلال ومستحسن الاحوال
والاتصاف با

righteousness and temperance, and for having acquitted himself of all for which he has been named governor with competence and a sense for responsibility. Moreover,

[٢٢-r-1710] لسداد والاعتدال والتؤلى
لكل ما يستعمل فيه بالاضطلاع
والاستقلال وقد

we have counseled him to fear God, to carefully respect His plan and to commit himself to fear Him secretly and openly.

[١-v-1810] اوصيناه مع ذلك بتقوى الله
ومراقبة امره والتزام خشيته في سره
وجهره

We have ordered him to take charge of your interests with great care and thoroughness, to manage the improvement of all your affairs

[٢-v-1810] وامرناه ان يباشر مصالحكم
مباشرة المعتنى بجميعها المتهم وان
يتولى صلاح شؤونكم

as a far-sighted man (*al-mubirr*), who excels in the arena (*fī miḍmār*) in leading the effort (*ijtihād*)⁸⁷² and taking the lead, of gathering and conserving the surplus of your taxes,

[٣-v-1810] كلها تولى المبر المبرز في
مضمار الاجتهاد المتقدم وان يضم
مرتفع مجباكم ويضبطه

of exerting (*yubrim*) and consecrating (*yarbut*) his activity (*al-shaḡhl*) to that in accord with traditional rules (*al-qawānīm al-ma hūda*), of collecting and taking duties

[٤-v-1810] ويبرم الشغل فيه على
القوانين المعهودة ويربطه ويستوفى
الحقوق ويستو

in full, of listening to and respecting advice (*al-naṣīḥa*), of using severity in removing the plagues that are evil and corruption (*adwāʿ al-sharr wa l-fasād*),

[٥-v-1810] عبا ويلتزم النصيحة
ويستصحبها ويشدد في حسم ادواء الشر
والفساد

and to rely (*yasta mil*) on forbearance (*rifq*) and clemency where he can allow himself to not be severe. And, with the help of God on High,

[٦-v-1810] ويستعمل الرفق واللين حيث
يستغنى عن الاشتداد وهو بمعونة الله
تعالى

he will attain these handsome objectives and will take the path of justice and well-doing in the charge we have commended to him in your

[٧-v-1810] يفي بهذه المقاصد احسان
ويقتفى ما اسدناه اليه من اموركم سنن
العدل والا

⁸⁷² Equestrian comparison: *mubarraz* (who surpasses because he is put in front), or *mubarriz* (who is shown on the ring), *miḍmār* (arena, place where horses are trained). Therefore: “He leads men like horses.”

affairs. Thus, when he arrives among you, by the will of God on High, submit to him as you should, obey

[٨-v-1810] حسان فاذا وافاكم بمشيئة الله
تعالى فانقادوا اليه احسن انقياد
وانتمروا

his desires for you by means of his authority (*min iṣḍār wa trādīn*), completely trust in the duties he will

[٩-v-1810] لما يريد فيكم من اصدار
وايراد واعتمدوا على ما ياخذكم به من
الواجبات اتم

demand of you, and know that we honor you through the behavior of he who, with the grace of God, will rejoice you; you will find happiness (*yumn*) in this appointment at your head

[١٠-v-1810] اعتماد واعلموا انا اثرناكم
منه بمن تسركم بمن الله سيرته فيكم
ويجدون⁸⁷³ يمن تقدمه

for the commendation of your interests and the defense of your regions (*ḥiyāṭī nawāḥī-kum*), if God on High wills it. And He – May He be glorified –

[١١-v-1810] عليكم في اقامة مصالحكم
وحياطة نواحيكم ان شاء الله تعالى وهو
سبحانه

He will give well-being through this decision that we hope will restore your situation, and He will decide that which is best for you, in the

[١٢-v-1810] يسعد بهذا⁸⁷⁴ النظر الذي
توخينا به تسديد احوالكم ويقضه لكم
بالخيرة في عا

immediate and in the future (*fī 'ājili-kum wa ma'āli-kum*). By His grace... □ [١٣-v-1810] جلكم ومالككم بمنه

Taqdīm 8: Gubernatorial appointment (‘āmil), with fiscal and military attributions and the ḥisba⁸⁷⁵

وَمِنْ آخَرَ فِي سَنَاءِ

[Excerpt] from another that is similar

... May God have written for you the righteousness of which you will harvest the fruits now and in the future, and [His] uninterrupted protection

[١٤-v-1810] كتب الله لكم استقامة تجنون ثمرتها في حالكم
واستقبالكم واستدامة للعافية

for the correct actions you will undertake with zeal. Know that our benevolent watch extends over the interests

[١٥-v-1810] بما تدأبون عليه من سداد اعمالكم وان تعلموا
ان النظر الجميل منا يتعهد مصالح

of [our] subjects wherever they may be, that it commits to the straight path all that would profit them religiously

[١٦-v-1810] الرعايا حيث كانوا من المواضع ويقوم على
السنن القويم ما لهم دينا ودنيا

and secularly and that it welcomes them with justice and the favor of this power under the expanse of its shadow and its extended

[١٧-v-1810] من المنافع ويؤويهم من عدل هذا الامر
وفضله الى الظل المديد والكنف

Wing. As a result of which, we appoint over⁸⁷⁶ you as governor he who will improve your situation, will best administer your districts (*a māla-kūm*) and will privilege

[١٨-v-1810] الواسع وبمقتضى ذلكم نستعمل فيكم من
يحسن احوالكم ويضبط اعمالكم ويمش

⁸⁷³ تجدون. ‘Azzāwī corrects with

⁸⁷⁴ Alif inserted between *hā’* and *dhāl*.

⁸⁷⁵ ‘Azzāwī, *NLA*, t. 1, 428. ‘Azzāwī suggests this may be Sijilmāssa at the beginning of al-Mu‘taḍid’s, then under d’al-Murtaḍá (655-656/1257-1258), because the region does seem to be in rebellion against the Almohads, or perhaps Salé in 649/1251, with this appointment finalizing the city’s return to the Almohad orbit.

⁸⁷⁶ *Fī*: among

that which is best and most just for you. We have designated (‘*ayyamnā*) Fulān so that he may watch over your economic problems (*umūra-kum al-maṣlahiyya*) and your tax matters (*ashghāla-kum al-makhzaniyya*)

after his seriousness and zeal manifested themselves in all his actions and his exercise of the authority (*iṣḍāru-hu wa irādu-hu*) was in accordance with the straight path.

Moreover, we have advised him to fear God on High, to carefully respect His plan and to commit himself to fearing His (wrath) in secret

and in public. We have ordered him to take full charge of all your interests, to lead you on the trails and paths of equity (*ma‘dala*),

to be severe in removing the plagues that are evil and corruption, to stop those who allow themselves to be seduced by distraction and those who compete

in rebellion, to act with forbearance and clemency regarding all those who hasten to obey and to respond favorably

with assistant to what we ask of him in the name of the law. We have insisted that he collect and have discharged the taxes of the Treasury (*wājibāt*

al-makhzaniyya), and that he demand payment of whomever owes it and extend all his efforts⁸⁷⁹

in their complete collection; [we have likewise insisted] that he act against injustice and that he abolish innovations (*muḥdathāt*) by fully following

the orders we give to all those we employ. That he devote himself to rightful evidence in what he says and does, and distance himself

from injustice in all that he attempts or professes ~~and that he respect the law~~. Thus, when he arrives among you, obey him and follow

his orders, hasten and hurry yourselves to collaborate with him, be [with him] like one hand united in the administration

of matters; as a result of which you will have only to praise and congratulate yourselves. Behind that, our watch will remain permanent in all

Circumstances and thanks to it you will discover the face of justice revealed to all, if God on High wills it. And He – May He be glorified (*subḥāna-hu*) –

He will lead your steps in the right direction and He will gather you⁸⁸¹ to do good and fear Him. By His grace.

الاحق الاولى لكم وقد عينا فلانا لتولى
اموركم المصلحية واشغالكم المخزنية

بعد ان بانَ في ما يتصرف فيه جده واجتهاده
ووافق السداد إصداره وإيراده

وقد وصيناه باتقاء الله تعالى ومراقبة امره
والتزام الخشية له في سره

وجهره وامرنا⁸⁷⁷ بان يوفى مصالحكم كلها
ويسلك بكم مناهج العدالة⁸⁷⁸ وسبلها

ويشدد في حسم أدواء الشر والفساد ويكف كل
مستترسل في الغي ومستترسرف

الى العناد ويعامل باللين والرفق كل من بادر
الى الانقياد ويلقى ما يطلب به

من الحق بالموافقة والاسعاد واكدنا عليه في
استخراج الواجبات المخزنية واقتضا

بها والطلب لكل من تعينت عليه بادائها
والتشمير عن ساعد الانتهاض في

استيعابها واستيفائها وان يجري في رفع المظالم
وازالة المحدثات على اتم ما

نامر به كل من نستعمله ويقف مع الحق
الواضح في ما يقوله ويفعله ويجتنب

الظلم في كل ما يحاوله وينتقله ويقف مع الحق
فاذا وافاكم فانقادوا له وا

نتمروا واستبقوا الى التعاون معه وابتدروا
وكونوا يدا واحدة في تمشية

المصالح تحمدوا مغبة ذلكم وتشكروا ووراء
ذلكم من نظرنا ما يتوالى في كل

الاحيان وتلقون به محيا⁸⁸⁰ العدل سافرا
للعيان ان شاء الله تعالى وهو سبحانه

يسدد طريقكم ويجمع على البر والتقوى
فريقكم بمنه □

Taqdīm 9: Gubernatorial appointment (wālī or ‘āmil), with fiscal and military attributions and

⁸⁷⁷ وامرناه ‘Azzāwī corrects with.

⁸⁷⁸ المعدلة ‘Azzāwī.

⁸⁷⁹ Lit. “roll up his sleeves”.

⁸⁸⁰ ‘Azzāwī: مُحَيِّ.

⁸⁸¹ Translation of *farīqa-kum* by “you” because the word is too vague to have precise meaning and it is used for the rhyme with *farīqa-kum*.

*the ḥisba. Revenue from taxes is destined for the
defense of the Muslims*⁸⁸²

وَفِي مَعْنَاهُ مُخَاطَبَةٌ جُمُوعِيَّةٌ [١٢-r-1911]

In the same sense, a public allocution

May God always assure them respect in the awe that He inspires in them and may He spread over them His favor and His mercy in abundance. May God have written for you

a healthy and just situation, and the hopes that ceaselessly accompany success. Know that we always extend

our watch over your land and its inhabitants so that the plains of their abodes be made smooth, their situation improved, their regions secure

and so that their desire to obtain Salvation be made possible. We thus seek to completely fulfill our duty to them to watch over them

and protect them, to do everything to eliminate and destroy dangerous places (*makhāwif*) to deliver our subjects from all worries so that they may pursue

their occupations and to place all of them under the wing of full and total security. Thus in terms of these objectives

and the efforts we make for them, as well as the resources and riches that we spend,

that we always choose the one we appoint as governor to organize and defend the land, the one that we judge worthy of assuring his watch and protection so that matters there

are managed in accordance with the rules of its villages and that the important fortresses receive all they need to close all entries (*bi-sidādi-*

hā). We implore His help in what we do – with the protection of God on High, by Whom alone is any action just [...]

and opinion – we implore His assistance in accomplishing a great effort and feat in what we intend [to accomplish]. May God on High be,

for our administration, the Guarantor of help and assistance, the One we ask to guide us in undertaking and exercising authority (*fī-l-isdār*

[١٣-r-1911] ادام الله كرامتهم بتقواه وافاض
عليهم سوابغ نعماه ورحماه كتب الله لكم

[١٤-r-1911] احوالا تصلح وتستقيم وءامالا
يصحبها النجاح فلا تريم وان تعلموا اننا نديم

[١٥-r-1911] النظر للبلاد واهلها بما يمهد
حلالها ويحسن احوالها ويؤمن ارجاءها

[١٦-r-1911] ويمكن في استصحاب العافية
رجاءها قصدنا بذلك ان نوفي حق كفالتها

[١٧-r-1911] وحياطتها ونبغ الغاية في ازالة
المخاوف عنها واماطتها ونفرغ الرعايا

[١٨-r-1911] لشئونها⁸⁸³ ونقيم الكافة في كنف
الامنة ملء جفونها وبمقتضى هذا القصد

[١٩-r-1911] وما لنا فيه من بذل الجهد
واستفراغ الوسع والوجد لا نزال نتخير من
نستعمله

[٢٠-r-1911] في ضبط البلاد وحمائتها ونؤهلها
لحفظها ورعايتها لتجرى الامور فيها

[٢١-r-1911] بذلك على قوانين سوادها
وتنتهى في المعامل المهمة الى اتم ما يفي
بسدا

[٢٢-r-1911] دها مستمدين في ما نعمله من
ذلك بتوفيق الله تعالى الذى يستد⁸⁸⁴ به كل
عمل من

[١-v-2011] وراى ومستنجدين بتاييده على
اجمل اثر في ما نعتمده واحسن سعي والله
تعلى

[٢-v-2011] الكفيل لادارتنا بالاعانة والانجاد
والمسئول⁸⁸⁵ تسديد بدننا واعادتنا في
الاصدار

⁸⁸² 'Azzāwī, *NLA*, t. 1, 429-430.

⁸⁸³ لشئونها: 'Azzāwī.

⁸⁸⁴ In the sense of استقام.

⁸⁸⁵ 'Azzāwī: المسؤول.

<p><i>wa-l-irād</i>). He is the Dispenser of that. There is no god but Him. We have privileged prayer to God on High in appointing (<i>qaddamnā</i>)</p>	<p>[³-v-2011] والایراد وهو المان بذلك لا رب سواه وقد قدمنا استخارة الله تعالى في ان قدمنا</p>
<p>Fulān to take lead of all your economic affairs (<i>ashghāli-kum al-maṣlahiyya</i>) and all of your tax matters (<i>a'māli-kum al-makhzaniyya</i>). He is held in high esteem</p>	<p>[⁴-v-2011] لجميع اشغالكم المصلحية وكافة اعمالكم المخزنية فلانا وهو الجليل في المو</p>
<p>by the Almohads. His spirit, judgment and opinion⁸⁸⁶ are sure. He was chosen to govern you because of his experience.</p>	<p>[⁵-v-2011] حدين مقداره والاصيل عقله ورايه واعتباره المختار لتوليكم بما ادّى اليه اختباره</p>
<p>We have advised him to fear God on High, which is God's general recommendation to his servants,⁸⁸⁷ the useful treasure</p>	<p>[⁶-v-2011] وقد وصينا بتقوى الله تعالى وهي وصية الله الجامعة للعباد⁸⁸⁸ والذخيرة</p>
<p>for the Last Judgment, which God designated as the best provision.⁸⁸⁹ We have ordered him to observe justice,</p>	<p>[⁷-v-2011] النافعة للمعاد والذي سماها الله⁸⁹⁰ خير الزاد⁸⁹¹ وامرناه ان يلتزم العدل الذي أمر</p>
<p>as God on High ordered, to employ all his will in totally collecting that which is due, to levy</p>	<p>[⁸-v-2011] الله تعالى بالتزامه وان يعمل في استيفاء الحق اشد اعترامه وان يقضى الوا</p>
<p>the taxes of the Treasury (<i>al-wājibāt al-makhzaniyya</i>) with no indulgence in their collection, to take, in that, the obvious path</p>	<p>[⁹-v-2011] جبات المخزنية غير مسامح منها في واجب ويسلك في استخراجها على سنن</p>
<p>of zeal and effort. For they are destined to finance the interests and defense of Muslims, and will</p>	<p>[¹⁰-v-2011] من الجد والاجتهاد لاحب فانها لمصالح المسلمين والحماية لهم مرصدة وفي ما</p>
<p>serve to pay to make their enemies disappear. We have enjoined him to combat enemies and troublemakers,</p>	<p>[¹¹-v-2011] يعود عليهم بكف اعدائهم مستنفدة وجعلنا له حرب المحاربيين والمفسدين</p>
<p>to punish rebels and outlaws, and to personally address whosoever strays from the clear and</p>	<p>[¹²-v-2011] وتنكيل العاندين والمعتدين والاستبداد على كل من نكب على السنن الواضح</p>
<p>obvious path, and to be the champion of the necessary respect for the duties imposed by religion. We insisted that he</p>	<p>[¹³-v-2011] المستبين والانتهاض في اقامة ما يجب اقامته من وظائف الدين واكدنا عليه</p>
<p>eliminate innovations and abuses, that he treat with subjects in respecting the law in the most</p>	<p>[¹⁴-v-2011] في ازالة المحدثات والمظالم واجراء الرعية في الوقوف بهم مع الحق على اوضح</p>

⁸⁸⁶ Inverse order.

⁸⁸⁷ The *wiṣāya* refers to Koran 4:131: "Verily we have directed the People of the Book before you, and you (O Muslims) to fear God."

⁸⁸⁸ The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

⁸⁸⁹ Koran 2:197: "The best of provisions is right conduct. So fear Me, o ye that are wise."

⁸⁹⁰ 'Azzāwī: والتي.

⁸⁹¹ Koran 2:197: فَإِنَّ خَيْرَ الزَّادِ التَّقْوَى وَاتَّقُونِ يَا أُولِي الْأَلْبَابِ

obvious way, that he eliminate any abuse brought before him, that he erase any blamable act⁸⁹² when he discovers it,

[1^o-v-2011] الْمَعَالِمُ وَإِنْ يَرْفَعُ كُلَّ مَظْلَمَةٍ مَتَى
انْتَهتَ إِلَيْهِ وَيَمْحُو كُلَّ مَنكَرٍ⁸⁹³ مَتَى عَثَرَ
عَلَيْهِ

in accordance with our intention to make definitively disappear all trace of injustice and its partisans, and to decide with⁸⁹⁴ an impartiality that knows no path

[1⁶-v-2011] عَمَلًا بِمَا نَقْصِدُهُ مِنْ طَمَسِ كُلِّ
أَثَرٍ لِلظُّلْمِ وَأَهْلِهِ وَصَدْعًا⁸⁹⁵ بِالْعَدْلِ الَّذِي لَا
مَعْدَلَ

that strays from the obvious paths. Thus, when he arrives among you, by the will of God on High, submit to him as you should,

[1⁷-v-2011] عَنْ وَاضِحَاتٍ سَبِيلُهُ فَإِذَا وَافَاكُمْ
بِمَشِيئَةِ اللَّهِ تَعَلَّى فَانْقَادُوا إِلَيْهِ أَحْسَنَ انْقِيَادٍ

obey the authority he will show (*li-mā ya 'milu-hu min maṣālihi-kum min isdār wa irād_m*) in your interests. Collaborate with him to affirm

[1⁸-v-2011] وَانْتَمَرُوا لِمَا يَعْمَلُهُ مِنْ مَصَالِحِكُمْ
مِنْ أَصْدَارٍ وَإِيرَادٍ وَتَعَاوَنُوا مَعَهُ عَلَى اثْبَاتِ

all virtue and to destroy all corruption. Know that in this we are taking you under the protection of our watch, so much so that you will lack,

[1⁹-v-2011] كُلِّ صِلَاحٍ وَنَفَى كُلِّ فِسَادٍ
وَاعْلَمُوا أَنَا مَعَ ذَلِكُمْ نَتَعَهَّدُكُمْ مِنْ نَظَرِنَا بِمَا
لَا يَخْلِيكُمْ

in any of your affairs, neither direction nor righteousness and that in the organization of your land you will be treated according to beautiful habits and generous

[2^o-v-2011] فِي كُلِّ أَمْرِكُمْ مِنْ اسْتِقَامَةٍ
وَسَدَادٍ وَيَجْرِيكُمْ فِي تَمْهِيدِ بِلَادِكُمْ عَلَى أَجْمَلِ
مَعْهُودٍ وَأَكْرَمِ

customs, if God on High wills it. And He – May He be glorified – He will bring you to know the happiness of this appointment and He will guide you, in your life

[2¹-v-2011] مَعْتَادٍ إِنْ شَاءَ اللَّهُ تَعَلَّى وَهُوَ
سُبْحَانَهُ يَعْرِفُكُمْ يُؤْمِنُ هَذَا التَّقْدِيمِ وَيَأْخُذُ بِكُمْ
فِي دُنْيَاكُمْ

and in your religion, on the obvious and solid path...

[2²-v-2011] وَدِينِكُمْ عَلَى الْمَنْهَجِ الْوَاضِحِ
الْقَوِيمِ □

Taqdīm 10: Appointment of a Guardian (ḥāfiẓ) as governor (wālī), with military attributions and the ḥisba⁸⁹⁶

[2³-v-2011] وَفِي مَخْطَبَةِ الْمَعْنَى

In a similar allocution (?)

...May God have written for you a healthy and just situation and hopes for a salvation that protects the righteousness of sight.

[1-r-2112] كَتَبَ اللَّهُ لَكُمْ أَحْوَالَ تَصْلِحَ
وَتَسْتَقِيمَ وَءَامَالًا فِي عَافِيَةٍ يَكْنُفُهَا النَّظَرُ
الْقَوِيمَ

⁸⁹² Allusion to *ḥadīth* transmitted by Tirmidhī, *Sunan*, 491 n° 2 172, by Ibn Mājah, *Sunan*, 227, n° 1 275, by Aḥmad Ibn Ḥanbal, *Musnad*, t. 10, 154, n° 11 398 and by Muslim, *Ṣaḥīḥ*, *Kitāb al-īmān*, t. 2, 211, n° 175: *man rā'a min-kum munkar^{en} fa-l-yughayyiru-hu bi-yadi-hi*.

⁸⁹³ Allusion to *ḥadīth* transmitted by Tirmidhī, *Sunan*, 491 n° 2 172, by Ibn Mājah, *Sunan*, 227, n° 1 275, by Aḥmad Ibn Ḥanbal, *Musnad*, t. 10, 154, n° 11 398 and by Muslim, *Ṣaḥīḥ*, *Kitāb al-īmān*, t. 2, 211, n° 175:

من رأى منكم منكراً فليغيره بيده

⁸⁹⁴ Allusion to Koran 15:94: "Therefore expound openly what thou art commanded, and turn away from those who join false gods with God."

⁸⁹⁵ Allusion to Koran 15:94: وَأَصْدُغْ بِمَا تُؤْمَرُ وَأَعْرِضْ عَنِ الْمُشْرِكِينَ

⁸⁹⁶ 'Azzāwī, *NLA*, t. 1, 431.

Know that you can count on our full attention and repose on our protection at any moment. That is why

[٢-r-2112] وان تعلموا انكم مئاً بالعناية
معتمدون وبالرعاية في كل الاناء
متعهدون ولذلكم

we choose for you one whom we esteem capable of putting to work among you our principles of justice and benevolence;⁸⁹⁷ we have committed him

[٣-r-2112] نختار لكم من نقدر⁸⁹⁸ فيه
تمشية مذهبنا من العدل والاحسان
فيكم⁸⁹⁹ ويستنهضه⁹⁰⁰

to spread the shadow of security over your regions. Considering this, we have appointed (*qaddamnā*) Fulān to watch

[٤-r-2112] لمن ظلال الامان على نواحيكم
وبهذا الاعتبار قدمنا الان فلانا للنظر

over your economic problems (*ashghāli-kum al-maṣlahiyya*) and the tax matters (*a 'māli-kum al-makhzaniyya*) that concern you and to lead you, in the administration of your affairs, on the straightest

[٥-r-2112] في اشغالكم المصلحية واعمالكم
المخزنية والسلوك بكم في اموركم كلها
على السبيل

Path; [and this] after having confirmed his great competence and noted the righteousness in all his plans. We have advised him

[٦-r-2112] السوية بعد ان تقرر حسن غنايه
وذكر بالسداد في كل انحايه وقد وصيناه

to fear God, which is the solid foundation of all actions; we have ordered him to follow

[٧-r-2112] بتقوى الله تعالى وهي القاعدة
التي ثبت⁹⁰¹ عليها جميع الاعمال
وامرناه بتوخه

with you the paths of forbearance and restraint and to perfectly assure the total protection that that implies. We have insisted

[٨-r-2112] الرفق فيكم والاعتدال وان
يستوفى الحماية عند وجوبها على الكمال
واكدنا

that he organize and secure your regions, that he defend and fortify your lands, that he be severe in pushing back

[٩-r-2112] عليه في تمهيد جهاتكم وتامينها
وحماية ارجابكم وتحصينها وان يشتد في
ردع

the partisans of evil and corruption, that he take with you, in all situations, the straight and just path

[١٠-r-2112] اولى الشر والفساد وياخذ بكم
في احوالكم على سبيل الاستقامة والسداد

and that he stray with you neither from tradition nor custom. Thus, when, with the help of God on High, he arrives among you, show him perfect obedience

[١١-r-2112] ولا يعدل فيكم عن المعهود
والمعتاد فاذا وافاكم بحول الله تعالى
فانتمروا له في

in all the matters he will administer for you, collaborate with him in his exercise of authority (*irād wa iṣdār*),

[١٢-r-2112] ما يتولاه من مصالحكم احسن
انتما وتعاونوا معه على ما يواليه من
ايراد واصدار

⁸⁹⁷ Reference to Koran 16:90: "God commands justice, the doing of good" (*inna Llāha ya'muru bi-l-'adli wa-l-iḥsāni*).

⁸⁹⁸ Perhaps نقرر.

⁸⁹⁹ Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

⁹⁰⁰ 'Azzāwī corrects with نستنهضه.

⁹⁰¹ 'Azzāwī proposes تثبت as a correction.

ardently seek with the most sincere intention and best volition (*athār*) perfect attention and obedience.⁹⁰² Moreover,

[١٣-٢-2112] واحرصوا⁹⁰³ على ان يكون لكم في حسن السمع والطاعة⁹⁰⁴ اجمل مساع واکرم اثار تمّ

our benevolent watch will then be over you in all times and will ceaselessly renew in improving your situation and protecting

[١٤-٢-2112] نظرنا بعد يتعهدكم في كل احيانكم ويتردد عليكم بتحسين احوالكم وتحصين

your domains and your lands, if God on High wills it. May He found your passions in the piety and awe [He inspires] and may He spread

[١٥-٢-2112] حلالكم واطنانكم ان شاء الله تعالى وهو يجمع على البر والتقوى اهوآكم ويعمر

security and protection in your regions. Among the orders we have given your Guardian (*hāfiẓ*) and on which we have insisted, there is the obligation

[١٦-٢-2112] بالامنة والعافية ارجآءكم [و]⁹⁰⁵ ممآ امرنا به حافظكم ووكدنا عليه فيه الاجتهاد

of eliminating innovations with zeal, of erasing all trace of reprehensible things, of eliminating taxes that are not authorized by

[١٧-٢-2112] في رفع المحدثات وطمس اثار المنكرات ومحق الرسوم التي لا يبيحها

the Law in the markets and at the gates [of the cities], and to end all that Tradition and the Book do not clearly authorize,

[١٨-٢-2112] الشرع من الاسواق والابواب وازالة كل ما لا يجيزه مُحكم السنة والكتاب

until all that remains is the law respected by the pious ancestors of this Power and until falseness totally disappears,

[١٩-٢-2112] حتى لا يبقى الا الحق الذي درج سلف هذا الامر عليه ويذهب الباطل ذهابا

in spite of those committed to it. For the [Almohad] cause was only proclaimed by God on High to renew the signs

[٢٠-٢-2112] كُليا برغم من انتمى اليه فهذه الدعوة انما نصبها الله تعالى لتجدد ما للاسلام

that distinguish Islam,⁹⁰⁶ to erase, through justice, the traces of exactions, to establish the sole law that God on High accepts,

[٢١-٢-2112] من المعالم⁹⁰⁷ وتُعقّي⁹⁰⁸ بالعدل اثار المظالم وتقيم الحق الذي لا يقبل الله تعالى سواه

⁹⁰² Reference to a *ḥadīth* cited by Muslim, *Ṣaḥīḥ*, t. 12, 428, n°4 731, 4 732, 4 735, 4 736: “you must listend and oben, even if an Abyssinian slave commands you” (*‘alay-ka bi-l-sam‘i wa-l-tā‘ati... wa law ustū milā ‘alay-kum ‘abd^{un} ḥabashī*).

⁹⁰³ Probably: واحرصوا.

⁹⁰⁴ Reference to a *ḥadīth* cited by Muslim, *Ṣaḥīḥ*, t. 12, 428, n° 4 731, 4 732, 4 735, 4 736:

عليك بالسمع والطاعة... ولو استعمل عليكم عبد حبشي

⁹⁰⁵ Added by ‘Azzāwī.

⁹⁰⁶ Reference to a *ḥadīth* transmitted by Abū Dāwūd, *Sunan*, ch. *al-malāḥim, bāb mā yudhkaru fi qarn al-mi‘a*, 639, n° 4291: “God on High sends this Community every 100 years someone who renews its religion” (*inna Llāha ta‘ālā yab‘athu li-hadhi-hi l-ummati ‘alā ra’si kulli mi‘ati sanati man yujaddidu la-hā dīna-hā*).

⁹⁰⁷ Reference to a *ḥadīth* transmitted by Abū Dāwūd, *Sunan*, ch. *al-malāḥim, bāb mā yudhkaru fi qarn al-mi‘a*, 639, n° 4291: إن الله تعالى يبعث لهذه الأمة على رأس كل مئة سنة من يجدد لها دينها:

⁹⁰⁸ ‘Azzāwī proposes وتُعقّي as a correction.

to reveal the Law,⁹⁰⁹ by which the subjects devoted their worship to God, and to distance all those who oppose it. This is our pact:

[٢٢-r-2112] وتصدع بالشرع⁹¹⁰ الذي تعبد الله به العباد وتزيل كل ما عداه هذا عهدنا

we require that all those we name as governor in the affairs (*ashghāl*) of the land respect it rigorously. This is the proof

[٢٣-r-2112] الذي نطلب العمل بمقتضاه من كل ما⁹¹¹ نستعمله في اشغال البلاد وهو حجتنا

that we raise against those who watched over this domain and when the witnesses are brought forth.⁹¹² Be persuaded of that in all

[١-v-2212] القائمة على المشتغلين في هذه الدار وعند قيام الاشهاد⁹¹³ فكونوا عن ذلك على اتم

certainty. Collaborate with your governors: in return you will doubly benefit, in this world and in the next, with the help of God on High...

[٢-v-2212] يقين وتعاونوا مع ولائكم على ما يعود عليكم بمصلحتي دنيا ودين بحول الله تعالى

Taqdīm 11: Irrevocable or absolute appointment (muṭlaq) of a governor (‘āmil) in a frontier zone, with fiscal and military attributions⁹¹⁴

[٣-v-2212] وَفِي تَقْدِيمِ آخِرٍ

Another appointment

... May God on High have written for you and your lands happiness and security and through the person we are appointing to lead you, may He allow you to know the justice

[٤-v-2212] كتب الله تعالى لكم ولارجائكم يمنا وامانا وعرفكم بما نواليه (من النظر)⁹¹⁵ في من نوليه

and beneficence of the decision (*al-naẓar*) we make. Know then that guaranteeing our attention for your affairs, ceaselessly renewing our care for the interests

[٥-v-2212] عليكم عدلا واحسانا ثم اعلمو ان تاكد اعتنا بنا باموركم وتجدد اهتمامنا

of all of you, the elite and the masses, and assiduously casting our careful watch on you, to fill your eyes with tears of joy and swell your breasts,

[٦-v-2212] بمصالح خاصتكم وجمهوركم وتعهد نظرنا لكم بما فيه اقرار لعيونكم وابهاج لصدو

[all that] is part of what is necessary in choosing the person we will appoint as governor to manage your affairs, to protect your lands, and to assign

[٧-v-2212] ركم مما يوجبه تخير من نستعمله في اقامة مهماتكم وحياطة جنبااتكم وضبط

your taxes by adopting with you the most just behavior. Indeed, our spirit is concerned by all that security brings to your domains, how

[٨-v-2212] مجابيكم والسير باعدل السير فيكم ذلكم لان الخاطر معمور بكل ما يؤمن حالكم

it improves your situation and allows forbearance and justice in regards to your duties and rights. May God on High cause you to adopt

[٩-v-2212] ويحسن احوالكم ويوجز الرفق والعدل في ما عليكم وفي ما لكم والله تعالى يجريكم

the best habits now and in the future and may He ceaselessly renew the signs of His favor that will

[١٠-v-2212] على العادة الحسنى في حالكم واستقبالكم ويوليك من عوارف النعمى ما يوفيكم

⁹⁰⁹ Allusion to Koran 15:94: "Therefore expound openly what thou art commanded, and turn away from those who join false gods with God."

⁹¹⁰ Allusion to Koran 15:94: واصدع بما تؤمر وأعرض عن المشركين

⁹¹¹ More likely: من.

⁹¹² Reference to Koran 40:51: "on the Day when the Witnesses will stand forth." This passage holds a double connotation: juridical in its allusion to tribunals, witnesses, and legal acts, and eschatological with the allusion to the Last Judgment.

⁹¹³ Reference to Koran 40:51: وَيَوْمَ يَفُومُ الْأَشْهَادُ

⁹¹⁴ 'Azzāwī, *NLA*, t. 1, 432-433.

⁹¹⁵ Omitted by 'Azzāwī.

Fulfill all your hopes, by His grace. We requested the help of God on High before irrevocably appointing (*qaddamnā*) Fulān to take charge

of your economic affairs and fiscal matters, to hold this border region

and to protect its inhabitants (*man fīhi min al-ra'yya*) and those of the surrounding areas. You already know his upright conduct [since] he has already led you; you are familiar with his laudable

directives that have assured you security and peace. According to what has been reported to us, you still desire

him to manage your affairs, and to watch over your interests, large and small, because of the qualities that have distinguished him

in all his activities: integrity, purity, energy, competence, and disgust for

all turpitude, not to mention his solid loyalty, which are his most beautiful finery and most handsome garments. This is why

we have charged him alone with your affairs and your interests. For many years, we have tested in these two areas the justice of his views

and the weight of his opinions. In addition, we have advised him to fear God on High in all circumstances and to devote himself to respecting

justice in all he undertakes. We have ordered him to completely collect from you all Treasury duties (*ḥuqūq al-makhzan*) – May God on High make it flourish – according to

the known rules [of that institution], to not stray with you from its usual practices, to eliminate abusive novelties with

titles [that they give themselves], to punish those who give themselves over to them and to keep only the Law, the only thing we ask of anyone.

That there be no refuge outside the Law according to which His subjects adore God; that there be no escape, in any way,

from any of these rules (*ḥudūdi-hi*). [We have ordered] That he, with the help of God on High, lead you in all that we have commanded of him along

luminous paths, that he choose preferably what is useful and profitable for you, that he struggle severely

with enemies and the partisans of corruption and inflict upon them destructive punishments thus liberating the regions of the land.

That he prepare for them, with resolution and will, ambushes they will fall into, on their path, when they instigate a plan

[١١-v-2212] جميع ءامالك بمنه وقد استخرنا الله تعالى في أن قدما عليكم تقديمًا مطلقًا في أشغالكم

[١٢-v-2212] لكم المصلحية وعمالكم المخزنية وضبط ذلك الثغر وحماية من فيه وبنواحيه

[١٣-v-2212] من الرعية فلانا وهو الذي عرفتم سيره الحسنة في تقدمه عليكم والفتم من انحابه

[١٤-v-2212] المشكورة ما أكد الامنة والعافية لديكم وما زلت على ما تقرر لدينا ترغبون في ان

[١٥-v-2212] يكون لاؤموركم كلها متوليا وللنظر في قليل مصالحكم وكثيرها متحليا لما تميز به في

[١٦-v-2212] اشتغالاته كلها من النزاهة والنقاء والضلاعة والاكتفاء وعزوف الهممة عن شا

[١٧-v-2212] بنات الاشياء والاتصاف من متانة الامانة بما هو ازيد الحلى وابهى الازياء لذلك

[١٨-v-2212] افردناه بالاعمال هنالك والمصالح واستتهني⁹¹⁶ في الشغلين للمخبور عنده من النظر

[١٩-v-2212] السديد والرأي الراجح وقد وصيناه مع ذلك بتقوى الله تعالى في كل حالاته والتزام

[٢٠-v-2212] العدل في جميع⁹¹⁷ محاولاته وامرناه ان يستوفى منكم حقوق المخزن ثمره الله تعالى على

[٢١-v-2212] قوانينها المعروفة وان لا يعدل فيكم عن رسوماها المالوفة وان يزيل المحدثات الجوربية

[٢٢-v-2212] والقابها ويعاقب كل من يعرف منه ارتكابها ولا يبقى الا الحق الذي لا نطلب بسواه احدا

[١-r-2313] ولا يوجد دون الشرع الذي تعبد الله به العباد ملتحدًا ولا لحدًا من حدوده بوجه

[٢-r-2313] من الوحوه معتدى وهو بمعونة الله تعالى يسلك بكم في كل ما امرناه به على

[٣-r-2313] السبل المتضحة ويؤثر ما يعود عليكم بالمنفعة والمصلحة ويشدد على اهل

[٤-r-2313] الاعتداء والفساد ويرميهم من المعاقبات المهلكة بما يريح منهم اكناف البلاد

[٥-r-2313] ويرصد لهم من عزمه وحزمه ما يلفونه حيث أموا ومتى انتموا بشيء وهموا

916 مرت علينا السنون or استتھنا 'Azzāwī.

917 كل. 'Azzāwī.

or conspiracy. He is supported in this by the armies with you and by the aid we will send him. Thus, when,

by the will of God on High, he arrives among you, entrust him with your affairs, trust the orders we give

him to transmit to you. Submit with haste to what he asks of you in the interest of your regions.

At no time should you deprive him of your obedience, nor of your assistance. You will know,

by the grace of God, the beautiful consequences of what we have charged him with and you will find the well-being of his authority (*wirdi-hi wa ṣadri-hi*) in that with which we have entrusted him.

In addition, our benevolent watch will take care of you at all times, it will improve the conditions of life

and security for you and your land, it will orient your regions in a direction that will procure for you absolute peace in this world

and the next, if God on High wills it. And He – May He be glorified – He will grant you the entire protection of Salvation and He will make

your collaboration and union true to good and to the awe that He inspires.⁹²⁰ By His grace.

[٦-r-2313] بالمرصاد وهو معان على ذلك بمن هُنالك من الاجناد وبمن نمده بهم من الانجاد فاذا

[٧-r-2313] وافاكم بمشيئة الله تعالى فالقوا بازمة اموركم اليه واعتمدوا في ما ننهيه

[٨-r-2313] اليكم من اوامرنا عليه وابدلوا بداركم وائتمركم في ما ياخذكم به من مصالح جها

[٩-r-2313] تكم ولا تذخروا⁹¹⁸ دونه انقيادًا واسعادًا في وقت من اوقاتكم وستعرفون

[١٠-r-2313] بمن الله حسن اثره في ما (اليه)⁹¹⁹ اسندناه وتجدون يمن ورده وصدره في ما وليناؤه

[١١-r-2313] ونظرنا الجميل مع ذلكم يتعهدكم الحين بعد الحين ويوفر لكم ولبلادكم اسباب

[١٢-r-2313] التمهيد والتأمين ويسدّد أنحاءكم لما تتالون معه الصلاح الشامل في الدنيا

[١٣-r-2313] والدين ان شاء الله تعالى وهو سبحانه يكتنف بالعافية الوافية اكنافكم ويجعل

[١٤-r-2313] على البر والتقوى تعاونكم⁹²¹ وائتلافكم بمنه □

Taqdīm 12: “Complete” appointment (taqdīm tām) in favor of a member of the local elite to defend a frontier zone, with fiscal and military attributions⁹²²

[١٥-r-2313] وَفِي تَقْدِيمِ آخَرٍ

Another appointment

... May God have written for you a healthy and just situation and hopes that neither leave nor abandon success.

Know that God – May He be exalted and magnified – by charging us to institute His law in all the lands of Islam and in entrusting us

with the responsibility of watching over what brings peace (*bi-l-ṣalāh*) among the Muslims and order to your affairs,

the Most High [thus] impelled us to do the impossible to call the community to unite and come together

[١٦-r-2313] كتب الله لكم أحوالاً تصلح وتستقيم وءامالاً لا يبرح عنها النجاح ولا يريم وان

[١٧-r-2313] تعلموا ان الله عز وجل بما قلدنا من القيام بحقه في جميع بلاد الاسلام وحملنا من

[١٨-r-2313] امانة النظر في ما يعود على احوال المسلمين بالصلاح واموركم بالانتظام

[١٩-r-2313] اوجب تعالى علينا ان نبذل الوسع في دعاء الامة الى ائتلافها واجتماعها

⁹¹⁸ تَذَخَّرُوا 'Azzāwī.

⁹¹⁹ Omitted by 'Azzāwī.

⁹²⁰ Reference to Koran, v, 2.

⁹²¹ Reference to Koran, v, 2: . وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

⁹²² 'Azzāwī, NLA, t. 1, 443-444.

and to apply our administration (*al-naẓar*) to anything that would spread the shadow of security over its regions and lands. This is why we care

for our subjects, be they near or far, and their lands, we devote our habitual efforts to prolong

peace there and implant security and we appoint to rule them someone that we believe capable of defending their flanks

and of assuring the correct state of their affairs. May God on High help and assist us always in the management of

their religious and secular interests of His Muslim subjects and may He grant them, wherever they may be,

the benediction of what we desire for them and the good and just decisions we make for them. This is why – May God watch over you and may He help you to fear Him – we,

because of what we have learned of the refuge you have taken under this Cause of Unicity (*al-da'wa al-tawhīdiyya*), in submitting yourselves perfectly to his authority,

and of the appeal to law you have sought in adhering to his community (*jamā'ati-hā*),⁹²⁵ we have decided that affairs in your land (*hunālikum*) would depend on

someone who rigorously takes in hand the frontier zone and closes it, who will manage your affairs according to the most just and correct of paths, and whose opinions, favorable or unfavorable, would hold steady and maintain you in the requirements of the Law, so much so that you may not deviate

from your religious obligations under any circumstance, nor stray from fiscal rules in any of your affairs (*al-qawānīn al-maṣlaḥiyya bi-shaḡhīn min ashghālikum*). By this decree, we name

Fulān over you because he is the most known of your notables, because he has distinguished himself by the justice of this views (*bi-sadādi l-naẓar*) in the defense of your territory (*makāni-kum*),

because he has endeavored to protect your interests and your affairs and he has been vigilant in pushing aside from you the attacks

of your enemies. Previously, it was confirmed for us that you were satisfied (*mughṭabīṭūn... bi-*) by his conduct among you and that you were attached (*murtabīṭūn... ilā*) to his manner

of exercising authority (*mā yūridū-hu wa yuṣḍirū-hu*) in your affairs. Also we have granted him full power (*al-*

[20-r-2313] وان نعمل النظر في كل ما يمد ظلال الامان على اكنافها واصقاعها فنحن لذكلم نتعهد

[21-r-2313] الانثاي⁹²³ والاقرب من الرعايا واطانها ونعتمد السعي الاعود عليها باتصال

[22-r-2313] عافيتها وتاصل امانها ونستعمل عليها من نعتقد منه الغناء في حياطة جانبها

[1-v-2413] واصلاح شانها والله تعالى يمدنا في ما نتولاه لعباده المسلمين من مصالح

[2-v-2413] دينهم وديناهم بنصره وتاييده ويوجدتهم حيث كانوا بركة ما نريده له

[3-v-2413] ونريده فيهم من جميل الرأي وسديده⁹²⁴ والى هذا كلاكلم الله واعانكم على تقواه فاننا

[4-v-2413] لما تعرفناه من اويكم الى هذه الدعوة التوحيدية بحسن الانقياد لطاعتها

[5-v-2413] والاعتماد على الحق في اتباع جماعتها راينا ان تكون اموركم هنالكم مسندة

[6-v-2413] الى من يقوم بضبط ثغركم و⁹²⁶ سدّه ويجرّم اموركم على اقوم سنن وأسده ويقف بكم

[7-v-2413] مع مقتضى الشرع في قبوله ورده حتى لا تشذوا عن الضوابط الدينية في حال

[8-v-2413] من احوالكم ولا تخرجوا عن القوانين المصلحية بشغل من اشغالكم فقدمنا بهذا

[9-v-2413] الرّسم عليكم فلانا لتقدّمه الشهير في اعيانكم وتميزه بسداد النظر في حماية مكانكم

[10-v-2413] واجتهاده في اقامة مصالحكم ومهمّاتكم واحتياطه في كل ما يكف عنكم عادية

[11-v-2413] عداتكم بعد ان تقرر لدينا انكم بحسن سيرته فيكم مغتبطون والى ما تورده⁹²⁷ ويصدره

[12-v-2413] في اموركم مرتبطون⁹²⁸ فامضينا له التقديم التام في بلادكم وما يرجع اليه من نظاره

923 'Azzāwī: الأثاي.

924 'Azzāwī: وسداده.

925 'Azzāwī suggests that this may refer to Seville's return to the Almohad flock under al-Rashīd, in particular because of the use of the term *jihād*.

926 'Azzāwī: أو.

927 'Azzāwī corrects with يورده.

928 'Azzāwī: مغتبطون.

taqdīm al-tāmm) in your land and in the districts that are under it;

and we appreciated for you the rendered accounts that came to us on the quality of his effort among you and the nobility of his actions. We have decided that your economic

affairs and fiscal matters would depend entirely on his management and his control. We have entrusted this activity

to his sole responsibility and he will accomplish it all, if God wishes, by deploying all of his efforts and all of his zeal.

He will adopt for that the path of volition and righteousness. We have advised him to fear God on High⁹²⁹ in all

that he undertakes, and to fear Him in all his orientations and adhesions, to bind himself to justice⁹³¹ and forbearance in all

Situations,⁹³⁴ to eliminate abuses that deserve to be abolished and eliminated, and to confirm only what has been confirmed by the Law

and whose utility contributes to the common good. We have insisted that he endeavor to be firm and always

Vigilant, that he base all his conduct on what is necessary to satisfy God – May He be exalted and magnified – that he

lead you, the masses or the elite, to accomplish your religious duties, to assiduously follow the

bright and luminous paths, to correct blameworthy conduct (*al-manākir*) that merits it, to revitalize the decrees

whose pious ancestors followed the right path, to collaborate in doing good and in fearing Him⁹³⁶ in what

brightens and illuminates hearts, to hear you to privilege matters useful for religion and

[١٣-v-2413] وارتضينا لكم ما اتصل بنا من حسن مساعيه
هنالكم وكرم اثاره واسندنا اشغالكم

[١٤-v-2413] المصلحية واعمالكم المخزنية الى نظره
وضبطه اتم اسناد واستنهضناه

[١٥-v-2413] من القيام بذلك كله والاستقلال به لما ينهض
به ان شاء الله نهوض جد واجتهاد

[١٦-v-2413] ويسير فيه على جادة قصد وسداد وقد وصيناه
بتقوى الله تعالى⁹³⁰ في كل

[١٧-v-2413] محاولاته ومراقبته في جميع انتحاءاته
وانتجالاته والتزام العدل⁹³² والرفق في كافة⁹³³

[١٨-v-2413] حالاته⁹³⁵ وان يرفع المظالم التي يحق لها
الازالة والرفع ولا يقر الا ما اقره الشرع

[١٩-v-2413] وعم به في المصالح النفع وأكدنا عليه في ان
يكون للحزم ملتزماً وللاحتياط

[٢٠-v-2413] مستصحباً وان يبني سيره كلها على ما يكون
لرضى الله عز وجل موجباً وان يا

[٢١-v-2413] خذكم عامة وخاصة باقامة وظائف الدين
وادامة السلوك على المنهاج

[٢٢-v-2413] المتضح المستبين وتغيير المناكر التي يتعين
لها التغيير واحياء الرسوم التي كان

[٢٣-v-2413] السلف الصالح على سبلها الهداية يسير
والتعاون من البر والتقوى⁹³⁷ على ما

[١-r-2514] نستضيء به القلوب ونستنير⁹³⁸ والتوافق على
ايتار ما ينتفع⁹³⁹ ديناً ودنياً من

⁹²⁹ The *wiṣāya* refers to Koran 4:131: "Verily we have directed the People of the Book before you, and you (o Muslims) to fear God."

⁹³⁰ The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

⁹³¹ Reference to Koran 16:90: "God commands justice, the doing of good" (*inna Llāha ya'muru bi-l-'adli wa-l-ihsāni*).

⁹³² Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

⁹³³ 'Azzāwī: كل.

⁹³⁴ Reference to a *ḥadīth* reported by Ibn Ḥibbān, *Ṣaḥīḥ*, t. 2, 312, n° 551, by 'Abd al-Razzāq, *Muṣannaf*, t. 11, 141-142, n° 20 145, by Tirmidhī, *Sunan*, 449, n° 1 974, by Ibn Mājah, *Sunan*, 695, n° 4 185.

⁹³⁵ Reference to a *ḥadīth* reported by Ibn Ḥibbān, *Ṣaḥīḥ*, t. 2, 312, n° 551, by 'Abd al-Razzāq, *Muṣannaf*, t. 11, 141-142, n° 20 145, by Tirmidhī, *Sunan*, 449, n° 1 974, by Ibn Mājah, *Sunan*, 695, n° 4 185:

مَا كَانَ الرَّفْقُ فِي شَيْءٍ قَطُّ إِلَّا زَانَهُ وَلَا عَزَلَ عَنْ شَيْءٍ إِلَّا شَانَهُ الْمَزِيدُ

⁹³⁶Reference to Koran 5:2: "Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment."

⁹³⁷ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ .

⁹³⁸ 'Azzāwī: تستضيء... ونستنير.

⁹³⁹ 'Azzāwī: ينفع.

the world and to avoid all that lead to incorrect deeds. Thus, when our letter comes to you, rejoice in the favor that our

benevolence gives you in the person we are appointing to govern you. Accomplish with perfect obedience to him all that we have proposed to you. Thank

God on High for the generous solicitude and attention that this Cause (*da'wa*) reserved for you, for the just resolution he taught

you in asking after your situation and in managing it so well that you will praise his visits in the present

and future. Look with the same gaze as God on High on that which will render their blows to His enemies and that will accomplish the

true Promise of proclaiming and raising high His religion. Congratulate yourselves for what the calls of the Almohads (*dawā' al-muwahhidīn*) – May

God exalt their worth – lavished on this land: coming together, uniting and mobilizing to be dedicated exclusively to the duty of *jihād*,

in working with zeal and seriousness, in showing force and making an effort, and in seeking out victory while also asking of

God – May He be exalted and magnified – His aid and His help. The aid of God on High for the faithful in His religion, stands on the great road and the souls

of His servants, the believers, are certain that He will carry out [His promises] before the [appointed] hour. Be sure – May God on High honor you –

of the good you are going to receive and the conquests you hope for over the enemies of the faith. Insist to obtain

this in obeying God, His messenger and the governors (*ūlī l-amri*)⁹⁴¹ in all that you say and do, if God

on High wills it. And He – May He be glorified – He will cause you to know His benefactions, the most beautiful you may await from heaven (*tatahawwafūn*), He will never cease

in granting you in all circumstances His abundant favors which you already know, and, now and in what you undertake,

He will not take from you the shadow of His abundant favors. By His grace.

[2-r-2514] الامور واجتتاب ما يضير فاذا وافاكم كتابنا هذا فاعتبطوه بما اثرنا(ه؟) لكم من جميل

[3-r-2514] النَّظْرَ فِي مَنْ قَدِمْنَا عَلَيْكُمْ وَاَعْمَلُوا مِنْ حَسَنِ الْاِنْقِيَادِ الْيَهْ بِاتَمِّ مَا الْقِيَاةُ الْيَكْمُ وَاشْكُرُوا

[4-r-2514] الله تعالى على ما صرَّفْتَهُ هذه الدَّعوة نحوكم من كريم اعتنائها واهتمامها واعلمته

[5-r-2514] في تفقد احوالكم واجرابها على ما تحمدون مغبته في عاجلكم ومالككم من سديد

[6-r-2514] اعتزامها وانظروا من نظر الله تعالى ما يقضيه برد الكثرة على اعدائه وينجز صادق الوعد

[7-r-2514] في اظهار دينه واعلايه وانشروا⁹⁴⁰ بما توفرت عليه دواعي الموحدين اعزهم

[8-r-2514] الله بهذه البلاد من الاجتماع والاحتشاد والتجرُّد لاداء فرض الجهاد وبا

[9-r-2514] عمال الجد والاجتهاد واظهار القوة والاعتاد واستئزال النصر بصريح الاستعانة

[10-r-2514] بالله عز وجل والاستعداد واعانة الله تعالى لاهل دينه القيم بالمرصاد ونفوس

[11-r-2514] عبادته المومنين على ثقة من انجازه لسابق الميعاد فكونوا اكرمكم الله على يقين

[12-r-2514] من الخير الذي تستقبلون والفتح الذي في عدو الايمان تؤملون وتوصلوا لنيل

[13-r-2514] ذلكم بالطاعة لله ورسوله واولى الامر⁹⁴² في كل ما تقولون وتفعلون ان شاء الله

[14-r-2514] تعالى وهو سبحانه يعرفكم من الطافه الجميلة اجمل ما اليه تتشوفون ولا يعدل

[15-r-2514] بكم عما كنتم من عوارفه الجزيلة في كل احوالكم تعرفون ولا يقلص عنكم ضلال⁹⁴³

[16-r-2514] عوافيه الضافية في حالكم وفي ما تستانفون بمئه □

Ṭaqdīm 13: Appointment of a “Scholar” (ṭalaba) who had already served as governor (wālī) in

⁹⁴⁰ وابتشروا: 'Azzāwī.

⁹⁴¹ Echo of Koran 4:59: “O ye who believe! Obey God, and obey the Messenger, and those charged with authority among you”. The omission of the final *min-kum* accentuates the distance between he, or those, who governs (the caliph) and the subjects from whom, in the Koran, he, or they, is supposed to come.

⁹⁴² Echo of Koran 4:59: يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

⁹⁴³ 'Azzāwī proposes ضلال as a correction.

other regions, with administrative and military attributions. Specific Koranic citation⁹⁴⁴

وَفِي تَقْوِيمٍ أَحَدٍ أَلْطَّلَبَةِ [١٧-r-2514]

For the appointment of a Scholar (*talaba*)

...May God have written for you a situation characterized by virtue and righteousness and hopes crowned with success

كتب الله لكم احوالاً
يصحبها الصلّاح والسّداد وءامالاً
يقترن بها الانجاح

and happiness. Know that our benevolent watch ~~its center and periphery~~ over your land will smoothen

وان تعلموا ان
نظرنا مواسمها واطرافها الجميل
لبلادكم⁹⁴⁵ موذن بتمهيد

its regions and lands and spread the shadow of Salvation (*'āfiya*) and security in the center as much as the periphery.

أرجأها واكلافها وتمدّد
ظلال العافية والامنة على
مواسطها واطرافها

We will spare neither effort nor zeal to guarantee the means of its protection and defense,

لا نالو جدّاً واجتهاداً في
توفية اسباب الحياطة لها والحماية
ولا نخله مهما

we will neglect none of the important matters for its provinces and districts, we will even grant them absolute attention and care. That [...] the subjects

من مهماتها في نواحيها
وجهاتها والتهمم التأم به والعناية
ذلكم (...)⁹⁴⁶ الرعايا

and lands for which God charged us to establish their interests, to assure the security of those who come and go

والبلدان بما قلدنا الله
تعلي من الاقامة لمصالحها
والادامة لأمن غادها⁹⁴⁷ ورأبها

and to conduct their affairs and problems along the brightest and most obvious paths. By God – May He be exalted

والاخذ في أمورها
وشئونها⁹⁴⁸ على لاحب السبل
وواضحها وبالله عزّ

and magnified –, we ask His help in all that we will decide for your land, to guarantee conditions of security and immunity (*amān*),

وجل نستعين⁹⁴⁹ في
جميع ما نوثره لبلادكم من تمكين
موجبات الهدنة والامان ونعتمد

and for the clemency, justice and benevolence our support will bring you.⁹⁵⁰ We will always choose, to govern your affairs and apply our doctrine (*madhhab*)

كم به من الرفق والعدل
والاحسان⁹⁵¹ لانزال نتخير لتولّي
اموركم وتوخّ مذهبنا

⁹⁴⁴ 'Azzāwī, 436.

⁹⁴⁵ 'Azzāwī: ببلادكم.

⁹⁴⁶ Word erased.

⁹⁴⁷ 'Azzāwī corrects with غاديتها.

⁹⁴⁸ 'Azzāwī: وشؤونها.

⁹⁴⁹ Omitted by 'Azzāwī.

⁹⁵⁰ Reference to Koran 16:90: "God commands justice, the doing of good" (*inna Llāha ya'muru bi-l-'adli wa-l-iḥsāni*).

⁹⁵¹ Reference to Koran 16:90: إِنَّ اللَّهَ يُأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

in your organization, for the elite and the masses, the best of our lieutenants for all of that, someone who will make your domains more agreeable

[٥-v-2614] في تدبير خاصتكم
وجمهوركم من يحسنُ منابه في
ذلك كله ويسلك في تمهيد الحلال

and redress the situation, making decisions that follow the straightest and brightest paths. By [this act]

[٦-v-2614] وتسديد الأحوال على
اقوم طرق النظر واجلى سبله
والان قدمنا عليكم بهذا

and after having best chosen as we have just informed you, we now appoint Fulān – May God perpetuate his influence and his obedience and protect his rank and his honor. He is a man that is very close to us, known in all that he undertakes for this righteousness and

[٧-v-2614] وبما اعملناه لكم من
حسن الاختيار فلانا وصل الله
اثرته ومبرته وحفظ مكانه

[٨-v-2614] وحظوته وهو منا القريب
القراية والمعروف في محاولاته
كلها بالسداد والا

Efficiency. He has been charged numerous times with governing the great cities [of the Empire]. All his administrative acts have been distinguished through noble exploits and all

[٩-v-2614] صابة قد ترددت ولايته
لقواعد الامصار وتميزت ادارته
كلها بكريم الاثار ونا

his successes have shown how much he surpasses his peers by his worth. In naming him we have made

[١٠-v-2614] سبت تناولاته كلها لما
له على النظر آء من شغوف المقدار
فخصصناكم منه

a generous choice for you, because of the merits that set him apart: his age, prestige and personal quality. By this

[١١-v-2614] لذلك بمن⁹⁵² خصته
رتبة سنه ومكانة قدره ومزية ذاته
بكريم الاختصاص واوجبنا

appointment we have granted you the best share, because your land and population thus acquire preference and exclusivity.

[١٢-v-2614] لكم بتقديمه عليكم اوفر
الخصص من التمييز لبلادكم
واهلها بالايثار والاستخلاص

And, by the force given him by the excellence of his character, the rectitude of his opinions, the nobility of his intentions, and the firmness of

[١٣-v-2614] وهو بما احرزه من
الحلال الحميدة والاراء السديدة
والمناحي الكريمة والماخذ

his decisions, he will protect all that serves and is useful (*manāfi*) to you with a benevolent watch and, to defend your province

[١٤-v-2614] القويمة يؤوي جميع
مصالحكم ومنافعكم نظراً جميلاً
ويقتفي في حماية جنباتكم

and manage your affairs, he will follow the paths and trails of rectitude; large or small, he will distance from you harm, caused or suffered,

[١٥-v-2614] واقامة مهماتكم سننا
سويّاً وسبيلاً ويدفع عنكم المضار
والمعارّ جملة وتفصيلاً

and he will teach the recommendations we have imparted to him, those that God on High addressed to his subject in His Word:

[١٦-v-2614] ويعلم ما فاضناه به من
الوصايا التي وصّى الله تعالى بها
عباده في قوله ولقد

⁹⁵² بما. Azzāwī.

“Verily we have directed the People of the Book before you, and you (o Muslims) to fear God”⁹⁵³, thus will he make the fear of God on High...

[١٧-v-2614] وصينا الذين اوتوا
الكتاب من قبلكم واياكم ان اتقوا
الله⁹⁵⁴ فيجعل تقوى الله تعالى⁹⁵⁵

Welcome his arrival with all possible joy and show perfect obedience to the orders he will

[١٨-v-2614] فاستبشروا بقدمه كل
الاستبشار وانتمروا لما يجريه فيكم
من الاوامر اتم

give, be for him, to implement the law and apply justice, helpers and auxiliaries. Know

[١٩-v-2614] الائتثار وكونوا له على
الحق يمضيه والعدل يمشيه من
الاعوان والانصار واعلموا

to recognize the honor granted to you by the Presence of the Almohads, your brothers, in appointing the most illustrious of its grand notables

[٢٠-v-2614] قدر ما خصتكم به
حضرة الموحدين اخوانكم من تقدم
المقدم في الجلة من كبر آباها

and in choosing he whose place in its administration and whose counsel is known. By the force of God on High...

[٢١-v-2614] والاثار منه بمن يعلم
محله في ذوى ادارتها وءار آباها
بحول الله تعالى □

Taqdīm 14: Gubernatorial appointment with fiscal and military attributions⁹⁵⁶

[٢٢-v-2614] وَفِي مُخَاطَبَةٍ نَقْدِيمِ عَامِلٍ

Allocution for the appointment of a governor (*āmil*)

May God always assure them respect through the fear He inspires in them and help them to follow a path He accepts and approves. This is what we write

[٢٣-v-2614] ادام الله كرامتهم بتقواه واعانهم على العمل بما
يَتَقَبَلُهُ وَيَرْضَاهُ وانا كَتَبْتَنَاهُ

– May God have written for you to recognize the best and most just situations, to find refuge in the vastly spread shadow of security and

[١-r-2715] كتب الله لكم تعرفا لاصلاح⁹⁵⁷ الاحوال واسدّها
واويا الى اورف ظلال الامنة و

in observing the duties of your religion that will bring you closer to Him. Know that our watch over

[٢-r-2715] أمدها والمحافظة من وظائف دينكم على ما يحظيكم
بالزلفى لديه وان تعلموا انا ننظر

the land and its population sets its edges straight, protects it in the center and on the periphery, establishes security

[٣-r-2715] للبلاد وأهلها النظر الذى يمهد اكنافها ويحمي
مواسطها واطرافها ويمكن أمنها

and expels reasons for fear. And that is because God – May He be exalted and magnified – entrusted us with guarding its affairs and the protection of its elites

[٤-r-2715] ويذهب مخافها ذلكم لان الله عز وجل استرعانا
امورها واستحفظنا خاصها

and masses. We also devote to it all the care and attention we can, our concern

[٥-r-2715] وجمهورها فنحن نظرف⁹⁵⁸ اليها ما في الوسع من
الاهتمام بها والاعتناء ونوالى

⁹⁵³ The *wiṣāya* refers to Koran 4:131 (excerpt): “Verily we have directed the People of the Book before you, and you (o Muslims) to fear God.”

⁹⁵⁴ The *wiṣāya* refers to Koran 4:131: وَأَقْدُ وَصَيَّنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

⁹⁵⁵ ‘Azzāwī notes that the following passage should indicate the addition of a word such as *sabīla-hu* or *amāma-hu*.

⁹⁵⁶ ‘Azzāwī, *NLA*, t. 1, 437.

⁹⁵⁷ ‘Azzāwī proposes لأصلح as a correction, matching with *wa asaddi-hā*.

⁹⁵⁸ ‘Azzāwī corrects with نصرف.

for it continues at all hours and moments. We choose for its affairs (*li-ashghāli-hā*) competent and efficient people

[٦-r-2715] التَّعْهَدُ لَهَا فِي كُلِّ الْأَوْقَاتِ وَالْإِنَاءِ وَنَتَّخِرُ لِأَشْغَالِهَا
أَهْلَ الْأَضْطِلَاعِ وَالْغِنَاءِ

so that its interests might advance along the path of righteousness and that it might receive a protection

[٧-r-2715] حَرَصْنَا عَلَى أَنْ تَتَمَشَى مَصَالِحَهَا عَلَى سُنَنِ السَّدَادِ
وَتَوْفَى مِنَ الْإِحْتِيَاطِ عَلَيْهَا

that pushes aside the attacks of evil and corruption. May God on High grant us the continuation of that with His aid and

[٨-r-2715] مَا يَدْفَعُ عَنْهَا عَوَادِيَ الشَّرِّ وَالْفُسَادِ وَاللَّهُ تَعَالَى يَمْدُنَا
فِي ذَلِكَ بِالتَّايِيدِ وَالْإِيَادِ

His support and may His assistance accompany us in the exercise of authority (*fī l-iṣḍār wa-l-irād*). In terms of what we have just evoked

[٩-r-2715] نَجَادُ وَيَجْعَلُ تَوْفِيقَهُ لَنَا رَفِيقًا فِي الْإِصْدَارِ وَالْإِيرَادِ
وَبِمَقْتَضَى مَا ذَكَرْنَا

of our intentions to improve the lot of the subjects (*li-l-ra'iyā*) and their land, and of [our] desire to grant them security in green sweetness of its opulent

[١٠-r-2715] فِي تَوْخُّعِ الصَّلَاحِ لِلرَّعِيَةِ وَبِلَادِهَا وَقَصْدِ الْإِمَانَةِ
لَهَا مِنَ الْعَافِيَةِ فِي أَوْتَرِ

Plains, we have named Fulān to lead your regions – May God on High protect them – to take charge of their interests

[١١-r-2715] مَهَادِمًا قَدَمْنَا الْآنَ فَلَانًا عَلَى جِهَاتِكُمْ حَاطَهَا اللَّهُ
تَعَالَى لِيَقُومَ بِمَصَالِحِهَا

and their resources, to spread complete security to all places and all localities, to guarantee for all regions,

[١٢-r-2715] وَمَنَافِعَهَا وَيَبِيَّتْ الْإِمَانَ التَّامَّ فِي أَمَاكِنِهَا وَمَوَاضِعِهَا
وَيَسْتَوْفِي بِالتَّطَوُّافِ

near and far, regular visits, to lead all districts, in improving easy paths and removing

[١٣-r-2715] جَمِيعَ دَانِيهَا وَشَاسِعِهَا وَيَنْظُرُ فِي الْأَعْمَالِ كُلِّهَا بِمَا
فِيهِ تَدْلِيلٌ مَهَابِعِهَا وَرَفَعُ

Obstacles. He is known for his wisdom and reputed for his firmness, following the path of his predecessors

[١٤-r-2715] مَوَانِعِهَا وَهُوَ الْمَعْرُوفُ بِالشَّهَامَةِ الْمَوْصُوفُ
بِالْحِزَامَةِ السَّالِكِ سَبِيلِ سَلْفِهِ

in courage and bravery. We have advised him to fear God on High⁹⁵⁹ and to submit to Him in private and in public,

[١٥-r-2715] فِي النُّجْدَةِ وَالصَّرَامَةِ وَقَدْ وَصَيْنَاهُ بِتَقْوَى اللَّهِ
تَعَالَى⁹⁶⁰ وَالتَّزَامِهِ فِي سِرِّهِ وَعَلْنِهِ

to adorn himself with the best and most handsome character traits, to take in all situations the paths and trails

[١٦-r-2715] وَالتَّزْيِينِ مِنْهَا بِأَجْمَلِ نَعْتٍ وَأَحْسَنِهِ وَالْجُرْيِ فِي كُلِّ
أَحْوَالِهِ عَلَى سَبِيلِ الْحَقِّ

of truth. We have ordered him to be severe in crushing corruption and corrupters, to chase away rebels

[١٧-r-2715] وَسُنَنِهِ وَأَمْرَانَهُ أَنْ يَشْتَدَّ فِي مَحَقِّ الْفُسَادِ وَالْمُفْسِدِينَ
وَتَشْرِيدِ الْبَاغِينَ

and aggressors, and to ceaselessly assure order and security for your lands. We have insisted that he collect taxes due to

[١٨-r-2715] وَالْمُعْتَدِينَ وَأَنْ يُوَالِيَ التَّمْهِيدَ لِنُوَاحِيكُمْ وَالتَّأْمِينَ
وَإِكْدَانًا عَلَيْهِ أَنْ يَقْضَى الْحَقُّوقَ

the Treasury (*makhzan*) – May God cause it to flourish – , that he completely collect taxes on all the [population], that he deduct

[١٩-r-2715] الْمَتْرَبَةَ لِلْمَخْزَنِ ثَمَرَهُ اللَّهُ فِي الْأَمْوَالِ وَيَسْتَوْفِي
الْوَاجِبَاتِ عَلَى الْكَمَالِ وَيَسْتَخْرِجُ

what remains due by the subjects (*mā baqiya fī dhimam al-ra'iyā*) and is specific to them, and that he have them pay the rest of what

[٢٠-r-2715] مِنْ ذَلِكَ مَا بَقِيَ فِي ذِمِّ الرَّعِيَةِ وَتَعَيَّنَ عَلَيْهَا
وَيَأْخُذُهَا بِالْإِدَاءِ لِمَا أَنْتَسَبَ

they normally must pay using an authority that unites both clemency and the demands of truth,

[٢١-r-2715] بِالْوَجْهِ الصَّحِيحِ بِقَاوِهِ إِلَيْهَا جَامِعًا فِي مَا يَتَوَلَّاهُ بَيْنَ
مُلَاحَظَةِ الرَّفْقِ وَالْمَطَا

in assembling the [landed?] revenues from which general interests (*al-maṣāliḥ*) draw and in thus protecting that

[٢٢-r-2715] لِبَةِ بِالْحَقِّ وَضَمِّ الْمَرْتَفَعَاتِ الَّتِي مِنْهَا تَسْتَمَدُّ
الْمَصَالِحَ وَالْإِحْتِيَاطَ مِنْهَا

⁹⁵⁹ Reference to Koran 5:2: “Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment.”

⁹⁶⁰ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالعُنْوَانِ وَالتَّقْوَى إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

on which repose, for Muslims, sincere efforts.
Thus, when he arrives among you, with the help of
God – May He be glorified –

refer to him for all your financial affairs, advance in
obedience and collaboration on the true

paths, be with him as one hand united to ordain
good and prohibit evil.⁹⁶² Much success

to your interests, small and large, if God on High
wills it...

[٢٣-r-2715] على ما تقام به للمسلمين المساعى النواصح فاذا
وافاكم بمعونة الله سبحانه

[١-v-2815] فارجعوا اليه باموركم المصلحية وسيروا في
الانتمار له والتعاون على السير⁹⁶¹

[٢-v-2815] السويّة وكونوا معه يدا واحدة في الامر بالمعروف
والنهي عن المنكر⁹⁶³ والموافقة

[٣-v-2815] من المصالح في الاقل والاكثر ان شاء الله تعالى □

***Taqdīm 15: Gubernatorial appointment (wālī),
with fiscal and military attributions, in
collaboration with Abū Fulān for the affairs of
the Treasury***⁹⁶⁴

وَفِي تَقْدِيمِ آخَرَ [٤-v-2815]
Another appointment

... We have appointed Fulān – May God on High continue to favor him and
guide him on the path his righteous authority (*iṣḍāra-hu*

wa īrāda-hu) so that he may take charge of the important interests and affairs of
your land – May God on High defend it –, so that may he defend

its districts (*nawaḥī-hā*) and its regions (*jihāti-hā*), so that he may watch over
the taxes and over all Treasury matters (*a māli-hā al-makhzaniyya wa majābi-*
hā), so that he may have power over revenues, to manage them

and cause them to flourish in such a way that they increase and develop. He is
known for his aptitudes (*iktifā*) and competence (*wa-l-ghanā*). We have been
satisfied

with all he has undertaken in the different fields (*anḥā*). He is reputed
(*mawṣūf*) for being faithful (*bi-l-wuqūf ma'a*) to religion (*dīn*) in creating

[٥-v-2815] وانا قدمنا الان ابا فلان
وصل الله تعالى انجاده واجرى على
سنن السداد اصداره

[٦-v-2815] وايراده على تلكم البلاد
حاطها الله تعالى ليقوم مصالحها
ومهماتها ويحوط

[٧-v-2815] نواحيها وجهاتها وينظر في
اعمالها المخزنية كلها ومجايبها⁹⁶⁵
ويتولى مرتفعاتها

[٨-v-2815] من الضبط والتمير بما
يوفرها وينميها وهو معلوم بالاكتماء
والغناء ومشكور

[٩-v-2815] في كل ما يتصرف فيه من
ضروب الانحاء وموصوف بالوقوف
مع الدين في الاعادة

⁹⁶¹ Omitted by 'Azzāwī.

⁹⁶² Reference to Koran 3:110: "Ye are the best of peoples, evolved for mankind, enjoining what is right, forbidding what is wrong and believing in God."

⁹⁶³ Reference to Koran 3:110: كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ

⁹⁶⁴ 'Azzāwī, *NLA*, t.1, 438.

⁹⁶⁵ 'Azzāwī corrects with مجابيتها, without changing the meaning.

and pursuing his projects (<i>fī l-i'ādati mim muḥāwalāti-hi wa libdā'</i>). We have advised him to fear God on High, ⁹⁶⁶ [that is] what orders (<i>tusaddid</i>) remarks	[10-v-2815] من محاولاته والانداء ⁹⁶⁷ وقد وصيناهُ بتقوى الله تعالى ⁹⁶⁸ التي تسدُّ الأقوال
and acts and guides affairs and situations on the royal paths of truth (<i>ḥaqq</i>) and justice. We have ordered him to double efforts	[11-v-2815] والأعمال وتجري على جادة الحق والعدل الشئون ⁹⁶⁹ والأحوال وامرنا ⁹⁷⁰ ان يشتد
to stop corruption (<i>fasād</i>) and malfeasance (<i>al-ḍirar</i>), and, to sever the scourges they are, to use the zeal	[12-v-2815] في كفِّ الفسادِ والضرر ⁹⁷¹ كل الاشتداد ويأخذ في حسم ادوابه في الاعتداد
demanded by the [duty] of “personal interpretation” (<i>ijtihād</i>). ⁹⁷² We have insisted that he collect and obtain in full all duties due the Treasury (<i>makhzan</i>) – May God cause it to flourish –	[13-v-2815] بمقتضى الاجتهادِ واكدنا عليه في اقتضاء كل حق يجب للمخزن ثمره الله
and that he force whosoever owes a tax to pay it as quickly as possible. We have placed	[14-v-2815] واستيفاهِ وان يلزم كل من عليه من واجب من المجبى بتعجيل ادابه وجعلنا
Abū Fulān with him to assist in Treasury (<i>makhzan</i>) matters (<i>ashghāl</i>), and in that his discernment is joined to [Fulān's].	[15-v-2815] معه في التعاون على اشغال المخزن ابا فلان ليعتضد نظره في الاعمال بنظره
Understanding and collaboration will be so much better for Treasury (<i>makhzan</i>) tasks, large and small. Thus, when this	[16-v-2815] ويحسن منها التوافق والترافق في اقل الشغل المخزني واكثره فاذا وافاكم
governor, yours, arrives among you, welcome him with submission and by obeying all his decrees, and collaborate with him	[17-v-2815] واليكم المذكور فتلقوه بالامثال والائتمار في كل ما يليقه وتعاونوا معه
in all that his just authority (<i>naẓar</i>) demands and requires. Submit to him in all that he carries out	[18-v-2815] على كل ما يوجبه النظر الاسدُ ويقتضيه وانقادوا اليه في كل ما ينفذه

⁹⁶⁶ The *wiṣāya* refers to Koran 4:131: “Verily we have directed the People of the Book before you, and you (o Muslims) to fear God.”

⁹⁶⁷ ‘Azzāwī corrects with الإبداء, which fits with the context since the term forms a logical and flowing pair with *fī l-i'ādati...* (*wa-l-ibdā'*), since there seems to have been a simple error of a dot placed above the consonantic *ductus* instead of below and since *al-andā'* would not make sense here.

⁹⁶⁸ The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

⁹⁶⁹ ‘Azzāwī: الشؤون.

⁹⁷⁰ ‘Azzāwī corrects with امرناه.

⁹⁷¹ Allusion to *ḥadīth* لا ضرر ولا ضرار (*lā ḍarar wa lā ḍirār*) reported by Mālik, *Muwaṭṭa'*, t. 2 290, n° 2 171, “no trouble and no competition.”

⁹⁷² “Effort of juridical interpretation.”

and accomplishes for your interests, if God on High will it. And He – May He be glorified – He will render you happy with this appointment and He will renew for you

[١٩-v-2815] من مصالحكم ويمضيه ان شاء الله تعالى وَهُوَ سُبْحَانَهُ يَسْعِدْكُمْ بِتَقْدِيمِهِ وَيَتَعَهَّدْكُمْ

His many and abundant favors.⁹⁷³By His grace...

[٢٠-v-2815] بجزيل فضله وجسيمه بمنه

Taqdīm 16: Appointment of a *shaykh* as governor ('*āmil*?) with fiscal and military attributions and the *ḥisba*⁹⁷⁴

تَقْدِيمُ دِيمِ عَامِلٍ آخَرَ [٢١-v-2815] Appointment of another governor ('*āmil*)

...May God treat them generously by the fear that He inspires and may He watch over them; may He bring them together for what merits them His favor and may He receive them under

[٢٢-v-2815] اكرمهم الله بتقواه وكلاهم وجمع على ما يحظيهم بنعماه ويؤويهم الى حمى

His protection and mercy. This is what we have written – May God have written for you a situation well-ordered and harmonious and may He have spread over you

[١-r-2916] رحماه ملاحم وانا كتبناؤه كتب الله لكم اتم الاحوال انتظاما واتساقا ومد عليكم

the shadow and stage of justice and beneficence.⁹⁷⁵ Know that our benevolent watch will not fail you and that in the best choice we will make

[٢-r-2916] للعدل والاحسان⁹⁷⁶ ظلا ورواقا وان تعلموا انا لا نغبكم بنظر جميل ولا نعدل

for you on a brilliant path, we will not stray. We seek for your regions nothing but what we seek for all

[٣-r-2916] في حسن الاختيار لكم على اجلى سبيل ولا نعتمد في جوانبكم الا ما نعتمده لكل

God's subjects with whose charge he has entrusted us in matters concerning security and fulfilling expectations. As a result,

[٤-r-2916] من استحفظنا الله من عباده من توفية تامين وتبليغ تاميل وبهذا الاعتبار

we have named Fulān – May God assure him respect and always lavish on him His aid by assisting and leading him – so that he would have sole charge

[٥-r-2916] قدمنا فلانا وصل الله كرامته وادام بتوقيفه وتنديده اعانته للاستبداد

of your economic problems (*umūri-kum al-maṣlahiyya*) and your financial affairs (*a mālikum al-makhzaniyya*), and so that in your land he would devote to these two functions the most serious

[٦-r-2916] امورك⁹⁷⁷ المصلحية واعمالكم المخزنية والتولية للشغلين في بلادكم بانتم الجد

work and most upright intentions. He is one of the Almohad *shaykhs* with a rank known for its superiority;

[٧-r-2916] في العمل والصدق في النية وهو من اشياخ الموحدين بالمنصب الشهير لشرفه

⁹⁷³ Other possible translation: “may He take care of you by the abundance and number of his merits” depending on whether it is the favors of God or the merits of the governor.

⁹⁷⁴ 'Azzāwī, *NLA*, t. 1, 439.

⁹⁷⁵ Reference to Koran 16:90: “God commands justice, the doing of good” (*inna Llāha ya'muru bi-l-'adli wa-l-ihsāni*).

⁹⁷⁶ Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

⁹⁷⁷ 'Azzāwī corrects with بأمورك.

among them he is at the forefront, which can be neither ignored nor disdained. We have witnessed

[٨-٢٩١٦] وله من المكان الاثير فيهم ما لا يدفع معلومه ولا ينكر معروفه وقد خبرنا من

his sense of moderation in all circumstances and we have verified how much he surpasses his peers and equals

[٩-٢٩١٦] اعتداله في كل احواله وتحققنا من اضطراره واستقلاله ما يشف به على

in competence and sense of responsibility. We have advised him to fear God on High in all the charges he occupies and all the affairs he manages and to carefully

[١٠-٢٩١٦] نظر آبه وامثاله ووصيناه بتقوى الله تعالى في كل ما يتولاه وينظر فيه ومرا

respect His plan and His prohibitions in all that he directs or supervises he leaves or undertakes. We have ordered him to collect in full

[١١-٢٩١٦] قبة امره ونهيه في كل ما يتولاه وينظر فيه يذره ويأتيه وامرناه ان يستوفى

taxes due (*al-ḥuqūq al-wājiba*) on property and to expend all his zeal in collecting them completely as well

[١٢-٢٩١٦] الحقوق الواجبة في الاموال ويوفى الاجتهاد في الاستخراج لها والجبابة

as [other] taxes, to also take care of the interests on which repose your recovery as well as the entire situation,

[١٣-٢٩١٦] على الكمال ويتعهد مع ذلك المصالح التي تستقيم عليها هنالك جميع الاحوال

and to vigorously extirpate the misdeeds of corruption and to abolish causes of disorder. We have insisted

[١٤-٢٩١٦] ويقطع بالاشتداد مواد الفساد ويحسم دواعي الاختلال واكدنا عليه

that justice be the basis for all his efforts and undertakings, the axis of his power at all times and in

[١٥-٢٩١٦] في ان يكون العدل قوام محاولاته كلها ومناولاته وملاك امره في جميع انحابه

all places, that he prohibit innovations (*al-muḥdathāt*) condemned by the Law, that he put a stop (*yada*) to exactions (*al-mazālim*)

[١٦-٢٩١٦] واوقاته وان يرفع المحدثات التي هي بحكم الشرع مرفوعة ويضع المظالم

concerning [His] creatures, that he maintain only what the law obligatorily states should be conserved and confirmed,

[١٧-٢٩١٦] التي هي على الخلق موضوعه وان لا يبقى الا ما اوجب الحق ابقاؤه⁹⁷⁸ وقراره

and that he not adopt an attitude whose mark is not clemency and on which justice leaves handsome traces.

[١٨-٢٩١٦] ولا ينتحي من السير الا ما يكون الرفق شعاره وما يحسن العدل فيه اثاره

This is the firm order we have addressed to him, to him and to all whom we employ, and this is the objective that we will never forget nor neglect.

[١٩-٢٩١٦] هذا امرنا الجزم له ولكل من نستعمله وقصدنا الذي لا نهمله بحال ولا نغفله

Thus, when he arrives among you, show him perfect obedience in your affairs, collaborate with him in exercising

[٢٠-٢٩١٦] فاذا وافاكم وانتمروا⁹⁷⁹ له في مصالحكم احسن انتمار وتعاونوا معه على ما يواليه

⁹⁷⁸ ابقاءه. 'Azzāwī corrects with

⁹⁷⁹ فاتتمروا. 'Azzāwī corrects with

his relevant authority (*min irādi-hi fī-hā wa isdāri-hi*). Pay him in full that which you owe in advance [21-r-2916] من إيراده⁹⁸⁰ فيها واصداره وأدوا الحقوق اليه اداءً استباقاً للواجب

and with alacrity. Be certain that you will know the well-being of God. And He – May He be glorified – He will assure you a situation [22-r-2916] وابتدار وكونوا على يقين من انكم تتعرفون يمن الله وهو سبحانه يجرىكم من احوالكم

that is always better than normal. We will not stray with you from the luminous path, when we are collaborating for the common good (*maṣālih*) [23-r-2916] على الاحسن من معتادها فالاحسن ولا نعدل بكم في التظافر من المصالح

and exchanging counsel for beneficial work,⁹⁸¹ if God on High wills it... [1-v-3016] والتواصع بالعمل الصالح⁹⁸² على السنن الابين ان شاء الله تعالى □

Taqdīm 17: Joint appointment of a shaykh as governor (‘āmil ?) of Sijilmāssa and its region, with fiscal and military attributions, and of an official responsible for taxes (nāzīr fī l-majbā)⁹⁸³

[2-v-3016] **وَفِي تَقْدِيمِ عَامِلٍ وَنَاطِرٍ فِي الْمَجْبَى بِسِجْلَمَاسَةَ وَمَا إِلَيْهَا**
Appointment of a governor (‘āmil) and a person responsible for taxes in Sijilmāssa and dependant [regions]

To the *shaykhs*, notables, and all the population of Sijilmāssa, its districts, its tribes [3-v-3016] الى الاشياخ والاعيان والكافة من اهل سجلماسة واعمالها وقبايلها وسائر

and those under them. May God always assure them respect through the fear He inspires, and may He give their eyes rest (*anāma ‘uyūna-hum qarīra*) in a refuge and shelter of security. This is what we write – May God have written for you to accept what will cause your actions to flourish [4-v-3016] من يرجع اليها ادام الله كرامتهم بتقواه وانام عيونهم قريرة في قرار الامن

and your hopes to blossom, to welcome the good things that will guide your situations and make your domains more agreeable, [5-v-3016] ومثواه وانا كتبناه كتب الله تعالى لكم اقبالا على الشان الذي يصلح اعمالكم

and to observe the duties of your religion to bring you closer to Him. Know that the most important matter we take care of [6-v-3016] وينجح اعمالكم واستقبالا على الخير الذي يسد احوالكم ويمهد حلالكم

and devote our thoughts to and permanently fix our surest watch upon is assuring the protection of the land [7-v-3016] والمحافضة من وظائف دينكم على ما يزلكم لديبه وان تعلموا ان اهم ما نجيل

and its inhabitants and guaranteeing the support of its interests. We devote our great attention [8-v-3016] فيه الخاطر ونعمله وءاكد ما نواليه من النظر ونصله هو ما يعود على البلاد

[9-v-3016] واهلها بالحماية ويفع لها من اقامة المصالح بالكافية ونوفيتها⁹⁸⁴ قسط التهمم

⁹⁸⁰ إصدار et إيراد ‘Azzāwī.

⁹⁸¹ Reference to Koran 103:3: “Except such as have Faith, and do righteous deeds, and (join together) in the mutual teaching of Truth, and of Patience and Constancy.”

⁹⁸² Reference to Koran 103:3: إِلَّا الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَتَوَّصَوْا بِالْحَقِّ وَتَوَّصَوْا بِالصَّبْرِ

⁹⁸³ ‘Azzāwī, *NLA*, t. 1, 440-441.

⁹⁸⁴ ‘Azzāwī corrects with يوفيتها.

and care to its affairs. If all the lands have their share with us in this process and if we never	[١٠٠-v-3016] بِشْؤُنِهَا ⁹⁸⁵ وَالْعَنَايَةَ وَإِذَا اشْتَرَكْتَ الْأَقْطَارَ لَدِينَا فِي هَذَا ⁹⁸⁶ الْمَذْهَبِ وَكُنَا
stray from this generous path to take charge of their affairs and care of their population, both the elite and the masses,	[١١-v-3016] لَا نَعْدِلُ فِي التَّوَلَّى لِمَهَامِّهَا وَتَوَالِي التَّعَهُدِ لَخَاصَّتِهَا وَعَامَّتِهَا عَنْ هَذَا الْمَهْيَعِ
your land receives at all times a large share of this care and interest and we plan to organize	[١٢-v-3016] الْإِنجَبِ فَلِبِلَادِكُمْ مَنَّا مَزِيدَ تَعَهُدٍ وَتَفْقُدُ فِي كُلِّ الْإِنَاءِ وَلَنَا فِي تَمْهِيدِ
your districts and assure the security of your population and [this desire] will never loosen. As this plan	[١٣-v-3016] أَرَجَابِهَا وَتَامِينَ دَهْمَائِهَا قَصْدٌ لَا يَنْتَسِعُ عَنْهَا بِحَالٍ عَنَانَ الْأَعْتَاءِ وَبِمَوْجِبِ
that we favor for your regions demands, and since you enjoy the best [treatment] we reserve for	[١٤-v-3016] هَذَا الْقَصْدِ الَّذِي فِي جَوَانِبِكُمْ اعْتَمَدْنَاهُ وَبِمَقْتَضَى إِيْثَارِكُمْ بِأَحْسَنِ مَا لِلرَّعَايَا
our subjects, we have entrusted your affairs for the good of you all, the masses and the elite,	[١٥-v-3016] بِتَوْلَاةِ ⁹⁸⁷ الْفَقِينَا الْإِن بَازِمَةَ أُمُورِكُمْ فِي مَا يَعُودُ بِالصَّلَاحِ عَلَى خَاصَّتِكُمْ وَجَمْعِهِو
to one of whose aptitudes and competence we are sure. We repose entirely on the uprightness of his goals and intentions. Our choice is fixed	[١٦-v-3016] رَكِمَ بَمَنْ وَثَقْنَا بِغَنَائِهِ وَاِكْتِفَائِهِ وَاسْتَنْهَنَا ⁹⁸⁸ إِلَى سَدَادِ مَقَاصِدِهِ وَإِنحَائِهِ وَوَقْفِ
on him because of his rank, which surpasses all of his peers. It is Fulān – May God conserve	[١٧-v-3016] مَنَا عَلَيْهِ الْإِخْتِيَارَ بِمَنْصِبِهِ الَّذِي بَدَّ ⁹⁸⁹ فِيهِ كَافَةً نَظْرَانِهِ ذَلِكَ فَلَانَ وَصَلَ اللهُ
his radiance and piety and dispense to him success and dignities. He and his ancestors were among the first <i>shaykhs</i>	[١٨-v-3016] أَثَرْتَهُ وَمَبْرَتَهُ وَوَالِي حَظُوتِهِ وَمَكَانَتِهِ وَهُوَ السَّابِقُ بِذَاتِهِ وَسَلْفُهُ فِي أَشْيَاحِ
of this eminent power; in the party of Unicity (<i>tawhid</i>) he enjoys an elevated rank and enviable position,	[١٩-v-3016] هَذَا الْأَمْرِ الْعَلِيِّ وَالْمَتَمِيزِ فِي حِزْبِ التَّوْحِيدِ بِالْمَحَلِّ السَّنِيِّ وَالْمَكَانِ الْحِظِيِّ
and, in our service, he has not ceased to follow the straight and luminous paths. He has warmly welcomed our	[٢٠-v-3016] وَالَّذِي لَمْ يَزَلْ فِي خِدْمَتِنَا سَالِكًا عَلَى السَّنَنِ السَّوِيَّ الْجَلِيِّ وَقَدْ تَلَقَى وَصَا
counsel to fear God in all his behavior. He left us promising that among you he would not separate	[٢١-v-3016] يَا نَا لَهُ بِتَقْوَى اللهِ فِي كُلِّ مَتَصَرِفَاتِهِ أَجْمَلُ تَلَقٍ وَوَادِعْنَا عَلَى أَنْ [لَا] ⁹⁹⁰ يَنْتَنِي فِيكُمْ
from justice and forbearance, and he would guide all your interests lawfully and with the Law for his horizon. We have ordered him	[٢٢-v-3016] عَنْ عَدْلٍ وَرَفْقٍ وَإِنْ يَمْشِي مَصَالِحِكُمْ كُلِّهَا عَلَى مَا لِلْحَقِّ وَالشَّرْعِ مِنْ وُفْقٍ وَأَمْرَانِهِ
to make your land agreeable in being resolute to cut it off from all its evils, to use severity to extinguish	[١-r-3117] أَنْ يَمَهِّدَ بِلَادِكُمْ بِمَا يَعْمَلُهُ مِنْ عِزْمٍ يَحْسُمُ عَنْهَا الْأَدْوَاءَ وَيُظْهِرُ مِنْ اشْتِدَادٍ يَمْحَقُ
rebellion and aggression and to frighten all those who would defraud justice and equity, so much so	[٢-r-3117] الْبَغْيِ وَالْإِعْتِدَاءِ وَيُرْهَبُ بِهِ كُلٌّ مِنْ جَانِبِ الْإِعْتِدَالِ وَالْإِسْتَوَاءِ حَتَّى
that those who have taken on the habit of corruption would be turned away and those intent on following and respecting [our] pact (<i>al-amān</i>) rejoice in tranquility	[٣-r-3117] يَرْتَدِعُ عَنِ الْفَسَادِ مِنْ اعْتَادِهِ وَيَتَدَعُ فِي كَنْفِ الْأَمَانِ مِنْ لَزْمِ اسْتِقَامَتِهِ

985 'Azzāwī: بِشْؤُنِهَا.

986 *Alif* inserted between *hā'* and *dhāl*.

987 'Azzāwī corrects with نَتَوْلَاهُ.

988 'Azzāwī corrects with وَاسْتَنْمَنَا.

989 'Azzāwī corrects with بَرَّ.

990 Added by 'Azzāwī.

under its wing. As for those who persist in following their passions, who obey the demon who inspires them

[٤-r-3117] وسداده ومن لَجَّ في ارتكاب هَوَاهُ واطاع شيطانه في ما اليه استهواه

and head strongly commit shameful acts with stubbornness of those [the Devil] has lost and led astray, the sword

[٥-r-3117] وتمادى في الاصرار على قبيح الاثار تمادى من اضله واشقاؤه فالسيف

is ready for them and the Law permits the shedding of their blood. For severity against the wicked improves and purifies the situation

[٦-r-3117] منه مريح والشرع لسفك دمه مبيح وبالشدة على اهل الشر تصلح احوال

of subjects (*al-ra'yya*), and in separating from them injustice we bring them security and tranquility, with the help of God on High. We have charged him

[٧-r-3117] الرعية وتحسن وبكف العادية عنها تامن وتسكن بحول الله تعالى وجعلنا له

with managing taxes (*ashghāl al-majbā*), – May God make them plentiful – [in agreement] with the person designated for that and in strictly setting their sum,

[٨-r-3117] ان ينظر في اشغال المجبى ثمره الله مع من يتعين لها نظرا ضابطا لقليله

low or high, in order to make them increase and flourish. In this area, he should let no one decide alone without him on carrying out or stopping

[٩-r-3117] وكثيره عابدا بتوفيره وتثميره وان لا يقع دونه افراد فيه بتنفير⁹⁹¹ أمر او تو

an order, no sum should go out without him being informed and apprised, not without his having authorized the delivery

[١٠-r-3117] قيفه ولا يخرج عنه شيء الا بعد مطالعته وتعريفه والاذن منه في اخراجه

and expenditure needed for the common good. Thus, when, with the help of God on High, he arrives among you, submit

[١١-r-3117] بمقتضى المصلحة وتصريفه فاذا وافاكم بمعونة الله تعالى فانقادوا اليه

entirely to him, collaborate with him in the decisions he makes on his authority (*min al-iṣḍār wa-l-irād*) for the interests and resources of your

[١٢-r-3117] كل الانقياد وتعاونوا معه على ما يتولاه في مصالح بلادكم ومنافعها من الاصدار

Land and in all the measures he takes to protect it against the part of corruption and violence, and to defend it against all

[١٣-r-3117] والايراد ويديمه من الذب عنها لاهل الفساد والعناد والحماية لها من كل

rebels and enemies, and to guarantee the security of its inhabitants, be they coming or going. Gage what privilege we grant you in him

[١٤-r-3117] باغ وعاد والتامين لكل رايح عليها من اهلها وغاد واقدروا قدر ايثارنا

who will have for you only just decisions and noble intentions. All his undertakings for you

[١٥-r-3117] لكم منه بمن لا يعدل فيكم عن سديد قضاء وجميل مراد ولا يزال⁹⁹² محاولاته كلها

will receive from us approval and praise, if God on High will it...

[١٦-r-3117] فيكم واقعة منا موقع استحسان واحماد ان شاء الله تعالى □

Taqdīm 18: Gubernatorial appointment (wālī), with fiscal and military attributions, along with an official responsible for the Treasury⁹⁹³

[O١٧-r-3117] وَمِنْ تَقْدِيمِ عَامِلٍ آخَرَ مُشْرَكًا مَعَ غَيْرِهِ ٥

Excerpt from the appointment of another governor (*āmil*) in association with a second

May God on High, by the awe He inspires in them, always assure their protection and respect and put their tranquil eyes to sleep under the wing

[١٨-r-3117] ادام الله تعالى كلاءتهم وكرامتهم بتقواه وانام عيونهم قريرة في كنف

of His goodness and His great mercifulness. This is what we write – May God have written for you a situation characterized by righteousness

[١٩-r-3117] لطفه ورحمى رحماه وانا كتبناه كتب الله لكم احوالا يصحبها السداد وا

⁹⁹¹ بتنفيد 'Azzāwī corrects with

⁹⁹² ولا تزال 'Azzāwī corrects with

⁹⁹³ 'Azzawī, NLA, t. 1, 442.

and virtue, as well as the bestowal of His favor of the best of what is possible and permitted and the observation of	ما [٢٠-r-3117] لَصَلَّاحٍ وَاسْتِقْبَالًا مِنْ فَضْلِهِ لِاحْسَنِّ مَا بيسر وبتأخ □ والمحافضة من
the duties of your religion that will bring you closer to Him. Know that the interests of your land come before others in the care	وظايف دينكم على ما يُزلفكم لديهِ وان [٢١-r-3117] تعلموا ان مصالح بلادكم مقدّمة في
and attention (<i>nazar</i>) [that we grant], and that you can count on us to have in all circumstances the most widespread and complete	النظر والاعتناء على سواها وانكم [٢٢-r-3117] معتمدون منا في كل احيانكم باتم الحياطة
Protection. We also choose for you the governor who will purify your affair when he will take care of them. As a result,	واوفاها وانا نختار لكم من الولاة من [١-v-3217] تصلح به اموركم حين يتولاها وبمقتضى ذلكم
given the consideration [we have] for him, of the desire for absolute good [we have] for you and of the preference [we grant him], we have appointed Abū Fulān – May God continue	واعتباره وارادة الخير التام لكم وايثاره [٢-v-3217] قدمنا الان لذلك ابا فلان وصل
to grant him His aid and His assistance and assure him always respect and authority. He occupies a high rank among	الله انجاده واعانته وادام كرامته ومكانته [٣-v-3217] وهو المعلوم مكانه في
those who work under our orders and who grew in our most prestigious services, those distinguished by	المشتغلين بين يدينا والنّاشين في [٤-v-3217] انبة ⁹⁹⁴ الخدم لدينا والتميزين بمشكور
competence and aptitudes and characterized by their attachment to religion in all their undertakings	الاضطلاع والغناء والموصوفين [٥-v-3217] بالوقوف مع الدّين في كل التحاولات ⁹⁹⁵
and plans. This is why we have entrusted him with the responsibility for your land's interests and important affairs,	والانحاء ولذلك اسندنا اليه القيام [٦-v-3217] بمصالح تلكم البلاد ومهمّاتها والا
with the responsibility for the defense of its regions and districts, the management (<i>nazar</i>) of fiscal questions and	نتهاض في حماية نواحيها وجهاتها [٧-v-3217] والنظر في اعمالها المخزنية ومر
revenues, taking care in managing all this, of the whole and its parts. We have advised him	تفعاتها وتولى ذلك كله بالاحتياط على [٨-v-3217] كليّاتها وجزءياتها ووصيناها
to fear God on High in secret and in public, to make of it finery of the best and most handsome effect and to follow, in	بتقوى الله تعالى في سره وعلنه والتزين [٩-v-3217] منها باجمل نعت واحسنه والجري في
all circumstances, the path and road of the law. We have ordered him to be severe in eliminating corruption	كل احواله على سبيل الحق وسننه [١٠-v-3217] وامرناه ان يشتد في محق الفساد
and corrupters ⁹⁹⁶ and to ensure the correct administration (<i>tamhīd</i>) and security of your land. We have insisted that	والمفسدين وان يوالى التمهيد للبلاد [١١-v-3217] هنالكم والتامين واكدنا عليه في
he collect in full all duties due the Treasury (<i>makhzan</i>) – May God on high cause it to flourish – and that he demand of all those who owe	اقتضاء كل حق يجب للمخزن ثمره الله [١٢-v-3217] تعالى واستيفايه واخذ كل من ترتب
to pay in full. We have placed with him Abū Fulān to assist him in Treasury (<i>makhzan</i>) matters,	عليه بتوفية ادايه وجعلنا معه في [١٣-v-3217] التعاون على اشغال المخزن ابا فلان

⁹⁹⁴ أنبه 'Azzāwī corrects with.

⁹⁹⁵ المحاولات: 'Azzāwī.

⁹⁹⁶ Rather than the modern sense of "corruption", this refers to a more general meaning, at once moral, political, and religious.

and, in order to do so, he should contribute his own counsel. The accord and collaboration between them will be a benefit to the Treasury (*al-shaḡhl*

al-makhzanī), no matter what the significance of the matter. Thus, when this governor, yours, arrives among you, welcome him with obedience and submission.

Give evidence of the willingness and haste that we will appreciate in paying all he is charged to collect. Act in accord with him

as one hand united, collaborating and helping him with all your will. Give thanks to God – May He be magnified and exalted –

for the means He has granted him to exercise just authority in your name (*min sadīd al-irādi wa-l-isḡār*). Have an ardent desire to set yourselves apart, in

all circumstances, with praiseworthy acts and good deeds, if God on High will it. And He – May He be glorified – He will give you happiness

through the bond of piety and awe [He inspires],⁹⁹⁸ and He will fasten your faith in the submission [you show] for Him, with a solid and strong rope. By His grace.

ليعتضد نظره في الاعمال بنظره
ويحسن منها⁹⁹⁷ التوافق والترافق في اقل الشغل

المخزني واكثره فاذا وافاكم واليكم
المذكور فتلقوه بالانقياد والانتمار

ووفوه ما اسند اليه مشكور التسرع
والابتدار واجروا في الكون معه

يدا واحدة تعاوننا ومساعدة على اتم
الاختيار واشكروا الله عز وجل على

ما يسر اليه في مصالحكم من سديد
الايراد والاصدار واحرصوا على ان تتميزوا في

كل الاحوال باحمد الاعمال واجمل
الاثار ان شاء الله تعالى وهو سبحانه يسعدكم

بالتزام البر والتقوى⁹⁹⁹ ويعلق ايمانكم
في طاعته بالسبب الامتن الاقوى بمته

Taqdīm 19: Appointment of a governor with fiscal and military attributions, and collaboration with the official (mushtaghil) of Fulāna¹⁰⁰⁰

[٢١-v-3217] وَفِي مَعْنَى ذَلِكَ

Same subject

...May God have written for you a better state that is to come (and accompanies your affairs) and a success that fulfills your hopes (...)

كتب الله لكم صلاحا (يحب
اموركم)¹⁰⁰¹ ويلزمها ونجاحا يكمل اامالكم
(...)¹⁰⁰²

Know that our benevolent watch is one of the elements of the care we take for your lands at any moment, and the bearing we adopt on

وان تعلموا ان جميل النظر مما نتعهد¹⁰⁰³
به ارجاءكم في كل الاحيان ونجريكم به على

the path of justice and generosity (*ihsān*); thanks to it, with the help of God on High, you will never be denied protection that assures you

جادة العدل والاحسان ونواله منه ما لا
تعدمون معه بحول الله تعالى اكتناف

salvation and security. As demand our solicitude for you and the preference we have for advancing good and useful measures

العافية والامان وبمقتضى اعتناينا بكم في
ذلكم وايثارنا لتمشى السير الحسنة

for you, we have chosen someone to take charge of your affairs, to defend you, the elite and the masses, to end your fears

هنالكم نختار لكم من يتولى اموركم ويحوط
خاصتكم وجمهوركم ويكف عنكم

⁹⁹⁷ منها. 'Azzāwī corrects with

⁹⁹⁸ Reference to Koran 5:2: "Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment."

⁹⁹⁹ Reference to Koran 5:2: وَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْاِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

¹⁰⁰⁰ 'Azzāwī, *NLA*, t. 1, 443-444.

¹⁰⁰¹ Two unclear words, suggestion in brackets.

¹⁰⁰² Missing word.

¹⁰⁰³ 'Azzāwī corrects with نتعهد.

with the energy he will put to work. May God on High cause you to know the happiness of our decision for you, and may He bring together your deeds

and words in what is pleasing to Him. By His Grace. We have appointed Abū Fulān to take charge of your interests and important affairs, to totally protect

your regions, and to lead you in all time on the paths and roads of righteousness. We praise

his behavior and his services. He is famous in the party of Unicity (*tawhīd*) for the age of this worth. His radiance

and alliances with those close to this eminent power are remarkable. We have already experienced the quality of his initiatives in the [functions] entrusted

to him. He is known for his aptitudes and his competence in the projects he had under his responsibility. He will have

the management of affairs under his responsibility among you with the official of Fulāna, may he make

a decision concerning them only with him. We already advised him to fear God on High in all his deeds and to fear

Him in secret and in public; to endeavor to manage your interests and to always protect your regions,

near and far. We have firmly ordered him to use the greatest severity to submit the partisans

of evil and corruption, to cut off the evils who led them astray off the paths of righteousness, to

disperse them, after having punished those who deserve it, far from your country which is a land of the faithful

in religion and virtue¹⁰⁰⁶, to take measures against those who lead astray with their vile actions, and, if they

do not enter back into the path of righteousness, to take them into exile, into wandering, far from your country, so that it will be completely

delivered from their evil deeds and protected from their nefarious actions. May he bring together all his forces¹⁰⁰⁷ with zeal

to carry out our orders, and proceed along the clearest and most luminous path in what he is charged with and may he scrupulously respect

our advice in all that he undertakes. We have insisted that in the management

[^o-r-3318] بما يعملُه من الانهاض محذوركُم والله تعالى يعرفكم يمن نظرنا لكم ويصل في ما يرزاه

[^٦-r-3318] اقوالكم واعمالكم بمنه □ وانا قدنما لتولّى مصالحكم ومهمّاتكم والحيطة التامة

[^٧-r-3318] لاكنافكم والاحذ بكم على سنن السداد في كلّ اوقاتكم ابا فلان وهو مشكور

[^٨-r-3318] [في] ¹⁰⁰⁴ التصرفات والنخدم معروف في حزب التوحيد برسوخ القدم ملحوظ الا

[^٩-r-3318] ثرة في اولياء هذا الامر العلى والدمم قد خبر منه حسن التناول في ما يسند

[^{١٠}-r-3318] اليه وعرف بالغناء والاكتفاء في ما يقصر من المحاولات عليه وجعلنا له

[^{١١}-r-3318] النظر مع مشتغل فلانة في الاشغال التي نيطت به هنالك وان لا يقطع

[^{١٢}-r-3318] المذكور امرا دونه في ذلكم بعد ان وصيناه بتقوى الله تعالى في كل امره والمرأ

[^{١٣}-r-3318] قبة له في سره وجهه وان يجتهد في اقامة المصالح وادامة الحماية للداني من

[^{١٤}-r-3318] نواحيكم والنازح وامرناه امرا جزما ان يعمل اتم الاشتداد في قمع اهل

[^{١٥}-r-3318] الشر والفساد والحسم لادوابهم التي عدلت بهم عن طرق السداد وان

[^{١٦}-r-3318] يشردهم بعد عقاب من يستحق ذلك منهم عن ذلكم المكان الذى [هو] ¹⁰⁰⁵ موطن لاهل

[^{١٧}-r-3318] الدين والصلاح وياخذ على ايديهم اخذا يقض بصدهم عن اعمالهم القباح ويفضه

[^{١٨}-r-3318] بهم ان لم يستقيموا الى النأي عن ذلكم القطر والانتزاح حتى ينقى بالكلية

[^{١٩}-r-3318] من اضرارهم وتحمى منه سيئات اثارهم فليشمروا ¹⁰⁰⁸ عن ساعد الجد في ما

[^{٢٠}-r-3318] امرناه كل التشمير وليسر في ما يتولاه على السنن المتضح المستتير وليوف

[^{٢١}-r-3318] ما به وصيناه في القليل من تناولاته والكثير واكدنا عليه ان ياخذ في ما جعل

¹⁰⁰⁴ Addition by ‘Azzāwī.

¹⁰⁰⁵ Correction by ‘Azzāwī.

¹⁰⁰⁶ ‘Azzāwī suggests this could be Fez, since al-Marrākushī refers to it this way (*Mu‘jib*, 357-358).

¹⁰⁰⁷ Lit. “that he roll up his clothing completely.”

¹⁰⁰⁸ ‘Azzāwī corrects with فليشمروا.

whose responsibility he shares, he act with a rigor that tolerate no slackening, and the collaboration with the assistant

he is associated with, so that the measures he takes not be in excess (...) ¹⁰⁰⁹ Thus, when, with the help of God on High, he arrives

among you, submit to him perfectly, obey the reason and righteousness towards which he will take you and be

like one hand united with the authority (*min iṣḍar wa ṭrād*) that he will carry out in your interest, if God on High wills it. And He

– May He be glorified – He will bring together your requests in the awe He inspires in you and He will cause... [agree] with what He loves and approves... By His grace.

[٢٢-r-3318] لَهُ اشْتِرَاكُ النَّظَرِ فِيهِ بِالضَّبْطِ الَّذِي لَا

يَلْحَقُ مَعَهُ اِهْمَالٌ وَالتَّعَاوُنُ مَعَ مَتَوَلِيهِ

[٢٣-r-3318] الَّذِي شَرِكٌ مَعَهُ بِالْأَيْدِيِ يَكُونُ رِسْمُهُ لَشَيْءٍ

مِنْ مَرْتَفَعَاتِهِ (...) ¹⁰¹⁰ فَإِذَا وَافَاكُمْ بِمُعُونَةِ اللَّهِ

[١-v-3418] تَعَلَى فَاثْقَادُوا إِلَيْهِ أَحْسَنَ انْقِيَادٍ وَانْتَمَرُوا لِمَا

يَحْمَلُكُمْ عَلَيْهِ مِنْ صَوَابٍ وَسَدَادٍ وَكُونُوا

[٢-v-3418] مَعَهُ يَدًا وَاحِدَةً فِي مَا يَتَوَلَاهُ لِمَصَالِحِكُمْ مِنْ

أَصْدَارٍ وَإِيرَادٍ إِنْ شَاءَ اللَّهُ تَعَالَى وَهُوَ

[٣-v-3418] سُبْحَانَهُ يَجْمَعُ عَلَى التَّقْوَى دَوَاعِيَكُمْ وَيَجْعَلُ

فِي مَا يَحِبُّ وَيَرْضَى (...) ¹⁰¹¹ بِمَنْه

Taqdīm 20: Delegation decree to maintain Fulān (mushtaghil or ‘āmil ?) in his post, with military attributions. Fulān, an Almohad notable, is to serve alongside him, to work with him in repairing the walls¹⁰¹²

[٤-v-3418] وَفِي تَقْدِيمِ آخَرَ

Another appointment

...May God always assure them respect through the awe He inspired in them, and may He spread over them the shadows of His favor and mercifulness. May God have enrolled you among the first whom His will guides and assists, and for whom he redoubles His grace and

Gifts. May He grant you His abundant benefactions and His kind favors, that you will never see cease to increase, nor cease

to multiply. Know that we take care of your affairs, in particular and in general, that we always give

your interests more room in our concerns and that we welcome you at all times with total and

absolute benevolence. Indeed, we want for your land and all of you the uninterrupted improvement of your situation, we

prefer to treat you according to the paths of forbearance and moderation and we give those responsible for

your taxes and finances explicit advice to manage your affairs well and to perfectly defend your regions. May God on High guarantee you

[٥-v-3418] إِدَامَ اللَّهُ كِرَامَتَهُم بِتَقْوَاهُ وَأَفَاضَ عَلَيْهِمْ ظِلَالِ

نِعْمَاهُ وَرَحْمَاهُ كَتَبَكُمْ اللَّهُ مِنَ الَّذِينَ

[٦-v-3418] سَبَقَتْ بِتَوْفِيقِهِمْ وَارشَادِهِمْ ارَادَتَهُ وَتَضَاعَفَتْ

لَدَيْهِمْ مَنَّةُ النِّفَاعَةِ وَافَا

[٧-v-3418] دَتَهُ وَانَالَكُمْ مِنْ خَيْرَاتِهِ الْجَزِيلَةِ وَالطَّافَةِ

الْجَمِيلَةِ مَا لَا يَغْبِكُمْ نَمَائُوهَ وَلَا تَنْقَطِعُ

[٨-v-3418] عَنْكُمْ زِيَادَتُهُ □ وَإِنْ تَعَلَّمُوا أَنَا مَعْنِيُونَ

بِالْإِخْصَاءِ مِنْ أُمُورِكُمْ وَالْإِعْمَاءِ وَمُقَدَّمُونَ

[٩-v-3418] مِنْ مَصَالِحِكُمْ لِلْأَهَمِّ فَالْأَهَمُّ وَمُسْتَقْبَلُونَ لَكُمْ

فِي كُلِّ الْإِحْيَانِ مِنْ جَمِيلِ النَّظَرِ

[١٠-v-3418] بِالْأَوْفَى الْإِتْمَانِ لِمَا نُرِيدُهُ لِبِلَادِكُمْ وَلِكَاثَتِكُمْ

مِنْ أَطْرَادِ صِلَاحِ الْإِحْوَالِ وَنُو

[١١-v-3418] ثَرَهُ مِنْ أَجْرَائِكُمْ جَمِيعًا عَلَى سَنَنِ الرَّفْقِ

وَالْإِعْتِدَالِ وَنُؤَكِّدُ الْوَصِيَّةَ فِيهِ عَلَى مُشْتَغَلِيكُمْ

[١٢-v-3418] وَعَمَالِكُمْ مِنْ تَمَشِيَةِ مَهْمَاتِكُمْ وَحِيَاظَةِ

جِهَاتِكُمْ عَلَى الْكَمَالِ وَاللَّهُ تَعَالَى يُوجِدُكُمْ أَفْضَلَ

¹⁰⁰⁹ Or possibly: “so that none of the measure he takes regarding his surplus be...”

¹⁰¹⁰ One or two illegible words.

¹⁰¹¹ Two words erased.

¹⁰¹² ‘Azzāwī, *NLA*, t. 1, 445-446.

the security and tranquility that we desire for you, the best there is, and may He aid us in assuring your lands well-being and profits,

by His grace. This is why – May God honor you by the awe He inspires in you and may He fasten your faith to His guidance with the strongest of ties –,

we have issued a delegation decree (*rasm al-niyāba*)¹⁰¹³ to keep Fulān in his post among you, thus choosing the qualification [given him by] (*tanāwulāt*)

his righteousness and efficiency. We have appointed together with him for all [your affairs] Fulān because of his prestigious rank in the community (*tā'ifa*) of Unicity (*tawhīd*)

and his faithfulness on his ancestors' just and righteous path. Our choice is confirmed by what both have produced together

in their just undertakings and righteous administration, while their sense of responsibilities

in these [financial] matters and their competence (*ghanā' u-humā*) in making your regions pleasing and correctly managing your situations are manifest.

Having asked the help of God on High, we have decided that their appointment should concern absolutely the entire

management of your affairs and interests with which they had previously been entrusted. We publicly declare that they have

full liberty in defending your land [and its regions] near and far, and in protecting its populations, be they coming

or going, with the clause that they must be united and not disagree, that they should consult each other and work together on what your [land's] interests

Demand and their services and counsel constantly assure you coherent order.

We have communicated this to them, to them and you, so they know we expect them to defend and protect your districts,

and we have enrolled them to do all that is necessary to watch over and guard them. We have ordered them to be good

in their seriousness and efforts, to accomplish in full [our] plans and [our] goals for the security and tranquility of

the population, and to have absolute care for all that will make your situations pure and just. We have advised them

to fear God in exercising authority (*fī ishdār wa-l-īrad*), to devote themselves without ceasing day and night (*yaṣilā... al-ta'wīb bi-l-is'ād*) to sound management (*nazar*) and deeds

[13-v-3418] ما ننويه لكم من أمانة ودعةٍ ويعين على ما نَعتمد توفيته لأرجابكم من مصلحةٍ ومنفعةٍ

[14-v-3418] بمَنه □ والى هذا اكرمكم الله بالتقوى واعلق ايمانكم من هداه بالسبب الاقوى

[15-v-3418] فانه تقدم اقرارنا هنالكم لفلان برسم النيابة واختيار ما لديه من التناولات

[16-v-3418] من السداد والاصابة وقرناً به في ذلك كله فلانا لمكانه المكين في طائفة التوحيد

[17-v-3418] واقتفاه لسنن سلفه القويم السديد فاستمر اختيارنا لما صدر عنهما معاً من

[18-v-3418] المحاولات القويمة والادارات المستقيمة استمراراً وضع معه استقلالهما

[19-v-3418] بتلك الاشغال وغناؤهما في ما توليأه من تمهيد النواحي وتسديد الاحوال

[20-v-3418] فراينا لذلك¹⁰¹⁴ بعد استخارة الله تعالى ان يمضى تقديمهما على الاطلاق في كل ما

[21-v-3418] تقدم اسناده اليهما من اقامة المهمات والمصالح ونفصح بما جعلناه لهما من

[22-v-3418] الاستبداد في حياطة الداني من تلكم البلاد والنازح وحماية الغادى من اهلها

[1-r-3519] والرأح على أن يجتمعاً لذلك ولا يفترقا ويأتلفاً على العمل بما تقتضيه المصالح هنالكم

[2-r-3519] ويتفقا ويديما من الخدمة والنصيحة ما يكون به نظام الامور لديكم منسقا

[3-r-3519] وانهيينا هذا اليهما واليكم ليعلما انهما بحفظ احوازكم وحمائتها مطلوبان

[4-r-3519] والى بلوغ الغاية في حراستها ورعايتها مندوبان وقد امرناهما بالرءوف¹⁰¹⁵

[5-r-3519] على الجد والاجتهاد والوفاء في تامين الارجاء وتسكين الدهماء باقصى المقصود

[6-r-3519] والمراد والاعتناء التام بكل ما يعود على احوالكم بالصلاح والسداد ووصينا

[7-r-3519] هما باستشعار تقوى الله في الاصدار والايراد وان يصلوا في النظر المصلح والعمل

¹⁰¹³ Sole occurrence of the term *niyāba*, with the unfinished form of *taqdīm* 26: وينوب احمد مناب.

¹⁰¹⁴ بذلكم: 'Azzāwī.

¹⁰¹⁵ بالرؤوف: 'Azzāwī.

of clear and evident success. We have insisted that they build the missing parts of your

city (*baladi-kum*) walls, which surround its palm groves and protect its inhabitants from attack on its borders, that they take responsibility

for watching over the final completion of these fortifications and defenses, with all the fierceness and persistence they can,

that they devote themselves to these [works] to finish them in the briefest of time, with the help of God on High, and to fill in

the fortifications' breaches by raising and barricading them. Our explicit order on this has been communicated to the governor (*'amil*)

– May God assist him – so that he hasten the works, with the help of God, and immediately carry out [our] instructions.

For that and the rest, collaborate with your two leaders in a way that benefits you.

Act with them as one hand united in all that brings about felicitous results

and whose success will echo back handsomely. Enter into these works for this world and the next with security and serenity. Carry out for your leaders (*wulāti-kum*)

all that will bring praises upon you for your obedience and submission. Be certain that our guarantee, with the grace of

God on High, places you in the bed of justice and benevolence and grants you abundant shares and favors.

We spread over you a thick shadow¹⁰²⁰ to [assure you] salvation and security. The demands of these our intentions will produce shining work,

with the force and strength of God, and our will as our affection for you imposes and demands. We ask of God

– May He be exalted and magnified – to ease the accomplishment of these projects we consider, and to always help and assist us

in accomplishing what will cause you to know peace (*al-ṣalāh*) now and in the future and to assign us on His behalf an assistant

[٨-r-3519] البين نجاحه المتضح التأويب بالأسناد¹⁰¹⁶
واكدنا عليهما في بناء ما يحتاج الى

[٩-r-3519] بنأيه في سور بلدكم المحيط بنخله الحامى
من تطرف المضرة لاهله وان يتوليا

[١٠-r-3519] النظر في تتيمم ذلك بالتحصين والتسديد
باتم ما لديهما من الجد الدائم والعزم

[١١-r-3519] الشديد وان يعكفا عليه ليكمل بمعونة الله
تعالى في الامر¹⁰¹⁷ القريب وينحسم

[١٢-r-3519] علل الحلل بالتشديد له والتأشيب وانهى من
امرنا الجزم في ذلك للعامل

[١٣-r-3519] انجده الله ما يبادر بحول الله لاعماله ويعمل
من فوره ما يجب من امثاله

[١٤-r-3519] فتعاونوا مع مشتغلكم في هذا وسواه
التعاون الذى ينجذب¹⁰¹⁸ اليكم نفعه

[١٥-r-3519] وكونوا معهم يدا واحدة على كل ما يجمل
في المصالح صنعته

[١٦-r-3519] وقعته ويحسُن من المسامع واقبلوا في أمن
وهُدُو في اشغال معاشكم ومعادكم ووفوا لولايتكم ممّا

[١٧-r-3519] تشكرون عليه من ائتماركم وانقيادكم
وكونوا على يقين من ان كفالتنا لكم بمن

[١٨-r-3519] الله تعالى تبوءكم مهاده العدل والاحسان
ونخولكم¹⁰¹⁹ اقسام الخيرات الحسان

[١٩-r-3519] نمد عليكم ظلا ظليلاً¹⁰²¹ للعافية والامان
هذه نيتنا التى يبرز العمل بحول الله

[٢٠-r-3519] وقوته في مقتضاها وارادتنا التى اوجبها
حناننا عليكم واقتضاها ونسئل¹⁰²²

[٢١-r-3519] الله عز وجل ان ييسرنا لتوفية ما في النفس
من ذلكم وان يمدنا بتاييده وانجاهه

[٢٢-r-3519] على ما تتعرفون به الصلاح في حالكم
واستقبالكم وان يجعل لنا من لد[نه ولياً]¹⁰²³

¹⁰¹⁶ بالاسناد 'Azzāwī.

¹⁰¹⁷ الأمد 'Azzāwī corrects with.

¹⁰¹⁸ ينجذب 'Azzāwī corrects with.

¹⁰¹⁹ ونخولكم 'Azzāwī corrects with.

¹⁰²⁰ Reference to Koran 4:57: "We shall admit them to shades, cool and ever deepening."

¹⁰²¹ Reference to Koran 4:57: وَنُدْخِلُهُمْ ظِلًّا ظَلِيلًا

¹⁰²² ونسأل 'Azzāwī.

¹⁰²³ A corner of the manuscript is torn. 'Azzāwī probably completed it using the Koranic citation without mentioning it.

and protector¹⁰²⁴ to defend you with justice and to be your bondsman for the goodness, will and assistance of God.

[٢٣-r-3519] ونصير¹⁰²⁵ على حسن اکتنافکم بالعدل واکتفالکم بحسن الله ومعونته و [مشيئته]¹⁰²⁶

For He has the power to do so. There is no lord but Him. And He – May He be glorified – He will fulfill your hopes in leading you

[١-v-3619] فهو القادر على ذلكم لا رب سواهُ وهو سبحانه يبسط باتصال العافية

to salvation and He will use your words and deeds to bring you closer to Him...

[٢-v-3619] ءامالکم ويجعل ما يقربکم اليه اقوالکم و اعمالکم □

Taqdīm 21: Appointment of a military governor (qā'id) in a border zone, with fiscal and military attributions¹⁰²⁷

وَفِي تَقْدِيمِ قَائِدِ عَسْكَرٍ [٣-v-3619] **Appointment of a military governor**

... May God have written for you help and union for the well-being of your interests, haste for that which will lead you to

[٤-v-3619] كتب الله لكم تضافراً على المصالح واجتماعاً وتسرعاً الى ما يوليكم بالا

harmony and alliance, to protect and defend [you] from enemies. Know that we watch over the current interests

[٥-v-3619] تفاق والائتلاف احتماء¹⁰²⁸ من الأعداء وامتناعاً وان تعلموا انا نتعهد مصا

(*maṣāliḥ*) of your land (*bilād*). We look after the things that improve what is apparent and what is hidden. We take great care in

[٦-v-3619] لح بلادکم الاونة ونعتنى بما يحسن منها الظاهرة والباطنة نتصدى با

consolidating its fragile situation. This is why we have chosen the most courageous and

[٧-v-3619] قصى النظر لما يقوى احوالها الواهية وبمقتضى ذلكم نختار لها الانجد

illustrious of our servants for it. We devote our greatest efforts to it. We have appointed

[٨-v-3619] والامجد من خدامنا ونعطيها الاوكد فالاوكد من اعتنائنا والان قدمننا لا

Fulān to take charge of its taxes (*majābī-hā*) and all its finances (*ashghālī-hā*), and to lead alone all its regions, with

[٩-v-3619] شغالها كلها ومجايبها والاستبداد بالنظر في جميع نواحيها وما

their dependencies, near or far. In the party of Unicity (*tawḥīd*), he enjoys

[١٠-v-3619] ينضم اليها من اقصيها وأدانيها فلانا وهو المعروف في حزب التوحيد

a reputable rank and lineage; he occupies the first place and highest dignity (*rutbat^{an}*) among familiars (*al-awliyā'*) and protectors (*zahr*, pl. *zuharā'*). We are thankful

[١١-v-3619] منصباً ونسبة والمنتقدم في الاولياء والظهراء مكاناً ورتبة ونحن نشكر

¹⁰²⁴ Reference to Koran 4:75: "and raise for us from thee one who will protect; and raise for us from thee one who will help."

¹⁰²⁵ Reference to Koran 4:75: وَاجْعَلْ لَنَا مِنْ أَدْنِكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ أَدْنِكَ نَصِيرًا

¹⁰²⁶ Lower lefty corner ripped. 'Azzāwī's proposal is either a hypothesis or a sign that the manuscript has deteriorated since he consulted it.

¹⁰²⁷ 'Azzāwī, *NLA*, t. 1, 447.

¹⁰²⁸ 'Azzāwī: احتماء.

for the commendable competence (<i>ghanā'</i>) he has shown in many contexts, as well as the justice of opinions he has given in [diverse] endeavors (<i>fi-muḥāwalāt</i>)	[١٢-v-3619] له غناء حميدًا قدمه في كثير من المواقف ورايًا سديدًا عمله في المحاولات
like a seasoned expert. This is why we have chosen him to lead the armies and flush out the perfidious enemy, ¹⁰²⁹	[١٣-v-3619] اعمال المجرب العارف ولذلك اخترناه لقود العساكر وطلب العدو الغادر
and we have entrusted him with the responsibility for your land: [we have chosen him] to reassure those who are scared, to eliminate dangerous places (<i>makhāwif</i>), to lock down	[١٤-v-3619] وقلدناه البلاد هنالكم ليؤمن خائفها ويدفع عنها مخاوفها ويسد
the borders, calm those who tremble, cut away evil with the sword, to root out rebels	[١٥-v-3619] ثغورها ويسكن مذعورها ويحسم بالسيف ادواءها ويستاصل مردتها
and enemies, and thus, with the help and strength of God, bring it back to security and tranquility (<i>hudūni-ha</i>). With	[١٦-v-3619] واعداها ويعيدها بحول الله وقوته الى امنتها وهدونها ¹⁰³⁰ ويكون
God on High's will and His help, he will be a veil (<i>hijāb</i>) that protects it. This is all in agreement with God on High's plans	[١٧-v-3619] بمشيئة الله تعالى وتيسيره حجابًا من دونها كل ذلك بما يتيحه الله تعالى
to glorify the cause of Truth (<i>ḥaqq</i>) ¹⁰³¹ and eliminate (<i>ibtizāz</i>) the partisans of error; through this He will accomplish His promise to avenge Himself on the impious	[١٨-v-3619] من اعزاز دعوة الحق ¹⁰³² وابتزاز فرقة الباطل وينجز فيه وعده من انتقامه بكفرة
who deny His power that leads in the most just of directions. Thus, when you receive our letter, be with your venerated governor	[١٩-v-3619] أمره الهادى الى اقوم الشواكل فاذا وافاكم كتابنا هذا فكونوا مع واليكم
as one hand united for all your interests. Come forward into his service and counsel him	[٢٠-v-3619] المكرم في المصالح كلها كاليد الواحدة وسيروا في الخدمة معه والمناصحة
according to the path of mutual and reciprocal harmony. Believe in a victory that will annihilate the corruptors and destroy	[٢١-v-3619] له على السبيل المتوافقة المتواردة وثقوا بنصر يمحق المفسدين ويُدْمَرُ
the aggressors; [a victory] that will be with the party of Truth and its helpers over dissident deviants (<i>mushāqqīn</i>) by the strength of	[٢٢-v-3619] المعتدين ويكون مع طائفة الحق وانصاره على المشاqqين الملحدين بحول
God on High. Our watch (<i>naẓaru-nā</i>) stays with you, continuous despite the distance, and our help for your land stretches out	[١-r-3720] الله تعالى ونظرنا مع ذلكم متتابع مع الاناء وامدادنا للبلاد مواف لها
to it with extreme care. Know that...	[٢-r-3720] غاية الاعتناء فاعلموا ذلكم □

¹⁰²⁹ A. 'Azzāwī suggests this may refer to the Marinids, but it is not clear which region they would have threatened. Perhaps, Salé, one of the tribes, or Sijilmāssa?

¹⁰³⁰ Probably a confusion between *hudū'i-hā* ("calm", "security", cf 20r, 37, l. 9) and *hudna*, pl. *huduni-hā* ("truce"). Abdallah Cheikh-Moussa generously contributed to this reading.

¹⁰³¹ Koran 13:14 : "For Him (alone) is prayer in Truth: any others that they call upon besides Him hear them no more than if they were to stretch forth their hands for water to reach their mouths but it reaches them not: for the prayer of those without Faith is nothing but (futile) wandering (in the mind)."

¹⁰³² Koran 13:14:

لَهُ دَعْوَةُ الْحَقِّ وَالَّذِينَ يَدْعُونَ مِنْ دُونِهِ لَا يَسْتَجِيبُونَ لَهُمْ بِشَيْءٍ إِلَّا كَبَاسِطٍ كَفْتِهِ إِلَى الْمَاءِ لِيَبْلُغَ فَاهُ وَمَا هُوَ بِبَالِغِهِ وَمَا دُعَاءُ الْكَافِرِينَ إِلَّا فِي ضَلَالٍ

Taqdīm 22: Appointment of a governor (wālī) with fiscal and military attributions. An army accompanies the governor to bring order back to this southern region¹⁰³³

⊙ [٣-r-3720] وَفِي تَقْدِيمِ آخَرَ ⊙
Another appointment

May God have written for you to know righteous and just situations and to find the familiar and usual	[٤-r-3720] كَتَبَ اللهُ لَكُمْ تَعْرِفًا لِصَلَاحِ الْأَحْوَالِ وَسَدَادَهَا وَتَبَوُّؤًا مِنْ ظِلَالِ الْعَافِيَةِ
beautiful shadows of health. Know that we implore the help of God on High at all times	[٥-r-3720] اجْمَلْ مَعْهُودَهَا وَمَعْتَادَهَا وَإِنْ تَعَلَّمُوا أَنْ لَنَا بِالْبِلَادِ عَنَافِيَةَ نَسْتَمِدُّ لَهَا
for the care we bring to the land, [care] that allows us to obtain rapid success for all the efforts we dispense;	[٦-r-3720] عَوْنِ اللهِ تَعَلَى فِي كُلِّ الْإِحْيَانِ وَنَسْتَنْجِزُ ¹⁰³⁴ مِنْهَا مَا نَبْذِلُ فِيهَا فِيهِ غَايَةَ الْإِمْكَانِ
we act in its defense and for its protection against rebels and aggressors, and we choose from among brave	[٧-r-3720] وَنَتَصَدَّى لِحَمَايَتِهَا وَحَيَاظَتِهَا مِنْ أَهْلِ الْبَغْيِ وَالْعُدْوَانِ وَنَخْتَارُ لَهَا مِنْ أَوْلِيَةِ
and capable men those who will defend it by striking with the sword and severity and will gently lead its subjects	[٨-r-3720] النُّجْدَةِ وَالْكَفَايَةِ مِنْ يَذِيبُ بِالصَّارِمِ ضَرْبًا وَطَعْنًا بِالسِّنَانِ وَيَسُوقُ رِعَايَاهَا
towards the peace and security they have known at the side of this eminent power. As a result,	[٩-r-3720] اسْتَلَسَّ سَوَاقَ إِلَى مَا عَهَدُوا لَدَى هَذَا الْأَمْرِ الْعَلِيِّ مِنَ الْهُدُوءِ وَالْإِمَانِ وَبِمَقْتَضَى
we have invested Fulān – May God always bring him aid and assistance and may He ensure the quality of his authority (<i>iṣḍāra-hu wa īrāda-hu</i>) in his endeavors (<i>muḥāwalāt</i>).	[١٠-r-3720] هَذَا قَدَمْنَا فَلَانًا وَصَلَّ اللهُ إِعَانَتَهُ وَإِنْجَادَهُ وَحَسَّنَ فِي الْمَحَاوَلَاتِ إِصْدَارَهُ
He is someone whose competence was manifest in the important functions [he carried out] and whose initiatives have produced actions	[١١-r-3720] وَإِيرَادَهُ وَهُوَ الَّذِي بَانَ فِي الْخِدْمِ الْمَهْمَاتِ غَنَاؤُهُ وَاشْتَمَلَتْ عَلَى مَشْكُورٍ
worthy of praise. We have entrusted him with the reins of this southern land ¹⁰³⁵ and the complete management	[١٢-r-3720] الْإِفْعَالِ أَنْحَاؤُهُ فَالْقَيْنَا إِلَيْهِ بِأَزْمَةٍ (تِلْكَ) ¹⁰³⁶ تَلْكَمُ الْبِلَادِ الْقَبْلِيَّةِ وَصَرَفْنَا إِلَيْهِ

¹⁰³³ ‘Azzāwī, *NLA*, t. 1, 448.

¹⁰³⁴ ‘Azzāwī: ونستنجذ.

¹⁰³⁵ ‘Azzāwī suggests Dar‘a or Sijilmāssa.

¹⁰³⁶ Removed by ‘Azzāwī because of the repetition.

of its finances (*ashghāla-hā*), its taxes (*majābī-hā*), its interests (*maṣālihi-hā*), and its important affairs (*muhimmati-hā*). Despite the distance, he can count on the help our watch

[١٣-r-3720] اشغالها ومجائبها ومصالحها ومهمّاتها بالكلية وآمددنا¹⁰³⁷ من نظرنا الذّ

will bring him to place him, with the aid of God on High, on the clear and obvious path.

[١٤-r-3720] يتعهده مع الاناء ما يحمله بحول الله تعالى على الجادة الواضحة الجلية

For all of this, we have advised him to fear God on High, oh what perfect counsel! We have ordered him to

[١٥-r-3720] ووصيناه في كلّ ذلك بتقوى الله تعالى وهي نعم الوصية وامرناه ان

bring the population of your land back to the obedience¹⁰³⁸ that gave happiness to the believers

[١٦-r-3720] يستأنف اهل تلكم البلاد على هذه الطاعة التي سعد بها اهل الايمان

and that has been, by order of the Book and tradition (*sunna*), a duty (*farḍ*^{am}) weighing on each individual (*‘alā al-a’yān*). Thus, when this, your respected governor, arrives

[١٧-r-3720] وكانت بحكم الكتاب والسنة (*farḍ*^{am}) فرضاً على الاعيان فاذا وافاكم واليكم

among you, know that we have chosen him for you to take complete care of your interests, and make it

[١٨-r-3720] المكرّم فاعلموا انا تخيرناه لكم ليقوم مصالحكم على الاطلاق وياخذكم

so that you would hasten to run to us. Be with him as one hand united to chase the rebels

[١٩-r-3720] بالابتدار الينا والاستباق فكونوا يدًا واحدة على ما يزود عن البلاد

and hypocrites from the land, so that the shadow of union and accord will spread over it and to strengthen

[٢٠-r-3720] اهل البغي والنفاق ويضفي عليها ظل الائتلاف والاتفاق ويمكن

the ties of attachment and friendship. On our orders, he will be accompanied by a mighty army with which he will tread

[٢١-r-3720] لها اسباب التمسك والاعتلاق وقد اصحبناه من الجيش الوافر ما يطأء

over your land and annihilate, with the help of God, the partisans of evil and corruption. Behind this is our watch

[٢٢-r-3720] به تلكم البلاد ويستاصل بحول الله اهل الشر والفساد ومن وراء ذلكم نظرنا

that we spread over your countries to ensure them security, tranquility and permanent peace:

[١-v-3820] الذي نمد به تلكم الارحاء بما يؤمّنها ويسكنها ويتعهدها من الصلاح بما تبتهج

the inhabitants will then be gleeful and their eyes will rejoice. Thus, you welcome happiness in welcoming your governor. Work with him

[٢-v-3820] به نفوس اهلها وتقر اعينها فتلقوا الخير بتلقاكم لواليكم واخدموا معه

for all that will bring security to your regions. The action of God on High guarantees that which will strengthen His power and give victory to His familiars,

[٣-v-3820] في ما تامن به جميع نواحيكم وصنع الله تعالى كفيل بما يؤيد امره ويظهر اولياءه

¹⁰³⁷ ‘Azzāwī corrects with وأمددناه.

¹⁰³⁸ ‘Azzāwī suggests this refers to one of the many revolts in Sijilmāssa during the reigns of al-Rashīd, al-Sa‘īd or al-Murtaḍā (sic!). He evokes in particular the revolt of 632-634/1234-1237, as well as the secession of the Ma‘qil and Yayghaz Arabs near the region of Dar‘a on the occasion of al-Sa‘īd’s rise to power. That revolt led to the caliph’s personal intervention. The last revolt was led by Muḥammad al-Qaṭrānī allied with the Ma‘qil Arabs in 655-656/1257-1258.

and His aid – May He be glorified – is the help we beseech to raise His word and increase His glory.¹⁰³⁹ Be

[٤-v-3820] وَالنَّصْرُ مُسْتَمِدٌّ مِنْهُ سُبْحَانَهُ بِمَا
يَعْلَى كَلِمَتَهُ وَيَضَاعَفُ اعْتِلَاءَهُ¹⁰⁴⁰

فَكُونُوا

certain of that and take the straightest path in your speech and actions, if God on High wills it...

[٥-v-3820] عَلَى يَقِينٍ مِنْ ذَلِكَ وَسَلُّوا
الْمَنْهَجَ الْإِقْوَمَ بِأَقْوَامِكُمْ وَأَعْمَالِكُمْ إِنْ شَاءَ
اللَّهُ تَعَالَى

Taqdīm 23: Appointment of Fulān as governor, with military attributes.¹⁰⁴¹

تَقْدِيمٌ آخَرَ Another appointment

May God on High have written for you efforts that carry you to sublime actions and roots that reach down with you into a friendship

[٦-v-3820] كَتَبَ اللَّهُ تَعَالَى لَكُمْ هَمًّا تَنْهَضُكُمْ إِلَى
سُنَى الْأَعْمَالِ وَقَدَمَا تَرَسُخُ بِكُمْ فِي حَمِيدِ

worthy of praise. Know that the first thing the well-content hastened to and that confirmed the direction of salvation

[٧-v-3820] الْخِلَالِ وَإِنْ تَعَلَّمُوا أَنْ أُولَى مَا
اسْتَبَقَ إِلَيْهِ السُّعْدَاءُ وَتَحَقَّقَ بِهِ إِلَى النِّجَاةِ
الْإِهْتِدَاءِ

is obedience to this power (*hādha l-amr*), known in the past by fathers and sons and defended by all the missionaries

[٨-v-3820] طَاعَةَ هَذَا الْأَمْرِ الَّذِي سَلَفَ عَلَيْهِ
الْآبَاءُ وَالْإِبْنَاءُ وَقَامَ بِهِ عَلَى كُلِّ مَنْبَرٍ مِنْ

and preachers from the tops of the pulpits of Islam. We have been informed of your services and your faithfulness to the familiars [of this power],

[٩-v-3820] مَنَابِرِ الْإِسْلَامِ الدُّعَاءِ¹⁰⁴² وَالْخُطْبَاءِ
وَقَدْ اتَّصَلَ مِنْ خِدْمَتِكُمْ لِأَوْلِيَائِهِ وَمَلَازِمَتِكُمْ

as well as your effort in its work, actions that we praise and approve, that we deeply recognize

[١٠-v-3820] لَهُمْ وَاجْتِهَادِكُمْ فِي الْعَمَلِ مَا شَكَرْنَا
مِنْ أَعْمَالِكُمْ وَاسْتَحْسَنَّا¹⁰⁴³ وَارْتَضَيْنَاهُ¹⁰⁴³ مِنْ

and appreciate. Persevere in that and you will obtain from this power (*hādha l-amr*) abundant kindness

[١١-v-3820] خِدْمَتِكُمْ وَاسْتَجِدْنَاهُ فَتَابَرُوا عَلَى ذَلِكَ
تَنَالُوا إِحْسَانَ هَذَا الْأَمْرِ جَزِيلاً

and you will find at its sides benevolent (*jamīl^{am}*) attention. We have decided to appoint Fulān – May God continue to grant him His strength

[١٢-v-3820] وَتَتَلَقَّوْا اعْتِنَاءَهُ بِكُمْ جَمِيلاً وَقَدْ
اِقْتَضَى نَظْرَنَا تَقْدِيمَ فَلَانَ وَصَلَ اللَّهُ عَزَّتْهُ

and assistance – to lead all of the land, to take charge of its affairs and interests, to take care of its regions,

[١٣-v-3820] وَأَنْجَادَهُ عَلَى الْبِلَادِ كُلِّهَا وَأَقَامَةَ
شُغْلِهَا وَمَصَالِحِهَا وَتَوَلَّى دَوَانِي جِهَا

near and far, and do all that is necessary for the security [of travelers] who come and go there. Be with him and all

[١٤-v-3820] تَهَا وَنَوَازِحِهَا وَأَعْمَالَ الْغَنَاءِ فِي
تَأْمِينِ غَادِيهَا وَرَأْبِحِهَا فَكُونُوا مَعَهُ وَمَعَ

of his troops as one hand united to push back the party of revolt and rebellion and to exterminate

[١٥-v-3820] كَافَّةً مِنْ لَدَيْهِ مِنَ الْعَسَاكِرِ يَدًا وَاحِدَةً
فِي دِفَاعِ أَهْلِ الْبَغْيِ وَالْعِنَادِ وَاسْتِنْصَالِ

¹⁰³⁹ Reference to Koran 9:40: “But the word of God is exalted to the heights: for God is Exalted in might, Wise.”

¹⁰⁴⁰ Reference to Koran 9:40: وَكَلِمَةُ اللَّهِ هِيَ الْعُلْيَا وَاللَّهُ عَزِيزٌ حَكِيمٌ

¹⁰⁴¹ ‘Azzāwī, *NLA*, t. 1, 449.

¹⁰⁴² Probably an error on the part of the copyist for الدُّعَاءِ, the final *tā’ marbūṭa* being replaced with *hamza*.

¹⁰⁴³ ‘Azzāwī: وارْتَضِيَاهُ.

the partisans of evil and corruption. We count on your seriousness, your efforts and the useful counsel [that you will be able to give], [the tidings]

that will be able to win from us even more kindness and renew our care for you, as a reward for your irreproachable behavior

and praiseworthy intentions, if God wills it...

[١٦-v-3820] اولي الشر والفساد وليبلغ عنكم من الجِد والاجتهاد والنصح في ذلكم

[١٧-v-3820] ما يحظيكم من احساننا بالمزيد ونتعهدكم منه بالجديد جزاء لعملكم السديد

[١٨-v-3820] وقصدكم الحميد ان شاء الله.

Taqdīm 24: Appointment of a governor, probably in Tinmāl¹⁰⁴⁴

[١٩-v-3820] وَمِنْ تَقْدِيمِ آخِرٍ

Another appointment

May God have written for you to seek to know the needs of the situation and its good organization, and to behave in a way that permits you

to easily realize [your] hopes. Know that of this city (...)

we must take care, passing its interests before those of the rest of the districts (*arjā'*) and

countries (*aqṭār*), because of the holy (*tāhira*) tombs found there in abundance and because the reunion of

the seats of guidance¹⁰⁴⁶ and of the caliph distinguish it with innumerable glorious titles. May God on High grant that it always be venerated and that it bring

honor to His assistance to he who settled there before Islam. This is why we have chosen Abū Fulān, so that by this act

he would watch over its interests and take charge of the their management according to rules imposed by their evidence. He enjoys,

within the party of Unicity (*tawhīd*), qualities you already know. He occupies a particular place among those with a zeal worthy of praise and a straight

Intention. We gave him our recommendations: [he must] fear God on High in all His plan and practice this

in secret as in public. If God – May He be magnified and exalted – wills it, that is what he will work for and that is the path he will seek to follow

in all circumstances. Thus, when, with the help of God on High, he comes among you, be with him as one hand united.

[٢٠-v-3820] كتب الله لكم تعرفاً لمراد الاحوال وصلاحها وتصرفاً في ما يحظيكم

[٢١-v-3820] بتسنى الامال ونجاحها وان تعلموا ان تلکم المدينة (...)¹⁰⁴⁵

[١-r-3921] يجب لها من الاعتناء ومقدمة في تمشية مصالحها على ساير الاقطار

[٢-r-3921] والارجاء ذلكم لاشتمالها على الاجداث الطاهرة وامتيازها من الاختواء

[٣-r-3921] على مقار الهداية والخلافة بالمفاخر المكاثرة وصل الله تعالى لنا¹⁰⁴⁷ الاحترام واعز

[٤-r-3921] بنصر من حلها قبل الاسلام والى هذا فانا قدمنا هنالك ابا فلان تقديما

[٥-r-3921] يتولى به النظر في المصالح والجرى في اقامتها على السنن الواضح وله المزية

[٦-r-3921] التي تعرفونها في حزب التوحيد والمكانة في اولي السعي المشكور والقصد

[٧-r-3921] السديد وقد تلقى من وصايانا له بتقوى الله تعالى في كل امره ومراقبته

[٨-r-3921] في سره وجهره ما هو ان شاء الله عز وجل له عامل ولاقتناء سننه في كل

[٩-r-3921] احواله مواصل فاذا وافاكم بحول الله تعالى فكونوا يدا واحدة معه وا

¹⁰⁴⁴ 'Azzāwī, *NLA*, t. 1, 450.

¹⁰⁴⁵ Two words hidden by humidity.

¹⁰⁴⁶ These all indicate that we can consider with certitude this to be Tinmāl: the term *hidāya* (*maqām al-hidāya*) evokes the mission of the Mahdī, who must be the guide.

¹⁰⁴⁷ 'Azzāwī: لها.

Support him in all that will help him to take the rightful path and enlarge it for him. Dispense in all your affairs

the best usual efforts. Spread the news, with gaiety of heart

and joyful eyes, of the goodness you have learned, if God on High wills it.

[١٠-r-3921] عِينُوهُ عَلَى مَا يَسْتَلِكُ بِهِ سَبِيلَ
الحق ومهيّعه واجروا على المعهود

[١١-r-3921] من المساعى الحسنة في كل
شئونكم¹⁰⁴⁸ وانشروا بابهاج نفوسكم بما

[١٢-r-3921] تتعرفون من الخير وقرار
عيونكم ان شاء الله تعالى

Taqdīm 25: Appointment of Abū Fulān as governor with fiscal and military attributions¹⁰⁴⁹

[١٣-r-3921] وَفِي الْمَعْنَى مِنْ ذَلِكَ
Same subject

May God always assure them respect through the fear He inspires in them and grant them a large part of His favor and His mercy. This is what we write

– May God have written for you a decision that will improve your situation and crown your hopes with success and may He have sheltered you

under a wing spread for the coming salvation and entire security. Know that the care we take

for you and your land requires that we ceaselessly renew our attention, that our management

of economic matters (*muḥāwalāt al-maṣlaḥiyya*) be sure and global, and that we administer everything that brings happiness

or protects from misfortune with generosity (*muhādir^{am}*) and swiftness (*musāri^{am}*), so well that a good thing that brings

another does not arrive too late and that not one of your regions, near or far, be denied protection

or defense. It is with these preoccupations, the righteousness for which we ask the help of God on High

(...) His gift: the divine guidance (*tasdīd*) necessary to exercise authority (*fī l-iṣḍār wa l-irād*), We have appointed Abū Fulān

to take charge of your economic affairs (*umūri-kum al-maṣlaḥiyya*), to direct your fiscal questions (*ashghāli-kum al-makhzaniyya*) and to keep your land

[١٤-r-3921] ادام الله كرامتهم بتقواه وانالهم او فر
حظ من نعماه ورُحماه وانا كتبناه

[١٥-r-3921] كتب الله تعالى لكم نظرا لآحوالكم
مصلحًا ولأمالكم منجًا وبواكم للعافية

[١٦-r-3921] المتحصلة والامانة المشتملة كنفنا
منفسحا وان تعلموا ان اعتناءنا

[١٧-r-3921] بكم وببلادكم يقتضى ان يكون
تعهدنا لها مع الاخيان متتابعًا ونظرنا

[١٨-r-3921] للمحاولات المصلحية ضابطًا
جامعًا وتديبرنا لكل ما فيه جلب الخيرات

[١٩-r-3921] ودفع المضرات عنها مهادرًا
مُसारعا حتى لا تتأخر مصلحة عابدة

[٢٠-r-3921] بالمصلحة عن أنها ولا يشذ عن
الحماية والحياطة اقصى جهة من جهاتكم

[٢١-r-3921] ولا ادناها وبهذا الاعتبار الذى
نسئل¹⁰⁵⁰ الله تعالى التوفيق فيه للسداد

[٢٢-r-3921] [...] [٢٢-r-3921] 1051 تمنحه¹⁰⁵² تسديده الذى
يصحب في الاصدار والايرادفقدنا الان ابا
فلان

[١-v-4021] للنظر في اموركم المصلحية
والضبط لاشغالكم المخزنية والدفع عن بلادكم

¹⁰⁴⁸ 'Azzāwī: شؤونكم.

¹⁰⁴⁹ 'Azzāwī, *NLA*, t. 1, 451.

¹⁰⁵⁰ 'Azzāwī: نسأل.

¹⁰⁵¹ One word erased.

¹⁰⁵² *maṣḍar* fifth form: *tamannuḥu-hu*.

from evildoers and criminals. We give thanks for his competence; he is known for his aptitudes and his	[٢-v-4021] لاهل الضرر والاذاية وهو المشكور الغناء المشهور الاضطلاع والا
Efficiency. He has distinguished himself through the rightness of his projects in the offices he occupied. We have counseled him to fear	[٣-v-4021] كتفاء الموصوف في ما يتولاه من الخدم بسداد الانحاء وقد وصينا بتقوى
God on High, as God [himself] – May He be exalted and magnified – counseled His subjects. ¹⁰⁵³ On that subject, we have insisted on the best	[٤-v-4021] الله تعالى التي هي وصية الله عز وجل لعباده ¹⁰⁵⁴ واكدنا عليه منها في ما
provisions for his Return ¹⁰⁵⁵ . We have ordered him to spend his efforts and zeal in managing all	[٥-v-4021] هو افضل زاد لمعاده ¹⁰⁵⁶ وامرنا ان يصرف لاقامة مصالحكم كلها وجه جده
your interests, to be extremely severe towards anyone who gives himself over to evil and corruption and to	[٦-v-4021] واجتهاده وان يتلقى كل من تصدى للشر والفساد باشد اشتداده وان
spread security throughout the region, through the examinations and inspections he will perform. We have incited him	[٧-v-4021] يبيت الامان في كل ناحية بما يعمل لها من تعهده وافتقاده واوزعنا اليه
to completely collect all the taxes when they are determined and due, to manage finances in this area according to the	[٨-v-4021] ان يقتضى المجابى عند تعينها ووجوبها ويجرى الاشغال فيها على قا
law and usual custom, and to consecrate all his energy to that, to recover	[٩-v-4021] نونها واسلوبها وان يعمل من الانتهاض في ذلك ما يجمع فيه بين اقتضاء
what is due, while also acting with gentility and according to the clearest path. Thus, when he arrives among you, with the help	[١٠-v-4021] الحق وملاحظة الرفق والسلوك على اوضح الطرق فاذا وافاكم بمعونة
of God on High, work in concert with him for your interests in a spirit of submission and obedience. Be	[١١-v-4021] الله تعالى فاجتمعوا اليه في مصالحكم اجتماع الانقياد والائتمار وكونوا
with him las one hand united, which will bring you tranquility and stability. Know that, in this appointment, we have sought to	[١٢-v-4021] معه يدا واحدة في ما يعود عليكم بالهدنة والقرار واعلموا انا توخينا في
make a good decision and the right choice for you, with the strength of God on High. And He – May He be glorified –	[١٣-v-4021] تقديمه عليكم اجادة النظر لكم والاختيار بحول الله تعالى وهو سبحانه
will smoothen your regions and guide your behavior towards mutual aid in obedience. By His grace.	[١٤-v-4021] يمهّد جوانبكم ويسدّد في التوافق على الطاعة مذهبكم بمنه

**Taqdīm 26: Appointment of Fulān as governor,
with fiscal and military attributions¹⁰⁵⁷**

تَقْدِيمٌ آخَرَ [١٥-v-4021]
Another appointment

... Know that we will not deny you consideration that brings order to your affairs, that leads your people along a wide and clear way, [١٦-v-4021] وان تعلموا انا لا نخليكم من نظر
يضبط اموركم ويحمل على الجادة الواضحة

¹⁰⁵³ The *wiṣāya* refers to Koran 4:131: “Verily we have directed the People of the Book before you, and you (o Muslims) to fear God.”

¹⁰⁵⁴ The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

¹⁰⁵⁵ In the future, on the day of judgement. Koran 2:197: “The best of provisions is right conduct. So fear Me, o ye that are wise.”

¹⁰⁵⁶ Koran 2:197: فَإِنَّ خَيْرَ الزَّادِ التَّقْوَىٰ وَاتَّقُونِ يَا أُولِي الْأَلْبَابِ

¹⁰⁵⁷ ‘Azzāwī, *NLA*, t. 1, 452.

that leads your interests according to the straightest and most obvious path and that takes for important questions measures that offer the most chances

for success and achievement. As a result, we have appointed Fulān to supervise your taxes (*a 'māli-kum*),¹⁰⁵⁸

to be the best possible lieutenant in organizing your finances (*ashghāli-kum*),¹⁰⁵⁹ and seek a justice that will lead your countries and improve

your situation. We have experienced his competence in the services to which he has been appointed, and the rightness

of his vision in managing and leading interests, as was needed. We have counseled him to fear God on High,

which is the basis for good actions: the order to commit to those is found [in the Koran] at the end as at the beginning (*al-fātiḥa*).

We have ordered him to collect duties when they are due, to not stray from correct methods in fiscal affairs (*ashghāl al-makhzaniyya*),

to be firm in stopping corruptors and corruption and deploy permanently praiseworthy zeal and effort

to ensure the security of your regions. Thus, when, with the aid of God on High, he arrives among you, come together around him,

confide yourselves to him for your affairs, help each other in the endurance and fear of God,¹⁰⁶¹ walk along an exemplary

path,¹⁰⁶⁴ be like one hand united to give order and proclaim goodness, erase evil

and make all traces of it disappear. This will bring you much, both now and in the future, and will cause you happiness

in all circumstances, with the strength of God on High.

[¹⁷-v-4021] جمهوركم ويمشى مصالحكم على

اقوم سبلها وواضحها وياخذ في مهماتكم

[¹⁸-v-4021] بايمن المحاولات وانجحها وبهذا

الاعتبار قدمنا فلاناً ليتولى النظر في أعمالكم

[¹⁹-v-4021] وينوب أحمد مناب في ضبط

اشغالكم ويتوخى العدل المسدد لانحايكم

[²⁰-v-4021] المصلح لاحوالكم وقد خبر منه

غناء¹⁰⁶⁰ في الخدم التي استعمل فيها وسداداً

يجرء

[²¹-v-4021] المصالح على ما يجب لها من

النظر ويمشيها وقد وصينا بتقوى الله تعالى

[²²-v-4021] التي هي اس الاعمال الصالحة

والمأمور بالتزامها في الخاتمة والفاتحة

[¹-r-4122] وامرناه ان يقتضى الحقوق عند

وجوبها ولا يعدل بالاشغال المخزنية عن

[²-r-4122] صواب اسلوبها وان يشتد في كف

المفسدين والفساد ويؤلى في تامين جها

[³-r-4122] تكم مشكور الجد والاجتهاد فاذا

واقام بمعونة الله تعالى فاجتمعوا عليه

[⁴-r-4122] وارجعوا باموركم اليه¹⁰⁶² وتعاونوا

على الصبر والتقوى¹⁰⁶³ وسيروا على

الطريقة

[⁵-r-4122] المثلى¹⁰⁶⁵ وكونوا يداً واحدة في

الامر بالمعروف واطهاره ومحق المنكر

[⁶-r-4122] وتعفية اثاره فذلكم ابد عليكم

بالنفع في حالكم واستقبالكم وجالب

[⁷-r-4122] اليكم الخير في كل احوالكم بحول الله

تعالى □

¹⁰⁵⁸ The following section suggests this particularly precise translation.

¹⁰⁵⁹ “Finances” is suggested here because of the precision of *makhzaniyya* which accompanies this term a few lines below.

¹⁰⁶⁰ غناء... وسداداً □ Azzāwī corrects with

¹⁰⁶¹ Fusion of two references: — Koran 103:3: “Except such as have Faith, and do righteous deeds, and (join together) in the mutual teaching of Truth, and of Patience and Constancy” — Koran 5:2: “Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment.”

¹⁰⁶² عليه. Azzāwī

¹⁰⁶³ Fusion of two references: — Koran 103:3: إِلَّا الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَتَوَّصُوا بِالحَقِّ وَتَوَّصُوا بِالصَّبْرِ وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ — Koran 5:2:

¹⁰⁶⁴ Reference to Koran 20:63: “They said: These two are certainly (expert) magicians: their object is to drive you out from your land with their magic, and to do away with your most cherished institutions.”

¹⁰⁶⁵ Reference to Koran 20:63: قَالُوا إِنَّ هَذَانِ لَسَاحِرَانِ يُرِيدَانِ أَنْ يُخْرِجَاكُم مِّنْ أَرْضِكُمْ بِسِحْرِهِمَا وَيَذْهَبَا بِطَرِيقَتِكُمُ الْمُثْلَى

**Taqdīm 27: Appointment of Abū Fulān as
governor with military attributions¹⁰⁶⁶**

⊙ [٨-r-4122] تَقْدِيمٌ ————— دِيمٌ آخَرَ ⊙

Another appointment

...And know that over the land and its inhabitants we extend a watch whose rightness will envelop [you] all, by the strength of God. To take

[٩-r-4122] وان تعلموا انا ننظر البلاد
وأهلها النظر الذى يعمهم بحول الله
سداه ونقدم

charge of its interests (*mašāliḥ*) and assure the security of those who come and go there, we are naming someone whose seriousness and zeal in the service [of the state]

[١٠-r-4122] لتولى مصالحها وتأمين
غاديتها ورأبها من بان جده في الخدمة
واجتهاده و

have clearly shown themselves and whose authority (*iṣḍāru-hu wa īrādu-hu*) has been excellent. As a result, we have appointed Abū Fulān to govern and defend your regions,

[١١-r-4122] حَسُنَ فيها اصداره وايراده
وبمقتضى ذلكم عينا ابا فلان ليضبط
نواحيكم

to assure there all conditions necessary for total protection, to manage with competence

[١٢-r-4122] ويحوطها ويقوم بالحماية
التامة لها ويوفى شروطها ويتولى
بالغناء

and satisfactorily the great interests given and confided to him, this once it was established that his sense for responsibilities justified our

[١٣-r-4122] والكفاية مجعول تلك
المصالح به ومنوطها بعد ان تقرر من
استقلاله ما ادى

employing him, and his obvious capacity (*iktifā'*) led us to depend on him (*istikfā'*). We have advised him to fear God

[١٤-r-4122] الى استعماله وتبين من
اكتفائه ما حذا الى استكفائه وقد وصى
بتقوى الله

on High, which is the surest of travel provisions (*al-'udda al-wathīqa*). We have ordered him to carry himself well and to follow the straight path by committing to give good counsel

[١٥-r-4122] تعالى وهى العدة الوثيقة وأمر
من التزام النصح والعدل ما تحسن عليه
السيرة

and to be just. We have insisted that he root out the scourges that are evil and corruption, that he display total firmness

[١٦-r-4122] وتستقيم الطريقة وأكّد عليه
في ان يحسم ادواء الشرّ والفساد وان
يعمل

in subjugating aggressors and rebels, so that the shadow of security

[١٧-r-4122] في قمع اولى الاعتداء
والبغى كل الاشداد حتى ينسحب للامان
على

spreads over your lands, that the enemy be pushed away and fearful men reassured, that all your affairs be managed

[١٨-r-4122] تلكم الارجاء ظل وارف
ويرتدع عاد ويامن خائب وتجرى
الامور كلها هنالكم

according to the statutes (*qawānīn*) of this supreme Power, by maintaining their fulfillment, that the defenders of salvation

[١٩-r-4122] على قوانين هذا الامر العلى
من الضبط لانتشارها وتسرى سوارى
العافية

¹⁰⁶⁶ 'Azzāwī, *NLA*, t. 1, 453.

and security (*tasrī sawārī al-‘āfiya wa-l-amāna*) progress across the plains and valleys of your regions, to suppress from your major thoroughfares

[٢٠-r-4122] والامانة في انجاد 1067 تلکم الجهات واغوارها وترتفع عن الطرق المسلوكة

whatever may dissuade the flocks of travelers from taking to the road and to prevent brigands from carrying out their

[٢١-r-4122] هنالکم ما عاق السياره قبل تسيارها وترتدع الشرار عما اعتادت من

exactions and usual evil deeds. Thus, when he arrives among you, with the help of God on High, submit to him as you should to the authority (*li-mā*

[٢٢-r-4122] شرها واضرارها فاذا وافاکم بمعونة الله تعالى فانقادوا احسن انقياد لما

yūridu-hu... wa yuṣdiru-hu) he will exercise in all your important affairs. Be like one hand united in all that he decides and chooses for the protection

[١-v-4222] يورده في مهماتکم ويصدره وكونوا معه يداً واحدة في ما يعتمده من حماية

of your regions. Come together and help each other in all that will be useful for you and will keep

[٢-v-4222] جهاتکم ويوثره وتعاضدوا وتضافروا في كل ما يعود عليكم نفعه ويندفع

evil away from you. Behind this is our constant and permanent watch over you, the best and most beautiful of care dedicated to your situation,

[٣-v-4222] عنکم ضرره ومن وراء هذا نظر مناً نوالیه لکم ونصله واعتناء يتعهد احوالکم

without neglecting nor forgetting any of your affairs. If God on High wills it.

[٤-v-4222] أحسنه واجمله ولا يهمل شيئاً من أمورکم ولا يغفله ان شاء الله تعالى وهو

And He – May He be glorified – He will smoothen your land and countries and will grant you generous salvation now and in the future. By His grace.

[٥-v-4222] سبحانه يمهد اوطانکم واکنافکم ويعمر بالعافية حالکم واستينافکم بمنه

Taqdīm 28: Appointment of Abū Fulān as governor with fiscal and military attributions¹⁰⁶⁸

[٦-v-4222] **تَقْدِيمٌ دِيمٌ آخَرَ**

Another appointment

...May God assure them always respect through the fear He inspires in them and ease a cooperation between them that pleases Him. This is what we write – May

[٧-v-4222] ادام الله كرامتهم بتقواه ويسرکم 1069 للتعاون على ما يرضاه وانا كتبناه كتب

God have written for you a salvation whose wings would be shelter for you and whose breasts would nourish you with milk abundant. Know

[٨-v-4222] الله لکم عافية تنبؤون 1070 اکنافها وعارفة تستدرون اخلافها وان تعلموا

1067 ‘Azzāwī: أنحاء.

1068 ‘Azzāwī, *NLA*, t. 1, 454.

1069 ‘Azzāwī corrects with ويسرهم.

1070 ‘Azzāwī: تنبؤون.

that we reserve a benevolent watch over you that will improve your situation, will make your domains more pleasant and will lead all your interests,

[٩-v-4222] انا نتخولكم من جميل النَّظَرِ ما يصلح احوالكم ويمهّد جلالكم ويجرّے مصالحكم كلها

with the favor of God on High, as demands your placement under the wing of tranquility and security, to bring to pass what God

[١٠-v-4222] على ما يوجب بفضل الله تعالى في كنف الدّعة والامان احتلالكم قياما بما لله

– May He be exalted and magnified – impelled us to do to protect [our] subjects, to bring an end to complaints, to assure the security of the land as well as

[١١-v-4222] عز وجل علينا في حياطة الرّعايا واماطة الشكايا وتامين البلاد وتمكين

the possibility of virtue and righteousness. May God on High give us the time for this, supporting [us] and guiding [us], and may He assist us in the beautiful

[١٢-v-4222] اسباب الصّلاح والسّداد والله تعالى يمدّنا في ذلكم بتاييده وتسديده [١٣-v-4222] وينجدنا على ما نتولاه

and laudable decisions we will make for the Muslims. After having asked

للمسلمين من جميل السّعي وحميده وقد راينا بعد

the aid of God on High, and solicited His assistance and His help to guide us on the roads

[١٤-v-4222] استخارة الله تعالى واستمداد توفيقه والاستنجد به على سلوك سنن

and paths of righteousness, we have decided to appoint Abū Fulān – May God assure him always respect and continue to grant him His aid and assistance – to organize (*dabt*) your

[١٥-v-4222] السّداد وطريقه ان نقدم لضبط اشغالكم وربط أعمالكم ابا فلان ادام الله

finances (*ashghāl*) to scrupulously follow your [fiscal?] affairs (*a'māl*).¹⁰⁷¹ As for him, we have appreciated his conduct and all his initiatives,

[١٦-v-4222] كرامته ووصل انجاده واعانته وهو الذی شكرت تصرفاته كلّها وتناولاته

his intentions and his projects have shown excellence and he has carried out his endeavors with an iron

[١٧-v-4222] ووصفت بحسن الاثر مقاصده ومنتهياته وجرت على وتيرة قويمه وسيرة

hand in a velvet glove. This is why we have taken the decision to name him¹ to direct your interests and

[١٨-v-4222] رفيقة محاولاته لذلكم أمضينا النَّظَرِ في تقديمه على ما لديكم من المصالح والا

your taxes and to entrust him alone with these functions for which he will bear witness, with the strength of God, to a perfect competence and a great

[١٩-v-4222] عمال وافراده من تلکم الاشغال بما يبذل في القيام به بحول الله اتم الغناء

sensitivity for responsibilities. We have advised him to devote himself to fearing God on High, which is the best of assurances for the present

[٢٠-v-4222] والاستقلال وقد اوصيناؤه من التزام تقوى الله تعالى بما هو انفع عدة للحال

and the future, and, for that which concerns you, to walk the clearest paths of equity and moderation. We have ordered him

[٢١-v-4222] والمال وان يسير فيكم على أوضح جواد الاستواء والاعتدال وامرناه ان

¹⁰⁷¹ The mention of duties and taxes in the following lines of this *taqdīm* seems to justify associating the binomial *a'māl* and *ashghāl* with fiscal matters.

to protect you by taking very firm measures to keep distant the party of corruption, to defend you so that

[٢٢-v-4222] يَوْمُنْكُمْ بِمَا يَعْمَلُهُ فِي رَدْعِ أَهْلِ
الْفَسَادِ مِنَ الْإِسْتِدَادِ وَإِنْ يَحْمِيكُمْ مِنْ أَنْ
تَصِلَ

enemy forces cannot reach and dominate you, to exert zeal and

[١-r-4323] إِلَيْكُمْ الْإِيْدِي الْمَعْتَدِيَةَ بِالْإِسْتِطَالَةِ
عَلَيْكُمْ وَالْإِمْتِدَادِ وَإِنْ يَأْخُذُ فِي كُلِّ مَا

extreme efforts in all that may contribute to giving you a good and just state. We have insisted that he take in

[٢-r-4323] فِيهِ اسْتِقَامَتَكُمْ وَصَلَاحَكُمْ بِغَايَةِ
الْجِدِّ وَالْإِجْتِهَادِ وَآكَدْنَا عَلَيْهِ فِي اسْتِيفَاءِ

and collect completely all taxes due, and that he treat you most fairly

[٣-r-4323] وَأَجَابَاتِ الْمَجَابِيِ وَأَسْتَخْرَاجِهَا
وَأَجْرَائِكُمْ مِنَ الْمَعْدَلَةِ عَلَى أَوْضَحِ مَنْهَاجِهَا
[٤-r-4323] جَامِعًا فِي ذَلِكُمْ بَيْنَ اقْتِضَاءِ الْحَقِّ
وَتَمَشِّيَةِ الرَّفْقِ وَجَدَدْنَا¹⁰⁷² لَهُ فِي إِزَالَةِ
الْمَحْدَثَاتِ

by conciliating the demands of the law and the use of clemency. We have enjoined him, to put an end to innovations,

to combat abuse and to respect the limits and signs of the Law by which His subjects worship God

[٥-r-4323] وَرَفَعَ الْمِظَالِمَ وَالْوُقُوفَ مَعَ مَا
لِلشَّرْعِ الذِّي تَعَبَّدَ اللَّهُ تَعَلَى بِهِ عِبَادَهُ مِنَ
الْحُدُودِ

on High, which is what we insist on for all those whom we appoint as governor and what we advise each to respect in his language

[٦-r-4323] وَالْمَعَالِمَ مَا لَا نَزَالَ نَحْدَهُ لِكُلِّ مَنْ
نَسْنَعْمَلُهُ وَنُوصِيهِ بِالْإِنْتِهَاءِ إِلَيْهِ فِي مَا
يَقُولُهُ

and actions. Thus, when he arrives among you with the help of God – May He be glorified – show him perfect obedience, hasten

[٧-r-4323] وَيَفْعَلُهُ فَإِذَا وَافَاكُمْ بِمَعُونَةِ اللَّهِ
سُبْحَانَهُ فَانْتَمِرُوا لَهُ أَحْسَنَ انْتِمَارٍ وَابْتَدِرُوا

to cooperate with him in the best possible way for your interests. Do not stray from the path of submission, you will receive

[٨-r-4323] لِلتَّعَاوُنِ مَعَهُ عَلَى مِصَالِحِكُمْ
أَجْمَلَ ابْتِدَارٍ وَلَا تَتَعَدُوا سَبِيلَ الْإِنْقِيَادِ فِيمَا
هُوَ

in return goodness which will bear witness to your perfect obedience and exemplary [conduct]. If God on High wills it.

[٩-r-4323] عَلَيْكُمْ بِالْخَيْرِ عَابِدٍ وَلَكُمْ بِحَسَنِ
الطَّاعَةِ وَالْإِمْتِثَالِ شَاهِدَ أَنْ شَاءَ اللَّهُ تَعَلَى

And He – May He be glorified – He will spread over your regions the shadow of security in granting success and achievement to your hopes and desires. By His grace.

[١٠-r-4323] وَهُوَ سُبْحَانَهُ يَضْفَعُ ظِلَالِ
الْأَمْنِ عَلَى أَرْجَائِكُمْ بِالنَّجْحِ وَالْيَمْنِ لِأَمْلِكُمْ
وَرَجَائِكُمْ بِمَنْهُ

Taqdīm 29: Appointment of Fulān as governor with fiscal and military attributions¹⁰⁷³

[١١-r-4323] وَفِي مَخَاطَبَةِ جُمْهُورِيَّةٍ فِي ذَلِكَ الْمَعْنَى

Collective allocution in the same sense

... Know that we welcome your land with a gaze that will smoothen all its regions and renew for it the best

[١٢-r-4323] وَإِنْ تَعْلَمُوا أَنَا نَسْتَقْبَلُ بِلَادَكُمْ
بِالنَّظَرِ الذِّي يَمَهِّدُ أَكْنَافَهَا وَيَجْدُدُ لَهَا أَحْسَنَ
مَا

¹⁰⁷² 'Azzāwī corrects with وحددنا

¹⁰⁷³ 'Azzāwī, *NLA*, t. 1, 455.

rest, tranquility, security and calm it has known, and with care for its protection,

for its defense and the complete management of its interests, in all its affairs and any situation. As a result of the

benevolent interest we grant your lands, of the protection whose shadow we extend over you, present and absent, and the defense we never cease to assure you,

we have chosen Fulān — May God perpetuate his devotion (*mabarra*) and maintain his rank and merit — to take charge of

all your financial affairs, to bring order to your fiscal¹⁰⁷⁵ matters according to the straightest path

and to liberally manage your interests, small and great. As for him,

we have seen his fine actions in all his deeds. He has distinguished himself with laudable competence and the best of qualities in

his assignments (*tanāwulāt*). His personality, functions, methods, and alliances in the past have equaled those that

merited for his predecessors in the party of Unity (*tawhīd*) noble privileges. He will pursue with you the engagements of the one whose leadership you have known,

and which has shown itself to be excellent, the one to whom you were grateful for his laudable behavior (*mithāl*) in governing your countries,

and the pleasant conduct in collecting your taxes to which you have become accustomed. We have reminded him of

God's counsel to His subjects to devote themselves to fearing Him, and to prefer that which is lawful and to avoid the rest. He has

listened to this with attention and approved of it. We have enjoined him to adopt the best possible conduct to assure the security of the land

[١٣-r-4323] عَهْدَتِهِ مِنَ الْهُدُوِّ وَالْهُدُونَ
وَالْأَطْمِئْنَانَ وَالسُّكُونَ وَالتَّعَهْدَ بِمَا يَحُوطُهَا

[١٤-r-4323] وَيَحْمِيهَا وَيَفِي لَهَا بِأَجْرَاءِ
الْمُصَالِحِ فِي كُلِّ الْأُمُورِ وَالشُّؤْنِ 1074
وَبِمَقْتَضَى مَا لَنَا

[١٥-r-4323] بِكُمْ مِنْ جَمِيلِ الْعُنَايَةِ الَّتِي
نَسْتَصْحِبُهَا فِي جُورَانِكُمْ وَالرِّعَايَةِ الَّتِي
نَضْفِي ظِلًّا

[١٦-r-4323] لَهَا عَلَى شَاهِدِكُمْ وَغَايِبِكُمْ
وَالْحَيَاةِ الَّتِي لَانزَالِ نَنُوطِهَا بِكُمْ اخْتَرْنَا
لِنَتَوَلَّى

[١٧-r-4323] اشغالكُم كلها والتقديم على اجراء
اعمالكم على اقوم سئلبها 1076 والنظر
المطلق 1077

[١٨-r-4323] فِي أَكْثَرِ مُصَالِحِكُمْ وَأَقْلَاهَا فَلَانَ
وَصَلَّ اللَّهُ مَبْرَّتَهُ وَوَالِي مَكَانَتِهِ وَحِظُوتِهِ وَهُوَ

[١٩-r-4323] الَّذِي بَانَ جَمِيلَ أَثَرِهِ فِي كُلِّ
التصرفات وتميز من حميد الغناء في
التناولات بأحسن

[٢٠-r-4323] الصفات وتناسبت ذاته وخدمه
ووسايله وذممه في السوابق التي

[٢١-r-4323] اوجبت لسلفه في حزب التوحيد
كريم المزيات وانه ليوافيكُم منه من عرفتم

[٢٢-r-4323] ادارته التي حسنت قبل فيكم
وشكرتم متا... 1078 الحميد في ضبط
نواحيكم

[١-v-4423] والفتم سياسته المشكورة في
استخراج مجابيكُم وقد القينا له من الوصايا
التي

[٢-v-4423] وصى الله بها عباده من التزام
تقواه وإيثار الحق واجتناب سواه ما هو

[٣-v-4423] متلقية بالاسماع والاصغاء وحددنا
له ان يسير في تامين البلاد وكف

1074 'Azzāwī: والشؤون.

1075 As in the preceding *taqdīm*, the mention of duties and taxes seems to justify associating *a' māl* and *ashghāl* with fiscal and financial matters.

1076 'Azzāwī: سئلبها.

1077 Partially erased word. 'Azzāwī proposes المطلوب, but a dot over the line negates this hypothesis. El Aallaoui contributed generously to this reading.

1078 Word erased.

and to stop the party of evil and corruption, to be he who carries out good, with clear-sightedness, in his words

and deeds; that he not close his eyes before the criminal, and that, with eagerness, he not stray from good by giving himself over,

publicly or privately, to corruption, so that virtue will be desirable and the masses most firmly

take up the just and lawful path. In addition, he must collect completely taxes on goods and not postpone beyond the appointed deadline

the payment of duties owed to God, no matter what they may be. He will proceed with

clemency though without letting it be forgotten that his objective is to collect taxes in full. Thus, when he arrives

among you, rejoice that we have chosen and named him to lead you. Obey him in a way that

allows him to fully receive what you owe. Submit yourselves absolutely to what he says in

all circumstances. Be as one hand united to submit to orders that concern your rights and duties. In return,

you will all be collectively rewarded, and this will fulfill your desires by bringing peace to your souls

and tranquility to your hearts and will strengthen the improvement of all your affairs. If God on High wills it...

[٤-v-4423] اهل الشر والفساد احسن سيرة

وان يكون من يجرى الاصلاح قولاً وعملاً

[٥-v-4423] على البصيرة ولا يغضه عن ذمة
جريرة ولا يدفع لحنه عن معروف بمجاهرة

[٦-v-4423] في الفساد او سريرة حتى يكون
الصلاح محباً للقلوب ويسلك الجماهير

[٧-v-4423] في السداد والاستقامة على اقوم
اسلوب ويقتضه مع ذلك الواجبات

[٨-v-4423] في الاموال او عب اقتضاء ولا
يوخر حقاً من حقوق الله عن محل اداء
ويتولى

[٩-v-4423] ذلك من الرفق بما لا يخل

بمقصود استخراج اللجبايات واستيفاء فاذا
واقاكم

[١٠-v-4423] فلنسرروا بتخيره لكم وتقديمه

عليكم ولتكونوا من الطواعية على اتم ما

[١١-v-4423] يصل به لاستيعاب حق لديكم

ولتتقادوا في كل احوالكم احسن انقياد لم

[١٢-v-4423] يلقيه اليكم ولتكونوا يدا واحدة في

الانتمار في ما لكم وعليكم فذلكم

[١٣-v-4423] بالخير عابد [على] 1079 عامتكم

وجمهوركم وسابق لكل ما تحبون من ابتهاج
نفوسكم

[١٤-v-4423] وانتشراح صدوركم ومؤكد لما

تصلح به جميع اموركم ان شاء الله تعالى

**Taqdīm 30: Appointment written in Fulāna, end
of ramaḍān 635 / May 1238, of a governor
(wālī) in Algésiras by Ibn Hūd al-Mutawakkil
(Complete act)¹⁰⁸⁰**

[١٥-v-4423] مُخَاطَبَةٌ أُخْرَى فِي ذَلِكَ

Another allocution on the subject

To the *shaykhs*, jurisconsults, viziers, notables, nobles (*al-ḥusabā*), familiars, those who are faithful,

[١٦-v-4423] الى الاشياخ والفقهاء والوزراء

والاعيان والحسباء الاولياء الخلاء

¹⁰⁷⁹ Correct addition by ‘Azzāwī. The scribe seems to have made an error and written ‘*alay-kum*, because it is added between the *lām* and *kāf*, *mīm* and *tā*’ to form ‘*āmmati-kum*.

¹⁰⁸⁰ ‘Azzāwī, *NLA*, t. 1, 456-457. Ibn Hūd was assassinated at the end of jumādā I 635/December-January 1237-1238 by Ibn al-Ramaymī, master of Almería. Ibn al-Aḥmar had sworn allegiance to Ibn Hūd before joining the Almohads and entering into conflict with Ibn Hūd in 635, when he took Granada.

sincere, wise, known for the rightness of their doctrine and the nobility of their intentions,

[١٧-v-4423] الصُّرْحَاءُ الْإِعْلَامُ الْمَعْرُوفِينَ
بِسَدَادِ الْمَذَاهِبِ وَشَرَفِ الْإِنْحَاءِ وَالْكَافَةِ
الْمَعْتَمِدِينَ

and to all those in the population of Algeciras and all its districts who are charged with protecting its flanks and making its lands pleasant.

[١٨-v-4423] بِحِفْظِ الْجَوَانِبِ وَتَمْهِيدِ الْإِرْجَاءِ
مِنْ أَهْلِ الْجَزِيرَةِ الْخَضْرَاءِ وَجَمِيعِ
أَنْظَارِهَا

May God assure them always a healthy situation and the accomplishment of their hopes and may He allow them to know matters in good order and

[١٩-v-4423] إِدَامَ اللَّهِ صِلَاحَ أحوَالِهِمْ وَنَجَاحِ
أَمَالِهِمْ وَعَرَفَهُمْ أَنْتِظَامَ أُمُورِهِمْ وَأَمْنِيَّةِ

secure domains. Peace. After which, we praise God, the unique victor and we offer Him grace for His favors

[٢٠-v-4423] حَلَالِهِمْ سَلَامًا أَمَا بَعْدُ فَاِنَا نَحْمَدُ
اللَّهَ الْغَالِبَ وَحْدَهُ وَنَشْكُرُهُ عَلَى فَضْلِهِ

whose numbers nor limits we will never know.¹⁰⁸¹ We call for his benediction of our lord **Muhammad**, His elected messenger who

[٢١-v-4423] الَّذِي لَنْ نَحْصِرَهُ وَلَنْ نَعْدَهُ¹⁰⁸²
وَنُصَلِّيَ عَلَى سَيِّدِنَا مُحَمَّدٍ رَسُولِهِ
الْمُصْطَفَى الَّذِي

transmitted His warnings and promises, on his family and his generous companions who, in the proclamation of the religion of Islam, carried out his plan by proclaiming the religion

[٢٢-v-4423] بَلَّغَ وَعِيْدَهُ وَوَعْدَهُ وَعَلَى ءِأَالِهِ
وَصَحْبِهِ الْكِرَامِ الَّذِينَ وَقَفُوا فِي أَظْهَارِ دِينِ
الْإِسْلَامِ

of Islam. We ask Him to grant the Abbasid *imām*,¹⁰⁸³ prince of the believers who received the sword, staff and mantle of

[١-r-4524] قَصْدَهُ وَنَرْضَى عَنِ الْإِمَامِ
الْعَبَّاسِيِّ أَمِيرِ الْمُؤْمِنِينَ الَّذِي أَحْرَزَ حَسَامَ
ابْنِ عَمَّةِ رَسُولِ

God's messenger, his (paternal) cousin. This is what we write about Fulāna¹⁰⁸⁴ — May God have written for you the successions of this lovely favors and He places you

[٢-r-4524] اللَّهِ وَقَضِيْبِيْهِ وَبَرْدَهُ فَاِنَا كَتَبْنَا
كُتُبَ اللَّهِ لَكُمْ أَطْرَادَ الصَّنْعِ الْجَمِيْلِ وَسَلَكَ
بِكُمْ

on the obvious path that will allow you to know happiness and grace. And we are victorious, thanks to God on High, over the enemies of His religion

[٣-r-4524] فِي تَعْرِفِ الْيَمَنِ وَالْمَنْ عَلَى
وَاضِحِ السَّبِيْلِ مِنْ فَلَآنَةِ وَنَحْنُ نَغْلِبُ بِاللَّهِ
تَعَلَى أَعْدَاءِ دِيْنِهِ

and we ask His aid and His help to complete what His power and force [bring us]. We beseech Him in carrying out

[٤-r-4524] وَنَسْتَمُدُّ مِنْ عَوْنِهِ وَأَنْجَادِهِ مَا
يُوفِيْ أَكْمَلَ عَوَائِدِ تَأْيِيْدِهِ وَتَمْكِيْنِهِ
وَنَسْأَلُهُ¹⁰⁸⁵ أَنْ يَعْطِقَنَا

His plan and proclaiming His Truth to fix us to His strong and solid cord which he ordered us to grasp.¹⁰⁸⁶

[٥-r-4524] فِي إِقَامَةِ أَمْرِهِ وَأَظْهَارِ حَقِّهِ بِقُوَى
حَبْلِهِ الَّذِي أَمَرَ بِالْأَعْتَصَامِ بِهِ وَمَتِيْنِهِ¹⁰⁸⁷
وَلَدِيْنَا

¹⁰⁸¹ Reference to Koran 14:34: “And He giveth you of all that ye ask for. But if ye count the favors of God, never will ye be able to number them. Verily, man is given up to injustice and ingratitude”.

¹⁰⁸² Reference to Koran 14:34: وَأَتَاكُمْ مِنْ كُلِّ مَا سَأَلْتُمُوهُ وَإِنْ تَعَدُّوا نِعْمَتَ اللَّهِ لَا تُحْصُوهَا إِنَّ الْإِنْسَانَ لَظَلُومٌ كَفَّارٌ.

¹⁰⁸³ Abū Ja‘far al-Manšūr al-Mustanšir bi-Llāh (623-640/1226-1242).

¹⁰⁸⁴ ‘Azzāwī suggests Murcia, Ibn Hūd’s capital.

¹⁰⁸⁵ ‘Azzāwī: ونسأله.

¹⁰⁸⁶ Reference to Koran 3:103: “And hold fast, all together, by the rope which God (stretches out for you), and be not divided among yourselves; and remember with gratitude God's favour on you; for ye were enemies...”

¹⁰⁸⁷ Reference to Koran 3:103: . وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا وَاذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ إِذْ كُنْتُمْ أَعْدَاءً .

In the rightness of the watch we maintain continuously over your affairs and in the meditation over what will bring you all, the

[٦-r-4524] من استصحاب النَّظَرِ الاسد في اموركم واعمال الخاطر في ما يعود بعاجل الخير

elite and the masses, immediate or delayed happiness, we hope there is something that will bring you a new era, that will shelter you

[٧-r-4524] وءاجله على خاصتكم وجمهوركم ما نرجو ان يعيد اليكم جدّة الزمان ويؤويكم

under the wing of security, and will spread over you the shadow of justice and beneficence (*al-ihsān*).¹⁰⁸⁸ May God allow us to know, us and you, the happiness of this

[٨-r-4524] كنف الامان ويفيض عليكم ظل العدل والاحسان¹⁰⁸⁹ والله يعرفنا واياكم يمن هذا

Plan and lead us on the path of guidance and righteousness, by His grace. In accordance with the consideration we have for your rank

[٩-r-4524] القصد ويسلك بنا سنن الهدى والرشد بمنه وبحسب اعتناينا بمكانكم

and with our action (*i'timāli-nā*) to make your land pleasant, we have chosen, to govern your interests and defend your [countries], near and far,

[١٠-r-4524] واعتمالنا في تمهيد اوطانكم تخيرنا لولاية مصالحكم وحماية دانيتكم ونازحكم

someone whom we could not have not chosen and of whom we know only noble efforts and lovely achievements.

[١١-r-4524] من لم يعدّه الاختيار ولم تعرف منه الا المساعى الجميلة والاثار ذلكم خاصتنا

It is Fulān, our close friend – May God assure him always glory and perpetuate his worth. In assigning him to you we are giving you in exclusivity one who is unique for us

[١٢-r-4524] فلان وصل الله عزته وادام أثرته وما خصصناكم منه الا بالاخص لدينا

and who deserves to be our closest friend. He and his devoted father were among the first to join (*sābiqa al-sawābiq*)

[١٣-r-4524] والأحقّ بمزية القرب الينا فهو الذى له ولايبه المبرور سابقة السوابق ومكا

and they have a rank worthy of pure loyalty and sincere belief. We have communicated to him advice that he will respect

[١٤-r-4524] نة الولاى الخالص والاعتقاد الصادق وقد انهينا اليه من الوصايا ما يوفيه

to assure well-being for all your regions and to make them pleasant. We have enjoined him to manage your affairs so that you will always enjoy

[١٥-r-4524] في جميع جهاتكم اصلاحا لها وتمهيدا والزمناه من اقامة مهماتكم ما لا تعدمون

an excellent situation and correct orientation. With him you will receive one who will act according to the lawful paths of his appointment

[١٦-r-4524] معه حالاً حسنة وقصدًا سديدا وستلقون منه من يجري على سنن التّعبيّٰن وسبيله

and will accomplish work in harmony with the nobility and authenticity of his origins. Thus, when he arrives among you, be worthy of our choice

[١٧-r-4524] ويوفى ما يليق بصمم¹⁰⁹⁰ حسبه وأصيله فاذا وافاكم فاقدروا قدر ايثارنا

¹⁰⁸⁸ Reference to Koran 16:90: "God commands justice, the doing of good" (*inna Llāha ya'muru bi-l-'adli wa-l-ihsāni*).

¹⁰⁸⁹ Reference to Koran 16:90: *إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ* .

¹⁰⁹⁰ 'Azzāwī corrects with بصمم.

for you. The choice among our illustrious familiars and our appointment [of Fulān] to lead you fall on one with noble ancestors

[١٨-r-4524] لَكُمْ مِنْهُ فَائِزٌ أَوْلِيَايُنَا الْجَلِيلَةُ
وَتَقْدِيمِنَا عَلَيْكُمْ مِنْهُ لِمَنْ اسْتَظْهَرَ بِالسَّلْفِ
الْأَشْرَفِ

and who [sets himself apart] by his sense of responsibility. Know that he is a sign of our great care for your lands and the sincere friend

[١٩-r-4524] وَالذَّاتِ الْمُسْتَقَلَّةِ وَاعْلَمُوا أَنَّهُ
عِنْوَانُ عَنَايَتِنَا الْحَافِلَةَ لِحَوَانِكُمْ وَالْخُلْصَانَ

whom we have judged apt to make your regions pleasant and to guide your conduct. Do not deny him your counsel and your efforts in any

[٢٠-r-4524] الَّذِي أَهْلَنَاهُ لِمَهْيِدِ جِهَاتِكُمْ
وَتَسْدِيدِ مَذَاهِبِكُمْ فَلَا تَغْبُوهُ نَصْحًا وَجِدَا فِي
كُلِّ

Circumstance. Be satisfied with his government which will assure you a regular

[٢١-r-4524] الْإِحْوَالَ وَلِتَسْتَشْعِرُوا مِنْ
الْإِغْتِبَاطِ بَوْلَايَتِهِ مَا يَقْضِي لِلْخَيْرَاتِ لَدَيْكُمْ
بِالْإِلَّا

flow of kindness and bring for you from us measures that will allow you to know

[٢٢-r-4524] طَّرَادِ وَالْإِتِّصَالِ وَيُوجِبُ لَكُمْ
التَّعْهَدَ مِنَّا بِالنَّظَرِ الَّذِي تَسْتَقْبِلُونَ بِهِ
الصَّلَاحَ

complete and absolute peace, if God on High wills it. And He – May He be glorified – He will allow you to find happiness in this appointment

[٢٣-r-4524] الشَّامِلِ كُلِّ الْإِسْتِقْبَالِ إِنْ شَاءَ اللَّهُ
تَعْلَى وَهُوَ سُبْحَانَهُ يَسْعِدُكُمْ بِهَذَا التَّقْدِيمِ

and He will multiply for you abundant shares of His favors and kindness. By His grace. May peace and honor be upon you,

[١-v-4624] وَيَضَاعِفُ قِسْمَكُمْ مِنَ الصَّنْعِ
الْجَمِيلِ وَالْمُنْحِ الْجَسِيمِ بِمَنَّةِ وَالسَّلَامِ الْكَرِيمِ
عَلَيْكُمْ

as well and God's mercy and His benedictions. Written at the end of the glorious month *ramaḍān*, the year 635.

[٢-v-4624] وَرَحْمَةِ اللَّهِ وَبَرَكَاتِهِ كُتِبَ عَقِبَ
شَهْرِ رَمَضَانَ الْمَعْظَمِ سَنَةِ خَمْسٍ وَثَلَاثِينَ
وَسِتْمِائَةَ

Taqdīm 31: Appointment of a governor with military attributions¹⁰⁹¹

[٣-v-4624] وَفِي الْمَعْنَى

Same subject

... This is what we write – May God have written for you and your situation uniform order and reconciliation and may he grant you abundant shares of the kindness (*‘awārif*)

[٤-v-4624] وَأَنَا كَتَبْنَاهُ كَتَبَ اللَّهُ لَكُمْ
وَلِأَحْوَالِكُمْ انْتِظَامًا وَالتَّوْبَهُنَّ وَأَخْلَصَكُمْ أَجْزَلَ
عَوَارِفِ

of His assistance (*tawfiq*) and His guidance (*tasdīd*). Know that we watch over you, the masses and the elite (*khāssat^{am} wa jumhūr^{am}*),

[٥-v-4624] التَّوْفِيقِ وَالتَّسْدِيدِ أَقْسَامًا □ وَإِنْ
تَعْلَمُوا أَنَا نَعْتَمِدُكُمْ بِالْإِعْتِنَاءِ الْكَرِيمِ خَاصَّةً

with generous attention. Our benevolent watch over you rejoices your eyes and expands your chests.

[٦-v-4624] وَجَمْهُورًا وَنَصْرَفُ الْيَكْمِ مِنْ
النَّظَرِ الْجَمِيلِ مَا يَقْرُ مِنْكُمْ عِيونًا وَيُشْرِحُ
صَدُورًا ○

¹⁰⁹¹ ‘Azzāwī, *NLA*, t. 1, 458.

As a result, we have appointed Fulān to take charge of your affairs as well as possible with the most just decisions, to put to work	[^{Y-v-4624}] وبمقتضى ذلكم قدمنا فلانا ليتولّى اموركم بالنظر الاسدّ أحسن تولّى ويمضى
arbitration that follows the best opinions in managing your interests, to lead you in the service	[^{٨-v-4624}] في مصالحكم ما يؤدّى الرأى الانجح اليه من عقد وحلّ وياخذ بكم في خدمة
of this Power along paths that will give you rapid access to its familiars (<i>awliyā</i>), that will guarantee you a sure protection	[^{٩-v-4624}] هذا الامر بالمناحه التي تقربكم الى اوليائه زلفى وتعتقد لكم في الاختصاص
and alliance within its intimacy and the company of its faithful companions, and that will cause you to benefit	[^{١٠-v-4624}] به والانتظام في خلاصه حرمه اكيدة وحلّفا وتدبر عليكم احسانه
in abundance (<i>khilf^{an} fa-khilf^{an}</i>) from its universal kindness and immense favor. He is one – May God exalt your worth – whose competence has been manifest each	[^{١١-v-4624}] العميم وافضاله الجسيم حلّفا فجّلّفاً وهو اعزكم الله من بان غناؤه في كل
time we have entrusted or employed him. His laudable manners and his excellent character have adorned him	[^{١٢-v-4624}] ما يتولاه على تردّد التصريف له والاستعمال وازدان في جميع تصرفاته
in all his responsibilities and all circumstances. He has received useful advice and general directives to carry out	[^{١٣-v-4624}] وتقلباته بحميد المذاهب وجميل الخلال وقد تلقى من الذكر النافعة والوصايا
all his enterprises and projects and by applying them to demonstrate enthusiasm and a sense for	[^{١٤-v-4624}] الجامعة ما يجرى عليه محاولاته كلها واعماله ويبذل في العمل به انتهاضه وا
Responsibilities. Thus, place yourselves at his service in this land to drive away enemies and the party	[^{١٥-v-4624}] ستقلاله فاخدموا معه في تكلم البلاد الخدمة التي تردع عنها اهل الاعتداء
of corruption, to bring it back to a situation of normal righteousness and justice. Show him	[^{١٦-v-4624}] والفساد ونوفى ¹⁰⁹² احوالها معهود الاستقامة والسداد وانقادوا اليه
perfect obedience in all that he entrusts to you. Be as one hand united to help and	[^{١٧-v-4624}] في كل ما يحملك عليه اتم الانقياد وكونوا يداً واحدة في الاعانة له على
assist him in all matters. Continue thus so that the esteem you enjoy from us	[^{١٨-v-4624}] جميع المصالح والانجاد واستمروا من ذلكم على ما يقضى لحظوظكم من
will grow, so that your hopes may count on our help and assistance,	[^{١٩-v-4624}] الحظوة لدينا بالازدياد ويعتمد ءامالكم منا بالاسعاف والاسعاد

¹⁰⁹² وتوفي 'Azzāwī corrects with

so that we will count your actions among those that will receive praise and approval, and so that we may confirm recognition

[٢٠-v-4624] ويعرض أعمالكم علينا في عدد
المستحسن المستجاد ونؤكد¹⁰⁹³ ما لكم
الينا من

of serious and zealous pacts in our service. If God on High wills it. And He – May He be glorified –

[٢١-v-4624] ذم الجد في الاجتهاد
ان شاء الله تعالى وهو سبحانه يستعملكم

He will use you to collaborate in the best deeds and will grant you happiness, now and in the future, through the fear He inspires in you.

[٢٢-v-4624] في التعاون على الاصلاح من
الاعمال ويمنحكم بنقواه سعادة الحال
والمال

By His grace.

[١-r-4725] بمئه ○

Taqdīm 32: Appointment of a governor to reestablish order¹⁰⁹⁴

○ تقديمٌ آخِر

Another appointment

... May God have written for you fortuitous understanding for all of your interests and hastened searching for all that may give you

[٢-r-4725] كتب الله لكم اتفاقا على مصالحكم
الجامعة واستباقا لما يعرض عليكم من

useful indications. Know that we generously grant you our greatest attention and that we cast

[٣-r-4725] الذكر النافعة □ وان تعلموا انا
نحظكم من جميل الالتفات بحظ وافر
ونصرف

a beneficial watch over your situation, one that rejoices your soul and causes you all to shed tears of joy. Despite our

[٤-r-4725] اليكم من النظر المحسن لآحوالكم
ما يبهب منكم كل نفس ويفر كل ناظر
ونتعهدكم

distance, we take care in obtaining for you whatever appeases the hearts and minds of each of you, because you are a part of those servants who came near

[٥-r-4725] مع الاناء بما يسكن منكم كل بال
وخاطر ذلكم لانكم من الخدماء الذين تقربوا

through the truth of their effort and zeal and whose haste to accomplish the service we command of them bespeaks

[٦-r-4725] بصدق جدهم واجتهادهم ويدل
تسرهم الى الخدم التي بها يومرون على

the sincere attachment and faith they have for this eminent Power. May God on High guide you along

[٧-r-4725] خالص ولايهم لهذا الامر العلى
واعتقادهم والله تعالى يسلك بكم في كل
ذلكم

the paths of the lawful path and shelter you under cool shade by lavishing [on you] His favor and mercy, by his Grace.

[٨-r-4725] على سبل السبيل ويؤويكم من
تسوغ النعمى والرحمى الى الظل الظليل
بمئه

Thus, after having asked the help of God on High, we have appointed Fulān to [lead] you. He is among those who have distinguished themselves with great competence

[٩-r-4725] وانا قدمنا عليكم بعد استخارة الله
تعالى فلانا وهو ممن تميز بحسن الغناء
وسداد

¹⁰⁹³ 'Azzāwī corrects with ويؤكد.

¹⁰⁹⁴ 'Azzāwī, *NLA*, t. 1, 459.

and just orientations. We have chosen him to manage your important affairs and to adopt at all times the best measures

[١٠-r-4725] الانحاء فاخترناه لينظر في مصالحكم ومهماتكم ويتعهدكم بحسن السيرة

to take care of you. We have advised him to fear God, which is the foundation of any virtuous action, and, as a result, to take

[١١-r-4725] في كل اوقاتكم وقد وصينا بتقوى الله التي هي اس كل عمل صالح وان يسلك

the obvious lawful path in all his endeavors. We have insisted that he manage your affairs [by conciliating] the law

[١٢-r-4725] منها في كل محاولاته على سنن واضح واكدنا عليه في ان يجرى امورككم على الحق

and clemency, that he not stray from the lawful path with you, that he be severe enough with evil ones to prevent them from

[١٣-r-4725] والرفق وان لا يعدل فيكم عن اقوم الطرق وان يشتد على اهل الشر بما يزرهم

doing evil and act with them in conformity with the Law. Thus, when he arrives among you with the help of God on High,

[١٤-r-4725] عن شرهم وياخذ بمقتضى الشرع في امرهم فاذا وافاكم بمعونة الله تعالى

bring him all possible support to carry out this advice, be with him as one hand united in all

[١٥-r-4725] فأعينوه على اعمال هذه الوصايا كل الاعانة وكونوا معه يدا واحدة فيما

he asks of you, whether for secular or religious affairs. Persevere in serving what will increase our attention and

[١٦-r-4725] يحملكم عليه من مصالح الدنيا والديانة واستمروا في الخدمة على ما يزيدكم منا

benevolence for you. Show perfect obedience and in return you will merit a share of ever more

[١٧-r-4725] التفاتاً واعتناءً واطهروا من حُسن الطاعة ما يوجب لقسم الخيرات لديكم وفورا ونماءً ان شاء الله تعالى

abundant riches. If God on High wills it...

Taqdīm 33: Appointment of a governor to reestablish order in a region¹⁰⁹⁵

⊙ [وفي تَقُّ دِيمٍ ءَاخَرَ ⊙] [١٩-r-4725]

Another appointment

[We know only]... those good things that spread like clouds and the well-being that flows like a long tranquil river. Because of the privileged attention we pay you

[٢٠-r-4725] الأ خير المنهل الرباب واليسر المنسدل الاطناب وانا لما نوثره من النظر لكم ونتو

and the fact that we must choose someone who will invest it with your affairs, we have appointed Fulān, who has long been a servant [of the state], a loyal being whom

[٢١-r-4725] خاه من تخير من نقلده شغلکم قدمنا فلاناً وهو الخديم القديم والناصح الذي

we have sought out and whose company we have kept because of his excellent nature, someone who His Presence has raised in the lap of his guardianship,

[٢٢-r-4725] نستصحب حسن الطوية ونستديم ومن (ربته الحضرة)¹⁰⁹⁶ في حجر كفالته وضرجه المهذب

¹⁰⁹⁵ 'Azzāwī, *NLA*, t. 1, 460.

¹⁰⁹⁶ Hole in the manuscript the equivalent of two words. 'Azzāwī's proposal for the first word is plausible, but not the second (presence of *sukūn* two dots twice at the end).

that was cast into the shadow of his power, refined of all suspicion. He has ancestors who were faithful in the service [of the state], deserving of praise and favors,

spending all of their energy and possible deeds in the service of this power. We have advised him, and he is one to follow

Advice, to do everything necessary to establish peace, to fly once again the banners of the world and those of religion, and to bring you back

to the rules of divine law and the custom of pastoral care. Reserve a joyful and warm welcome for him, and act with him

with respect and loyalty. May you feel the improvement that his government will bring, for he has a just religion and noble character.

We have reserved him for you and no other. Give thanks to God on High for this favor. May God carry him, and you with him,

along the straightest path, and may He not deny you, neither you nor him, enduring goodness and eternal comfort...

[¹-v-4825] الأريب في ظل أيايتها وله السلف

الأكيد الخدمة الخليق بشكر النعمة المفنى في

[²-v-4825] خدمة هذا الأمر العالِ وسع الطاقة

وممكن الهمة وقد وصيناه وهو العامل

[³-v-4825] بالوصية بالسعى في التهدين

والاحياء لمعالم الدنيا ومعالم الدين وردكم الى

[⁴-v-4825] القانون الشرعى والذيدن 1097

المرعى قتلوه تلقى جزلٍ ومسرة وعاملوه
معاملة

[⁵-v-4825] اكرام ومبرة واستشعروا الصلاح

بتوليته فله الدين الصحيح والشيمة الحرة

[⁶-v-4825] وقد اثرناكم به على سواكم فاشكروا

الله تعالى على هذه الاثرة والله يحمله واياكم

[⁷-v-4825] على السنن الاقوم ولا يخليكم واياه

من الخير الابقى واليسر الاذوم □

Taqdīm 34: Appointment of Fulān to lead the temporal affairs of a region and practice ḥisba there¹⁰⁹⁸

□] وفي تقديمٍ آخر □ [⁸-v-4825]

Another appointment

After the preamble (*ṣadr*) ... This is what we write – May God have written for you a decision whose choice suits you and matches [your situation] through the preference he gives [you] and the affection he

brings [you]. We have appointed Fulān to govern you and therefore manage your temporal affairs (*masā'ila-kum al-dunyawiyya*)¹⁰⁹⁹ as well as possible,

that he may follow the most rightful approach to your disagreements, that he bring justice to the weak from the strong when matters are obvious

and that he never stray from the straight path in all that he undertakes (*fī mutanāwalāti-hi*).

[⁹-v-4825] بعد الصدر □ فكتبناهُ كتب

الله لكم نظراً يوافقكم اختياره ويطابقكم
استحبابه

[¹⁰-v-4825] وايتاره وقد قدمنا عليكم

فلانا لينظر في مسألكم الدنيوية احسن
النظر

[¹¹-v-4825] ويسير في ما بينكم اعدل

السير وياخذ بالحق اذا تبين للضعيف

من القوى

[¹²-v-4825] ولا يحيد في متناولاته كلها

عن المنهج السوى ووصيناه بتقوى الله
تعالى فهي

¹⁰⁹⁷ 'Azzāwī corrects with والدين.

¹⁰⁹⁸ 'Azzāwī, *NLA*, t. 1, 461.

¹⁰⁹⁹ Affairs "of the world", that is civil, secular matters, with the military domain, everything that is not religious.

a sure travel provision and laudable behavior in public assemblies (*fī l-andiya*). [١٣-v-4825] العدة المسجبية والسيرة المشكورة في الاندية وامرناه بالامر بالمعروف والنهي

We have ordered him to advocate good, to prohibit evil and annihilate the traces of corruptors and corruption to the point of erasing all memory and recollection of them. Thus, when he arrives among you – If [١٤-v-4825] عن المنكر ومحو آثار المفسدين والفساد حتى لا تذكر ولا يذكر فاذا وافاكم ان شاء

God will it – help him to accomplish these virtuous objectives, be with him in the affairs he undertakes [١٥-v-4825] الله فاعينوه على تمشية هذه الاغراض المبرورة وكونوا له فيما يمضيه من المصالح

like the spirit [breathed] into the form. Be united, for in union resides all benediction, avoid discord, for in discord is the source of all [١٦-v-4825] كالروح للصورة واتفقوا ففي الاتفاق كل بركة ولا تختلفوا فمع الاختلاف كل

Perdition, and we will closely follow your situation and his and we will reward accordingly the favorable welcome both you and he will reserve [١٧-v-4825] هلكة ونحن نتفقد احوالكم وحواله ونكافئ بالواجب اقبالكم على هذا الرسم

for this intangible decree. If God on High wills it... [١٨-v-4825] المحدود واقباله ان شاء الله تعالى □

Taqdīm 35: Appointment of Fulān as governor (identical to taqdīm n° 44)¹¹⁰⁰

وَفِي تَقْدِيمِ دِيمِ آخَرَ [١٩-v-4825] Another appointment

...May God have written for you a decision that responds to your expectations and a choice to improve your countries (*ufuqi-kum*) (...)¹¹⁰¹. [We recognize] good only by the generous clouds [that accompany it] [٢٠-v-4825] كتب الله لكم نظراً يقع بوفقكم واختياراً يصلح من افقكم الا الخير الهامى السحاب

and well-being by the swords that protect it. Praise be to God: may that assure [us] [His] uninterrupted grace and [His] renewed favors. [٢١-v-4825] واليسر الحامي القواضب والحمد لله¹¹⁰² حمداً تكفل بالمن المتصل والفضل المتعاقب وقد

We have decided to name Fulān to direct your interests (*maṣālih*) and protect your routes and pastures, to take care [١-r-4926] راينا ان نقدم فلانا للنظر في مصالحكم والذب عن مساركم ومسارحكم والاشتغال

of your affairs, important and insignificant, to move forward with all your problems, with your elites and your masses (*bi-muhimmātī-kum wa khāṣṣatī-kum*). [٢-r-4926] بالدقيق والجليل من أموركم والانتهاض بمهماتكم وخاصتكم وجمهوركم وهو

¹¹⁰⁰ ‘Azzāwī, *NLA*, t. 1, 462. Text identical to letter 44

¹¹⁰¹ Completed with *taqdīm* 44 by *wa lā muta‘arraf illā*.

¹¹⁰² Both words are illegible.

His effectiveness and aptitudes have been proven, his zeal and competence confirmed through experience. We have had only praise for this work

[³-r-4926] المَجْرَبُ اضْطِلَاعُهُ وَاكْتِفَاؤُهُ
والمختبر انتهاضه وغناؤه المشكورة
قديمًا

and decisions, both in the past and recently. He is a man who strays neither to the right nor to the left from the virtuous behavior that garners

[⁴-r-4926] وحديثًا مساعيه كلها وانحأؤه
ومن لا يحرم يمينًا ولا شمالاً عمًا
نوثره من السيرة

our favors and preference. His high deeds and what we know of him, present and absent, have always received our approval.

[⁵-r-4926] الحسنة ونشأؤه ولا تزال واقعة
بالؤفق غيبية وحضرة آثاره وانباؤه ولا

His counsel and remarks are hardly necessary [to know] his seriousness, his zeal and the fact that he is above any suspicion (*bu'd 'an mazānn*) of prevarication (*al-ta' aqqub*) or corruption (*wa l-intiqād*).

[⁶-r-4926] يزيده على ما عنده من الجِد
والاجتهاد وأبعد عن مظانّ التعقّب
والانتقاد

Recognize the privilege we are granting you with his [appointment]! Through your excellent behavior towards him, help him in

[⁷-r-4926] تنبيهه وايصأؤه فاعرفوا قدر
ايثارنا لكم به واعينوه على مقصده من
حسن

his objectives and actions. Act, each of you, as the law imposes and requires to cause good to appear and evil to

[⁸-r-4926] المعاملة ومذهبه واعملوا
جميعًا في اظهار المعروف واخفاء
المنكر بالزم حق

Disappear. And God will help you, both you and him, and will prolong your life through the respect and fear [He inspires in you] in all circumstances...

[⁹-r-4926] واوجبه والله يعينكم واياه
ويمدكم بمراقبته في كل الأحوال وتقواه

□

Taqdīm 36: Confirmation of a governor (wālī) after a complaint probably concerning his management of the Treasury (makhzan)¹¹⁰³

[¹⁰-r-4926] □] وَفِي إِفْرَارِ وَالٍ وَالِاسْتِنَامَةِ إِلَيْهِ فِي كُلِّ حَالٍ □

Confirmation of a governor and of the confidence placed in him in all circumstances

...May God on High assure always with security and health the organization of their land and may at all times and in all circumstances He lavish on them the signs

[¹¹-r-4926] ادام الله تعالى بالامنة والعافية
تمهيداً أوطنائهم ووالى لديهم عوارف نعمة
[¹²-r-4926] ولطائف رحمة في كل أحوالهم
وأحيانهم □ وهذا كتابنا اليكم كتبكم الله
تعالى

of His favor and the kindness of His mercy. This is the letter (*kitābu-nā*) we address to you – May God on High have enrolled you

among those whose public or hidden actions converge on good and the fear [of God]¹¹⁰⁴ and whose searching and conviction come together to prefer

[¹³-r-4926] ممن تلاقى على البر
والتقوى¹¹⁰⁵ اعلانه واسراره وتوالى في
ايثار السعى الاجمل

¹¹⁰³ 'Azzāwī, *NLA*, t. 1, 463-464.

¹¹⁰⁴ Reference to Koran 5:2: "Help ye one another in righteousness and piety" (*wa ta'āwanū 'alā l-birri wa-l-taqwā*).

¹¹⁰⁵ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى.

the most beautiful and pleasing efforts. Know well that we take great care of your land's interests – May God on High	[١٤-r-4926] الارضى ايقانه واستبصاره وان تعلموا علم يقين انا بمصالح بلادكم حاطها الله
defend it – that we favor everything that improves your situation and causes your hopes to blossom, that you are the first [to	[١٥-r-4926] تعلق معتنون ولكل ما فيه صلاح احوالكم ونجاح ءامالكم منتنون نقدمكم في
benefit] from all our benevolent actions, that we start with you in the measures we ceaselessly and permanently take to defend the land and its inhabitants,	[١٦-r-4926] كلّ نظر جميل نعمله ونبداءُ بكم في ما نواليه من الحياطة للبلادِ وأهلها ونصله
and that we remember your haste to obey and join the community (<i>jamā'a</i>) so much so that we are neither ignorant	[١٧-r-4926] ونحضر ذكر ابتداركم الى الطاعة والانتظام في الجماعة فلا نهمل الرعى المستصحب
nor negligent of the duty it imposes on us to protect you at all times. As a result, we ceaselessly seek to know exactly your affairs	[١٨-r-4926] له مع الاناء ولا نغفله وبمقتضى هذا نتعهدكم بحفى السؤال عن شئونكم ¹¹⁰⁶
and bring you at all times the support of our generous attention that will shower you with happiness and will cause you to shed	[١٩-r-4926] ونعتمدكم من كريم الالتفات في كل الاوقات بما يحسبكم ابهاجا لنفوسكم واقرارا
tears of joy. By the glory of God, your affairs and the situation of your elite and masses will know	[٢٠-r-4926] لعيونكم ولن تتعرف بحمد الله من أموركم وما تجرى عليه احوال خاصتكم وجمهركم
the best possible fate of those subjects (<i>ra'iyya</i>) who have followed the exemplary path and who have behaved themselves	[٢١-r-4926] الا خير ما يتعرف من رعية استقامت على الطريقة المثلى واقبلت من مهمات
in a most decent and just manner in their secular and religious activities and who have willingly obeyed their government in helping	[٢٢-r-4926] دينها ودنياها على الاحق الاولى وانقادت طوع واليها للمساعدة على ما
to manage their interests. This is why we judge your actions laudable and excellent, and to fulfill your wishes	[١-v-5026] من مصالحها يتولى فلذلكم نتلقى أعمالكم بالاحماد والاستحسان ونحظيكم بما يتقا
we will put justice and beneficence to work for you as the quality of your obedience deserves. ¹¹⁰⁷ Your governor, whom we address at the same time	[٢-v-5026] ضاه لكم حسن طاعتكم من تمشية العدل فيكم والاحسان ¹¹⁰⁸ وواليكم المخاطب الان
as we address you, the <i>shaykh</i> Abū 'Abd Allāh – May God on High support and assist him through the fear He inspires in him, and guide his aims	[٣-v-5026] معكم الشيخ أبو عبد الله انجاده الله تعلق على تقواه واعانه وسدد قصده
in all his endeavors, and favor his affairs – is, as you know, the first to have proclaimed our cause (<i>da'wā-nā</i>) among you;	[٤-v-5026] في كل المحاولات ويمن شأنه هو كما تعلمون السابق هنالكم الى اظهار دعوتنا

¹¹⁰⁶ شؤونكم: 'Azzāwī.

¹¹⁰⁷ Reference to Koran 16:90: "God commands justice, the doing of good" (*inna Llāha ya'muru bi-l-'adli wa-l-ihsāni*).

¹¹⁰⁸ Reference to Koran 16:90: إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

he sincerely encouraged you to make allegiance [with our cause]	والصَّادِقِ الْإِهَابَةِ بِكُمْ لِعَقْدِ بَيْعَتِنَا وَالْبَاذِلِ أَقْصَى جَدِّهِ وَاجْتِهَادِهِ عَنِ خُلُوصِ
and he spent all his efforts and zeal in the multiple services he rendered us by the sincerity of his intentions and the purity of his convictions. This is why we chose him as the sole person to	مِنْ نِيَّتِهِ وَصَفَاءِ مِنْ اعْتِقَادِهِ فِي أَنْوَاعِ خِدْمَتِنَا وَلِهَذَا وَقَفَ الْإِخْتِيَارُ عَلَيْهِ فِي أَنْ
manage your affairs (<i>ashghāla-kum</i>). The quality of his actions showed us we should depend on him for that	يَنْفَرِدُ بِتَوَلَّى إِشْغَالِكُمْ وَتَعْرِفُ لَهُ مِنْ حَسَنِ الْإِثَارِ مَا أَوْجِبُ الْإِسْتِنَامَةَ لَهُ فِي
at all levels. We never cease to learn lessons from his initiatives and the whole of his conduct that allow us to increase	الْقَلِيلِ وَالْكَثِيرِ مِنْ ذَلِكَ وَمَا زِلْنَا نَسْتَعْلَمُ مِنْهُ فِي تَنَاوُلَاتِهِ وَكَافَةِ تَصَرُّفَاتِهِ مَا نَزْدَادُ
our happiness, and we discover in the righteousness of his methods and intentions a rampart that protects at all times his religion and	بِهِ اغْتِبَاطًا وَنَسْتَجْلِي مِنْ سَدَادِ مَذَاهِبِهِ وَمَنَاحِيهِ مَا لَا يَزَالُ عَلَى دِينِهِ وَأَمَّا
the trust confided to him. Because of his innate honesty, of which we are absolutely certain, we granted him the specific status we reserve for	نَنْتَهُ فِيهِ مُحْتَاطًا فَاسْتَخْلَصْنَاهُ بِمَا مِنْ خُلُوصِهِ تَبَيَّنَّاهُ اسْتِخْلَاصَنَا لِمَنْ تَتَأَكَّدُ
servants confirmed in our cares and we accorded him the preference we accord only the most faithful of the faithful	بِهِ عَنَانَتِنَا مِنَ الْخِدْمَاءِ وَأَوْجِبْنَا لَهُ الْإِثْرَةَ الَّتِي لَا نَوْجِبُهَا إِلَّا لِلْخُلَصَاءِ الْإِصْفِيَاءِ
and the elite of councilors. This is the pact we impose concerning him and according to which we extend	وَالنُّصَحَاءِ الصُّرَحَاءِ هَذَا هُوَ الَّذِي نَجْزِمُ الْعَقْدَ عَلَيْهِ فِي جَانِبِهِ وَالذِّي نُوَالِيهِ
him our benevolence and generous attention. If a troublemaker said otherwise,	بِحَسْبِهِ جَمِيلِ اللَّحْظِ لَهُ وَكَرِيمِ الْإِعْتِنَاءِ بِهِ فَإِنْ أَرَجَفَ بِغَيْرِ ذَلِكَ مَرَجَفَ
he uttered enormous lies and committed the worst kind of provocation, he strayed from our just principles and exposed himself	فَقَدْ أَعْظَمَ الْإِفْتِرَاءَ وَأَسَاءَ الْإِجْتِرَاءَ وَعَدَلَ عَنِ مَذْهَبِنَا السَّدِيدِ وَتَعَرَّضَ
to a most severe punishment. We will be merciless to he who opens his mouth to slander the actions of our servants	لِلْعِقَابِ الشَّدِيدِ فَلَسْنَا نَسَامِحُ مَنْ يُفَوِّهُ فِي أَثْرِ خُدْمَانِنَا بِالْبَهْتَانِ
and we will pardon no false steps that bring him to contempt and infamy; we will make of him an example for whomever makes a habit of spouting	وَلَا نَقِيلُ لَهُ عَثْرَةَ تَحْلَهُ مَحَلًّا الْمَذَالِ الْمَهَانَ وَنَجْعَلُهُ نِكَالًا لِمَنْ أَعْتَادَ بِالْإِفْتِيَاتِ الْإِطْلَاقِ ¹¹⁰⁹
nonsense. You – May God on High honor you – are not in such a position (<i>hādha l-maqām</i>), and for us and your	اللسان وانتم اكرمكم الله تعالى بمعزل عن هذا المقال ¹¹¹⁰ ومنتزهون عندنا وعند
governor you are in a garden far from all wickedness, great or small. Your alliance with this power and its partisans,	وَالْيَكْمِ مِنْ كُلِّ مَا يَشِينُ عَلَى التَّفْصِيلِ وَالْإِجْمَالِ فَمُوالَاتِكُمْ لِهَذَا الْأَمْرِ وَأَوْلِيَابِهِ فِي

¹¹⁰⁹ 'Azzāwī corrects with لإطلاق.

¹¹¹⁰ 'Azzāwī corrects with المقام.

in the past as in the present, is well known. Your flanks receive surveillance from us that covers

[١٩-v-5026] القديم والحديث معروفة
وجوانبكم منا بالرعاية الموصولة على
الدوام

them permanently. Your communities are reputed among us for their magnificent friendship (*al-khilāl*) in the just actions you compel yourselves

[٢٠-v-5026] محفوفة وجماعاتكم لدينا في ما
تلتمون من الاعمال المستقيمة باحسن
الخلال

to carry out. And we address these severe threats only to those who turn from the obvious straight path

[٢١-v-5026] موصوفة وانما نتوعد بهذا
الوعيد الشديد من تكب عن الجادة الواضحة

and who approve the scandalous rumors about the Treasury (*makhzan*). Continue to walk along the path of faithful obedience to

[٢٢-v-5026] وهتف بالباطيل المخزنية
(له) 1111 الفاضحة فاستمروا على ما انتم
بسييله من حسن

your above-mentioned governor, be with him as one hand united in important matters and help him with sincere

[٢٣-v-5026] الائتمار لواليكم المذكور وكونوا
معه يداً واحدة في مهمات الامور وساعده
بصدق

intentions and pure hearts. Know that for us that is the most beautiful thing authorized and ordered for you;

[١-r-5127] النيات وصفاء الصدور واعلموا
ان ذلكم عندنا من اجمل (المسموح
عنكم) 1112 والمامور

it is part of the virtuous works and laudable efforts we prefer to see you accomplish, if God on High wills it. And He – May He be glorified – He will bring

[٢-r-5127] مما نوثره من عملكم المبرور
وسعيكم المشكور ان شاء الله تعالى وهو
سبحانه يصل على

together under His obedience your union and understanding and He will assure you profusely and permanently His guard and His protection. By His grace...

[٣-r-5127] طاعته اجتماعكم وانتلافكم ويديم
اكتفالكم بكلاءته ووقايته واكتنافكم بمنه

Taqdīm 37: Renewal of Abū Fulān as governor, with fiscal attributions¹¹¹³

[٤-r-5127] وَفِي إِعَادَةِ وَالٍ ④ **Renewal of a governor**

...Know that we support your affairs with firm management, that we lavish protective care for the good

[٥-r-5127] وأن تعلموا اننا نعتمدكم بالنظر
الضابط لاموركم ونصرف عنان الاعتناء لما

of you all, the masses and the elite (*khāṣṣati-hi wa jumhūri-kum*), that we watch over you with a benevolent watch that allows you to fulfill your desires and

[٦-r-5127] فيه صلاح خاصتكم وجمهوركم
ونتعهدكم من جميل النظر بما فيه تسنى
مرجوكم

dissipates your fears, in granting you the most generous possible protection we offer the land and its inhabitants,

[٧-r-5127] وتلاشي مخذوركم احظاء لكم باوفر
حظ مما نوفيه للبلاد من الرعاية لاهلها

and the defense that allows them to proceed in security and health along the straightest of paths. May God on High thus carry you

[٨-r-5127] والحماية التي تجريهم من الامنة
والعافية على اقوم سبلها والله تعالى يحملنا

¹¹¹¹ Omitted 'Azzāwī.

¹¹¹² Not read by 'Azzāwī.

¹¹¹³ 'Azzāwī, *NLA*, t. 1, 465.

towards [an action] from which good will spread and become widespread. May He complete and consummate the protection that [we] seek for all of our subjects.

[9-r-5127] من ذلكم على ما يصل به الخير
ويعم ويكمل مقصود الحياطة لجميع الرعايا
ويتم

By His grace. We have decided – May God on High guide the decision that we make and allow our plans to know success –

[10-r-5127] بمنه وقد راينا والله تعالى يسدّد
الرأى الذى نراه ويعرف اليمن في ما نتوخاه
[11-r-5127] ان يعيد¹¹¹⁴ اليكم ابا فلان ليتولى
النظر على ما كان عليه في اموركم
المصلحية والمخزنية

to renew Abū Fulān to lead, as before, your economic and fiscal affairs (*fī umūri-kum al-maṣlahiyya wa-l-makhzaniyya*),

and to lead you in all circumstances along the large and straight path. He is one whom you already are familiar with and you know

[12-r-5127] ونجريكم في كل احوالكم على
الجادة السوية وهو ممن الفتم قبل جواره
وعرقتم

his authority (*irāda-hu wa iṣdāra-hu*) over you. He has distinguished himself before us with laudable competence and just orientations. We have recommended that he

[13-r-5127] ابراهه فيكم واصداره وقد تميز
لدينا بحميد الغناء وسديد الانحاء ووصيناؤه

fear God on High in all his functions and that he hold Him in awe – May He be glorified – in secret and in his heart of hearts. We have ordered him

[14-r-5127] بتقوى الله تعالى في كل ما يتولاه
وان يراقبه سبحانه في سره ونجواه وامرناه
أن

to be severe with the agents of corruption until their evil deeds end, or until they improve their behavior by returning to

[15-r-5127] يشتدّ على اهل الفساد حتى ينقطع
اضرارهم او تحسن بمراجعة السداد

Righteousness. All his decisions must be made according to the paths of obvious law and his undertakings

[16-r-5127] اثارهم وان تكون محاولاته كلها
جارية على سنن الحق المستبين وتناولاته

must not stray from justice, the scales of which [assure] the most equitable of weighings. That, in the functions we have entrusted him,

[17-r-5127] غير عادلة عن العدل الذى يميزانه
ارجح الموازين وان يجتهد في ما اسندناه اليه

he attest a zeal (*ijihad*) founded solidly on the base of religion. Thus, when with the help of God on High he arrives among you, arrange yourselves behind him,

[18-r-5127] اجتهاداً مبنياً على راسخ من الدين
فاذا وافاكم بمعونة الله تعالى فانتظموا عليه

submit to his orders, be as one hand united for your own good and for the defense of your lands. Bring him,

[19-r-5127] واثمروا اليه وكونوا معه يداً
واحدة في كل ما يصلحكم ويحمى جهاتكم
ووالوه

in all circumstances, help deserving of praise. If God on High wills it.

[20-r-5127] الموالات¹¹¹⁵ المشكورة في كل
اوقاتكم ان شاء الله تعالى

Taqdīm 38: Appointment or confirmation of a shaykh from an Arab tribe¹¹¹⁶

[21-r-5127] وفي ثقف ديم شيخ قبيلة ○
Appointment of a tribal shaykh

...May God have written for you to rejoice at the news of the benevolent watch that cares for you

[22-r-5127] كتب الله لكم استبشاراً بجميل
النظر الذى يتعهدكم واستشعاراً للخير الذى

¹¹¹⁴ ‘Azzāwī corrects with نعيد and later with ونجريكم.

¹¹¹⁵ ‘Azzāwī corrects with الموالات.

¹¹¹⁶ ‘Azzāwī, *NLA*, t. 1, 466.

and to be aware of the good that happens to you and touches you. Know that we have not ceased to take care to spread security over all the land

[1-v-5227] يوافيكم ويردكم وان تعلموا اننا لم
نغفل الاعتناء بما يفيض الأمن على جميع
البلاد

and to root the scourge of corruption from the cities and countryside (*fī l-ḥāḍiri wa l-bād*). Presently, praise be to God for the

[2-v-5227] ويحسم أدواء الفساد في الحاضر
والباد والآن والله الحمد على ما امدنا به من

aid and help He has always granted us, and [also] for having eased our exercise of authority (*min i māli l-iṣḍāri... wa l-irādi*) in managing affairs.

[3-v-5227] الاعانة والانجاد ويسرنا اليه من
اعمال الاصدار في تمشية المصالح
والايراد قد

We have caused the blessed army – May God grant it His support and victory¹¹¹⁷ – in the company of Almohads

[4-v-5227] انهضنا العسكر المبارك اظفره
الله تعالى وانجده صحبة من تخيرناه من
الموحدين

whom we have chosen, with Abū Fulān whom we have entrusted with the affairs (*ashghāl*) of the Arabs, considering that the sincerity of his counsel has made him worthy of the noblest

[5-v-5227] مع ابي فلان الذي قدمناه لاشغال
العرب واهلنا لنصحته في خلوصه الى
الكرم

of functions. [That,] after the Arabs arrived en masse before our door, after they rushed to the good they were used to from

[6-v-5227] الرتب وبعد ان وصل العرب
بجموعهم الى بابنا وبادروا للخير¹¹¹⁸
الذي افوه في جا

us, after they committed themselves to listen and obey, and to expend all of their resources to serve and aid [us],

[7-v-5227] نبنا وتعاقدوا على السمع
والطاعة وبذل الوسع في الخدمة
والاستطاعة

after their affairs found with us the best organization and they took their leave committing to always offer good

[8-v-5227] وجرت امورهم لدينا على احسن
انتظامها ووادعونا على ادامة النصيحة
والتزا

Counsel. Our watch will continue behind that – If God wills it – to improve the situation, to organize the

[9-v-5227] مها¹¹¹⁹ ووراء ذلكم من نظرنا
الموصول ما يفى ان شاء الله بتحسين
الاحوال وتمهيد الا

regions, to push back rebels and enemies and cause justice and beneficence to reign over all the population

[10-v-5227] وطان وردع اهل البغي
والعدوان وافاضة العدل والاحسان على
كافة اهل

of the provinces. Be sure that your interests, small or large, will be maintained and that your affairs will be led according to the

[11-v-5227] البلدان فكونوا على يقين من
اقامة كثير من مصالحكم وقليلها واجراء
اموركم

clearest path, thanks to perfect attention and control. Dedicate yourselves to your affairs, adopt

[12-v-5227] من جميل التفقد والتعهد على
اوضح سبيلها واقبلوا على اشغالكم
واستصحبوا

¹¹¹⁷ Reverse order.

¹¹¹⁸ إلى الخير: 'Azzāwī.

¹¹¹⁹ Not read by 'Azzāwī.

words and acts that benefit you, and truly believe that we will deny you no consideration that may improve

[١٣-v-5227] لما يعود عليكم بالصلاح من
اقوالكم واعمالكم وثقوا بانا لا نخليكم من
نظر مُصلح

your situation as a whole. If God on High wills it...

[١٤-v-5227] لجميع احوالكم ان شاء الله تعالى

□

Taqdīm 39: Appointment or confirmation of an Arab shaykh, dismissal of the deceased predecessor's son for his brother¹¹²⁰

⊙ [١٥-v-5227] تَقْدِيمُ شَيْخٍ آخَرَ ⊙

Appointment of another shaykh

... Know that the Arabs are known within our cause (*da'wa*) by the abundance of our favors and the profusion

[١٦-v-5227] وان تعلموا ان العرب
مخصوصون من دعوتنا بما نشأ فيه اسلافهم
من افاضة

of kindness that their ancestors knew. But among them all, we praise your services and distinguish your pact of

[١٧-v-5227] الانعام عليهم واسداء العوارف
اليهم¹¹²¹ وانتم فيهم ممن تشكر خدمته وتلحظ

alliance (*dhimma*). We accordingly write you so that you will have the same haste as your Arab brothers

[١٨-v-5227] ذمته وبمقتضى ذلكم خاطبناكم
لتبادروا لما بادَرَ اليه العرب اخوانكم

in rendering us the services that will garner you esteem and praise, and so that you will arrange yourselves at their sides and at the side of the armed and

[١٩-v-5227] من الخدم الذي¹¹²² نستحسن منكم
وتستجاد وتصلوا الى الانتظام معهم ومع
...)

courageous men (...*al-kumā*) in the blessed camp – May God give it his favor – by exerting efforts that

[٢٠-v-5227] الكماة¹¹²³ الانجاد في المحلة
المباركة يمتنها الله تعالى باذلين الاجتهاد الذر

will assure you... protection and will procure for you glory and honor superior to what you have known.

[٢١-v-5227] يحظيكم (...)¹¹²⁴ الاعتناء
ويفيدكم افضل ما عودتم من الاثار والاحتفاء

You know that Abū Fulān ([always defended?]) the eminent cause (*al-da'wa*), and that he earned considerable esteem

[٢٢-v-5227] وقد علمتم ان ابا فلان كان
...¹¹²⁵ الدعوة العلية وخليقا لديها لصدقه

by his sincerity and seriousness. When he died, we kept his post for his son, whom we honored by naming him at the head

[١-r-5328] وجدّه بالحظوة الحظية ولما توفي
ابقينا ولده في مكانه ونوهنا بتقديمه على

of the Arabs because [of his father], for we believed that in [our] service he would comport himself as his father, and that his plans would not stray

[٢-r-5328] العرب من شأنه وقدّرنا فيه انه
يسلك في الخدمة مسلك والده وان لا يعدل

from the praiseworthy paths his father had followed. Nevertheless, he delayed not in renouncing [that] favor and in calling misfortune on himself through his

[٣-r-5328] عن مشكور مقاصده فما عدا ان
كفر النعماء وجلب الى نفسه بسوء افعاله الا

¹¹²⁰ 'Azzāwī, *NLA*, t. 1, 467.

¹¹²¹ عليهم: 'Azzāwī.

¹¹²² 'Azzāwī corrects with التي.

¹¹²³ Two unclear words, the second is probably الكماة.

¹¹²⁴ One illegible word.

¹¹²⁵ Space for two illegible words.

Misdeeds. We have dismissed him and [in his place] have named his [paternal] uncle, Fulān, at the head of the Arabs, to manage their affairs and govern them as well as possible. We are informing you of this so that you will hasten to act with him as did your brothers, and so that you will plunge headlong into our service, with the certitude that you will know [our] care and generosity, and that the pact [with us] of gifts and favors will be renewed. If God on High wills it...

[٤-r-5328] سواء واخرناه وقدمنا عمه فلانا على العرب ليضبط امورها ويسوس احسن سياسة جمهورها فاعلمناكم بذلكم¹¹²⁶ لتبادروا الى ما بادر اليه اخوانكم ولتستبقوا الى الخدمة مرسلا فيها عنانكم على ثقة من تجدد الالنفات والاکرام وتعهد المن والالنعام ان شاء الله تعالى

Taqdīm 40: Appointment or confirmation of an Arab shaykh at the head of two armies to be united under his command¹¹²⁷

[٨-r-5328] **ءَاخَرَ فِي مَعْنَاهُ**

Another [note] on the same subject

...May God have written for you a profusion of favor, to share with you in abundant lots. Know that you are the faithful (*al-mukhliṣūn*) devotees (*arḍiyā'*) of our cause (*da'wati-nā*), its supportive good counsel. That is why we support you with all [our] generosity, why we expend the greatest care for you, and why we lavish multiple favors on you in all circumstances. May God on High grant you a profusion of kindness for eternity. By His grace. That is why we have named Fulān at the head of the army we have sent you. We have also decided to appoint him at the head of the first army, so that both armies fall under his command. His talent will show itself in his deeds with them both. He is known for this ability and for the rightness of this decisions. We have ordered him that all should act with you as one hand united to push back enemies and so that in return the regions and countries you receive will know peace.¹¹³⁰ [We have also ordered him] that you expend continuous

[٩-r-5328] كتب الله لكم سبوغًا للنعم عليكم واجزا لا تقسمها لديكم وان تعلموا انكم دعوتنا المخلصون¹¹²⁸ (ارضياء) وظهر أؤها الناصحون لذلك نعتمدكم بمزية الاحرام ونصرف اليكم وجوه الاهتمام ونحظيكم في كل الاحوال بمز يد الالنعام والله تعالى يعرفكم سبوغ الخيرات على الدوام بمنه والى هذا فاننا قدّمنا الان فلانا على الجيش الذي اشخصناه الان اليكم وراينا ايضا تقديمه على الجيش الاول ليرجع الجيشان الى نظره ويجتلى في الخدمة بهم حسن اثره فهو المعروف بالغناء والمعروف بسداد الانحاء وامرناه ان يكون الجميع يدا واحدة معكم في دفاع الاعداء وفي ما¹¹²⁹ يعود عليكم بالصّلاح على ما يستقبلونه¹¹³¹ من الجهات والأرّجاء وان توالوا جميعا

¹¹²⁶ بذلك 'Azzāwī.

¹¹²⁷ 'Azzāwī, *NLA*, t. 1, 468.

¹¹²⁸ Beginning of the word erased.

¹¹²⁹ 'Azzāwī: وفيما.

¹¹³⁰ Or "that they will receive".

¹¹³¹ 'Azzāwī corrects with تستقبلونه.

effort to push back hypocrites and to show praiseworthy accord in all

الاجتهاد في كل ما يُرَدَى اهل النفاق
وتجروا في الخدم كلها على مشكور

your tasks. We also advise you to assemble all your groups and to sound the call for those who are late among the Arabs

الاتفاق¹¹³² ونحن نزيدكم الوصية في ضم
جموعكم كلها واستدعاء من تاخر من العرب

(...[your brothers]). May they be bound together in the seriousness and quality of counsel, agreeing on a [sincere]

(... [أخوان] 1133 كم) وليكونوا مؤتلفين
على الجد والنصيحة متفقين على الخدمة

service (*ṣarīḥa*) [and to give counsel] until the enemy – May God break them – fears your place

(الصريحة واداء النص) 1135 يحة حتى
يرهب العدو قصمه الله مكانكم (...)

(... .. handsome, continue... many)

واضافته واحيانكم الجميل واصلوا
الكثير) 1136

efforts great and small. Know that...

من المحاولات والقليل فأعلموا ذلكم

Taqdīm 41: Appointment of the son of an Arab shaykh at the head of the Sufyān Arabs, with authority over the Anfā territory (modern Casablanca)¹¹³⁷

وَفِي آخِرٍ

Another

... May God, by the fear He inspires in him, make his virtue and generosity endure and may He confirm through the esteem he enjoys at our side his joy and happiness.

ادام الله أثرته وكرامته بتقواه واكد
بما له لدينا من الحظوة مسرته وبشراه

This is what we have written – May God have written for you that you should receive abundant shares of bountiful favors

وانا كتبناه كتب الله لكم استقبالا
لاجزل حظوظ النعم قسما و (...)

(... = to see?), in the honors and dignities to which we have raised you, the most beautiful gifts as marks of distinction. Know...

فيما نرشحكم له من الاثرة والمزية
أجمل الكرامات وسما ورسما وان تعلموا
1139 (...)

what we have granted you by privileging, raising and demanding for you

ما استانفناه لكم من الاخطاء لرؤيتكم
والارقاء والاستخلاص الذى لكم

a rank like the most beautiful finery for the faithful servants you are, and keeping with you the same demeanor as with your father regarding...

به اكرم شفوف الخلاء الخدماء
والاجراء لكم مجرى والدكم في كل مرام
1140 (...)

¹¹³² Hole at the beginning of the word.

¹¹³³ Suggestion.

¹¹³⁴ Space for two words erased.

¹¹³⁵ Suggestion for three words erased at the beginning of the line based on the *saj'* and the other *taqdīm*.

¹¹³⁶ Partially or completely erased words along an entire line.

¹¹³⁷ 'Azzāwī, *NLA*, t. 1, 469.

¹¹³⁸ One or two words erased.

¹¹³⁹ One or two words erased.

¹¹⁴⁰ One or two words erased.

this power, for the appointment, honors, benefices, retributions (*ashām*), and the favor you have received

by being, in our service, the first in seriousness, good counsel, and purity, and in keeping ([the responsibility?]. . .)

exercised by your father, transmitting it among yourselves to the noblest sons. Accordingly – May God assure you always respect through the fear He inspires in you –,

we have appointed you irrevocably at the head of all your brothers, the Sufyān Arabs (. . .),

to take charge of all their affairs, fiscal and otherwise, and to lead them, both the masses and the elite

(. . .) in addition [we] [grant] you the direction of Anfā¹¹⁴⁵, as with your father before, we place all its affairs (*ashghāl*)

under your excellent administration. We grant you full power for that, as with your father before,

(. . .[we have granted you]) the same favors and benefits, the same rank and illustrious dignity as were his; [we] have treated you in all regards

as we did him¹¹⁵¹. You enjoy the same high esteem from us as did your father during his lifetime. Know that, and lend your ear (. . .)

confidence in the favorable welcome we reserve for all your hopes. Set out to find us and present yourselves to us,

you will see (. . .) all [your] hopes and desires brighten and blossom to enjoy abundant and (. . .)

به هذا الامر من التّقديم والتّكريم
والانعام والاسهام والفضل الذي

[٨-v-5428] سبقتم اليه في خدمتنا اولا من الجدّ
والنّصح والصفاء وحفظاً للا (١١٤١) (. . .)

[١٠-v-5428] جرى عليه أبوكم بأبقيته منكم في
أنجب الابناء وبحسب هذا ادام الله [كرماتكم
بتقواه] 1142

[١١-v-5428] قدمناكم الان تقديمًا مطلقًا على كافة
إخوانكم عرب سفيان (١١٤٣) (. . .)

[١٢-v-5428] يتولى جميع اشغالهم وامورهم
ويتقدم على خاصتهم وجمهورهم (١١٤٤) (. . .)

[١٣-v-5428] لكم مع ذلك النّظر في انفي
حسبًا 1147 كان ايضًا لابيكم واسندنا جميع
(اشغالها) 1148

[١٤-v-5428] الى حسن توليكم واطلقنا يدكم على
ذلك كلّه كاطلاق يده قبل فيما (١١٤٩) (. . .)

[١٥-v-5428] من نعمة واحسان ورتب له من
منزلة أثيرة ومكان واجراء ذلكم في ذلك
(كُله) 1150

[١٦-v-5428] مجراه وانافه بكم في الحظوة لدينا
على مداه فاعلموا ذلكم وتنسّطوا (١١٥٢) (. . .)

[١٧-v-5428] الثّقة باحساننا في كلّ امالكم وخذوا
في الوصول الينا والقدوم علينا
(تجدون) 1153

[١٨-v-5428] كل أمل وبغية وضاحًا وسيما
ولتتالوا لدينا الانعام جزيلًا (١١٥٤) (. . .)

1141 One or two words erased.

1142 Plausible completion.

1143 One or two words erased.

1144 One or two words erased.

1145 Former name of Casablanca (al-Idrīsī, *Description de l’Afrique septentrionale et de l’Espagne*, éd. et trad. R. Dozy and de Goeje, 1866, p. 48 and A. Adam, s.v. “Ānfā”, *EP*, t. 1, 521-522).

1146 ‘Azzāwī: أنفا.

1147 ‘Azzāwī: حسب ما.

1148 Suggestion by ‘Azzāwī.

1149 One or two words erased.

1150 Suggestion by ‘Azzāwī.

1151 It is possible that the idea of d’*ijrā’ majrā* refers to the continuation of appointments as suggested by Kazimirski.

1152 One or two words erased.

1153 One or two words erased. Suggestion by ‘Azzāwī.

1154 One or two words erased.

immense favors and to occupy at our side the unique place reserved for you...

[¹⁹-v-5428] جسيماً ولتحلوا في القرب منَّا
والاختصاص بنا مكاناً حظيًّا (...)¹¹⁵⁵

... which will cause favors to increase and grow for you...

[²⁰-v-5428] بما يزكو النعم عندكم وينميها
1156 (...)

...loyal. Hasten to gain happiness and a marvelous destiny¹¹⁵⁷ and to occupy the privileged place by our side reserved for you

[¹-r-5529] النَّاصِح فبادروا لتفوزوا بالحسنى
والحظ الاُسنى وتنبؤوا¹¹⁵⁹ من ايثارنا لكم
واعتابنا

by our predilection and solicitude for you.
If God on High wills it.

[²-r-5529] بكم المحل الاقرب منَّا الاذنى ان شاء
الله تعالى □

Taqdīm 42: Appointment of a tax collector¹¹⁶⁰

تَقْدِيمُ نَاطِرٍ فِي الْمَجْبَى عَنِ الْمُعْتَصِدِ Appointment of a tax agent in the name of al-Mu‘taḍid

... This is what we write to you – May God have written for you consensus for [your] interests. Know that [our] benevolent watch

[⁴-r-5529] وانا كتبناه كتب الله لكم توافقا على

المصالح وان تعلموا ان النظر الجميل

guides your regions, organizes your provinces and grants you riches in harmony with your hopes

[⁵-r-5529] يسدّد انحاءكم ويمهد ارجاءكم
ويطلع عليكم من الخيرات ما يطابق املكم

and wishes. Rejoice in that the generous care granted your situation gives order to your affairs, concerns both the elite

[⁶-r-5529] ورجاءكم فأبشروا من كريم التّعهد
لاخوالكم بما ينظم اموركم ويشمل خاصّتكم

and the masses, fills your eyes with tears of joys, and swells your breasts. We ask the support of God on High to assure,

[⁷-r-5529] وجمهوركم ويقر عيونكم ويهيج
صدوركم وبالله تعالى نعتضد على ما نتولاه

for Islam and the faithful, the responsibility of spreading blessings over their regions and provinces, and to bring extreme care

[⁸-r-5529] للاسلام واهله من افاضة البركات
على جوانبهم وجهاتهم واجادة العنا

to their interests (*bi-maṣālihi-him*) and their affairs (*muhimmāti-him*). For it is He who dispenses His support and whose Will guides along the

[⁹-r-5529] يات بمصالحهم ومهمّاتهم وهو
المان بعضده والهادي الى سواء السبيل

straight path. There is no master but Him. In accordance with this, we have named Fulān to efficiently watch (*al-naẓar al-asadd*) over your interests

[¹⁰-r-5529] بقصده لا رب سواه وبحسب ذلكم
قدّمتنا فلانا لينظر في مصالحكم النّظر

and to exert the greatest gravity in collecting Treasury (*makhzan*) and Domain (*mukhtas*) taxes – May God make them productive.

[¹¹-r-5529] الاسد ويتولّى في ضمّ مجابى
المخزن والمختص ثمرهما الله الجد الاشد

¹¹⁵⁵ One or two words erased.

¹¹⁵⁶ The ends of this and the next two lines are hidden by the affixation of the pages.

¹¹⁵⁷ Reference to Koran 10:26: “To those who do right is a goodly (reward)- Yea, more (than in measure)!”) and to Koran 92:5-7: “So he who gives (in charity) and fears (God) / And (in all sincerity) testifies to the best / We will indeed make smooth for him the path to Bliss”.

¹¹⁵⁸ Reference to Koran 10:26:

لَّذِينَ أَحْسَنُوا الْحُسْنَىٰ وَزِيَادَةٌ

and to Koran 92:5-7:

فَأَمَّا مَنْ أَعْطَىٰ وَاتَّقَىٰ (٥) وَصَدَّقَ بِالْحُسْنَىٰ (٦) فَسَنُيَسِّرُهُ لِلْيُسْرَىٰ

¹¹⁵⁹ ‘Azzāwī: وتنبؤوا.

¹¹⁶⁰ ‘Azzāwī, *NLA*, t. 1, 470.

This is why we have counseled him to fear God on High in carrying out his functions. We have ordered him to the royal path of

[١٢-r-5529] لذلك وصيناه بتقوى الله تعالى في ما¹¹⁶¹ قدم اليه من ذلكم وامرناه ان يسلك جادة

righteousness in all circumstances with you; we have enjoined him to be paid completely and in full all Treasury (*makhzan*) and Domain (*mukhtaṣṣ*)

[١٣-r-5529] الحق في كل احوالكم وحددنا له ان يستوفى حقوق المخزن والمختص هنا

duties in your [province], to be as selfless and upright as possible in mastering their collection

[١٤-r-5529] لكم اتم الاستيفاء وان يكون في الضبط لاشغالها على ما قدر فيه من الغناء

and to accomplish this task with care and diligence. Thus, when he arrives among you,

[١٥-r-5529] والاكتفاء وان يعمل في ذلك عملا ليحظيه بالاثرة والاعتناء فاذا وافاكم

with the help of God, refer to him for all your fiscal questions, help him in all that we have entrusted exclusively

[١٦-r-5529] بمعونة الله فارجعوا بجميع جميع¹¹⁶² اشغالكم اليه واعينوه على كل ما قصر

to him, collaborate with him to merit praise now and in the future and to manifest

[١٧-r-5529] ناه عليه وتعاونوا معه على ما تحمدون اثره في حالكم ومالككم ويظهر

the worthy choice of your actions, if God on High wills it. It is He that helps you in that which is pleasing to Him

[١٨-r-5529] فيه الموتر المشكور من أعمالكم ان شاء الله تعالى وهو معينكم على ما يرضاه

and eases for you the straightest and most just path. By His grace.

[١٩-r-5529] وميسركم لاقوم سبيل واهداه بمنه □

Taqdīm 43: Appointment of shaykh Abū Fulān as governor (‘āmil), with fiscal, military, and perhaps judicial attributions, in the name of the caliph al-Murtaḍā from Fulāna in Jumāda I 657/may 1259¹¹⁶³

[٢٠-r-5529] وَعَنِ الْخَلِيفَةِ الْمُرْتَضَى تَقْدِيمِ عَامِلٍ

Appointment of a governor (‘āmil) in the name of Caliph al-Murtaḍā

... This is what we write from Fulāna¹¹⁶⁴ – May God have written for you to know that which is best and preferable and to conduct yourselves in a manner that assures you

[٢١-r-5529] وانا كتبناه كتب الله تعالى لكم تعرفوا للاصلاح بكم والاولى وتصرفا في ما¹¹⁶⁵ يحظيكم

happiness in this world and the other. This is what we advise you, etc. Know that we lavish

[١-v-5629] بخير في الاخرة والاولى من فلانة والذي نوصيكم به الى اخره¹¹⁶⁶ □ وان تعلموا ان¹¹⁶⁷ نوفي

¹¹⁶¹ فيما: ‘Azzāwī.

¹¹⁶² Repetition omitted by ‘Azzāwī.

¹¹⁶³ ‘Azzāwī, *NLA*, t. 1, 471-472.

¹¹⁶⁴ Perhaps Marrakesh.

¹¹⁶⁵ فيما: ‘Azzāwī.

¹¹⁶⁶ That is the *tawṣiya bi-taqwā Allāh wa-l-‘amal bi-ṭā‘ati-hi*.

¹¹⁶⁷ ‘Azzāwī corrects with أننا.

over your region – May God protect them – their share of benevolent attention, that we choose for them someone who will take responsibility for protecting and

overseeing them, and that we will always spread and cause security to reign, near and far. This

in accordance with the requirements of the authority (*nazar*) we have been invested with over you and your peers, and with the duty of protecting you all, near

and far. Accordingly, we have chosen *shaykh* Abū Fulān¹¹⁶⁸ to take charge of your economic affairs and fiscal matters (*makhzaniyya*)

and to govern you in all circumstances according to correct and equitable methods (*al-manāhij*).

In the part of Unicity (*tawhīd*), he is famous (*athīr^{am}*) and influential (*makīn*); he deserves this rank for sure and solid reasons.

The services he has rendered by way of his counsel and zeal are manifest and evident. We have advised him to fear God and remain in awe of Him,

and to apprehend [His wrath] in secret and in public, that is the most solid and firm foundation for salvation and the first and true

support for people of the faith. We have ordered him to put nothing before the law, whenever he applies or

pronounces it, to cling to justice for his direction and methods and to take charge of your interests

and affairs with laudable competence and efficiency. We have insisted that he collect in full fiscal

fees and duties – May God cause them to grow. He should use all means to develop and make [them] blossom

and that he dedicate the most of his time to taking care of this task and collecting [the sums due], large and small. Surplus must be

spent in the general interest of Muslims and reserved for treating affairs that concern them all.

No exemption or negligence will be permitted in this matter. He should make no difference between the powerful and

the weak in collecting taxes due (*al-ḥaqq*). So, when he arrives among you, with the help of God on High, submit to him in all

[٢-v-5629] نواحيكم حاطها الله من جميل

الالتفات قسطها ونختار لها من يوالي حيا

[٣-v-5629] طتها وضبطها ونديم بثّ الامنة في

دانيها وقاصيها وبسطها ذلكم

[٤-v-5629] بمقتضى النظر الذى قُددناؤكم لكم

ولسواكم وموجب الرعاية التى تعم انزحكم

[٥-v-5629] وادناكم وبحسب ذلكم تخيرنا الان

لتولى امورك المصلحية واعمالكم المخزنية

[٦-v-5629] واجرايكم في كل احوالكم على

المناهج القويمه السوية الشّيخ ابا فلان

[٧-v-5629] وهو في حزب التوحيد أثير مكين

وسببه في استحقاق المكانة وثيق متين

[٨-v-5629] وخدمه في توخى النصح والجد

تتضح وتبين وقد وصّيناه من تقوى الله

وخشيته

[٩-v-5629] ومرآقبته في سرّه وعلانيته بما هو

ارسخ قواعد النجاة وارساها واحق

[١٠-v-5629] معتمدات اهل الايمان واولاها

وامرنا بان لا يُؤثر على الحق يعمل به

ويؤوله

[١١-v-5629] شئى من الاشياء وان يلتزم العدل

في كل المذاهب والانحاء وان يتولى

مصالحك

[١٢-v-5629] واعمالكم بمشكور الاضطلاع

والغناء واكدنا عليه في ان يستوفى حقوق

[١٣-v-5629] المجبى وفره الله تعالى وواجباته

ويبتغى انماءه وتثميّره بكل محاولاته

[١٤-v-5629] ويقصر على تصفح شغله وضم

كُثره وقُله اكثر اوقاته فالمرتفع فيه الى ما

[١٥-v-5629] يعم المسلميين نفعه مصروف

وعلى اقامة مهمّاتهم التى تشملهم موقوف

[١٦-v-5629] فلا يجوز فيه المسامحة والاذهان

ولا يميز في استخراج الحق واستقصائه

[١٧-v-5629] بين من عزّ قدره او هان فاذا

وافاكم بمعونة الله تعالى فانقادوا اليه في كل

¹¹⁶⁸ Ibn 'Idhārī mentions for this period the appointment by al-Murtaḍá, from Marrakesh, of the *qāḍī* Abū 'Amr b. Ḥajjāj over Sijilmāssa. He had already appointed him when al-Qiṭrānī returned to caliphal obedience. The *qāḍī* had organized the execution to calm the situation (*Bayān*, 419).

Things. Be as one hand united [with him] to accomplish what will bring good to all, to the elite and the masses.

الأُمور وكونوا يدا واحدة فيما يعود
بالصَّلاح على الخاصة والجمهور

Among other things, we have prescribed him to consecrate his efforts and zeal to eliminating the traces of rebellion and corruption

ومما او عزنا فيه اليه اعمال الجد
والاجتهاد في محق اثار البغى والفساد

and to confront them with brutality and severity.¹¹⁶⁹ Offer him for that and the rest of your interests

والتلّقى لهم بالغلظة¹¹⁷⁰ والاشداد
فاعينوه على ذلكم وسواه من مصالحكم

all the help you can. Collaborate fully with him to advance the law with your counsel and loyalty (*diyāna*).

كل الاعانة وتضافروا معه على
تمشية الحق تضافرا وفي النصح والديانة

If God on High wills it. And He – May He be glorified –, He will assure you always respect by the fear He inspires in you and He will ease for you that which pleases Him.

ان شاء الله تعالى وهو سبحانه يديم
كرامتكم بتقواه ويبسّرکم لما فيه رضاه

By His grace. Date: middle of *Jumāda I* in the year 657.

بمنه التاريخ غرة جمادى الاولى
سنة سبعة وخمسين وستماية

Taqdīm 44: Appointment of Fulān as governor (identical to taqdīm 35)¹¹⁷¹

In the name of the same... May God have written for you a decision that responds to your expectations

وَعَنْهُ كُتِبَ لَكُمْ نَظْرًا يَقَعُ
بِوَفْقِكُمْ

and a choice to improve your countries (*ufuqi-kum*) We recognize good only by the generous clouds [that accompany it] and well-being by the swords

واختيارًا يصلح من أفقكم ولا متعرف الا
الخير الهامى السحاب واليسر الحامى

that protect it¹¹⁷². Praise be to God: may that assure [us] [His] uninterrupted grace and [His] renewed favors. We have decided

القواصب¹¹⁷³ والحمد لله حمدا تكفل بالامن
المتصل والفضل المتعاقب وقد راينا

to name Fulān to direct your interests (*maṣāliḥ*) and protect your routes and pastures, to take care

ان نقدم فلانا للنظر في مصالحكم والذنب
عن مساربكم ومسارحكم والاشتغال

of your affairs, important and insignificant, to move forward with all your problems, with your elites and your masses (*bi-muhimmātī-kum wa khāṣṣatī-kum*). His

بالدقيق والجليل من أمورك والانتهاض
بمهمات خاصتكم وجمهوركم وهو

effectiveness and aptitudes have been proven, his zeal and competence confirmed through experience. We have had only praise for

المجرب اضطلاع وكتفاؤه والمختبر
انتهاضه وغناؤه والمشكورة قديما

his work and decisions, both in the past and recently. He is a man who strays neither to the right nor to the left from the virtuous behavior that garners our

وحديثا مساعيه كلها وانحأؤه ومن لا يحدد
يميناً وشمالاً عمّا نوثره من السيرة

favours and preference. His high deeds and what we know of him, present and absent, have always received our approval.

الحسنة ونشأؤه ولا تزال واقعة بالوفق غيبة
وحضرة اثاره وانباؤه

His counsel and remarks are hardly necessary [to know] his seriousness, his zeal and the fact that he is above any suspicion (*bu'd 'an maẓānn*) of prevarication (*al-ta'aqqub*)

ولا يزيده على ما عنده من الجد والاجتهاد
والبعد عن مظان التعقب والانتقاد

¹¹⁶⁹ Reference to Koran 9:123: "O ye who believe! fight the unbelievers who gird you about, and let them find firmness in you: and know that God is with those who fear Him."

¹¹⁷⁰ Reference to Koran 9:123: يَا أَيُّهَا الَّذِينَ آمَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِنَ الْكُفَّارِ وَلْيَجِدُوا فِيكُمْ غِلْظَةً وَاعْلَمُوا أَنَّ اللَّهَ مَعَ الْمُتَّقِينَ

¹¹⁷¹ 'Azzāwī, *NLA*, t. 1, 473. Text identical to *taqdīm* n° 35.

¹¹⁷² It sounds like a threat.

¹¹⁷³ Corrected with القواصب thanks to the identical *taqdīm* n° 35.

or corruption (*wa l-intiqād*). Recognize the privilege we are granting you with his [appointment]! Through your excellent behavior towards him,

help him in his objectives and actions. Act, each of you, as the law imposes and requires to cause good to

appear and evil to disappear. And God will help you, both you and him, and will prolong your life through the respect and fear [He inspires in you]

in all circumstances...

[١٠-r-5730] تنبيهه وايساؤه فاعرفوا قدر ايثارنا لكم به
وأعينوه على تمشية مقصده

[١١-r-5730] من حسن المعاملة ومذهبه واعلموا¹¹⁷⁴
جميعاً في اظهار المعروف واخفاء

[١٢-r-5730] المنكر بالزم حق وأوجهه والله تعالى يعينكم
وأياه ويمدكم بمراقبته في كل

[١٣-r-5730] الاحوال وتقواه □

Taqdīm 45: Incomplete appointment¹¹⁷⁵

تقديم آخر [١٤-r-5730]

Another appointment

This is what we write – May God have written for you that you should agree with each other for [your] interests and compete in acting with virtue. Know that

[our] benevolent watch guides your provinces and organizes your countries...

[١٥-r-5730] وانا كتبنا¹¹⁷⁶ كتب الله لكم توافقاً على
المصالح وتسابقاً الى العمل الصالح وان تعلموا

[١٦-r-5730] ان النظر الجميل يسدّد انحاءكم ويمهد
ارجاءكم □

Taqdīm 46: Appointment of Fulān as governor responsible for the Domain (*mukhtaṣṣ*) and *ḥisba*, with fiscal and military attributions¹¹⁷⁷

[١٧-r-5730] وَمِنْ تَقْدِيمِ عَلَى أَشْغَالِ الْمَخْزَنِ

[Excerpt] of an appointment for Treasury (*makhzan*) affairs

May God have written for you lasting healthy conditions and hopes crowned with success. Know

that our care to dedicate our watch over those whom God has entrusted to us concerns all regions, near

and far, and that our action uses forbearance and justice at all times. It is in consideration of this that we chose those persons

whom we take as governors to manage interests and matters and that we name those in whom we distinguish the righteousness of their intentions

and the rectitude of their enterprises. This is in order that matters progress along the clearest and straightest of paths and that [our]

subjects (*al-ra'īyya*) be lead under the protection (...)

[١٨-r-5730] كتب الله لكم احوالاً للصّلاح مُستصحبةً
وامالاً للنّجاح متنسبة وان تعلموا

[١٩-r-5730] ان اعتناءنا بتوفية النّظر لمن استرعانا الله
أمره يتناول الادنى والاقصا¹¹⁷⁸ من

[٢٠-r-5730] الجهات ويتعاهد بالرفق والعدل في كل
الاقوات وبهذا الاعتبار نختار

[٢١-r-5730] من نستعمله في اقامة المصالح والمهمّات
ونقدّم من نتوسّم فيه سداد الانحاء

[٢٢-r-5730] واستقامة المحاولات ذلكم لتتمشّي الامور
على اقوم الجواد¹¹⁷⁹ واوضحها وتتوخى

[١-v-5830] الرّعية بالحماية (...)¹¹⁸⁰ ذلك موادّ

¹¹⁷⁴ Should probably be corrected with واعملوا, according to *taqdīm* 35 and the meaning.

¹¹⁷⁵ 'Azzāwī, *NLA*, t. 1, 473.

¹¹⁷⁶ 'Azzāwī corrects with كتيناه.

¹¹⁷⁷ 'Azzāwī, *NLA*, t. 1, 474-475.

¹¹⁷⁸ 'Azzāwī: والاقصى.

¹¹⁷⁹ Plural of جادة.

¹¹⁸⁰ The paper has been damaged here, and so part of the line is missing.

... the means of His aid and His direction and that He cause us to know in the protection of Islam (...) and His	[٢-v-5830] توفيقه وتُسديده ويعرفنا في حياة الإسلام (...) ¹¹⁸¹ وتا
assistance. This is why, after having asked the help of God on High, we have appointed Fulān over you, to manage	[٣-v-5830] بيده والى هذا فانا قدمنا عليكم بعد استخارة الله تعالى فلانا لينظر في اشغا
economic affairs and tax questions pertaining to the Domain (<i>mukhtaṣiyya</i>), ¹¹⁸² to take care of all that by adopting just conduct	[٤-v-5830] لَكُمْ المصلحية واعمال مجابيكم المختصية ويتولى ذلك كله بالسير القويمه
and correct methods. We know him because we have chosen him numerous times and observed on a number of occasions	[٥-v-5830] وعلى الطرق السوية وقد عرف بتردد الاختيار لاحواله وتكرر الملاحظة
his behavior in the different positions he held: he answered the expectations [we had] on naming him to lead you and completely fulfilled [our]	[٦-v-5830] لتصرفاته في وجوه استعماله وما وافق القصد في تعينه لتوليكم وطابق
magnificent plans in governing you and your regions. We have advised him to fear God on High in both small	[٧-v-5830] الغرض الجميل في النظر لكم ولنواحيكم وقد اوصى بتقوى الله تعالى في كثير
and large affairs. We have insisted that he take the paths and ways of justice. We have categorically ordered him	[٨-v-5830] الامر وقليله واكد عليه في سلوك سنن العدل وسبيله وامر امرا جزما ان
to do all that is possible to redress your affairs, to display competence and a sense of responsibility for [managing] the interests	[٩-v-5830] يبذل في تسديد الامور لديكم ما استطاع ويوالى الاستقلال بما حمل من مصالح
entrusted to him for you, both the elite and the masses, to use severity in the fight against the partisans of evil	[١٠-v-5830] الخاصة هناك والجمهور والاضطلاع ويعمل الشدة في ردع اولى الشر
and corruption, to remain impartial between the city dweller and the Bedouin, to scrupulously conserve with you the surplus	[١١-v-5830] والفساد ويقوم المعدلة بين حاضر منكم وبإد ويحتاط على مرتفعات
resources of the Domain (<i>mukhtaṣ</i>) with the interest, to direct finances according to the law (...) ¹¹⁸³	[١٢-v-5830] المختص وفوائد هناك اتم الاحتياط ويجرر الاشغال فيها على قانون (...)
and with precision (<i>iqsāt</i>), and to demand all sums due with no deductions and without abuse.	[١٣-v-5830] واقساط ويستوفى الواجبات كلها دون تقصير فيها ولا اشتطاط
Among the most important tasks we care about and for which we spend as much as necessary are the suppression of diverse abuses,	[١٤-v-5830] ومن أهم ما نجد به الاعتناء ونبذل فيه الغناء رفع المظالم على اختلافها
the elimination of innovations, the prohibition of inebriating drinks, the correction of reprehensible actions, and, addressed to your peoples,	[١٥-v-5830] وازالة المحدثات وقطع المسكرات وتغيير المنكرات واخذ الناس هنالك
the incitement to accomplish virtuous actions useful during their lifetime and after death. Thus, when he arrives among you,	[١٦-v-5830] بما يجدون النفع به من الاعمال الصالحات في المحيا ¹¹⁸⁴ والممات فاذا وافاكم
with the help of God, obey perfectly the [directives] he gives you concerning the [tasks] for which we have named him. Be	[١٧-v-5830] بمعونة الله فائتمروا لما يلقى اليكم في ما ¹¹⁸⁵ قدمناه عليه احسن ائتمار وكونوا
as hand united with him in the decisions he makes, by his authority, for your finances (<i>fī mā yuwālī-hi fī tilkum al-ashghāl min ʾirād wa isdār</i>). Above all else, in collaborating	[١٨-v-5830] معه يدا واحدة في ما يواليه في تلك الاشغال من ايراد واصدار واحرصوا

¹¹⁸¹ About three words are missing.

¹¹⁸² See note 'Azzāwī, 6, 474. Commentary on these functions.

¹¹⁸³ One or two words, almost illegible.

¹¹⁸⁴ 'Azzāwī: المحيى.

¹¹⁸⁵ 'Azzāwī: فيما.

to do good and fear God,¹¹⁸⁶ you should patently carry out the most beautiful efforts and noblest actions there are.

على ان يتضح لكم في التعاون على البر والتقى¹¹⁸⁷ واجمل مساع وأكرم آثار

Know that behind this and at all times, we keep over your situations the best watch,

واعلموا ان وراء هذا من حُسن التفقد لاحوالكم ما نواليه لكم مع الاحيان

with which we spread over you the shadow of forbearance and affection, and our consideration for you [translates] friendship and good wishes in which you

ونمد به عليكم ظل الرفق والحنان ويتخولكم¹¹⁸⁸ فيه بما يعود عليكم خيره من

will find happiness. And He – May He be glorified –, He will make your lands pleasant in health and security and He will grant

القرب والاحسان وهو سبحانه يمهد بالعافية والامنة أرجاءكم ويحقق

your desire for [His] guard and [His] protection. By His grace.

في ايصال الكلاءة لكم والوقاية رجاءكم بمنا

Taqdīm 47: Appointment from Fulāna, just after the conquest of the city, of a governor by the caliph al-Murtaḍā (649/1251-650/1252)¹¹⁸⁹

وَفِي تَقْدِيمِ آخِرِ عَنِ الْخَلِيفَةِ الْمُرْتَضَى Another appointment in the name of Caliph al-Murtaḍā

... This is what we write – May God have written for you agreement for the most successful efforts and actions and a competition

وانا كتبناه كتب الله لكم توافقا على انجح المساعى والاعمال وتسابقا

to [carry out] that which will be useful for you in the present and the future – from Fulāna¹¹⁹⁰. Know that we support your lands with our care

الى ما يعود عليكم نفعه في الحال والمال من فلانة وان تعلموا انا نعتمد بالاعتناء

and that we praise your efforts in the sincere service of our cause (*da wati-nā*), as long as you [continue to]

في جوانبكم ونحمد في صدق الخدمة لدعوتنا مذاهبكم ما لم تزالوا متمسكين به

obey it with this sincerity; [we also support them] with the good organization of its community and with a friendship that assures you the favors of its leaders (*awliyā*)

من طاعتها والانتظام في جماعتها والاخلاص الذي يحظيكم لدى اوليائها

and the profusion of its beneficence. After the conquest of Fulāna,¹¹⁹¹ we were happy to learn that you were among the first to rejoice in this fine

ويجزل لكم حظ نعمائها وقد تيسر من فتح فلانة ما نعلم انكم به اول من يسر بحسن

¹¹⁸⁶ Koran 5:2: “Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment.”

¹¹⁸⁷ Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْاِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

¹¹⁸⁸ ‘Azzāwī corrects with ومنتخولكم

¹¹⁸⁹ ‘Azzāwī, *NLA*, t. 1, 476.

¹¹⁹⁰ ‘Azzāwī suggests Marrakesh.

¹¹⁹¹ Al-Murtaḍā conquered Siljilmāssa when al-Qaṭrānī swore the *bay‘a* to the caliph in 656-7/1258-9 (*Bayān*, 415ff.), the Sūs was beyond his control since 651/1253 and he failed in conquering it (*Bayān*, 405, 406, and 415), Fez fell during the beginning of his reign and did not come back under his power, and Salé, the most likely here, was taken by the Marinids in 649/1251 (*al-Qirṭās*, 296). The *Bayān* mentions its return and its Almohad governor, Ibn Abī Ya‘lā when the Marinids took it again in 658/1260 (*Bayān*, 421-422). We can thus conclude that the letter dates from 649/1251 or 650/1252 and was meant for the Sufyān Arabs living in Tāmesnā.

action and to glorify God – May He be magnified and exalted – because it will reunite the land, chase away	[٧-r-5931] الصُّنْعُ فِيهِ وَيَحْمَدُ اللَّهُ عَزَّ وَجَلَّ عَلَى تَسْنِيهِ لِمَا فِي ذَلِكُمْ مِنْ اتِّصَالِ الْبِلَادِ وَارْتِفَاعِ
the evil caused by the agents of rebellion and corruption, and to spread the shadow of security and equity over	[٨-r-5931] شَرِّ أَهْلِ الْبَغْيِ عَنْهَا وَالْفَسَادِ وَامْتِدَادِ ظِلِّ الْأَمْنَةِ وَالْمَعْتَدِلَةِ عَلَى
its cities and countryside. Praise be to God who grants and dispenses gentle favors, and who frightens	[٩-r-5931] الْحَاضِرِ مِنْهَا وَالْبَادِ وَالْحَمْدُ لِلَّهِ الَّذِي خَوْلَ النِّعْمَةَ الْهَنِئِيَّةَ وَاسْدَأَهَا وَاشْجَى
and ruins the squadron rebellious against Islam. Our [generous] leadership – for which we ask	[١٠-r-5931] الشُّرْذِمَةَ الْبَاغِيَةَ عَلَى الْإِسْلَامِ وَأَرْدَاهَا وَقَدْ اقْتَضَى النَّظْرُ [الْكَرِيمِ] 1192 الَّذِي نَسْتَلُ 1193
God on High to lastingly lead us along the straight path, and to thus bring us to that which assures a healthy and virtuous (<i>bi-l-ṣalāh</i>) condition	[١١-r-5931] اللَّهُ تَعَالَى أَمَدَانَا فِيهِ بِالسَّدَادِ وَارشَادَانَا فِيهِ إِلَى مَا يَقْضَى بِالصَّلَاحِ
to the land (<i>li-l-bilādi wa-l-ibādi</i>) and [its] subjects – has decreed that we appoint Fulān ¹¹⁹⁴ to administer the interests and important affairs of your land,	[١٢-r-5931] لِلْبِلَادِ وَالْعِبَادِ أَنْ قَدِمْنَا فَلَانًا لَتَوْلِيَ النَّظْرَ فِي مَصَالِحِ تَلْكُمُ الْبِلَادِ وَمَهْمَاتِهَا
to study the situation of each one of its regions and provinces and to gently impose on its subjects (<i>al-ra'yya</i>) an accompaniment	[١٣-r-5931] وَالتَّصَفِّحِ لِأَحْوَالِ نَوَاحِيهَا وَجِهَاتِهَا وَتَوَخُّعِ الرَّعِيَّةِ (مِنْ الرِّفْقِ) 1195 بِمَا يَصْحَبُهَا
at all times, if God on High wills it. And he will travel throughout your regions and bring them all	[١٤-r-5931] أَنْ شَاءَ اللَّهُ تَعَالَى فِي كُلِّ أَوْقَاتِهَا وَهُوَ مَجْتَازٌ عَلَى تَلْكُمُ الْأَرْجَاءِ وَمَوْفِيَّهَا
the attention and care their affairs deserve, with the competence and desire to do well that we know in him.	[١٥-r-5931] قَسَطُهَا مِنَ التَّهْمُومِ بِأُمُورِهَا وَالْإِعْتِنَاءِ بِمَا عَرَفَ لَهُ 1196 مِنْ الْغِنَاءِ وَحَسَنِ الْإِنْحَاءِ
Be as one hand united with him each time he needs you. Appreciate all the care we bring to you	[١٦-r-5931] فَكُونُوا مَعَهُ يَدًا وَاحِدَةً فِيمَا يَحْتَاجُ فِيهِ الْيَكْمُ وَأَقْدَرُوا قَدْرَ اِهْتِمَامِنَا بِكُمْ
in appointing him to [govern] you. We have advised him to fear God on High, which is the foundation of all that is good ¹¹⁹⁷	[١٧-r-5931] فِي تَقْدِيمِهِ عَلَيْكُمْ وَقَدْ وَصَيْنَاهُ بِتَقْوَى اللَّهِ تَعَالَى الَّتِي هِيَ أَسْ خَيْرٌ كُلِّهَا 1198
and the condition for success in settling any affair. We have ordered him to be a factor of order and peace, to manage	[١٨-r-5931] وَسَبَبِ النِّجَاحِ فِي عَقْدِ كُلِّ أَمْرٍ وَحُلِّهِ وَامْرِنَاهُ بِالتَّمْهِيدِ وَالتَّسْكِينِ وَاجْرَاءِ
interests according to the most righteous of rules, to be severe with corruptors and aggressors, and to	[١٩-r-5931] الْمَصَالِحِ عَلَى أَقْوَامِ الْقَوَانِينِ وَالِاسْتِدَادِ عَلَى الْمُفْسِدِينَ وَالْمَعْتَدِينَ وَأَنْ يَلَا

1192 Addition by 'Azzāwī.

1193 'Azzāwī: نَسَأَلُ.

1194 If the previous hypothesis is correct, this is the governor of Salé, Abū 'Abd Allāh Muḥammad b. Abī Ya'lá al-Kūmī.

1195 Omitted by 'Azzāwī.

1196 'Azzāwī: عَنْهُ.

1197 The *wiṣāya* refers to Koran 4:131: "Verily we have directed the People of the Book before you, and you (o Muslims) to fear God."

1198 The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

observe religion in all that he says and does. When he passes among you, **حظ في كل ما يقوله ويفعله الدين** [٢٠-r-5931] offer him the welcome of fine obedience.

فاذا اجتاز عليكم فتلقوه بحسن الانتمار

Help him to put into place excellent projects and fine actions. While, by **واعينوه على تمشية أحسن** [٢١-r-5931] the will (*ṣun*) of God on High,¹¹⁹⁹

المقاصد واجمل الاثار وارقبوا من صنع الله
تعلى¹²⁰⁰

conquests will follow conquests and gifts will be renewed, watch for that **في اطراد الفتح واتصال المنح ما** [٢٢-r-5931] which will confirm your reasons to rejoice. If God

يؤكد لديكم موجبات الاستبشار ان شاء

on High wills it...

الله تعالى [٢٣-r-5931]

Taqdīm 48: Appointment of a governor with fiscal attributions¹²⁰¹

وعنه في المعنى [٢٤-r-5931]

In the same name, on the same subject

This is what we write – May God have written for you to ascribe **(takayyuf)**¹²⁰² a good situation and to know the success of your hopes. Know that

وانا كتبنا كتب الله لكم تكيف [١-v-6031] **صلاح الاحوال وتعرف نجاح الامال**
وان تعلموا

we care about your affairs, that we take you, both the people and the elite, under the protection of our benevolent watch, that we prefer that you continue

انا نتفقد اموركم ونتعهد [٢-v-6031] **بالنظر الجميل خاصتكم وجمهوركم**
ونوثر ان تستمروا

to rejoice in beneficent and complete security and health, to see us confirm your prosperity and your joy by the virtue

من العافية والامنة الكافلة [٣-v-6031] **الكافية على ما نوكد جزلكم وسروركم**
قياما بما

of God on High having entrusted us with guarding the affairs of His subjects and His lands and that, for that, we are devoted to working correctly

استرعانا الله تعالى من امور [٤-v-6031] **عباده وبلاده والتزاما في ذلك لاصواب**
العمل

in the right direction. For God on High is the One who guarantees His assistance and the right direction, and Who perpetuates

وسداده والله تعالى الكفيل [٥-v-6031] **بتوقيفه وارشاده والممد لنا في كافة**
المحاولات

His aid and His support for us in all our enterprises, by His grace and His generosity; there is no lord but Him.

باعدائه وانجاده بمنه وكرمه [٦-v-6031] **لا رب سواه والى هذا ادام الله تعالى**
كرامتكم

¹¹⁹⁹ Reference to Koran 27:88: "Thou seest the mountains and thinkest them firmly fixed: but they shall pass away as the clouds pass away: (such is) the artistry of God, who disposes of all things in perfect order: for he is well acquainted with all that ye do." Jacques Berque adds the following commentary in regards to this verse: "Une part de la tradition voit ici un effet des catastrophes de la fin du monde. Peut-être est-il plus pertinent de reconnaître une fulgurante intuition du mouvement cosmique, à quoi fait du reste penser l'allusion suivante à l'industrie de Dieu" (Berque, *Le Coran. Essai de traduction*, 410).

¹²⁰⁰ Reference to Koran 27:88: **وَتَرَى الْجِبَالَ تَحْسِبُهَا جَمَادَةً وَهِيَ تَمُرُّ مَرَّ السَّحَابِ صُنِعَ اللَّهُ الَّذِي أَنْتَقَنَ كُلَّ شَيْءٍ إِنَّهُ خَبِيرٌ بِمَا تَفْعَلُونَ**

¹²⁰¹ 'Azzāwī, *NLA*, t. 1, 477-478.

¹²⁰² Dozy, t. 2, 505: near passive of the second form, "modifier, donner un mode, faire exister, faire avoir lieu".

This is why – May God on High assure you always respect through the fear He inspires in you – we have decided, after having asked the help of God on High, to name Fulān to [manage] your fiscal matters.

[٧-v-6031] بتقواه فانا راينا بعد استخارة
الله تعالى على أن نقدّم على اعمالكم
المخزنية

He is among those who deserve to be chosen and who acquired training through experience in successive jobs.

[٨-v-6031] فلانا وهو ممن اهله الاختيار
ورشحه الاستعمال المردد والاختبار

We have advised him to fear God on High¹²⁰³ in [all] that he undertakes or leaves, to always fear Him – May He be exalted and magnified –

[٩-v-6031] وقد وصيناه بتقوى الله
تعالى¹²⁰⁴ في ما¹²⁰⁵ ياتيه ويذره¹²⁰⁶
والتزام خشيته عز وجل

in all that falls under his authority (*fī kulli mā yūridū-hu wa yuṣdirū-hu*) and to act in all his endeavors in a way that gains favor from He who knows

[١٠-v-6031] في كل ما يورده ويصدره
والعمل في جميع محاولاته بما ينفعه
عند من يعلم ما

what he shows and what he hides. We have ordered him to establish mandatory duties for you most justly

[١١-v-6031] يظهره ويضمّره وامرناه ان
يستقضى الحقوق الواجبات عليكم اعدل
الاقتضاء

and to collect them in full, to take the greatest care in safeguarding them, whether they

[١٢-v-6031] ويستوفيها اكمل الاستيفاء
ويعتنى في الاحتياط على قليلها
وكثيرها

be few or substantial. We have insisted that he treat you according rules of benevolent and generous (*āfiya*) conduct,

[١٣-v-6031] اجمل الاعتناء واكدنا عليه
في ان يجريكم على قانون السيرة
الجميلة والعافية

that he never lead you astray from the paths of justice while carrying out the pursuit [of his actions], that he resort to clemency

[١٤-v-6031] ولا يعدل بكم عن سنن العدل
في الابداء والاعادة وان يضع موضع
اللين

when he should and to severity when necessary, bringing to all of that the seriousness and competence he has already proven,

[١٥-v-6031] لينه وموضع الشدة اشتداده
متوليا ذلك كله بما قدر فيه من الجد
والغناء

showing in all the affairs he treats the righteousness of his principles and intentions and accomplishing his work in a way

[١٦-v-6031] متحليا في جميع اموره بسداد
المذاهب والانحاء متحررا العمل بما يقع

deserving of praise and approval. Thus, when he arrives among you, thanks to the help of God on High, submit your

[١٧-v-6031] موقع الاستحسان
والارتضاء فاذا وافاكم بمعونة الله تعالى
فارجعوا اليه

economic and fiscal affairs to him. Follow the clear sublime path in complying with the decisions

[١٨-v-6031] باشغالكم المخزنية
والمصلحية واسلكوا في الانقياد لما
يقدره فيكم من

¹²⁰³ The *wiṣāya* refers to Koran 4:131: “Verily we have directed the People of the Book before you, and you (o Muslims) to fear God.”

¹²⁰⁴ The *wiṣāya* refers to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ آؤْتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

¹²⁰⁵ فيما: ‘Azzāwī.

¹²⁰⁶ ويذره: ‘Azzāwī.

he makes for your interests, and hasten to give the sums shown to you

[١٩-v-6031] المصالح على السُّبُل
الواضحة الجلية وبادروا الى اداء
المتعينات قبلكم من

promptly and without delay, "help one another in righteousness and piety, but help not one another in sin

[٢٠-v-6031] غير بُطءٍ ولا تَوَانٍ وتعاونوا
على البر والتَّقوى ولا تعاونوا على
الاثم

and rancor."¹²⁰⁷ Be united in exemplary obedience, devote yourselves to works that will bring

[٢١-v-6031] والأعدوان¹²⁰⁸ والتَّوَمُوا على
حسن الطَّوابعية والتَّزَمُوا الاعمال التي
تحظيكم

you uncountable favors. Know that in our benevolent watch over you there is one who watches without striking and thought [interested]

[٢٢-v-6031] بأطْرَادِ العافية واعلموا أنَّ
ورآءكم من نظرنا الجميل ناظرا لا يهدم
وخاطرا لا

and caring only for the interests of the Muslims, if God on High wills it. And He – May He be glorified – He will cause you to know

[٢٣-v-6031] (...) غير مصالح
المسلمين ولا يقدم
ان شاء الله تعالى وهو سبحانه يعرفكم
يُؤمِّن

the privilege of this appointment and He will fulfill you with His general and universal favors. By His grace.¹²¹⁰ Yahyā said

[١-r-6132] هذا التقديم ويضفركم
لفضله¹²¹¹ الشَّامِل العميم بمئه □
قَالَ يَحْيَى

– May God assist him: here end the writings concerning the appointment of governors I found

[٢-r-6132] وفقه الله انتهى ما الفيته من
المكتوب في تقاديم الولايات

in the collection and in the copies (*mubayyaḍāt*). I have grouped the appointments for judges that are in the chapter in the

[٣-r-6132] في المجموع وفي المبيضات وانا
اتييت¹²¹² ما في الفصل الذى في المجموع
من تقاديم

Collection, and I have added the contracts and writings that are inside and outside of the collection/

[٤-r-6132] القضاة واضيف اليه ما في اثنايه
وما خرج عنه من تلك العهود والمكا

¹²⁰⁷ Koran 5:2: "O ye who believe! Violate not the sanctity of the symbols of God, nor of the sacred month, nor of the animals brought for sacrifice, nor the garlands that mark out such animals, nor the people resorting to the sacred house, seeking of the bounty and good pleasure of their Lord. But when ye are clear of the sacred precincts and of pilgrim garb, ye may hunt and let not the hatred of some people in (once) shutting you out of the Sacred Mosque lead you to transgression (and hostility on your part). Help ye one another in righteousness and piety, but help ye not one another in sin and rancor: fear God: for God is strict in punishment."

¹²⁰⁸ Koran 5:2:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَجْلُوا شَعَائِرَ اللَّهِ وَلَا السُّهُرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ وَلَا آمِينَ النَّبِيِّ الْحَرَامَ يَنْتَعُونَ فَضْلاً مِنْ رَبِّهِمْ وَرِضْوَاناً وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ.

¹²⁰⁹ Missing word.

¹²¹⁰ This is the last *taqḍīm* concerning governors, 'ummāl and qā'id. *Taqāḍīm* concerning judges follow next, as in the manuscript.

¹²¹¹ 'Azzāwī corrects with بفضلته.

¹²¹² 'Azzāwī corrects with أتيتك.

Chapter. [X] wrote – May God’s mercy be upon him – the appointment of a judge in the name of the imām al-Ma’mūn After the preamble

[٥-r-6132] ثبات كتب رَحْمَة الله عَلَيْهِ عن الامام المامون تقديم قاض بعد التصدير

Taqdīm 49: Appointment of a judge, responsible for choosing instrumentary witnesses and secondary judges, in the name of the caliph al-Ma’mūn, before the renunciation of the Almohad doctrine (2 shawwāl 624/1227-626/1229). The bases of the law are the Koran and Tradition¹²¹³

This is what we write – May God have written for you a watch whose favor concerns you and brings you all together and care that promises and destines

[٦-r-6132] وانا كتبناه كتب الله لكم نظرا يعمكم منه ويشملكم واعتناء¹²¹⁴ يؤمكم

you for happiness. Know that your land – May God make it a plain – enjoys in our heart exclusive and constantly

[٧-r-6132] خيره ويستقبلكم وان تعلموا ان قطركم مهده الله منا ببال العناية التي

renewed attention. For your place with us, by the seniority of your friendship, is protected by the generous solicitude

[٨-r-6132] نتعهده ونتخوله وانكم لدينا بقديم اختصاصكم بالمحل الذي يحق به احفى

of its shepherds (*al-ra’yi*). This is why we continually distinguish you by watching over your situation, why we enquire

[٩-r-6132] الرعى واحفله ولذلك نخصكم مع الاونة بتفقد احوالكم ونوالى حفى

ceaselessly about the state of your affairs, small and large, and why we propose to act on all that concerns you

[١٠-r-6132] السؤال عن الدقيق والجليل من اشغالكم وتتوخى اجراءكم في الامور كلها

in a way that magnificently fulfills your most ambitious hopes. We have accordingly chosen for

[١١-r-6132] على اوفى ما تتشوف اليه طوامح ءامالكم وبحسب ذلكم نختار لا

your judgments one who will fully satisfy our objectives for you, and who will advance our fine doctrine in all your lands.

[١٢-r-6132] حكامكم من يوفى قصدنا فيكم ويمشى مذهبنا الجميل في كافة نواحيكم

We ask the help of God on High to spread [His] grace and security and to install the order of justice and good behavior.¹²¹⁵

[١٣-r-6132] وبالله تعالى نستعين على افاضة المن والامان واقامة رسم العدل والاحسان¹²¹⁶

We have judged it a good thing, after having asked the help of God on High, to name Fulān to judge your affairs related to the Law

[١٤-r-6132] وقد راينا بعد استخارة الله تعالى ان نقدم للقضاء في شرعى نوازلكم

and to take charge of the religious aspects of your problems; he enjoys a celebrated rank and place of choice

[١٥-r-6132] وتولى النظر في الدينى من مسابلكم فلانا وله المنصب الشهير والمحل

in our religion, and everyone agrees on his purity and devotion. We advised him before to fear

[١٦-r-6132] في الدين الاثير وعلى زكابه واتقابه تتفق الجماهير بعد ان وصيناه بتقوى

¹²¹³ ‘Azzāwī, *NLA*, t. 1, 479. Azzāwī claims that this *taqdīm* and the following two were written between 2 šawwāl 624/September 15 1227 and the end of 626/November 1229.

¹²¹⁴ ‘Azzāwī: واعتناء.

¹²¹⁵ Reference to Koran 16:90: “God commands justice, the doing of good” (*inna Llāha ya’muru bi-l-’adli wa-l-ihsāni*).

¹²¹⁶ Reference to Koran 16:90: إن الله يأمر بالعدل والإحسان

God on High, that is the foundation of all good, the pillar on which the believer rests when he knots and unknots.	[١٧-r-6132] الله تعالى وهى اس الخير كله واليه يستند المؤمن في عقده وحلّه
We have ordered him to base his judgments on the Book of God and the Tradition of His messenger, to use them as the basis	[١٨-r-6132] وامرناه بالاستظهار في احكامه بكتاب الله وسنة رسوله والاعتماد
of his words and actions, and to choose well his instrumentary witness and secondary judges (<i>musaddidīn</i>), ¹²¹⁷ indeed, they are the cornerstone on which	[١٩-r-6132] عليها في مقوله ومفعوله والتخير للشهداء والمسددين فهم عمدة تا
he founds and authenticates his judgments. We have prescribed that he grant everyone their place, as long as	[٢٠-r-6132] سيبسه للقضاء وتاصيله واوعزنا اليه ان ينزل الناس منازلهم ¹²¹⁸ ما لم
it does not conflict with the Law; indeed, he must take this under consideration, see and hear only it;	[٢١-r-6132] يعرض حكم شرعى فعليه اعتبار الشرع والالقاء اليه بالبصر والسمع
and no one should have more than another in regards to the imperatives of the law, there is no exception for rank in the pronouncement or execution of a sentence.	[٢٢-r-6132] فلا مزية لاحد على احد في الحق الواجب ولا معتبر في امضاء الحكم وانفا
Once our letter has been read before you, submit your decisions (<i>ahkām</i>) to him, [come together]	[٢٣-r-6132] ذه للمناصب فاذا قرىء عليكم كتابنا هذا فارجعوا اليه باحكامكم (...) ¹²¹⁹
behind him so that he may arbitrate among you in case of disagreements. Be in agreement, rather than opposition, you will find the blessing that offer concord and	[١-v-6232] عليه في الفصل بينكم في نوازل خصامكم واتفقوا ولا تختلفوا تجدوا بركة اتفاقكم والتنا
Union. Know that we have chosen him from those among you with the most perfect valor, education, and religious practice. By our benevolence for you	[٢-v-6232] مكم واعلموا انا تخيرناه من اماتكم في الحسب والطلب والديانة وانهضناه بحكم
we have designated him to take charge of this responsibility for you and occupy this rank. Bring him your support,	[٣-v-6232] النظر الجميل لكم لتقلد هذه الامانة لكم وتبرؤ هذه المكانية فامدوه بالعضد
your aid, and your assistance, if God on High wills it. And He – May He be glorified –, He will keep you always under the wing	[٤-v-6232] والانجاد والاعانة ان شاء الله تعالى وهو سبحانه يصل استقراركم في كنف
of salvation and His solicitude will never deny you abundant favors and efficient protection (<i>‘iṣām</i>).	[٥-v-6232] العافية ولا يعدمكم تعهد النعم الوافرة والعصم الكافية □

Taqdīm 50: Appointment of a judge, responsible for the choice of instrumentary witnesses. The bases for law are the Koran and Tradition¹²²⁰

تَقْدِيمُ قَاضٍ آخَرَ [٦-v-6232]
Appointment of another judge

¹²¹⁷ See al-Maqqarī, *Nafh al-ṭīb*, ed. I. ‘Abbās, Beirut, Dār ṣādir, 1968, t. 1, 218 on the *musaddidīn* who were judges in small places and in the country.

¹²¹⁸ Reference to a *ḥadīth* whose authenticity is contested; attributed to ‘Ā’isha, reported by Abū Dāwūd, *Sunan*, 726, n° 4 842:

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّهَا قَالَتْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْزَلُوا النَّاسَ مَنَازِلَهُمْ.

¹²¹⁹ Word erased.

¹²²⁰ ‘Azzāwī, *NLA*, t. 1, 480. ‘Azzāwī claims this and the previous *taqdīm* were written between 2 *shawwāl* 624 and the end of 626 (between September 15 1227 and November 1229).

May God assure them always respect through the fear He inspires in them and cause them to know the happiness that we desire and propose in the decisions we make.

This is what we write – May God have written for you a manifestly excellent condition and actions whose first-fruits announce

fortuitous ends. Know that care for the interests of the faithful of [your] land is our first concern

and an objective for which we accept no delay or slowness. For we work without ceasing

to advance the best and most correct solutions, we lead affairs along the most clear and evident path

and we have always in mind the worries (*muhimmāt*) of the Muslims, morning and night. We ask of God assistance for the good

for which we braid and reinforce ties, and we place ourselves in His hands for the administration we envisage

and plan to achieve it. Since the judgment of affairs pertaining to the Law deserves more than anything to be treated as a priority

and to see its organization protected with benevolent attention, because it is the axis on which the interests of the Community

rests and the refuge for grave matters, we choose always [to take responsibility for it] one in whom we reckon a sense of responsibility

and whose intentions and friendship we praise fulfilling our efforts to make the best choice by granting preference

to one in whom the traits of purity and virtue come together. We accordingly appoint Fulān

to arbitrate and judge your disputes, to pronounce and apply the law in the questions you pose, [that] after

having verified that we was worthy, that he possessed the best and finest qualities, and that his words and actions were known

ادم الله كرامتهم بتقواه وعرفهم
يمن ما نقصده من النظر لهم¹²²¹ وتوخواه

وانا كتبناه كتب الله لكم احوالاً
يتضح صلاحها واعمالاً يدل على حسن

عاقبتها افتتاحها وان تعلموا ان
العناية بمصالح العباد البلاد هو تهمةنا

المقدم ومقصودنا الذي لا
نتأني في اظهاره ولا يتلوم¹²²² وانا لا
نزال نعمل

النظر في تمشية الاوفق
الاصلاح ونجری الامور على السنن
الابيين الاوضح

ونتعهد مهمات المسلمين مع
المسى والمصبح وبالله نستعين على
الصلاح

الذی نبرم اسبابه ونوكدها
واليه نفوض في الادارات التي نتوخواها
في

ذاته ونعتمدها ولما كانت
الاحكام الشرعية احق ما قدم احكامه

وحفظ بجميل الاعتناء نظامه
لانها القطب الذي تدور عليه مصالح
الامة

والملاجئ الذي يفرع اليه
بالامور المهمة لم نزل نتخير لها من
نظن به الاستقلال

ونحمد منه المناحي والخلال
بذليلين اقصى الوسع في الانتقاء موثرين
من

اجتمعت فيه اوصاف الزكاء
والنقاء وبحسب هذا النظر قدمنا فلانا

للفصل في نوازلكم والقضاء
والانفاذ للحق في مسابلكم والامضاء بعد
ان

قرر تاهله وعزى اليه احسن
الوصف واجمله وذكر باستقامة وسداد

¹²²¹ له. 'Azzāwī:

¹²²² نتلوم 'Azzāwī corrects with.

for their righteousness and accuracy; we appreciated that he follows the footprints of his father. We likewise appreciated that he made the best decisions in matters entrusted to him

or for which he was responsible. In addition, we have ordered him to make the fear of God – May He be glorified – the first among his motivations

and conformity with the Book and Tradition the surest rule of his acts; to fear “He who knows the seen and the unseen”¹²²³

in that which he makes or unmakes.¹²²⁴ We have ordered him to stray in no way from the path of the pious ancestors

in his judgments, to exercise his authority only (*wa an lā yūrid wa lā yuṣdir illā*)¹²²⁵ after a verification from which he will profit in its

constancy and by the interrogations he will multiply. For in [juridical] affairs, there is both the clear and the ambiguous, and cases for which

a quick glance does not suffice. May he then consider thoroughly to escape from the flaw of haste and may he prolong examinations,

for that is the best means to lift away uncertainty. We have insisted that he name only those people in whose religion and knowledge he has faith

and of whom he is sure of their virtue, that he choose instrumentary witnesses (thus he will allow no justice

that is not recognized by all and will use only irrefutable witnesses), and that he ceaselessly seek

information about them, for in regards to a witness certain elements come out which appear clearly in the next instant and an attentive

examination can reveal facts that impose recusal after verification. We have warned him to avoid any shadow of suspicion,

to take care [for the blows] that could bring him the arrows of blame, to treat equally all opposing parties in the place,

قوله وعمله وقدّر فيه الاقتداء
بأبيه وهو المشكور تحريه في ما يقلده

ويحمله ومع ذلك فقد عهدنا
اليه بان يكون تقوى الله سبحانه اول ما
يقدمه

والعمل بمقتضى الكتاب والسنة
ءاكد ما يلتزمه وان يراقب عالم الغيب

والشهادة في ما ينقضه ويبرمه
وامرناه ان لا يعدل عن سنن السلف
الصالح

في شيء من احكامه وان لا
يورد ولا يصدر الا عن تحقيق يستفيده
من تثبته

وتردّد استفهامه في القضايا
البيّن والملتبس ومن النوازل ما لا يكفى
فيه

النظر المختلس ومن اليو فليدم
التأمل ليسلم من زلل الاستعجال وليطل
التصفح

فهو ارفع للاشكال واكدنا عليه
في ان لا يقدم الا من وثق بدينه ومعرفته

وكان علي يقين من زكاء
صفته وان يتخير الشهود فلا يقبل الا
العدل المتفق

عليه ولا يعمل من الشهادات الا
ما لا يتطرق الجرح اليه وليوال أبدا

تعهدهم فقد يخفى من احوال
الشاهد في وقت ما يبين بعده وقد يلوح
مع

التفقد ما يوجب بعد القبول رده
وأوعزنا اليه ان يتنزّه عن مظان¹²²⁶
الاتهام

ويتنبّه لما ترشقه به سهام
الملام ويسوّي بين المتحاكمين في
المجلس

¹²²³ Name of God appearing often in the Koran (6:73, 9:94, 9:105, 13:9, 23:92, 32:6, 34:46, 54:22, 62:8, 64:18).

¹²²⁴ Other possible translation: “In [the decrees] he confirms or nullifies”.

¹²²⁵ “To not receive and not transmit”.

¹²²⁶ ‘Azzāwī: مَضَانٌ (in this case, a Maghribī form by ‘Azzāwī, and not the manuscript).

attention, and words [he grants them]; to take care that in the judgments [he gives], the weak and the strong, the near

[١٢-r-6333] والالتفات والكلام وان يكون
لديه الضعيف والقوي والقريب والقصي

and the far have before him equal rights. So, when he arrives among you, support him in advancing these

[١٣-r-6333] شرعا سواء¹²²⁷ في الاحكام
فاذا وافاكم فاعينوه على تمشية هذه

magnificent objectives, bring him your firm support and your manifest help. If God on High wills it...

[١٤-r-6333] المقاصد الحسنة وامدوه
بالمعاودة المتمكنة والمساعدة البيينة ان
شاء الله تعالى

Taqdīm 51: Appointment of a judge responsible for choosing instrumentary witnesses and secondary judges, after the abandonment of the Almohad doctrine. The person appointed follows in the footsteps of his father and his uncle. The foundations of the law are the Koran, Tradition, community consensus and juridical consultations of the imāms¹²²⁸

وَفِي تَقْدِيمِ آخَرَ [١٥-r-6333]
Another appointment

This is what we write — May God have written for you an administration the happiness of which you will recognize in all situations and the best choice in all

[١٦-r-6333] وانا كتبناه كتب الله لكم نظرا تتعرفون
يُمنه في كل احوالكم وتخيرا لما

that concerns your important affairs. Know that to lead them we name one who will look after them

[١٧-r-6333] يتولى كل مهم من اشغالكم □ وان تعلموا
انا نقدم للاشغال من يتقدم للا يتقدم لها¹²²⁹

with most perfect competence, that we watch over the land and its problems with full solicitude

[١٨-r-6333] باتم غنايه ونظر للبلاد نظر الطارف الى
مهماتها وجه اعتنايه ○ ○

and that because of its noble rank we designate projects for it crafted with continuous and renewed care for

[١٩-r-6333] ونعطيها بحسب محلها من النباهة ما
نقصده من تتابع التهم بمصالحها

its interests. Since your land holds a place of choice with us and we have always

[٢٠-r-6333] وولايه ولما كان لقطركم من المكانة لدينا
ما يزحم عليه وكانت خواطر

held it in great esteem, we have judged that only one who has acquired merit

[٢١-r-6333] الالتفات ابدا مطروفة اليه لم نوهل للتقدم
في شيء من اشغاله الا من

through his numerous prior deeds would be worthy of directing the least of its affairs, one whose independent personality and illustrious ranks designates him as such.

[٢٢-r-6333] اهلته سوابقه الكثيرة وانهضته ذاته
المستقلة ورتبته الاثيرة

¹²²⁷ سواء: 'Azzāwī.

¹²²⁸ 'Azzāwī, *NLA*, t. 1, 481-482.

¹²²⁹ Added in the margin.

We have tested him many times, and each time he has revealed his excellent nature (...)	[١-v-6433] وتردد على الاختبار فحسنت منه السجية و عمد (...) 1230
he has acquitted himself as a judge the benefits of whom will benefit you all, the elite and the masses (...)	[٢-v-6433] ما تعنى به القضاء الذي ينال منفعته خاصتكم وجمهوركم (...) 1231
... his management according to the rules of the Law, your situations (...) and your affairs will become sound. He is wisdom that spouts	[٣-v-6433] باقامته على القانون الشرعى احوالك وتصلح امورك فانه الحكمة الوازعة
from spontaneity and the defense of people and belongings by their own proper rights.	[٤-v-6433] عن استرسال والعصمة للدماء الا بحقها وللاموال ولذالك عيناً لكم بعد
This is why, after selection, election, meditation, and consideration, we have designated Fulān for you. We have sent him to you from our (<i>hādhi-hi</i>) Presence ¹²³²	[٥-v-6433] التخير والانتقاء والتأمل والارتياح فلانا فنقلناه عن هذه الحضرة
and we have honored you with his appointment. For, with the certain force of his own qualities and the exceptional fact	[٦-v-6433] اليكم واثركم بتقديمه عليكم فانه مع تمكّن اختصاصيه وتاكده وتميزه
that he has kept the innumerable merits we protect, his guidance is ancient, he has no equal among his peers	[٧-v-6433] من احراز الوسائل المرعية بما لا خفاء بتعدده القديم الانحاء العديم
for knowledge and virtue, and he steadfastly follows the footsteps of his father and his (paternal) uncle. ¹²³³	[٨-v-6433] النظر آء في المعرفة والذكاء المتردد بين ابيه وعمه بالاقتداء والاقتفاء
In addition, we have counseled him to fear God, which is the surest support, and (...)	[٩-v-6433] ومع ذلك فهو موصى بتقوى الله التي هي المستند الا عصم (وال...) 1234
whose handle neither gives nor breaks. We have ordered him to refer to the Book of God and to (the Tradition)	[١٠-v-6433] الذي لا تُجَدُّ عُرُوته ولا تُفصم ومأمور بالرجوع الى كتاب الله وسنة ¹²³⁵
of His messenger — Peace be upon him — in all his judgments, to rely on the consensus of the community (<i>ijma' i l-ummati</i>)	[١١-v-6433] رسوله عليه السلام في جميع احكامه والاستناد الى اجماع الامّة
and on the juridical consultations of the imams when he confirms or nullifies [a decree], and to conform to the past conduct of his virtuous predecessors	[١٢-v-6433] وقتاوى الائمة بنقضه وابطاله والوقوف مع ما سلف عليه السلف
when he undertakes something or abstains. He must select secondary judges (<i>musaddidīn</i>) to	[١٣-v-6433] الصالح محطاً لا حجامه واقدامه وعليه ان ينتقى المسددين الذين
employ in the regions, appoint only those who are reputed for the purity [of their intentions] and the confidence [we can grant them] and to accept	[١٤-v-6433] يستعملهم في الجهات ولا يقدم الا المشهور من الازكياء الثقات ¹²³⁶ ولا يقبل

¹²³⁰ End of the line covered by a piece of glued paper, one or two illegible words.

¹²³¹ *Idem*.

¹²³² He seems to have been *qāḍī* in the court of al-Ma'mūn in Seville, as shown by al-Ma'mūn's presence in the city (*taqḍīm* 53). 'Azzāwī notes that the date of this *taqḍīm* and the next two comes between the caliphal proclamation of al-Ma'mūn, 2 *shawwāl* 624/September 15 1227, in al-Andalus and his crossing to the Maghrib at the end of 626 (November 1229).

¹²³³ The appointee seems close to the *qāḍī* appointed in the following *taqḍīm*.

¹²³⁴ Word erased.

¹²³⁵ Unread by 'Azzāwī.

¹²³⁶ 'Azzāwī corrects with الثقة specifying that this version is perhaps due to the necessities of *saj'*, for the rhyme with *jihāt*, *shahādāt*.

as witnesses only those who fulfill completely the conditions necessary for this position. And, with the help of God, may	من الشهداء ¹²³⁷ الا المستوفي لشروط الشهادات وهو بحول ¹²³⁸ الله يجري الا
he judge according to the most just rules, may he crown this preamble with real results,	[١٦-v-6433] حكام على اقوم مناهجها ويفي لهذه المقدمات باصدق نتائجها
may he approach complicated juridical questions presented to him with the [means] of openness and decision [given him by] reflection	[١٧-v-6433] ويتلقى بما يعرض عليه من مبهمات النوازل بفاتحها من التأمل وفارجها
and may he always follow the path traced by his father — May God show him mercy — by privileging justice, taking	[١٨-v-6433] ويستمر على الوتيرة التي كان ابوه رحمه الله عليها من الفضل بالعدل والسلوك
the clearest paths, and resolutely applying the law caring neither for blame nor critics	[١٩-v-6433] على اوضح السبل والتصميم في امضاء الحق غير مبال باللوم والعدل
and pronouncing the same judgment for the man of the people as for the noble, without showing preference for the people of the nobility. We have taught him	[٢٠-v-6433] والتسوية بين المفضل والفاضل في الحكم غير موثر فيه لذوى الفضل (ولقناه ان) ¹²³⁹
to give each the place he deserves: may a noble come before an unknown, as long as it is not against a right that needs	[٢١-v-6433] ينزل الناس منازلهم ¹²⁴⁰ ويفضل نبيهم خاملهم ما لم يعرض حق يتعين
to be considered and that determines a judgment that imposes privileging him. Thus, when he arrives among you, receive him with joy	[٢٢-v-6433] اعتباره ويتعين حكم يجب ايثاره فاذا وافاكم فتلقوه تلقى الجذل به
and respect and seek to help him for the authority we have conferred on him (<i>min al-irād wa-l-iṣḍār</i>). Be	[٢٣-v-6433] والاستيثار وتوخوا اعانته على ما اسدناه من ¹²⁴¹ الايراد والاصدار وكونوا
his auxiliaries and (...) in all that he does for your interests. Cultivate always agreement and confidence (<i>al-iqtīlāf</i>) ¹²⁴²	[١-r-6534] له على ما يعمل من المصالح من الظهر آء (والا... هار) ¹²⁴³ واديموا الاقتلاف ¹²⁴⁴ والاتفاق
and you will find the benediction of God in this domain and the domain of deliverance.	[٢-r-6534] تجدوا بركة الله ¹²⁴⁵ في هذه الدار ودار القرار

Taqdīm 52: Appointment of the jurist Abū Muḥammad as judge of Jérez by the Caliph al-Ma'mūn, middle of the month of shawwāl 626/beginning of September 1229. The judge is responsible for choosing instrumentary witnesses and assistants or secondary judges. The foundations of the law are the Koran,

¹²³⁷ 'Azzāwī: الشهود.

¹²³⁸ 'Azzāwī: بحبل.

¹²³⁹ Words unclear. Proposal by 'Azzāwī.

¹²⁴⁰ Reference to a *ḥadīth* whose authenticity is contested; attributed to 'Ā'isha, reported by Abū Dāwūd, *Sunan*, 726, n° 4 842:

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْزَلُوا النَّاسَ مَنَازِلَهُمْ.

¹²⁴¹ Three words unread by 'Azzāwī.

¹²⁴² Lit. "to deduct without weighing".

¹²⁴³ Suggestion الانصار.

¹²⁴⁴ 'Azzāwī gives اختلاف, but this is clearly incorrect.

¹²⁴⁵ 'Azzāwī: هذا الامر.

Tradition and the consensus of the Community¹²⁴⁶

وكتب في تقديم صنوه الفقيه

أبي محمد على خطة القضاء بشرية

عن الخليفة الامام المأمون

[X] wrote for the appointment of his relative (ṣanū-hu) the jurist Abū Muḥammad¹²⁴⁷

as judge of Jérez in the name of the caliph Imām al-Ma'mūn

May God assure them always respect by the fear he inspires in them and may he lavish them with the benefits of His grace and His abundant favors.

This is what we write — May God have written for you a vision whose happiness you will know in your lands and thanks to which you will be sure

to enjoy a calm situation and civilized domains. Know that the care taken for you means

that your affairs (*ashghāli-kum*) are counted as priorities and that you are treated like those on whom we lavish the greatest consideration.

We keep this in mind when choosing officials for you and making the best possible selection for the one that we appoint to lead your provinces. May God

on High help in assuring the interests [of all] and protecting everlastingly those regions near and far.

We appoint Fulān alone to manage your affairs regarding the Law and to make an effort

to arbitrate your religious disputes. This comes after he has already occupied numerous jobs and we have been able to verify

his competence and sense of responsibility. We have tested him and he has shown fine qualities and a praiseworthy character.

We have advised him to fear God on High, which is the obvious path and the promise of success.

We have ordered him to seek help in the Book of God, in the Tradition of His messenger, and in the consensus of the Community (*ijmā' i l-ummati*)

in the judgments he confirms or annuls, to apply all his zeal in that to conform [to their model] and to use it as a guide,

to attentively observe our orders to devote himself to justice and forbearance and to insist

أدام الله كرامتهم بتقواه وأسبغ عليهم عوارف مننه الجزيلة ونعماء

وأنا كتبنا كتب الله لكم نظرا تتعرفون يئمنه في أقطاركم ولا تعدمون

معهد هذو أحوالكم وتمهد قراركم والعلم بان الاعتناء بمكانكم يوجب

تقديم اشغالكم في ما يقدم واجراءكم مجرى من يصرف اليه التهم وبحسب

ذلك نتخير المستعملين فيكم ونحيد الانتقاء لمن تقدمه في نواحيكم والله

تعالى يعين على اقامة المصالح وادامة الحياطة للداني من الجهات والنازح

وأنا قدمنا فلانا للانفراد بالنظر في احكامكم الشرعية والاجتهاد في

الفصل بينكم في النوازل الدينية بعد ان تكرر مرارا استعماله وتحقق

غناؤه واستقلاله وخبر فكانت جميلة اوصافه ومشكورة خلاله

وقد أوصينا بتقوى الله تعالى وهي الجادة الواضحة والوسيلة الناجحة

وامرنا ان يقف مع كتاب الله وسنة رسوله واجماع الامة في ما¹²⁴⁸ يبرمه

وينقضه من احكامه وان يصرف الى ذلك وجه الاقتداء به وانتمامه وان

يحافظ على الوصايا التي نامر بها من التزام العدل والرفق والتصميم في كل

¹²⁴⁶ 'Azzāwī, *NLA*, t. 1, 483-484.

¹²⁴⁷ 'Azzāwī remarks that he was appointed judge in Algeciras, as shown in the next *taqdīm*, which means that this appointment happened before the other.

¹²⁴⁸ 'Azzāwī: فيما.

on the law in all new matters. We have enjoined him to exercise as well as possible the judgeship	نازلة تنشأ على ¹²⁴⁹ الحق وحددنا له ان يضبط شغل القضاء الذي اسندنا
we have entrusted exclusively to him, to appoint as assistants only those people who demonstrate remarkable qualities for that and who are reputed for	اليه وقصر عليه وان لا يقدم من المسددين الا من يتميز بالقبول ويرتسم في
their equity (<i>al-udūl</i>), ¹²⁵⁰ to accept as [instrumentary] witnesses only those who are known for their sense of justice	العدول ولا يقبل من الشهود الا من عرف بالشهادة بالعدالة وسداد
and honesty, famous for their vigilance and sagacity, as well as for their purity and virtue, for testimony (<i>shahāda</i>)	الحالة واشتهر بالتيقظ والزكاء ¹²⁵¹ واتصف بالنزاهة والزكاء فالشهادة
is the judge's pillar and support (by which he issues or receives... that he refuses)	مستند الحاكم ومعتمده (... بما يصدره وبها يورد... ورده) ¹²⁵²
and it is the source of what he binds or unbinds in his judgments. Thus, to that must he dedicate all his efforts and	وهي اصل ما يحله من قضايا ويعتقده فعليه ان يحتاط ¹²⁵³ لذلك جهده ويضع
recognize or refuse [witnesses] as he should. In his judgments, he must treat equally those who are famous or unknown,	قبوله حيث يجب ورده وعليه ان يسوى في الحكم بين النبيه والخامل
the man of the people or the noble, for the eyes of the Law do not take status into consideration; there is no care for [social] rank	والمفضول والفاضل فالشرع لا تعتبر فيه المناصب ولا تلحظ في تنفيذه المرا
before the Law, observing only what is right, beyond which there are only partisan views. Thus, when, with the help of	تب ولا يرعى فيه الا جانب الحق الذي دونه الجوانب فاذا وافاكم بمعونة
God on High he arrives among you, rejoice in his arrival in your land, help him ceaselessly and in all circumstances,	الله تعالى فاغتنبوا بقدمه على مكانكم وواصلوا انجاده في كل احيانكم
offer him constant collaboration to do good and to fear [God], ¹²⁵⁴ be as one hand united for the good we desire	واديموا التعاون على البر والتقوى ¹²⁵⁵ وكونوا يداً واحدة في ما يراد بكم
and that we want for you, know that he was chosen for you after having been tested and once we had appreciated	من الخير وبنوى واعلموا انه اختير لكم بعد الاختبار واستحسان ما
his actions and his behavior in the jobs to which he had been previously appointed; we had esteem	تقدم له من السيرة في المواضع التي قدم عليها والاثار والتقدير فيه
for his faithfulness towards the demands of authority (<i>bi-murtaḍā al-irādi wa-l-iṣḍāri</i>). If God on High wills it. And He — May He be glorified — He will bring	للوفاة بمرتضى الايراد والاصدار ان شاء الله تعالى وهو سبحانه يجمع

1249 'Azzāwī: عن.

1250 In the sense of 'adāla, rather than 'udūl.

1251 'Azzāwī justly proposes to correct with الذكاء which agrees much better with *tayaqquz*.

1252 The page bottom is worn, seven or eight words are half missing.

1253 'Azzāwī: يحطاط.

1254 Koran 5:2: "Help ye one another in righteousness and piety, but help ye not one another in sin and rancour: fear God: for God is strict in punishment."

1255 Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

your passions together under His obedience¹²⁵⁶ and He will guide your goals and your intentions towards what pleases Him By His grace. Peace.

Date, middle of the blessed month of *shawwāl*, the year 626.

[١٠-v-6634] على طاعته اهواءكم¹²⁵⁷ ويصرف الى ما يرضاه اغراضكم وانحاءكم بمنه والسلام

[١١-v-6634] التاريخ منتصف شهر شوال المبارك سنة ست وعشرين وستمائة

Taqdīm 53: Appointment from Seville of the jurist Abū Muḥammad as judge in Algeciras by the Caliph al-Ma'mūn (ṣafar 626/January 1229). The judge is responsible for choosing instrumentary witnesses. The foundations of the law are the Koran, Tradition, and the consensus of the Community¹²⁵⁸

[١٢-v-6634] وَعَنْهُ فِي تَقْدِيمِ مَنْ ذُكِرَ عَلَى الْخَضْرَاءِ

In the same name, in an appointment by the above-mentioned in Algeciras

...May God assure them always respect through the fear He inspires in them and tie their faith to the strongest and most solid ropes of goodness.

This is what we write from Seville – May God have written for you a choice that protects the organization of your affairs, and options that improve

your population's condition. Welcome that which helps you in your religious

and secular affairs, and know that because of the guarantee of [our] benevolent watch you enjoy protection that extends to you all, near

and far. This is why we take care to select those whom we name for you and neither you nor with anyone in the provinces [of the Empire],

do we spare our effort to help and protect you. We ask the help of God on High

to obtain the general happiness that we desire for all and we beg him to guide us in our plan

[١٣-v-6634] ادام الله كرامتهم بتقواه واعلق ايمانهم بأمتن سبب من الخير وأقواه

[١٤-v-6634] وانا كتبناه كتب الله لكم اختياراً يحفظ نظام اموركم وايناراً لما تصلح

[١٥-v-6634] عليه احوال جمهوركم من اشبيلية والاقبال على ما يعينكم من شئون¹²⁵⁹ دينكم

[١٦-v-6634] ودنياكم والعلم بانكم من كفالة النظر الجميل في ما¹²⁶⁰ يقضه بحياطة ادناكم

[١٧-v-6634] واقصاكم ولذلك لا نالوا¹²⁶¹ انتقاء¹²⁶² للمستعملين فيكم ولا نذخر عنكم ولا عن

[١٨-v-6634] غيركم من أهل الافاق اعتناء¹²⁶³ يكتفكم ويحميكم وبالله تعالى¹²⁶⁴ نستعين على ما

[١٩-v-6634] ننويه للكافة من الخير الجامع ومنه نلتمس الانحاء على ما نتوخاه

¹²⁵⁶ Reference to a *ḥadīth* reported by al-Baghawī, *Sharḥ al-sunna*, t. 1, 212-213: "None of you will believe as long as his passion does not agree with what has been revealed to me."

¹²⁵⁷ Reference to a *ḥadīth* reported by al-Baghawī, *Sharḥ al-sunna*, t. 1, 212-213: "لا يؤمن احدكم حتى يكون هواه تبعاً لما جئت به"

¹²⁵⁸ 'Azzāwī, *NLA*, t. 1, 485-486.

¹²⁵⁹ 'Azzāwī: شئون.

¹²⁶⁰ 'Azzāwī: فيما.

¹²⁶¹ 'Azzāwī corrects with ونالوا.

¹²⁶² 'Azzāwī: انتقاءً.

¹²⁶³ 'Azzāwī: اعتناءً.

¹²⁶⁴ 'Azzāwī: تعالى.

to establish sound (*maṣāliḥ*) foundations and to manage resources. We appoint Fulān to take charge of affairs pertaining to the Law

in your district and its surrounding area and to satisfactorily advance your problems while maintaining

constant effort, [and this] after his sense of responsibility was revealed and confirmed in repeated and renewed positions,

and after long reflection in choosing who would be named as judge among you, he was chosen. We have counseled him to fear

God the Great, to weigh with just scales the decisions made with his authority (*mā yūridu-hu wa yuṣdiru-hu*), that which he takes care of and that which he leaves to the side

and to fear He who surrounds him in the deepest and most intimates places of his being (*maḍmar*), He who knows his movements and stops, whether He favors

or humiliates him. We have ordered him to refer to the Book of God, the Tradition (*sunna*) of His messenger – Peace be upon him –

and the consensus of the Community (*ijmā' i l-ummati*) in his judgments, to build on these three foundations the judgments he confirms

or annuls, and to choose [well] instrumental witnesses; they are the keystone of the opinions he issues, and he calls on them to exercise his authority (*fī wirḍi-hi wa ṣadri-hi*);

he should accept only those whose sense of justice is obvious and whose religious and secular behavior (*ḥālatu-hu*) is without fault. We have encouraged him

to dedicate himself completely to his work, and that his arbitration rest on [a base that is] sure and exempt of all vice,

to take as secretary or substitute only those persons of words and deeds worthy of confidence, to treat the unknown and well-known man equally

in his judgments, and equity that will allow him to assure the injured party full reparation of its rights, to render his proclamations according

to the most just method and to find balance¹²⁶⁸ between firmness and forbearance. Thus, when

with the help of God on High he arrives among you, bring him all possible aid to prescribe that which is good

and forbid evil; stay at his side to carry out what we have ordered him contributing to good and the fear of [God]

من اقامة المصالح واجراء المنافع وانا قَدَمْنَا فلانا للنظر في شرعى احكام

موضعكم وجهاته وادامة الاجتهاد في تمشية قضاياكم على السيرة

المرضية ومولاته بعد ان تردّد استعماله وتكرّر وتبين استقلاله وتقرّر

واجيل النظر في تخير من يقدم لقضاياكم فكان المتخير وقد اوصينا بتقوى

الله العظيم ووزن ما يورده ويصدره ويأتيه ويذره بالقسطاس المستقيم

ومراقبة من يحيطه بمضمرة ومخفاه ويعلم متقلبه ومثواه في حالى الهبة

والتهريم وامرناه ان يستند الى كتاب الله وسنة رسوله عليه السلام

واجماع الامة في احكامه ويبنى على هذه الاصول الثلاثة ما يريد من نقضه

وابرامه وان يتخير الشهود فهم عمدة نظره واليهم يرجع في ورده وصدرة

فلا يقبل الا من تبينت عدالته وحسنت ديناً ودنيا حالته واوعزنا

اليه ان يباشر شغله كله ويمضى على يقين واستبراء عقده وحله¹²⁶⁵ ولا

يستكتب ويستتنب الا من يتق¹²⁶⁶ قوله وفعله وان يسوى بين الخامل والنبية

في الحكم تسوية يبلغ معها المحق اقصا¹²⁶⁷ حقه ويجرى بها الفصل على

اعدل طرقه ويتوخى فيها التوسط¹²⁶⁹ بين حالى شدته ورفقه فاذا

وافاكم بحول الله تعالى فاعينوه على الامر بالمعروف والنهي عن المنكر

اتم الاعانة وصلوا يده في ما¹²⁷⁰ ذكرناه عملا في التعاون على البر والتقوى

¹²⁶⁵ Error by 'Azzāwī who adds an incorrect *tashkil*: حله, instead of *istibrā'u 'aqdi-hi wa ḥalli-hi*.

¹²⁶⁶ 'Azzāwī reads يتق et corrects with يتفق, but the word is quite clear.

¹²⁶⁷ 'Azzāwī: أقصى.

¹²⁶⁸ Reference to Koran 2:143: "Thus, have We made of you an *Umma* justly balanced..."

¹²⁶⁹ Reference to Koran 2:143: وكذلك جعلناكم أمة وسطاً

¹²⁷⁰ 'Azzāwī: فيما.

in accord with religious practice. If God on High wills it. And He – May He be glorified – He will bring your hopes together towards that which is pleasing to him

and will guide your efforts towards that which will bring [you] closer to Him. By His grace. Peace. The month of *ṣafar* in the year

626.

[١٤-r-6735] بمقتضى الديانة ان شاء الله تعالى وهو سبحانه يجمع على ما يرضاه دواعيكم

[١٥-r-6735] ويصرف الى ما يزلف لذيّه مساعيكم بمنّه والسّلام في شهر صفر سنة ستٍ وعشر

[١٦-r-6735] بين وستمائة □

Taqdīm 54: Appointment by Ibn Hūd al-Mutawakkil of a judge in Malaga (rabī II 634/December 1237). The judge is responsible for the market police and choosing assistants, or secondary judges, and instrumentary witnesses. The foundations of the law are the Koran, Tradition, the consensus of the Community, and the juridical consultations of the imāms¹²⁷¹

[١٧-r-6735] وَعَنْ ابْنِ هُوْدٍ فِي تَقْدِيمِ مَنْ ذَكَرَ عَلَيَّ

[١٨-r-6735] خُطَّةِ الْقَضَاءِ بِمَالِقَةَ

In the name of Ibn Hūd, appointment of the above-mentioned to the post of judge in Malaga

To the people of Fulāna – May God cause them to know the well-being of the protection and watch we constantly assure their flanks and may He lead them,

in all the plans for forbearance and justice we have for them, to the perfect accomplishment of their hopes.

After having praised God who established the laws to found and proclaim religion

and whom humans adore in devoting themselves to the Truth and following its path, after having called for His blessing on our lord Muḥammad (...His messenger?)

whose lights dispersed the shadows and who saved the full moon of justice (*badr al-‘adl*), whose last night (*sarāri-hi*)

saw the skies and lands emerge, as well as on his family and its noble companions, the banners and auxiliaries of Islam,

thanks to whom the religion of God appeared in full light and spread in all its fullness. We have [also] asked Him to recognize the *imām*, “vicar of God”

[١٩-r-6735] الى اهل فلانة عرفهم الله يمن ما نواليه من حفظ جوانبكم ورعايتها واوصلهم

[٢٠-r-6735] في كل ما نتوخاه من الرّفق بهم والعدّل فيهم الى نهاية ءامالهم وغايتها

[٢١-r-6735] امّا بعد حمدِ الله الذى شرع الاحكام لاقامة الدين واطهاره وتعبد

[٢٢-r-6735] الانام باتباع الحق واقتفاء ءثاره والصلاة على سيدنا مُحَمَّدٍ (...)¹²⁷²

[١-v-6835] الذى تلاشت الظلم لانواره وتخلص به بدر العدل الذى قامت به السّموات

[٢-v-6835] والارضون من سراره¹²⁷³ وعلى ءاله وصحبه الكرام اعلام الاسلام وانصاره الذين

[٣-v-6835] ظهر بهم دين الله حق ظهوره وانتشر كل انتشاره والرضى عن الامام خليفة

¹²⁷¹ ‘Azzāwī, *NLA*, t. 1, 487-488.

¹²⁷² Word missing.

¹²⁷³ ‘Azzāwī reads سداره and comments كناية عن الحجاب. We read rather *sarāri-hi* or *sirāri-hi* (“last night of the lunar month”), compared with *al-badr* (the “full moon”).

over His creatures and the receiver of His of power in His lands and His cities, who carries out the order of God on High, as must execute it

one who shares with His prophet — Peace be upon him — his noble origin.¹²⁷⁴ This is what we write — May God have written for you

the finest support and best direction to protect your organization and may he treat you with such great benevolence

that the person in charge of your affairs act from beginning to end with justice. And we, we place ourselves in the hand of God

on High for the decisions that we take and for the pacts that we contract. We implore Him in all that we propose to do

as praiseworthy efforts and fine projects. We ask Him to guide us in the exercise and practice of the authority (*min ṣadr*

wa wirdin) that we practice and exercise. We welcome His abundant favors and His continuous mercies with the profusion of thanks

and praise they are owed. This is why your land, with its districts, is among those to which we ceaselessly dedicate part

of our sustained attention and we choose for it officials whom we have verified work according to our fine

principles. We called to arbitrate disputes among its inhabitants someone whose good reputation, purity of intentions,

equity, and merit we know well. Taking into account these just considerations and the sincere

plans we form for you and your regions with an abundance of friendship and preference, we have taken the greatest precaution

in the selection and choice of a judge for you, and we have designated for this post someone whom we have tested and who came out

Stronger. We have appointed him as governor (*āmil*) a number of times, in the most well-known of lands, and always and everywhere

we have had only praise for him. It is Fulān. He is worthy of this post to which we have appointed him to take responsibility

for your judgments and he is capable of arbitrating alone your disputes and differences, for he has marked himself

by his qualities of justice and uprightness, he brings together all that could be desired in politics and

الله على خلقه وأمينه في بلاده وامصاره القابم [٤-v-6835]
بأمر الله تعالى قيام من

اضحى قسيم رسوله عليه السلام في كريم [٥-v-6835]
نجاره فانا كتبناه كتب الله

لكم اجمل معتمد في حفظ نظامكم واحسن [٦-v-6835]
منتحى واجراكم من جميل النظر

على ما يكون به متولى احكامكم مختتما [٧-v-6835]
بالعدل ومفتتحا ونحن نتوكل على الله

تعالى في ما نحكم من امر ونبرم من عقد [٨-v-6835]
ونستخيره في كل ما نتوخاه بالعزم اليه

من حميد سعى وجميل قصد ونسئله¹²⁷⁵ [٩-v-6835]
الهداية في ما نحاوله ونزاوله من صدر

من صدر¹²⁷⁶ وورد وتلقى نعمه الجزيلة [١٠-v-6835]
ومننه الموصولة بما يجب لها المزيد

من شكر وحمد والى هذا فان قطركم ذلك [١١-v-6835]
وانظاره مما [لا]¹²⁷⁷ نزال نوفيه قسط

العناية الحفيلة وتخير للاشتغال فيه من [١٢-v-6835]
نتحقق وقوفه مع مذاهبنا

الجميلة وننهض لنقلد الفصل في الاحكام [١٣-v-6835]
بين أهله من عرفناه بالنباهة

والنزاهة والعدالة والفضيلة وبحسب [١٤-v-6835]
الصحيح من هذا الاعتبار والصريح

من توخينا لكم وبجهاكم¹²⁷⁸ بمزيد من [١٥-v-6835]
التقديم والايثار بالغنا في الانتقاء

والاختيار وعينا لخطه القضاء هنالك من [١٦-v-6835]
خبرناه فزاد نصوعا على

الاختبار واستعملناه في نبيها البلاد المرة [١٧-v-6835]
بعد المرة فحمدناه

مع التكرار وتردد المرار ذلكم فلان وانه [١٨-v-6835]
لخلق بما قدمناه اليه من

احكامكم وحقيق بما قصرناه عليه من الفصل [١٩-v-6835]
في نوازل خصامكم لاستظهاره

باوصاف العدالة والطهارة واشتماله على [٢٠-v-6835]
كل موثر مشكور من السيا

¹²⁷⁴ This is the Abbassid caliph al-Mustanṣir bi-Liāh (623/1226-640/1242).

¹²⁷⁵ ونسأله. 'Azzāwī.

¹²⁷⁶ Repetition.

¹²⁷⁷ Addition by 'Azzāwī.

¹²⁷⁸ ولجهاكم. 'Azzāwī.

Administration, he innately has an excellent character and	[٢١-v-6835] سة والادارة وكونه مجبولا على الشيم المستحسنة والسجايا
exceptional nature. Over the numerous years we have employed him as governor, these qualities have always	[٢٢-v-6835] المختارة وما زالت هذه الخلال فيه منذ استعملناه على مر السنين
been clear and obvious, his intentions in [the decrees] he annuls (<i>naqđi-hi</i>) or confirms (<i>ibrāmi-hi</i>), that he has carried out (<i>imđā'i-hi</i>)	[٢٣-v-6835] تتضح وتستبين ومنازعه في نقضه و ابرامه وامضابه وارتيابه لا يعدوها
or that he suspends (<i>irtiyābi-hi</i>), never lack uprightness and never fault in religion. He has understood quite well the general directives	[١-r-6936] السداد ولا يريمها الدين وقد القينا اليه من الوصايا الجامعة ما تلقاه
we have given him: we have enjoined him to base all his judgments on the demands of the book of God,	[٢-r-6936] بحسن قبوله وحددنا له أن يبنى احكامه كلها على مقتضى كتاب الله و
the Tradition of His messenger, to follow in deeds and words the consensus of the Community (<i>ijmā'i l-ummati</i>) and the juridical consultations of the <i>imāms</i> (<i>wa-fatāwā al-a'immati</i>), we have insisted that he choose and select with care the assistants for all regions, that	[٣-r-6936] سنة رسوله وان يقتدى باجماع الامة وفتاوى الائمة في مقوله ومفعو
he employ only pious and virtuous people, that he keep watch over them in all circumstances and that he confirm	[٤-r-6936] له وأكدنا عليه في ان يختار المسددين للجهات كلها وينتقيهم وان لا
or replace in certain ones that which his judgment dictates. That he act in the same way with the instrumentary	[٥-r-6936] يستعمل الا زكيهم وتقيهم وان يكون لهم متعهدا في كل الاحوال وءاخذا
witnesses who help in validating or annulling rights and on whose witness the detestable is rejected and the comely is accepted.	[٦-r-6936] فيهم بما يقتضيه نظره من الاقرار والاستبدال وكذلك فليكن عمله في الشهود
We have ordered him to protect the market police (<i>hisba</i>) who support the resources and framework of life and to give responsibility for these,	[٧-r-6936] الذين تصح الحقوق بهم وتبطل وبشهادتهم يرد ما يقبح ويقبل ما يجمل
no matter where, only to one known for the purity of his initiatives and the uprightness of his methods;	[٨-r-6936] وامرنا ¹²⁷⁹ ان يحتاط للحسبة التي هي قوام المعاش والمرافق وان لا يتولاها
[and also] to manage judgments concerning the Law according to the applicable rules, to follow the path	[٩-r-6936] في موضع من المواضع الا الشهير له بنزاهة التناولات وسداد الطرا
of equitable judges in the establishment of the law and the proclamation (<i>ishā'a</i>) of justice and to act in accordance with required	[١٠-r-6936] بق واجراء للاحكام الشرعية على القوانين المرتضاة واقتفاء في اقامة
behavior in the accomplishment of [our] praiseworthy principles. Thus, when with the help	[١١-r-6936] الحق واشاعة العدل لسبل العدول من القضاة وعملا في توفية المذا
of God on High he arrives among you, know well that we honor you by appointing him as governor over your lands; it was a satisfaction for us to give you his neighborhood (<i>maḥmūd</i>)	[١٢-r-6936] هب المشكورة بالسير الملتزمة منه المقتضاة فاذا وافاكم بمعونة
and him yours; we chose him for you and you for him as his merits and	[١٣-r-6936] الله تعالى فاعلموا اننا اثرناكم باستعماله في اقطاركم ورضينا لكم محمود جواره ورضينا له محمود
yours required. Thus, be with him as one hand united to take on the charge of judging your affairs for which	[١٤-r-6936] جواركم واخترناة لكم واخترناكم له عملا بموجب
	[١٥-r-6936] ايثاره وايثاركم فلنكونوا معه يدا واحدة على ما انهضناه اليه من

¹²⁷⁹ وامرناه: 'Azzāwī.

he has been invested; help him with all your strength and determination if God wills it.

[١٦-r-6936] تقلد احكامكم ولتوالوه كل الموالاته بغايه
جدكم واعنزامكم ان شاء

And He — May He be glorified — He will cause you to know the happiness of his arrival and He will bring you the blessing of his employment and the joy of

[١٧-r-6936] الله وهو سُبْحانه يعرفكم يُمن مقدمه
ويوجدكم بركة استعماله وسعا

his leadership. By the grace and generosity of God on High. Peace. Date, first day of *rabīʿ* II,

[١٨-r-6936] دة تقدمه بمن الله تعالى وكرمه والسّلام
التاريخ غرة ربيع الاخر

in the year 634.

[١٩-r-6936] عام اربعة وثلاثين وستمائة □

Taqdīm 55: Appointment by Ibn Hūd al-Mutawakkil of a judge responsible for choosing instrumentary witnesses. The foundations of the law are the Koran, Tradition, the consensus, and the words of the imāms. Many Koranic quotations (1228-1238)¹²⁸⁰

[٢٠-r-6936] وعنه مخاطبة جمهورية في تقديم قاضٍ آخر

In the name of the same, collective allocution for the appointment of another judge

May God assure them always better conditions and well-ordered affairs and cause them to recognize the benevolence that will

[٢١-r-6936] ادام الله صلاح احوالهم
وانتظام امورهم وعرفهم من جميل
النظر ما يفي

fill their eyes with tears of joy and swell their bosoms. After having praised God who made of measure (*al-ʿadl*)

[٢٢-r-6936] باقرار عيونهم وابهاج
صدورهم اما بعد حمد الله الذي جعل
العدل

a foundation for [His] creation (*khalīqa*) and a principal of order for the truth (*ḥaqīqa*) and who established the laws according to which the humans adore Him,

[١-v-7036] للخليفة قوامًا وللحقيقة نظامًا
وشرع الاحكام الذي¹²⁸¹ تعبد بها الانام

as a perfect achievement of religion, [after] having asked His blessing on our lord Muḥammad, His messenger, charged with carrying the guidance

[٢-v-7036] اكمالًا للدين وتامًا والصلاة
على سيدنا محمد رسول الله المبعث بالهدى

of the true religion to terrorize and crush the deceitful misled, and who spread light and justice (*al-qist*)

[٣-v-7036] ودين الحق اشجاء للمضلل
المبطل وارغامًا الممدد يد النور¹²⁸²
والقسط

so well that he allowed nothing to survive of the oppression and the shadows of the time of ignorance (*jāhiliyya*), as well as his family and its noble companions who

[٤-v-7036] بما لم يبق للجاهلية ظلما ولا
ظلامًا وعلى آله وصحبه الكرام الذين

were stars and banners for Islam, who followed his example — Peace be upon him —

[٥-v-7036] كانوا للاسلام نجومًا واعلامًا
واقندوا به عليه السّلام جدا

¹²⁸⁰ ‘Azzāwī, *NLA*, t. 1, 489-492.

¹²⁸¹ ‘Azzāwī corrects with التي.

¹²⁸² The manuscript clearly indicates الممدد, but ‘Azzāwī is correct in proposing: الممدد يد النور والقسط as imposed by the syntax and sense of the sentence.

in proclaiming the Truth with zeal and determination; [after having asked God] to recognize the *imām* who exercises the vicariate (*khilāfa*) of the prophecy,¹²⁸³

who is chosen for that, and who brings together all the required merits, which, according to

the consensus (*ijmā'*) and the unanimous opinion (*iṣfāq*), requires that he be joined (*ilmāman*) and followed. This is what we write for you – May God have written for you

the most righteous and just actions and cause you to know hopes that are generously and lastingly fulfilled.

We deliver ourselves into the hands of God on High for all that we undertake or forsake, and we implore the help of His assistance

and His direction so that our opinions might be just and our decisions correct, we ask Him to guide us

towards that which will make us pleasant in his eyes, for it is He who holds fate and destiny; we address our thanks and infinite praise to Him. For to praise Him

and thank Him are the first desire we have in all circumstances. This is why – May God fasten you to the ties

of His favors and may He spread over you the shadows of innocence (*iṣam*) — we grant you as is proper for you and your rank,

the noble solicitude and universal protection required by your past, and that made you deserving

of your faithful loyalty and sincere affection. You will recognize in return that which is suitable and in accord

with your wager. With this in mind, we choose with the greatest care the person we will appoint as governor among you and whom we will order

to lead you. We make him responsible for assuring a task in your regions, more specifically the function of judge on which

depend judgments, [as well as] the protection of individuals (*al-dimā'*), moveable goods (*al-amwāl*) and families (*al-aḥrām*), and for which the laws

[٦-v-7036] في اظهار الحق واعتزاً
والرضى عن الامام القائم بخلافة النبوة

[٧-v-7036] مختاراً للقيام بها معتمداً
الجامع من شروط الاستحقاق ما اوجب

[٨-v-7036] بالاجماع والاصفاق اقتداءً به
والمأماً فانا كتبناه كتب الله لكم

[٩-v-7036] اوضح الاعمال سداداً وصواباً
وعرفكم اسمح الامال انقياداً واصحا

[١٠-v-7036] بآ ونحن نتوكل على الله تعالى
في كل ما ناتى ونذر ونستمد من
توفيقه

[١١-v-7036] وارشاده ما يستد به الرأى
ويستقيم النظر ونسئله¹²⁸⁴ ان يهدينا

[١٢-v-7036] الى ما يرضى به عننا فبيده
القضاء والقدر ونشكره كثيراً ونحمده
وحمده

[١٣-v-7036] وشكره في كل الاحوال اول
ما اليه يستند والى هذا وصل الله اسباب

[١٤-v-7036] النعم لديكم واضفى ظلال
العصم عليكم¹²⁸⁵ فانا نخصكم ونخص
مكانكم

[١٥-v-7036] من كريم العناية وعميم
الرعاية بما تقتضيه لكم السوابق
ويحظيكم

[١٦-v-7036] به الولاء الخالص والوداد
الصديق وتعرفون منه ما يناسب سبقكم

[١٧-v-7036] ويطابق¹²⁸⁶ وبهذا الاعتبار
نجد الاختيار لمن نستعمله فيكم
ونستنهضه

[١٨-v-7036] لتوليكم ونقله شغلا من
اشغال نواحيكم وبخاصة خطة القضاء
التى

[١٩-v-7036] ترتبط اليها الاحكام وتحفظ
بها الدماء والاموال والارحام وتنضبط

¹²⁸³ This is the Abbassid caliph al-Mustanshir.

¹²⁸⁴ ونسأله: 'Azzāwī.

¹²⁸⁵ لديكم: 'Azzāwī.

¹²⁸⁶ Most likely the city under Ibn Hūd's power, Murcia or Malaga.

define the fundamental principles that permit distinguishing between the licit and illicit. For that, we	[٢٠-v-7036] بالوقوف مع قوانينها الاصول التي يعرف بها الحلال والحرام فنجرى
choose a person with exemplary method and upright character. To fill that place, we wish only	[٢١-v-7036] نعتام ¹²⁸⁷ لها الامثل طريقة والازكى خليفة ولا نؤمل لتقلدها الا
for someone in whom we have recognized correct behavior and strong aptitudes (<i>munna</i>). With this decree, we have appointed	[٢٢-v-7036] من عرفنا لديه سيرة قويمه ومنة مطيقة وقد عيننا الان بهذا الرسم
Fulān, because his renewed experience has corrected his faults and because he has many works and [because of] the excellence of his character	[٢٣-v-7036] فلانا حين زكته الخيرة ¹²⁸⁸ المترددة وكانت له الاثر ¹²⁸⁹ المتعددة وحسنت
and his sincerity (<i>hadhabu-hu</i>). His efforts and decisions in all that he has been charged with have received nothing but praise. The surety of his judgments and his firmness have shown brilliantly,	[١-r-7137] سمته وهدبه ¹²⁹⁰ وكرم في ما تولاه نظره وسعيه وبانت حصافته واصالته
his calm and his superiority have been manifest. We have asked the help of God on High in appointing and designating him and we	[٢-r-7137] ووضحت سكينته وجزلته فاستخرنا الله تعالى في تقديمه وانهاضه ور
hope he lives up to our [good] opinion of him in all his directives and projects, without straying from the path	[٣-r-7137] جونا ان يكون عند الظن به في جميع انحابه واغراضه ولم يبعد ان يكون
traced by illustrious judges who preceded him, nor the direction opened by the jurists of reference, his	[٤-r-7137] بالقضاة الاعلام من سلفه مقتديا وبالفقهاء المشاورين من اوابله
predecessors. For he, like his peers, was made for that. Indeed, we desire that which is good – God is [our] witness –	[٥-r-7137] مهتديا وانه الخليق بذلك ¹²⁹¹ وامثاله والخير اردنا والله يشهد في
in employing him: “my success can only come from God. In Him I trust, and unto Him I look...” ¹²⁹² We	[٦-r-7137] استعماله وما توفيقى الا بالله عليه توكلت واليه انيب ¹²⁹³ وقد
have given him advice, insisting that he follow it by the letter and we are exempt of any faults	[٧-r-7137] القينا اليه بوصايا اكدنا عليه في امتثالها وبرئنا عيه اليه من
for the responsibilities that we have entrusted to him [in this advice]; and in our excuses and [our] warnings, we have left him	[٨-r-7137] العهدة في ما نطنا به من ائقالها ولم نوسعه نذرا عذرا في ان يخرج

¹²⁸⁷ فنجرى: word unclear at the end of the line. ‘Azzāwī reads العتام, but the first word of the next line is نعتام.

¹²⁸⁸ Should be corrected with *khibra*, الخيرة.

¹²⁸⁹ الاثر: ‘Azzāwī.

¹²⁹⁰ وهديه: ‘Azzāwī.

¹²⁹¹ لذلك: ‘Azzāwī.

¹²⁹² Koran 11:88: “He said: "O my people! see ye whether I have a Clear (Sign) from my Lord, and He hath given me sustenance (pure and) good as from Himself? I wish not, in opposition to you, to do that which I forbid you to do. I only desire (your) betterment to the best of my power; and my success (in my task) can only come from God. In Him I trust, and unto Him I look”.

¹²⁹³ Koran 11:88:

قَالَ يَا قَوْمِ أَرَأَيْتُمْ إِنْ كُنْتُ عَلَىٰ بَيْتَةٍ مِنْ رَبِّي وَرَزَقَنِي مِنْهُ رِزْقًا حَسَنًا وَمَا أُرِيدُ أَنْ أَمْلِكُمْ إِلَىٰ مَا أَنْتُمْ عَنْهُ إِلَّا الْإِصْلَاحَ مَا اسْتَطَعْتُ وَمَا تَوْفِيقِي إِلَّا بِاللَّهِ عَلَيْهِ تَوَكَّلْتُ وَإِلَيْهِ أُنِيبُ.

no freedom to leave in word or deed from the obvious path [of this advice] and the ideal example [that it gives]; in particular, we have ordered him to take inspiration before all else from the fear of God

وقويم مثالها منها انا امرناه ان يقدم تقوى
الله
[٩-r-7137] قولاً وفعلًا عن واضح سننها

on High that serves as the center of all intentions and acts, for it is the best provision for the hereafter. Benefits

والاعمال وهى خير الزاد للمال وبها
نستجزل
[١٠-r-7137] تعلى التى عليها مدار النيات

abound with it and happiness is reached. God on High said: "O ye who believe! if ye fear God, He will grant

الله تعالى يا ايها الذين ءامنوا ان تتقوا الله
يجعل
[١١-r-7137] الافادة وتحصل السعادة قال

you a criterion (to judge between right and wrong), remove from you (all) evil (that may afflict) you, and forgive you: for God is the Lord of grace unbounded."¹²⁹⁵ He [also] said:

سيئاتكم ويغفر لكم والله ذو الفضل
العظيم
[١٢-r-7137] لكم فرقانا ويكفر عنكم
وقال¹²⁹⁶

"For God is with those who restrain themselves, and those who do good."¹²⁹⁷ We have required of him to refer to the Book of God

ان الله مع الذين اتقوا والذين
هم محسنون¹²⁹⁸ وحددنا له ان يستند الى
كتاب الله
[١٣-r-7137] ان الله مع الذين اتقوا والذين

the Mighty so that "no falsehood can approach it from before or behind it,"¹²⁹⁹ to hold himself to its solid

من بين يديه ولا من خلفه¹³⁰⁰ وان يقف
مع آياته
[١٤-r-7137] العزيز الذى لا ياتيه الباطل

Verses with a solid heart, an attentive ear and a penetrating gaze. It is the light that

واصغاء سمعه وابصار طرفه فهو النور
الذى
[١٥-r-7137] المحكمات بوعي قلبه

dispels shadows when it rises and diffuses, and the rope of God, and he who hastens

واشراقه وحبل الله الذى قد سعد من بادر
[١٦-r-7137] تتلاشى الظلم لسطوعه

to seize it and fasten himself to it is happy. God on High said: "And this is a Book which We have revealed as a blessing: so

الله تعالى وهذا كتاب انزلناه مباركًا فا
[١٧-r-7137] لا اعتصامه به واعتلاقه قال

follow it and be righteous, that ye may receive mercy."¹³⁰¹ He [also] said: "Verily this Koran doth guide to that which is most right (or stable),

ترحمون¹³⁰² وقال ان هذا القران يهدى
للتى هى اقوم
[١٨-r-7137] تبعوه واتقوا لعلمكم

and giveth the Glad Tidings to the Believers who work deeds of righteousness, that they shall have a magnificent reward."¹³⁰³ May he take into account the Tradition (*sunna*)

يعملون الصالحات ان لهم اجرًا
كبيرًا¹³⁰⁴ وان ياخذ بسنة
[١٩-r-7137] ويبشر المؤمنين الذين

¹²⁹⁴ 'Azzāwī corrects with تستجزل.

¹²⁹⁵ Koran 8:29.

¹²⁹⁶ Koran 8:29.

¹²⁹⁷ Koran 16:128.

¹²⁹⁸ Koran 16:128.

¹²⁹⁹ Koran 41:42: continuation "It is sent down by One Full of Wisdom, Worthy of all Praise".

¹³⁰⁰ Koran 41:42: تنزيل من حكيم حميد.

¹³⁰¹ Koran 6:155.

¹³⁰² Koran 6:155: وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ.

¹³⁰³ Koran 17:9.

¹³⁰⁴ Koran 17:9: إِنَّ هَذَا الْقُرْآنَ يَهْدِي لِلَّتِي هِيَ أَقْوَمُ وَيُبَشِّرُ الْمُؤْمِنِينَ الَّذِينَ يَعْمَلُونَ الصَّالِحَاتِ أَنَّ لَهُمْ أَجْرًا كَبِيرًا.

of the messenger of God – Peace and the blessing of God upon him – as does the saint who seeks to follow his footprints and enlightens himself

رسول الله صلى الله عليه
وسلم اخذ المقتفى لاثارها الصالح
والمستضىء

with his sparkling lights, for that is the path of guidance and the discourse of he who “says aught of desire.”¹³⁰⁵ God on High said:

[٢١-r-7137] بانوارها اللوايح فانها سبيل
الهدى وكلام من لا ينطق عن الهوى
قال الله

“Obey God, and obey the Messenger, and beware (of evil): if ye do turn back, know ye that it is Our Messenger’s duty to proclaim (the message)

[٢٢-r-7137] تعلى واطيعوا الله واطيعوا
الرسول واحذروا فان توليتم فاعلموا انما
على

in the clearest manner.”¹³⁰⁷ He [also] said: “So take what the Messenger assigns to you, and deny yourselves that which he withholds from you.”¹³⁰⁸

[٢٣-r-7137] رسولنا البلاغ المبين
وقال وما اناكم الرسول فخذوه وما
نهاكم عنه فانتهوا¹³⁰⁹

He said – Peace be upon him: “I left you two things [such that] you will never stray as long as you remain devoted to them: the book of God and the Tradition (*sunna*)

[١-v-7237] وقال عليه السلام تركت فيكم
امرین لن تضلوا ما تمسكتم بهما كتاب
الله وسنة

of His messenger.”¹³¹¹ Hang on with your teeth¹³¹² that his words and acts conform to the *ijmā’* which is the third

[٢-v-7237] رسوله¹³¹³ عضوا عليها
بالنواجذ¹³¹⁴ وان يكون بلاجماع¹³¹⁵
الذي هو الركن الثالث

pillar of the Law, and that he accept its pact which is implanted in the community (*umma*). With this

[٣-v-7237] من اركان الشريعة قابلا
وعاملا ولمنعقدته الذي استقر لدى الامة
قابلا فانه

¹³⁰⁵ Koran 53:3.

¹³⁰⁶ Koran 53:3: وَمَا يَنْطِقُ عَنِ الْهَوَىٰ.

¹³⁰⁷ Koran 5:92.

¹³⁰⁸ Koran 59:7: “What God has bestowed on His Messenger (and taken away) from the people of the townships, - belongs to God, - to His Messenger and to kindred and orphans, the needy and the wayfarer; In order that it may not (merely) make a circuit between the wealthy among you. So take what the Messenger assigns to you, and deny yourselves that which he withholds from you. And fear God; for God is strict in Punishment”.

¹³⁰⁹ Koran 5:92: وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَاحْذَرُوا فَإِن تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَىٰ رَسُولِنَا الْبَلَاغُ الْمُبِينُ.

¹³¹⁰ Koran 59:7:

مَا أَفَاءَ اللَّهُ عَلَىٰ رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ.

¹³¹¹ In the *muwaṭṭa’ Mālik* there are three types of reported stories.: prophetic *ḥadīths*, *āthārs* (companions and their disciples) and *balāghāt*. The latter are *ḥadīths* cited by Mālik, but introduced with the expression *balāgha-nī*, (“I heard said that... The Messenger of God is said to have said...”), indicating that the authenticity of the *ḥadīth* or *isnād* is doubtful. These are called the *balāghāt muwaṭṭa’ Mālik*. In this case, allusion to the *balāgha* in *Muwaṭṭā’*, t. 2, 480, n° 2 618.

¹³¹² Lit. «bite it with your molars». Reference to *ḥadīth al-sam’ wa-l-ṭā’a*, reported by Abū Dāwūd, *Sunan*, 691, n° 4 607 and Tirmidhī, *Sunan*, 603, n° 2 676.

¹³¹³ Allusion to *balāgha* in Malik b. Anās, *Muwaṭṭā’*, t. 2, 480, n° 2 618: تركت فيكم أمرين لن تضلوا ما تمسكتم بهما . كتاب الله وسنة نبيه.

¹³¹⁴ ‘Azzāwī corrects with بالنواجذ. Reference to *ḥadīth al-sam’ wa-l-ṭā’a*, reported by Abū Dāwūd, *Sunan*, 691, n° 4 607 and Tirmidhī, *Sunan*, 603, n° 2 676:

أوصيكم بتقوى الله... وإياكم ومحدثات الأمور فمن أدرك ذلك منكم فعليه بسنتي وسنة الخلفاء الراشدين المهديين عضوا عليها بالنواجذ.

¹³¹⁵ ‘Azzāwī: الإجماع.

pact God showed His law, He forbade transgressing it and He imposed it as worship on His creatures. God on High said:

[٤-v-7237] مِمَّا أَظْهَرَ اللَّهُ بِهِ حَقَّهُ وَحَرَّمَ خَرْقَهُ وَتَعَبَّدَ بِاتِّبَاعِهِ خَلْقَهُ قَالَ اللَّهُ تَعَالَى وَمَنْ

“If anyone contends with the Messenger even after guidance has been plainly conveyed to him, and follows a path other than that becoming to men of Faith,

[٥-v-7237] يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَىٰ وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا

We shall leave him in the path he has chosen, and land him in Hell, – what an evil refuge!”¹³¹⁶ He said – Peace be upon him: “My community will not agree on error.”¹³¹⁷

[٦-v-7237] تُوَلَّىٰ وَنُصَلِّهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا¹³¹⁸ وَقَالَ عَلَيْهِ السَّلَامُ لَنْ تَجْتَمِعَ أُمَّتِي عَلَىٰ ضَلَالٍ¹³¹⁹

In addition, he must consult the words of the *imāms*, preferring those which the law (*al-ḥaqq*) has corroborated,

[٧-v-7237] وَعَلَيْهِ مَعَ ذَلِكَ أَنْ يَكُونَ لِأَقْوَالِ الْإِمَامَةِ مُتَصَفِّحًا وَلَمَّا عَضَدَهُ الْحَقُّ مِنْهَا مَرَجَّحًا

rely on the counsel of men of knowledge in examining the arguments they present, and tie himself to the wisdom of God

[٨-v-7237] وَلَمَشُورَةَ أَهْلِ الْعِلْمِ مُسْتَعْمِلًا وَلَمَّا يُوْرِدُونَهُ مِنَ الْحِجَاجِ مُتَأَمِّلًا وَلِحُكْمِ اللَّهِ

in referring to the prophet and to those who hold authority (*ulī l-amr*). God on High said: “But who, for a people whose faith is assured,

[٩-v-7237] بِالرَّيِّدِ إِلَى الرَّسُولِ وَالْيَٰ أَوْلَى الْأَمْرِ مُتَوَصِّلًا قَالَ اللَّهُ تَعَالَىٰ وَمَنْ أَحْسَنَ مِنْ اللَّهِ حُكْمًا

can give better judgment than God?”¹³²⁰ Ordering His prophet to follow Him, he said: “Consult them in affairs (of moment). Then, when thou hast Taken a decision

[١٠-v-7237] لِقَوْمٍ يُوقِنُونَ¹³²¹ وَقَالَ أَمْرًا لِنَبِيِّهِ لِيَقْتَدِيَ بِهِ وَيُشَاوِرَهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ

put thy trust in God. For God loves those who put their trust (in Him).”¹³²² May he devote himself to the justice that God ordained in

[١١-v-7237] فَتَوَكَّلْ عَلَى اللَّهِ إِنْ اللَّهُ يُحِبُّ الْمُتَوَكِّلِينَ¹³²³ وَعَلَيْهِ أَنْ يَلْتَزِمَ الْعَدْلَ الَّذِي أَمَرَ اللَّهُ بِهِ فِي

his decisions and may he manifest the greatest efforts and greatest possible zeal when he draws up his scales. That is

[١٢-v-7237] إِصْدَارِهِ وَيَعْمَلُ فِي إِقَامَةِ قِسْطِاسِهِ غَايَةَ جِدِّهِ وَاجْتِهَادِهِ عَامِلًا¹³²⁴ أَنَّهُ (...) ¹³²⁵

¹³¹⁶ Koran 4:115.

¹³¹⁷ *Hadīth* reported by Tirmidhī, *Sunan*, 490, n° 2 167.

¹³¹⁸ Koran 4:115: وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَىٰ وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّىٰ وَنُصَلِّهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا

¹³¹⁹ *Hadīth* reported by Tirmidhī, *Sunan*, 490, n° 2 167: أُمَّتِي لَا تَجْتَمِعُ عَلَىٰ ضَلَالَةٍ إِذَا رَأَيْتُمْ اخْتِلَافًا فَعَلَيْكُمْ بِالسَّوَادِ الْأَعْظَمِ.

¹³²⁰ Koran 5:50.

¹³²¹ Koran 5:50: أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ

¹³²² Koran 3:159: “It is part of the Mercy of God that thou dost deal gently with them Wert thou severe or harsh-hearted, they would have broken away from about thee: so pass over (Their faults), and ask for (God's) forgiveness for them; and consult them in affairs (of moment). Then, when thou hast Taken a decision put thy trust in God. For God loves those who put their trust (in Him).”

¹³²³ Koran 3:159:

فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ.

¹³²⁴ ‘Azzāwī proposes عالما.

¹³²⁵ One illegible word.

the surest commitment for it is what God demands of all leaders (*hukkām*).
God on High said: “God

الأكد الألام وانه 1326 [١٣-v-7237]

مطلوب الله تعالى من جميع الحكام قال
الله تعالى ان الله

doth command you to render back your trusts to those to whom they are due;
and when ye judge between man and man, that ye judge with justice,”¹³²⁷

١٤-v-7237 [١٤-v-7237]

اهلها واذا حكمتم بين الناس ان تحكموا
بالعدل 1328

and He [also] said: “O ye who believe! stand out firmly for justice, as
witnesses to God, even as against yourselves,

١٥-v-7237 [١٥-v-7237]

كونوا قوامين بالقسط شهداء لله ولو على
انفسكم

or your parents, or your kin, and whether it be (against) rich or poor: for God
can best protect both.”¹³³⁰ The function of judgeship has rules (*qawānīn*)

١٦-v-7237 [١٦-v-7237]

يكن غنيا او فقيرا فالله اولى بهما 1331
وللقضاء قوانين درج

that have been respected by the most illustrious of judges, as shown through
their satisfying behavior. Among others, what is known of their firm actions
(*al-tawathuq*) [such as]:

١٧-v-7237 [١٧-v-7237]

من سيرهم المرتضاة منها ما حفظ عنهم
في التوثق

transcribe depositions (*maqālāt*), verify the problems that appear, rely on
evident

١٨-v-7237 [١٨-v-7237]

يرد من المشكلات والاستظهار بعدول

proof, have a good understanding of disputes, fix terms with equity, and act
with a slowness that raises

١٩-v-7237 [١٩-v-7237]

للخصومات والاعذار بضرب 1332
الاجال والتلوم الرافع

Doubts. One of the principle points that needs to be seen and the right
direction of which needs to be verified is the instrumentary witnesses on
whom

٢٠-v-7237 [٢٠-v-7237]

النظر ويعضد بالخير فيه الخبر الشهود
الذين

the execution of judgments rests and who are consulted to annul or confirm
them. It is said

٢١-v-7237 [٢١-v-7237]

الاعتماد واليه في النقض والابرام
الاستناد وعن

1326 'Azzāwī: فإنه.

1327 Koran 4:58: “God doth command you to render back your Trusts to those to whom they are due; And when ye judge between man and man, that ye judge with justice: Verily how excellent is the teaching which He giveth you! For God is He Who heareth and seeth all things”.

1328 Koran 4:58:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا.

1329 'Azzāwī: يأيها.

1330 Koran 4:135: “O ye who believe! stand out firmly for justice, as witnesses to God, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for God can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if ye distort (justice) or decline to do justice, verily God is well-acquainted with all that ye do.”

1331 Koran 4:135:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِنْ يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَوُّوا أَوْ نَعَرْتُمْ فَأِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا.

1332 'Azzāwī: لضرب.

that a judge once said to some witnesses: “You are the judges and I am but the executor.” God on High

[٢٢-v-7237] بعض القضاة السلف يقول للشهود انما انتم القضاة وانا المنفذ والله تعالى

said in His book: “Their evidence will be recorded, and they will be called to account.”¹³³³ (He has been ordered) to choose them scrupulously

[٢٣-v-7237] يقول في كتابه سنتكتب شهادتهم ويسئلون¹³³⁴ وعليه ان يختارهم وينتقيهم ولا

and to accept only those who are just and pious. God on High said: “Take for witness persons from among you, endowed with justice, and establish

[١-r-7338] يقبل الا عدلهم وتقيهم قال الله تعالى واشهدوا ذوى عدل منكم واقيموا

the evidence (as) before God.”¹³³⁵ And among the remarks quoted from the prophet — Peace be upon him: Testimonies from the opposing party,

[٢-r-7338] الشهادة لله¹³³⁶ وفي الاثر المروى عن النبى عليه السلام لا تقبل شهادة خصم

the quick-tempered, and the concerned man are dismissed.”¹³³⁷ He should verify their conditions at all times, and nothing should stop his vigilance

[٣-r-7338] ولا ظنين ولا جار الى نفسه¹³³⁸ فليكن باحثا عن احوالهم في كل اءانابه صارفا الى تفقد

in monitoring them. When with experience he has noted the virtue [of a witness] and verified his equity many times, may he accept and ratify his

[٤-r-7338] هم عنان اعتنايه فمن علم زكاهه اختيارا¹³³⁹ وخبر عدالته مرارا امضى شهادته

Testimony, and when he discovers a lie, may he refute and invalidate the testimony [of its author] in order to be sure of the foundations

[٥-r-7338] وقبلها ومن عثر له على جرحة رد شهادته وأبطلها حتى يكون على يقين

on which the judgment is based, and certain of that on which he bases his preference. He must apply the penalties (*hudūd Allāh*)

[٦-r-7338] مما بينه الحكم عليه وثقة في ما¹³⁴⁰ يسند الفضل اليه وعليه ان يجرى حدود الله

¹³³³ Koran 43:19: “And they make into females angels who themselves serve God. Did they witness their creation? Their evidence will be recorded, and they will be called to account!”

¹³³⁴ ‘Azzāwī: ويسألون. Koran 43:19:

وَجَعَلُوا الْمَلَائِكَةَ الَّذِينَ هُمْ عِبَادُ الرَّحْمَنِ إِنَاءً أَشْهَدُوا خَلَقَهُمْ سَنُكْتَبُ شَهَادَتُهُمْ وَيَسْأَلُونَ.

¹³³⁵ Koran 65:2: “Thus when they fulfil their term appointed, either take them back on equitable terms or part with them on equitable terms; and take for witness two persons from among you, endowed with justice, and establish the evidence (as) before God. Such is the admonition given to him who believes in God and the Last Day. And for those who fear God, He (ever) prepares a way out.”

¹³³⁶ Koran 65:2:

فَإِذَا بَلَغَ أَجَلُهُمْ فَاِمْسُكُوهُمْ بِمَعْرُوفٍ أَوْ فَارِقُوهُمْ بِمَعْرُوفٍ وَأَشْهَدُوا ذَوِي عَدْلٍ مِنْكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ ذَلِكَ يُوعَظُ بِهِ مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا.

¹³³⁷ *Hadīth* reported by Abū Dāwūd, *al-marāsīl*, 202, n° 2, al-Bayhaqī, *al-Sunan al-kubrā*, t. 10, 260, n° 21 159 and by Mālik, *Muwaṭṭaʿ*, t. 2, 462, n° 2 107, *Kitāb al-aqdiya, bāb al-shahādāt, as balāgha*.

¹³³⁸ *Hadīth* reported by Abū Dāwūd, *al-marāsīl*, 202, n° 2, al-Bayhaqī, *al-Sunan al-kubrā*, t. 10, 260, n° 21 159 and by Mālik, *Muwaṭṭaʿ*, t. 2, 462, n° 2 107, *Kitāb al-aqdiya, bāb al-shahādāt, as balāgha*:

وحدثني مالك عن ربيعة بن أبي عبد الرحمن أنه قال قدم على عمر بن الخطاب رجل من أهل العراق فقال لقد جنتك لأمر ما له رأس ولا ذنب فقال عمر ما هو قال شهادات الزور ظهرت بأرضنا فقال عمر أو قد كان ذلك قال نعم فقال عمر والله لا يؤسر رجل في الإسلام بغير العدل وحدثني مالك أنه بلغه أن عمر بن الخطاب قال لا تجوز شهادة خصم ولا ظنين.

On the form *zanīn* / *ḍanīn*, see Koran 81:24: “(“Neither doth he withhold grudgingly a knowledge of the Unseen”) and the commentary by Jacques Berque: “Avare’: traduction de *ḍanīn*, avec *ḍād*: c’est la lecture de Médine. D’autres lectures présument un *zā*’, ce qui donnerait *zanīn*, ‘suspect’ ou ‘qui conjecture’ (appliqué au Prophète)” (Berque, *Le Coran. Essai de traduction*, 665).

¹³³⁹ Should this not be *ikhtibār*?

¹³⁴⁰ ‘Azzāwī: فيما.

according to the clearest paths and have them carried out without tyranny (*mu'tadim*) like someone who does not want to please the creature by irritating

على اوضح الطرأبق وان [٧-r-7338]
يقيمها غير معتد اقامة من لا يرضى
المخلوق باسخط

the Creator. God on High said: "These are the limits ordained by God. So do not transgress them if any do transgress the limits ordained by God, such

الخالق قال الله تعالى تلك [٨-r-7338]
حدود الله فلا تعتدوها ومن يتعد حدود الله
فا

persons wrong (Themselves as well as others).¹³⁴¹ When opposing parties hold forth before him, may he fear the anger of God – May He be glorified –

[٩-r-7338] وليك هم الظالمون¹³⁴² ومتى
مثل الخصوم بين يديه فليراقب الله
سبحانه في

if he does not give to each the share he deserves in the manner that he listens (*majlas*), speaks or watches. May he likewise grant to each

[١٠-r-7338] توخى النسوية بينهما في
المجلس واللفظ والالحظ وليعط كل واحد

great attention (*istimā*) without taking into account the superiority of the noble over the man of the people,

[١١-r-7338] منهما في حسن الاستماع
اعدل الحظ غير معتبر شرف نبيه على
خامل

nor favoring close (*mulāsiq*) kin (*qarīb*) or an old friend. God on High said: "whenever ye speak, speak justly,

[١٢-r-7338] ولا محاب لقریب ملأصق ولا
صديق مواصل قال الله تعالى واذا قلتم فا

even if a near relative is concerned; and fulfill the covenant of God. thus doth He command you, that ye may remember."¹³⁴³ When two opponents come before

[١٣-r-7338] عدلوا ولو كان ذا قریب وبعهد
الله اوفوا ذلكم وصاكم به¹³⁴⁴ وليذكر
متى حضر

him and present their arguments, may he remember that he [himself] will one day come before his Master

[١٤-r-7338] الخصمان لدية وادليا بحجها
بين يديه يوما يحضر فيه عند ربه
وتعرض

and that the contents of his pages and his writings will be spread (*tu'raqd*) before him. Then will his injustice cause his loss or his justice assure his salvation.

[١٥-r-7338] عليه مودعات صحافه وكتبه
فهنالك يوبقه جوره او يطلقه عدله
ويخصى

¹³⁴¹ Koran 2:229: "A divorce is only permissible twice: after that, the parties should either hold Together on equitable terms, or separate with kindness. It is not lawful for you, (Men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by God. If ye (judges) do indeed fear that they would be unable to keep the limits ordained by God, there is no blame on either of them if she give something for her freedom. These are the limits ordained by God; so do not transgress them if any do transgress the limits ordained by God, such persons wrong (Themselves as well as others)."

¹³⁴² Koran 2:229:

الطلاق مرتان فإمساك بمعروف أو تسريح بإحسان ولا يحل لكم أن تأخذوا مما آتيتموهن شيئا إلا أن يخافا ألا يقيما حدود الله فإن خفتن ألا يقيما حدود الله فلا جناح عليهما فيما افتدت به تلك حدود الله فلا تعتدوها ومن يتعد حدود الله فأولئك هم الظالمون.

¹³⁴³ Koran 6:152: "And come not nigh to the orphan's property, except to improve it, until he attain the age of full strength; give measure and weight with (full) justice;- no burden do We place on any soul, but that which it can bear;- whenever ye speak, speak justly, even if a near relative is concerned; and fulfill the covenant of God: thus doth He command you, that ye may remember."

¹³⁴⁴ Koran 6:152:

ولا تقرؤوا مال اليتيم إلا بالتي هي أحسن حتى يبلغ أشده وأوفوا الكيل والميزان بالقسط لا تكلف نفسا إلا وسعها وإذا قلتم فاعدلوا ولو كان ذا قرى وبعهد الله أوفوا ذلكم وصاكم به لعلكم تتقون.

<p>All that he will have done will be counted for or against him. God on High said: "That Day shall ye be brought to Judgment: not an act of yours that ye hide will be hidden."¹³⁴⁵ He must</p>	<p>[١٦-r-7338] عمله الذى له او عليه كله قال الله تعالى يومئذ تعرضون لا تخفى منكم [خَافِيَةً] 1346 و عليه</p>
<p>order good and forbid evil, [confident] in God, without fear of blame;¹³⁴⁷ he must not open</p>	<p>[١٧-r-7338] ان يامر بالمعروف وينهى عن المنكر لا يخاف في الله لومة لائم 1348 وان لا يجعل في الحق</p>
<p>a path in the law for the oppressor against the oppressed; he must accomplish prayer-prayers and impose them</p>	<p>[١٨-r-7338] سبيلا على مظلوم لظالم وان ياخذ باقامة الصلاة الصلوات والملازمة</p>
<p>on those in the communities who do not acquit themselves of them. God on High said: "(They are) those who, if We establish them in the land, establish</p>	<p>[١٩-r-7338] لها في الجماعات من ليس بملازم قال الله تعالى الذين ان مكناهم في الارض اقاموا</p>
<p>regular prayer and give regular charity, enjoin the right and forbid wrong: with God rests the end (and decision) of (all) affairs."¹³⁴⁹</p>	<p>[٢٠-r-7338] الصلوة وءاتوا الزكاة وامروا بالمعروف ونهوا عن المنكر والله عاقبة الامور 1350</p>
<p>This is the advice we have given him and we have given as much evidence [which can plead] for or against him; we have ordered</p>	<p>[٢١-r-7338] هذه وصاينا التي القيناها اليه وقررناها لديه حجة له و عليه وامرنا 1351</p>
<p>him to encourage the inhabitants of your province and its regions to follow them and to require that they be held to in all circumstances.</p>	<p>[٢٢-r-7338] ان يحمل عليها من في نظركم وجهاته وان يلتزم الوقوف عندها في كل اوقاته</p>
<p>Thus, when with the help of God he arrives among you, be as one hand united for that which we have ordered him (...) action (...)</p>	<p>[٢٣-r-7338] فاذا وافاكم بمعونة الله فكونوا معه يدا واحدة في ما امرنا به من (...)¹³⁵² عمل</p>
<p>goals (...) obvious directions in all your situations. Seek in helping each other in this to work like</p>	<p>[١-v-7438] المقاصد و (...) بروا¹³⁵³ في جميع احوالكم اوضح المرشد واسعوا في التعاون</p>

¹³⁴⁵ lit. «you will be exposed». Koran 69:18.

¹³⁴⁶ Koran 69:18. The copyist forgot this word from the verse.

¹³⁴⁷ Reference to Koran 5:54: "O ye who believe! if any from among you turn back from his Faith, soon will God produce a people whom He will love as they will love Him,- lowly with the believers, mighty against the rejecters, fighting in the way of God, and never afraid of the reproaches of such as find fault. That is the grace of God, which He will bestow on whom He pleaseth. And God encompasseth all, and He knoweth all things."

¹³⁴⁸ Reference to Koran 5:54:

يَا أَيُّهَا الَّذِينَ آمَنُوا مَنْ يَرْتَدَّ مِنْكُمْ عَنْ دِينِهِ فَسَوْفَ يَأْتِي اللَّهُ بِقَوْمٍ يُحِبُّهُمْ وَيُحِبُّونَهُ أَذِلَّةٍ عَلَى الْمُؤْمِنِينَ أَعِزَّةٍ عَلَى الْكَافِرِينَ يُجَاهِدُونَ فِي سَبِيلِ اللَّهِ وَلَا يَخَافُونَ لَوْمَةَ لَأِيمٍ ذَلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ.

¹³⁴⁹ Koran 22:41: "(They are) those who, if We establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong: with God rests the end (and decision) of (all) affairs."

¹³⁵⁰ Koran 22:41: **الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ وَاللَّهُ عَاقِبَةُ الْأُمُورِ**. The end of the verse (والله عاقبة الامور) was omitted by 'Azzāwī.

¹³⁵¹ 'Azzāwī proposes وامرناه.

¹³⁵² Hardly legible word: حميد?

¹³⁵³ Two or three illegible words.

those who act according to the law (*al-ḥaqq*) and support it. God on High said: “Help ye one another in righteousness and piety,

[٢-v-7438] عَلَيْهَا جَمِيعًا عَمَلُ الْمَوَافِقِ
لِلْحَقِّ الْمَسَاعِدِ قَالَ اللَّهُ تَعَالَى وَتَعَاوَنُوا
عَلَى الْبِرِّ وَالتَّقْوَى

but help ye not one another in sin and rancor: fear God for God is strict in punishment.”¹³⁵⁴ We ask God for us and for you

[٣-v-7438] وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ
وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ
الْعِقَابِ¹³⁵⁵ نَسْئَلُ اللَّهَ لَنَا وَلَكُمْ

to help us to follow the law, by leading us so that we might reach and hear the finest words

[٤-v-7438] تَوْفِيقًا¹³⁵⁷ إِلَى الْحَقِّ وَاتِّبَاعِهِ
وَتَسَدِيدًا إِلَى تَحْصِيلِ أَحْسَنِ الْقَوْلِ¹³⁵⁸
وَاسْتِمَاعِهِ وَتَخْلِيصًا مِنْ

and holding us responsible to pay the consequences of our deeds (*tabi'āt*) the day when neither riches nor lineage will be useful, when the slave will be called to present himself before his Master. By His grace and His favor.

[٥-v-7438] التَّبَعَاتِ يَوْمَ لَا يَنْفَعُ مَالٌ وَلَا
بَنُونَ¹³⁵⁹ عِنْدَ صَرْفِ الْعَبْدِ إِلَى رَبِّهِ
وَارْتِفَاعِهِ بِمَنْهَ وَفَضْلِهِ

Taqdīm 56: Appointment of a judge, responsible or choosing assistants or secondary judges and instrumentary witnesses. The foundations of the Law are the Koran, Tradition, the consensus of the Community and the sayings of the greatest scholars¹³⁶⁰

وَفِي تَقْدِيمِ آخَرَ [٦-v-7438] Another Appointment

...since your affairs are among the most important cares that constantly haunt our mind in your favor (*al-khiṣām*), and the responsibility (*al-naẓar*) for judgments

[٧-v-7438] وَلَمَا كَانَتْ أُمُورِكُمْ مِنْ أَهَمِّ مَا نَعْمُرُ
بِهِ الْخَاطِرَ الْخِصَامَ وَالنَّظَرَ فِي مَا يَدُورُ بَيْنَكُمْ
مِنْ

that come between you requires more than anything the choice of an agent who will be charged with rendering them and, on our part, full

[٨-v-7438] الْأَحْكَامِ مِنْ أَحَقِّ مَا يَنْبَغِي تَخِيرِ
الْمُسْتَعْمَلِ فِيهِ وَوَجِبَ مَا نُوَثِّرُ الْأَحْتِيَاظِ

¹³⁵⁴ Koran 5:2: “O ye who believe! Violate not the sanctity of the symbols of God, nor of the sacred month, nor of the animals brought for sacrifice, nor the garlands that mark out such animals, nor the people resorting to the sacred house, seeking of the bounty and good pleasure of their Lord. But when ye are clear of the sacred precincts and of pilgrim garb, ye may hunt and let not the hatred of some people in (once) shutting you out of the Sacred Mosque lead you to transgression (and hostility on your part). Help ye one another in righteousness and piety, but help ye not one another in sin and rancor: fear God: for God is strict in punishment.”

¹³⁵⁵ Koran 5:2:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَجْلُوا شَعَائِرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ وَلَا آمِينَ النَّبِيِّ الْحَرَامَ يَنْتَعُونَ فَضْلًا مِنْ رَبِّهِمْ وَرِضْوَانًا وَإِذَا حَلَلْتُمْ فَاصْطَبُوا وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ.

¹³⁵⁶ ‘Azzāwī: نَسَأَلُ.

¹³⁵⁷ ‘Azzāwī: التَّوْفِيقِ.

¹³⁵⁸ ‘Azzāwī: الْأَقْوَالِ.

¹³⁵⁹ Koran 26:88: “يَوْمَ لَا يَنْفَعُ مَالٌ وَلَا بَنُونَ (“The Day whereon neither wealth nor sons will avail”).

¹³⁶⁰ ‘Azzāwī, *NLA*, t. 1, 493.

and complete vigilance which we assume, we have long considered to know to whom we were going to confide the judgeship in your regions.

We have chosen someone whose religion and reason inspire confidence for that. After a long search, an examination with the best methods and just conduct

and an inquiry to find one whose repeated testing and series of good deeds had proven his integrity, Fulān was designated. He is known

for his own merit and his education, his intentions and his principles recommend him for this responsibility. This is why we have appointed him for your affairs

which have to do with the Law and have given him license to treat your problems according to the appropriate rules. We had ordered him beforehand to fear

God on High in all circumstances, we counseled him to restrict himself to righteousness and moderation in all enterprises,

and we required him to make the Book of God, the Tradition of His prophet – Peace be upon him – and the consensus of the Community (*ijmā' a l-ummati*) the foundations

of his judgment, and, when there is no text, to rely on the sayings of the greatest scholars (*'ulamā'*), to annul

or confirm [a sentence]; may he dedicate the greatest attention and care to know the condition of instrumentary witnesses through

whom he either confirms or dismisses rights and may he use as secondary judges (*musaddidīn*) only those men known for

the worth of their opinions and who are reputed for their virtuous state and the purity of their doctrine. We have ordained that he order good

and forbid evil;¹³⁶⁴ that he establish the law with all his strength and all his zeal,

that in his judgments he treat equally the famous and the unknown, when he arbitrates according to the law, may he observe no preference for those who have a function

or dignity, for, before the law, people are equal and [belong] to the same category, the noble and the man of the people both received the order

[٩-v-7438] ونوفيه اعملنا الفكر فيمن 1361 نقله
امانة القضاء هنالكم واخذنا مع من يثق بدينه

[١٠-v-7438] وعقله في ذلكم فتعين مع امعان
النظر والتماس المعروف بحسن الطرائق
واعدل

[١١-v-7438] السير واعمال البحث عنم زكاه
تردد الخبر وتواتر الخبر 1362 فلان وهو
الشهير

[١٢-v-7438] حسبه وطلبه والمشكور في هذه
الخطه منحاؤه ومذهبه لذلكم قدمناه لاحكامكم

[١٣-v-7438] الشرعية ورضيناؤه لاجراء
قضاياكم على القوانين المرعية بعد أن امرناه
بتقوى

[١٤-v-7438] الله تعالى في كل احواله ووصيناؤه
بالتزام سداؤه في كل المحاولات واعتداله

[١٥-v-7438] وحددنا له ان يجعل كتاب الله وسنة
رسوله عليه السلام واجماع الامة قواعد

[١٦-v-7438] احكامه وان يستند في ما لم يرد فيه
نص الى اقوال ائمة العلماء بنقضه

[١٧-v-7438] وابرامه وان يستصحب في تعرف
احوال الشهود الذين يثبت بهم 1363 الحقوق او
ينفيها

[١٨-v-7438] اهم تقفده واهتمامه وان لا يستعمل
من المسددين الا من عرف برؤويه على

[١٩-v-7438] حسن الحال ووسم بنزاهة الحال
ونقاء الانتحال واوعزنا اليه ان يامر
بالمعروف

[٢٠-v-7438] وينهى عن ضده وان يقيم الحق
باقصى وسعه واوفى جهده وان يسوى

[٢١-v-7438] في القضاء بين النبيه والخامل وان
لا يلاحظ في الحق الذي به يصدع اولي
المناصب

[٢٢-v-7438] والمنازل فالناس شرع سواء في
الشرع والشريف والمشروف ماموران

1361 في من: 'Azzāwī.

1362 Probably as corrected by 'Azzāwī: الخير.

1363 به: 'Azzāwī.

1364 Lit. "its opposite".

to obey and submit. Thus, when he arrives among you, collaborate with him in what we have entrusted to him and be with him as

[١-r-7539] بالطاعة له والسَّمعُ فاذا وافاكم فتعاونوا معه على ما اسندناه اليه وكونوا

one hand united in the law... Yaḥyá – May God help him – said: Thus ends the appointments that I found in the chapter

[٢-r-7539] يدا واحدة في الحق... [قال يحيى وفقه الله] 1365 انتهى ما الفيت من هذه التَّقَادِيمِ في الفصل الذي

that contains the collection of the *shaykh* — God’s mercy upon him. Within the collection, among these appointments, I found what was written in the name

[٣-r-7539] في مجموع الشيخ رحمت الله عليه والفيت في اثناء المجموع منها مما كتب

of the caliph al- Rashīd for the appointment of his kin Abū Muḥammad to the post of judge in Jérez (*Sharīsh*)

[٤-r-7539] به عن الخليفة الرشيد في تقديم صنوه ابي محمد على خطة القضاء بشريش

Taqdīm 57: Appointment of Abū Muḥammad as judge of Jérez by the caliph al-Rashīd on the first of *dhū l-qa‘da* 636/June 5, 1239. The judge is responsible for choosing substitutes and instrumentary witnesses. The foundations of the law are the Koran, Tradition, consensus of the Community and the “path of the imāms of religion and the scholars of Islam.”¹³⁶⁶

and in its dependent [region]. This is what we write – May God have written for you to benefit from the most fortuitous and best watch

[٥-r-7539] وما اليها □ وانا كتبناه كتب الله لكم استقبالا لأيمن النظر وأحسن واقبال

and for you to progress in the clearest and most obvious manner that will improve your situation and fulfill your hopes.

[٦-r-7539] في ما¹³⁶⁷ يعودُ بصلاح احوالكم ونجاح ءامالكُم على اوضح السنن وأبينه □ وان

Know that your interests are supported by the care we take for them, that your flanks are covered at all times by

[٧-r-7539] تعلموا ان مصالحكم معتمدة بالاعتناء وان جوانبكم متعهدة بالرعاية في

our protection and that you have the guarantee of our immense benevolence which will never leave you without order in your affairs and guidance in

[٨-r-7539] كلّ الاناء وانكم موفون من نظرنا لاجمل ما لا يغبكم منه نظام الامور وسداد

your plans. Considering this, to render justice for you we choose someone who has qualified himself by the satisfaction he has given, and to take charge

[٩-r-7539] الانحاء وبهذا الاعتبار نتخير لاحكامكم من يعينه الارضاء ونوثر بتقلد

¹³⁶⁵ Addition by ‘Azzāwī in comparison with similar passages.

¹³⁶⁶ ‘Azzāwī, *NLA*, t. 1, 494. ‘Azzāwī suggests this is the Abū Muḥammad appointed as *qādī* by al-Ma’mūn in Algésiras (*Jazīrat al-khaḍrā*) in *taqdīm* 53, then in Jérez (*Sharīsh*). Title added by ‘Azzāwī: “In the name of the caliph al-Rashīd, appointment of Abū Muḥammad to the judgeship of Jérez and its dependent regions.”

[وعن الخليفة الرشيد في تقديم أبي محمد على خطة القضاء بشريش وما إليها]

¹³⁶⁷ فيما: ‘Azzāwī.

of your affairs (*ashghāli-kum*), our preference goes to someone whose virtue is known and for whom competence is a habit. We have just appointed Fulān to

judge and mediate among you, to treat your disputes having to do with the Law according to the rules of equity and justice.

Each time he was employed among you his competence and sense of responsibility were confirmed, his character was noteworthy

for its virtue and his fine reputation. He has been counseled to respect God with awe, to fear Him and His wrath ceaselessly,

in public and secretly, to seek help in the Book of God, in the Tradition of His messenger — Peace be upon him —

and in the consensus of the Community (*wa ijmā'i l-ummati*) in the judgments he pronounces,

to follow in all circumstance the path of the *imāms* of religion and the scholars of Islam who have preceded him, and to use as substitutes or instrumentary witnesses

only men who are exempt of all suspicion and accusation and who, in the testimonies rendered to judges will have presented the qualities necessary

to be accepted. Thus, when this judge (*qāḍī*), yours, arrives among you, collaborate with him as well as possible to do good

and fear [God].¹³⁶⁸ To enjoin good and forbid evil,¹³⁶⁹ conform in your worship to that

which will tip the scales to the right side, and God will cause him to act, and you with him, with the purest of deeds

and efforts, and He will cause you to know this point of view in all circumstances. By His grace. Peace. Dated the first day of the moon

of *dhū l-qa'da* in the year 636.

اشغالكم من عرف منه الصّلاح وألف [١٠-r-7539]
لديه الغناء واء لان قدمنا فلانا لخطه

الفضاء بينكم والفصل واجراء نوازلكم [١١-r-7539]
الشريعة على قانون النصف والعدل

وقد تردد فيكم استعماله وتقرر [١٢-r-7539]
اضطلاعه واستقلاله وتميزت بالنباهة

والنزاهة خلاله وهو موصى بتقوى الله [١٣-r-7539]
ومراقبة أمره والتزام الخيفة

له في سره وجهه وان يعمل بكتاب [١٤-r-7539]
الله وسنة رسوله عليه السلام

واجماع الامة فيما يمضيه من الاحكام [١٥-r-7539]
ويقتدى في كل احواله بمن سلف من

ايمة الدين واعلام الاسلام وان لا [١٦-r-7539]
يستعمل من الثواب والشهود الا من

تنزه عن المظنة والاتهام وانصف من [١٧-r-7539]
موجبات القبول بما تنفذ به الشهادات

عند الاحكام فاذا وافاكم قاضيكم [١٨-r-7539]
المذكور فتعاونوا معه على البر والتقوى

كل التعاون¹³⁷⁰ وتوافقوا من الامر [١٩-r-7539]
بالمعروف والنهي عن المنكر¹³⁷¹ على ما
يقتضيه

في ديانكم¹³⁷² بالرجحان عند التوازن [٢٠-r-7539]
والله يستعمله واياكم بازكى المساعي

والاعمال ويعرفكم هذا النظر في كل [٢١-r-7539]
الاحوال بمنه والسلام التاريخ غرة

ذي قعدة عام ستة وثلاثين وستمائة [٢٢-r-7539]

□

Taqdīm 58: Appointment by the caliph al-Rashīd of a judge responsible for choosing instrumentary judges. The foundations of the law are the Koran, Tradition, consensus and

¹³⁶⁸Reference to Koran 5:2.

¹³⁶⁹ Reference to Koran 3:110: "Ye are the best of peoples, evolved for mankind, enjoining what is right, forbidding what is wrong, and believing in God."

¹³⁷⁰ Reference to Koran 5:2: وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْاِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ .

¹³⁷¹ Reference to Koran 3:110: كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ

¹³⁷² 'Azzāwī: ديانتم.

the words of the scholars based on reflection
and personal interpretation¹³⁷³

وَعَنْهُ فِي تَقْدِيمِ آخَرَ ٥ [٢٣-r-7539]

Another appointment in the same name

...May God always assure them respect through the awe He inspires in them, and grant them the best and most deserved benevolent watch. May God have written for you

[١-v-7639] ادام الله كرامتهم بتقواه واولاهم
من جميل النظر احقه واولاه □ كتب الله
لكم

to know prodigious kindness through the conditions, because of the improvement of your situation and dedicate you to the works

[٢-v-7639] تعرفا لاجمل ما توفرت عليه
الدواعي من اصلاح احوالكم وتصرفا في
اكفل الاعمال

and deeds that guarantee your hopes full success. Know that we keep over the land and its inhabitants a watch

[٣-v-7639] والمساعي بانجاح ءامالكُم □
وان تعلموا انا ننظر للبلاد ورعاياها النظر

that grants them always greater importance to their affairs, that takes in their interests, public and private, the elite

[٤-v-7639] الذي يقدّم الاهمّ فالاهمّ من
امورها ويتم الاخصّ والاعمّ من مصالح
خاصتها

and the people, and that establishes the rules of what is required or forbidden by the Law this community follows

[٥-v-7639] وجمهورها ويقم للشريعة التسي
تعبدت بها هذه الامة مراسم واجبها

in its devotion. And this so that the care we have for it may pursue the clearest objectives, so that [our] protection

[٦-v-7639] ومحظورها ذلكم لتطرد لها
العناية على ابين مقاصدها وتوردها
الرعاه

may pull it along the surest paths and so that, with an extreme observation of the facts (*haqā'iq*) and an absolute attachment

[٧-v-7639] ية على امتن مواردها وتمتدّ بها
الغاية في ملاحظة الحقائق وملازمة

for the strictest methods, it might be led [to resume] its excellent habits. In consideration of which our experience and choice are confirmed and renewed

[٨-v-7639] اهدى الطرائق الى احسن
عوابدها وبهذا الاعتبار يتأكد لدينا تردد

for he who surpasses in the satisfaction that he gives and who presents the qualities required

[٩-v-7639] الاختيار وتجدد الاختبار لمن
يتعين بترجيح الارتضاء ويتبين تاهله

for a judgeship, he whose activity in the field of law has been confirmed by his application of it,

[١٠-v-7639] لخطه القضاء ويتيقن مضاهه
في ما¹³⁷⁴ حكم فيه الشرع بالامضاء وممن
وفى

someone who [for this position] has proven himself on all topics and has paid knowledge all it is due in verification and learning, and who has chosen

[١١-v-7639] لهذه الجملة بتفصيلها وفى
المعارف حقّ تحقيقها وتحصيلها واقتفى

the obvious path in the services required of this sublime responsibility. [It is] Fulān. We have thus appointed him to take charge

[١٢-v-7639] في الاهلية لهذه الرتبة السنّية
واضح سبيلها فلان وقد عيناه لاقامة

¹³⁷³ 'Azzāwī, *NLA*, t. 1, 495-496.

¹³⁷⁴ فيما: 'Azzāwī.

of your affairs that have to do with the Law, to continuously apply among you the usual dispositions for this and to treat equally

أحكامكم الشرعية وإدامة
اجرا بكم على قوانينها المرعية¹³⁷⁵
والمساوات

according to justice (*fi l-ḥaqq*) all [our] subjects (*al-ra'īyya*) in our provinces; we ordered him beforehand to take his inspiration first of all from the fear of God

في الحق بين من تضمنه
اقتاركم من الرعية بعد ان تقدم اليه بان
يقدم تقوى الله

on High, a fear that acts as a North Star to righteousness and, for the believer, as traveling supplies to the hereafter, to refer to the Book and

تعالى التي هي قطب السداد
وحسب المومن للمعاد ويستند الى الكتاب و

Tradition which are the two fundamental sources, and [then] to the consensus (*wa ilā l-ijmā'*) which is the third pillar for seeking just instruction and correct

السنة فهما عمدة الاستناد والى
الاجماع الذي ثالث قواعد الاستدلال والا

Directions, and [finally], in cases without a text, to call on that which the words of the scholars

سترشاد □ ويستظهر في
ما¹³⁷⁶ عدم النص¹³⁷⁷ فيه بما انبنى من
اقوال العلماء

have built on the two foundations which are reflection (*nazar*)¹³⁷⁸ and personal effort (*ijtihād*). Thus is the path which admits no departure for just

على أسى النظر¹³⁷⁹ والاجتهاد
هذا هو السنن الذي لا عدول عنه لعدول

judges, and the road indicated by the verification of valid conduct (*al-murtaḍāt*), and his opinions

القضاة والطريق الذي أدى اليه
التحقيق من السير المرتضاة¹³⁸⁰ وعلى ما
أصل منه

and analogous acts will rest on these, and this will be the instrument to plumb judgment when analogies are ambiguous and to pronounce a sentence

تحمل نظايره واشباهه وبه
يسير الحكم اذا انبهم اشتباهه ويقع الفصل

when it follows a sense without apparent fault. We have enjoined him to refer to these in his positive or

اذا سلم من عوارض النواقص
اتجاهه وقد حددنا له ان يرجع اليه فيما¹³⁸¹
يثبته

negative [decrees] and make of them the path he will follow painstakingly. We have ordered him

وينتقيه ويجعله منهاجه الذي
يسلكه دايماً ويقتنيه وامرنا ان (يكثر
من؟)¹³⁸²

to regularly examine the condition of instrumentary witnesses, to make the difference between those to accept and those to dismiss, to... the most important (...)

تصفح احوال الشهود وتعرف
المقبول منهم من المردود من ان اهم
(من...)¹³⁸³

¹³⁷⁵ المرضية: 'Azzāwī.

¹³⁷⁶ فيما: 'Azzāwī.

¹³⁷⁷ Allusion to *ḥadīth* reported by Abū Dāwūd, *Sunan*, 544, n° 3 592, *Kitāb al-aqḍiya, bāb ijtihād al-ra'y fi l-qaḍa'* and al-Tirmidhī, 313-314, n° 1 327-1 328, *Kitāb al-aḥkāl 'an rasulī Llāhi, bāb ma jā'a fi-l-qāḍī kayfa yaqḍī*.

كيف تقضي (يا معاذ)؟ أقضي بما في كتاب الله فإن لم يكن في كتاب الله؟ قال فبسنة رسول الله. فإن لم يكن في سنة رسول الله؟ قال لإجتهد رأيي....

¹³⁷⁸ This seems to refer to *qiyās*, reasoning by analogy, one of the foundations of Sunni law.

¹³⁷⁹ *Al-nazar* refers here to *qiyās*.

¹³⁸⁰ المرضية: 'Azzāwī.

¹³⁸¹ فيما: 'Azzāwī.

¹³⁸² Incorrect proposal by 'Azzāwī for an illegible word.

¹³⁸³ Completely erased word.

to seek piety and loyalty in those whom he delegates [power] or entrusts. [١-r-7740] فيه وان يتوخى الديانة والامانة
 فيمن يستعمله من النواب عنه ويستكفيه
 Thus, when he arrives among you, may your submission to his authority [٢-r-7740] فاذا وافاكم فليحسن ائتماركم
 (li-īṣḍāri-hi wa īrādi-hi) be irreproachable, may your conduct towards him
 be excellent in the collaboration لاصداره وايراده ولتجمل اثاركم في
 التعاون
 [you bring him] for the responsibility and the exclusive command he has [٣-r-7740] معه على ما قلد من استقلاله
 over your jurisdiction. Know how we honor you باحكامكم واستبداده وتعلموا انكم اوثرتم
 through the person who will guide legal decisions for you according to the [٤-r-7740] منه بمن يجري الفصل الشرعي
 trajectory of this righteousness, if God on High wills it... فيكم على جادة سداده ان شاء الله تعالى

**Taqdīm 59: Appointment by al-Rashīd, before
 the reestablishment of the Almohad doctrine,
 of a judge responsible for choosing
 instrumentary witnesses. The foundations of
 the law are the Koran, Tradition, consensus
 and the juridical consultations of the scholars
 of the Community and the most learned
 imāms¹³⁸⁴**

[٥-r-7740] وفي تقويم ديم آخر ٥
Another appointment

May God have written for you to agree on fine deeds, to seek who can [٦-r-7740] كتب الله لكم توافقاً على السعى
 best find the straight path, الجميل وتسابقاً الى سلوك سواء السبيل
 and collaborate on [deeds] that will allow you to be near to Him. Know [٧-r-7740] والتعاون على ما يحظيكم بالزلفى
 that you have the support of a beneficent watch over لدينه وان تعلموا انكم معتمدون بالنظر
 المصلح
 your situation and the backing of a solicitude that favors your hopes; [٨-r-7740] لآحوالكم ومتعهدون بالاعتناء
 [know also] that the most important function, the first to consider, الميسر لامالكم واولى مهماتكم بالتقديم
 وأخرى
 the one that is most suitable to leading your affairs along the straight path [٩-r-7740] ما جرت فيه امورك على السنن
 is the judgship, by which decrees are pronounced among you القويم خطة القضاء التي تقام بها بينكم
 الاحكام
 and which assures order if it is carried out according to religious rules in [١٠-r-7740] ويتسق باجرابها على القوانين
 all disputes. Fulān has been appointed الدينية لجميع النوازل النظام وقد قدم فلان
 to judge and mediate among you and has been put forward to answer [١١-r-7740] للفصل بينكم والقضاء وأنهض
 your needs concerning the promulgation and execution لما تحتاجون اليه في نواشء احكامكم من

¹³⁸⁴ ‘Azzāwī, *NLA*, t. 1, 497.

of sentences in your trials. Previously, we entrusted him with jobs on many occasions and were able to judge that he followed the paths of his predecessors/ancestors in the situations

where they deserved praise. We have counseled him to fear God, to keep His power in awe, to tremble at the idea that the Highest

knows everything about him, in secret and in public, to rely on the Book, Tradition and the consensus (*ijmā'*) and to refer

to the juridical consultations of the scholars of the Community (*fatāwā 'ulamā' i l-ummati*) and the most learned *imāms*. We have ordered him to treat equally in [his] judgments

the man of the people and the noble and to force the strong to render justice to the weak. We have insisted

concerning instrumentary witnesses, that he select them and accept among them only just and pious people, for on [their] testimony

rests the suspension or execution of the judgments he pronounces on matters, and to pay attention to that is the most important [conduct] for improving,

with the help of God, his intentions and decisions. Thus, when he arrives among you with this decree, submit to him your disputes.

Help him with your agreement with him and your unity in advancing the law, if God on High wills it. And He

— May He be glorified — He will cause you to know the happiness of the benevolent watch that covers you and its solicitude and He will lead you along His obvious path through the collaboration

for (...) ¹³⁸⁷ and through agreement in good deeds...

[١٢-٢-٧٧٤٠] الانفاذ لها والامضاء بعد ان قُرر
تردده في الاستعمال فظنَّ به الاقتداء بسلفه

[١٣-٢-٧٧٤٠] في مشكور الاحوال وقد وُصِيَ
بتقوى الله ومراقبة أمره واستشعار اطلاعه

[١٤-٢-٧٧٤٠] تعلق عليه في سره وجهه وان
يكون على الكتاب والسنة والاجماع اعتماده
⊙

[١٥-٢-٧٧٤٠] والى فتاوى علماء الامّة واعلام
الايمة استناده وامر بالتسوية في الحكم

[١٦-٢-٧٧٤٠] بين المشروف والشريف
والاخذ ¹³⁸⁵ بالحق من القوى للضعيف واكد
عليه في

[١٧-٢-٧٧٤٠] شان الشهود لينتقيهم ولا يقبل الا
عدلهم وتقيهم فعلى الشهادة مدار ما

[١٨-٢-٧٧٤٠] يوقفه من الفصل في القضايا او
ينفذه والاحتياط لها من اهم ما يحسن فيه

[١٩-٢-٧٧٤٠] بحول الله منحه وماخذه فاذا
وافاكم هذه ¹³⁸⁶ الخطاب فارجعوا اليه
باحكامكم

[١٩-٢-٧٧٤٠] واعينوه باتفاقكم معه على تمشية
الحق والتبامكم ان شاء الله تعالى وهو

[٢٠-٢-٧٧٤٠] سبحانه يعرفكم يامن النظر الذي
يتعهدكم جميله ويسلك بكم من التعاون على

[٢١-٢-٧٧٤٠] (...) ¹³⁸⁸ والتوافق في اعمال
البر على ما اتضح
سبيله

[١-٧-٧٨٤٠] قال يحيى وفقه الله تعالى انتهى ما في المجموع

Yaḥyā — May God on High assist him — said:

Thus ends that which was in the collection

which I noticed, found and discovered; I placed the [pieces] one after the other and I edited [it all]. Here

begins the appointments which I found elsewhere, those whose fruits I picked,

[٢-٧-٧٨٤٠] مما ذكرته وما الفيته فيه ووجدته
ووصلت بعضه ببعض واوردته وهذا

[٣-٧-٧٨٤٠] ابتداء ما وجدته من هذه التقاديم
في غير ذلك المجموع مما جنبت ثمره

¹³⁸⁵ 'Azzāwī: والأخذ.

¹³⁸⁶ 'Azzāwī: بهذا.

¹³⁸⁷ Proposals: "good", "that which He approves", "fear", "patience".

¹³⁸⁸ Illegible word missing. Proposals: الصبر، التقوى، ما يرضاه، الخير.

whose rivers I flowed and the perfume of whose flowers I smelled; I organized their pearls for the masters of *adab* and intelligence

[٣-v-7840] وأجريت نهره وأشممت زهره
ونظمت لأولے الاداب والالباب درره
لينتهي

so that it would end with the finest and [one] takes consolation in that which humanity scatters during its nights. Among others... Appointment of a judge

[٥-v-7840] بلأليها ويتسلى بما بثّ الانس في
لياليها □ فمن ذلكّ تقديم قاض

Taqdīm 60: Appointment of a judge responsible for choosing instrumentary witnesses¹³⁸⁹

...This is what we write, May God have written for you a decision that advances your interests and the consequences of which guarantee the safety of your

[٦-v-7840] وانا كتبناه اليكم كتب الله لكم نظرًا
تتمشى به مصالحكم وأثرًا تامن له مسا

paths and fields. We have decided — and we ask God on High to make [this] decree just and to correctly lead [this] matter —

[٧-v-7840] ربكم ومسارحكم □ وقد راينا
ونسئل¹³⁹⁰ الله تعالى سداد الرأى ورشاد
الأمر (...)¹³⁹¹

to appoint Fulān — May God treat him generously by the awe He inspires in him and may he guide his plans and intentions to pronounce and apply the Law —

[٨-v-7840] وان يقدم¹³⁹² للاشتغال باحكامكم
الشرعية والنظر في مصالحكم الدينية فلانا
اكرمه

to judge your affairs that have to do with the Law and to watch over your religious interests. We previously counseled him to fear

[٩-v-7840] الله بتقواه وسدد لقول الحق
والعمل به مفصده ومنحاه بعد ان وصيناه
بتقوى

God, which is the foundation of good deeds and the sign of favorable conditions. We have ordered him to exercise

[١٠-v-7840] الله التي هي اس الأعمال
الصالحة وعنوان الاحوال الناجحة وامرناه
بالقيام

the charge of judgeship and to take the time to ensure judgments before having them carried out¹³⁹³,

[١١-v-7840] بشرط القضاء والتثبت في
الأحكام قبل الامضاء والتسوية بين
الخصوم في

to arbitrate according to the law between opposing parties without exception for rank or wealth. We have prescribed him to accept among the instrumentary witnesses

[١٢-v-7840] الحق دون تفرقة بين ذوي
المرتبة والاثراء وعهدنا اليه ان لا يقبل من
الشهداء

only those whose method (*ṭarīqatu-hu*) has been praised and to use only acts whose authenticity has been recognized. We have insisted that he

[١٣-v-7840] الا من حمدت طريقته ولا يعمل
من العقود الا ما ثبتت حقيقته واكدنا عليه

respect scrupulously these rules which we have defined and that he take as support our desires and plans.

[١٤-v-7840] التزام هذا القانون الذي حددناه
والاعتماد على الذي نوبناه وقصدناه

Thus, when he arrives among you, if God wills it, help in the work that pertains to him. Be at his side to make the law

[١٥-v-7840] فاذا وافاكم ان شاء الله فاعينوه
على الشغل المنوط به وشاركوه في اظهار

¹³⁸⁹ ‘Azzāwī, *NLA*, t. 1, 498.

¹³⁹⁰ ونسأل: ‘Azzāwī.

¹³⁹¹ Word erased.

¹³⁹² ‘Azzāwī corrects with نقدم.

¹³⁹³ To sign? In signing them?

reign: we have appointed him for that¹³⁹⁴. Collaborate with him when he orders good

[١٦-v-7840] الحق فلم ننهضه الا بسببه ووافقوه في ما يامر به من المعروف وينهى

or forbids evil, and you will appreciate the results of your collaboration and will find the blessing of having a fine organization and of being together.

[١٧-v-7840] عنه من المنكر تحمدوا غبب اتفاقكم وتجدوا بركة انتظامكم وانساقكم

And God on High will assist you, help you and will use you so that your world will improve and your religion will be just...

[١٨-v-7840] والله تعالى ينجدكم ويعينكم ويستعلمكم في ما تصلح به دنياكم ويصح دينكم

Taqdīm 61: Appointment of a judge responsible for selecting instrumentary witnesses¹³⁹⁵

[١٩-v-7840] وَفِي تَقْدِيمِ آخَرَ

Another appointment

May God have written for you a watch that puts your lands in order and a choice that ensures safety for you in the center and on the periphery. [We know]¹³⁹⁶ only the

[٢٠-v-7840] كتب الله لكم نظرا تمهد¹³⁹⁷ اكنافكم واختيارا يؤمن اوساطكم واطرافكم الا الخير

most total welfare and most total favor. Praise be to God: may He perpetuate and multiply kindness. We have decided

[٢١-v-7840] الاكمل واللطف الاشمل والحمد لله حمدا تستدام به الالاء وتستجزل وقد راينا

— and we ask God to make our opinions just and to favor all [our] projects and [our] choices — to appoint [Fulān] to judge

[٢٢-v-7840] ونسئل¹³⁹⁸ الله سداد الاراء ويمن المقاصد كلها والانحاء ان نقدم عليكم للقضاء (في)¹³⁹⁹

your affairs that have to do with the Law, to take care of your religious activities, to arbitrate among you according to the scales of justice and equity,

[١-r-7941] احكامكم الشرعية والاشتغال باشغالكم الدينية والفصل بين قويمكم وضعيفكم

be it for the strong or the weak, for the noble or the man of the people. We have counseled him to fear God everywhere he casts

[٢-r-7941] وشريفكم ومشروفكم بميزان العدل والسوية ووصيناه بتقوى الله فيما¹⁴⁰⁰ يعمل

his gaze and for the references on which his words and expectations are based, and to judge according to the incontestable law whose

[٣-r-7941] فيه نظره ويسند اليه مقوله ومنتظره والحكم بالحق الواضح يسلك

path he will follow and whose footsteps he will pursue. We have ordered him to verify [the worth] of contracts and instrumentary witnesses, to devote himself

[٤-r-7941] سننه ويقفوا¹⁴⁰¹ اثره وامرناه بتفقد¹⁴⁰² بتفقد¹⁴⁰³ العقود والشهود وبدل¹⁴⁰³ الجهد

¹³⁹⁴ Lit.: “only for that.”

¹³⁹⁵ ‘Azzāwī, *NLA*, t. 1, 499.

¹³⁹⁶ See *taqdīm* 33, 35, 44, 62, and 64.

¹³⁹⁷ ‘Azzāwī corrects with يمهد.

¹³⁹⁸ ‘Azzāwī: ونسأل.

¹³⁹⁹ Paper torn at the end of the line, completed by ‘Azzāwī.

¹⁴⁰⁰ ‘Azzāwī: في ما.

¹⁴⁰¹ ‘Azzāwī corrects with يقفوا.

¹⁴⁰² Repeated in the original.

¹⁴⁰³ ‘Azzāwī: وبدل.

to discerning which can be approved and which should be dismissed and to respect the legal clauses for [٥-r-7941] في الفرق بين المقبول منهم والمردودِ والوقوف عند الحدود الشرعية في punishments and penalties. Help him for the instructions we have given him to enjoin that which is good [٦-r-7941] التعزيرات والحدود فاعينوه على ما وجهناه اليه من الامر بالمعروف and forbid evil. So that the Truth will appear and error disappear, bring him a firm support that will be counted in your favor [٧-r-7941] والنهي عن المنكر وعاضدوه في اظهار الحق واخفاء الباطل معاضدة and will earn you praise. [٨-r-7941] ترعى لكم وتشكر

Taqdīm 62: Appointment of a judge responsible for selecting instrumentary witnesses. The foundations of the law are the Koran and Tradition¹⁴⁰⁴

[٩-r-7941] **وَفِي مَخَاطَبَةٍ أُخْرَى فِي ذَلِكَ**
Another allocation on the same subject

...May God assure them always respect by the awe he inspires in them, may He ease and favor for them their spiritual and temporal happiness. This is what we write — May [١٠-r-7941] ادام الله كرامتهم بتقواه ويسر لهم خير الدين والدنيا وسناه كتبناه كتب God have written for you quality of choice and the happiness of authority (yumna l-irādi wa-l-ışdāri). [We know...] only welfare in abundant parts and well-being [١١-r-7941] الله لكم حسن الاختيار ويمن الايراد والاصدار الا الخير الاوفر نصيبا واليسر of triumphant fragrances and scents (*adfar*). We have decided — and we ask God to guide [our] views and to orient [our] intentions — [١٢-r-7941] الادفر عبقا وطيبا وقد راينا ونسئل¹⁴⁰⁵ الله رشاد الاراء وسداد الانحاء to appoint Fulān to judge your affairs that have to do with the Law, to treat the religious aspects of annulled or [١٣-r-7941] ان نقدم فلانا للنظر في الشرعى من احكامكم والاشتغال بالدينى من نقضكم confirmed judgments and to decide by imposing the law in your budding disputes and your unexpected conflicts. This was after [١٤-r-7941] وابر امكم والفصل بواجب الحق في نواشى نزاعكم وطوارى خصامكم بعد having verified his education (*talabi-hi*) and his virtue and assured ourselves of the uprightness of his plans and his intentions. We have counseled him to fear [١٥-r-7941] تقرر طلبه وزكاه والتقى بسداد مقاصده وانحاه وقد وصيناه بتقوى God on High, to take the royal and exemplary path of the Law and to follow the footsteps of the Book [١٦-r-7941] الله تعالى والسير على جادة الشرع المثلى والافتداء بأثار الكتاب and Tradition, to draw up all his zeal and all his will to enjoin that which is good and [١٧-r-7941] والسنة والانتهاض في الامر بالمعروف والنهي عن المنكر ببذل الجهد forbid evil, to settle problems with prudence and in awe [of God]. What fine armor, what [١٨-r-7941] واعمال النبى والاستحسان في المشكلات بالحدز والتوقى ونعمت الوقاية

¹⁴⁰⁴ ‘Azzāwī, *NLA*, t. 1, 500.

¹⁴⁰⁵ ‘Azzāwī: ونسأل.

excellent cuirasses! We have ordered him to choose and select
instrumentary witnesses and stay close to the law

[١٩-r-7941] فِيهِمَا وَالجَنَّةَ وَأَمْرَانَهُ بَانْتِقَاءَ
الشُّهُودِ وَاخْتِيَارِهِمُ وَالْوُقُوفَ مَعَ الْحَقِّ

in dismissing or confirming them, to treat equally the strong and the weak
without pushing

[٢٠-r-7941] فِي أَطْرَاحِهِمْ أَوْ أَقْرَارِهِمْ
وَالْتَسْوِيَةَ بَيْنَ الْأَقْوِيَاءِ وَالضُّعْفَاءِ غَيْرِ
مَعْرُضٍ عَنِ

some away for their misery or welcoming others for their opulence. Thus,
when he arrives among you, bring

[٢١-r-7941] هُوَ لِأَقْتَارِهِمْ وَلَا مَقِيلٍ¹⁴⁰⁶
عَلَى أَوْلِيكَ لِأَكْثَارِهِمْ فَإِذَا وَافَاكُمْ
فَاحْسِنُوا

him powerful support and effective aid, and God will grant you always His
assistance, and will guide your steps towards happiness.

[٢٢-r-7941] مَعَاذَتَهُ وَاجْمَلُوا مَسَاعِدَتَهُ
وَاللَّهُ يَدِيمُ تَوْفِيقَكُمْ وَيُنْهَجُ إِلَى الْخَيْرِ
طَرِيقَكُمْ

Taqdīm 63: Incomplete excerpt of a judicial appointment¹⁴⁰⁷

[٢٣-r-7941] وَفِي فَصْلِ مِنْ أُخْرَى فِي الْمَعْنَى

Paragraph from another on the same subject

... we write you — May God have written for you excellent
administration (*husn al-nazar*) and happiness [that will bring
you] the competence and attention [of he] whom we send you.

[١-v-8041] كَتَبْنَاكَ كَتَبَ اللَّهُ حَسْنَ النَّظَرِ لَكُمْ وَيُؤْمِنُ مَا
نُوجِّهُهُ مِنَ الْغِنَاءِ وَالْإِعْتِنَاءِ قَبْلَكُمْ

We have decided, and we ask God to make [this] view just and
to guide [this] decision, [to appoint Fulān] to take charge of your
religious affairs and to decide

[٢-v-8041] وَقَدْ رَأَيْنَا وَنَسْتَلُ¹⁴⁰⁸ اللَّهُ سَدَادَ الرَّايِ
وَرِشَادَ السَّعْيِ لِلنَّظَرِ فِي نَوَازِلِكُمْ

according to the law in your problems that have to do with the
Law...

[٣-v-8041] الدِّينِيَّةِ وَالْفَصْلِ بِالْحَقِّ فِي قَضَايَاكُمْ
الشَّرْعِيَّةِ ٥

Taqdīm 64: Appointment of a judge responsible for selecting instrumentary witnesses¹⁴⁰⁹

[٤-v-8041] وَمِنْ مَخَاطَبَةِ جُمُهُورِيَّةٍ فِي الْمَعْنَى

[Excerpt] from a collective allocution on the same subject

May God assure them always respect through the awe He
inspires in them, may He spread their shares in His mercy and
His favor. [We know] only

[٥-v-8041] إِدَامَ اللَّهِ كِرَامَتَهُمْ بِتَقْوَاهُ وَوَقَّرَ حُظُوظَهُمْ
مِنْ رَحْمَاهُ وَنِعْمَاهُ إِلَّا الْأَلَاءَ

abundant graces and fortuitous conditions! Because your region
is at the center of our cares, because it is at the forefront of

[٦-v-8041] الدَّارَةِ وَالْأَحْوَالِ السَّارَةِ وَلَمَّا كَانَ قَطْرَكُمْ
مَبْدَأُ مَهْمَاتِنَا وَالْمَقْدَمِ فِي

our watch and attention, because the choice of judges deserves
to be treated as a priority, [...] ¹⁴¹⁰ [we] have dedicated all

[٧-v-8041] نَظَرِنَا وَالتَّفَاتِنَا وَكَانَ تَخِيرَ قَضَائِهِ أَوْلَى
مَا رَفَعَ بِهِ الْإِبْتِدَاءَ وَوَقَفَ

¹⁴⁰⁶ 'Azzāwī corrects with وَلَا مُقِيلٍ.

¹⁴⁰⁷ 'Azzāwī, *NLA*, t. 1, 500.

¹⁴⁰⁸ 'Azzāwī: وَنَسَأَلُ.

¹⁴⁰⁹ 'Azzāwī, *NLA*, t. 1, 501.

¹⁴¹⁰ Missing judicial appointment?

[our] care so that, for you, [Fulān] may pronounce sentences that have to do with the Law and take care of	[⁸ -v-8041] عَلَيْهِ الْاِعْتَاءَ لِلنَّظَرِ فِي اِحْكَامِكُمُ الشَّرْعِيَّةِ وَالِاسْتِعَالَ بِنَوَازِلِكُم
religious affairs. He is known for his merit, his education and his piety. We know that he does not	[⁹ -v-8041] الدِّينِيَّةِ وَهُوَ الْمَشْهُورُ حَسْبِهِ وَطَلَبِهِ وَتَدِينِهِ وَالْمَعْرُوفُ اِنَّهُ لَا
quit until he has completely committed himself, and that he is one in whom, each time we put him to the test and that	[¹⁰ -v-8041] يَقِفُ دُونَ غَايَةِ الْكِفَالَةِ مُمْكِنُهُ وَمَمَّنْ لَمْ يَزِدْهُ مِسْبَارُ الْاِخْتِبَارِ وَتَكَرَّرَ
we observed him conduct, we discovered new qualities and meritorious practices. We have recommended	[¹¹ -v-8041] الْاِعْتِبَارِ الْاِلَّا مَنْحَى نَسْتَجِيدُهُ وَمَنْزَعًا نَسْتَحْسِنُهُ وَقَدْ وَصَّيْنَاهُ
that he fear God, for that is the traveling supplies of the blissful, the support of the pure and the virtuous, and the duty	[¹² -v-8041] بِتَقْوَى اللَّهِ فَهِيَ عِدَّةُ الْمَفْلِحِينَ وَعِدَّةُ الصُّلَحَاءِ وَالْمُصْلِحِينَ وَالْوُضُوفِ
that must terrorize without end the proud (<i>abbā'</i>). We have ordered him to listen	[¹³ -v-8041] الَّتِي يَجِبُ عَلَى الْاَبْيَاءِ ¹⁴¹¹ اسْتِشْعَارُهَا الْحَيْنَ بَعْدَ الْحَيْنِ وَاَمْرُنَا ¹⁴¹² اَنْ نُسَوِّيَ ¹⁴¹³
to opposing parties and to examine [their case] with equity, to be just when he uses forbearance or severity in his words,	[¹⁴ -v-8041] بَيْنَ ¹⁴¹⁴ الْخُصُومِ فِي سَمْعِهِ وَلِحْظِهِ وَالْمُعْدَلَةَ بَيْنَهُمْ فِي الشَّدَةِ اَوْ اللَّيْنِ مِنْ لَفْظِهِ
to not fear blame when he applies the law, to not stray from the path of forbearance as long as it does	[¹⁵ -v-8041] وَاَنْ لَا يَخَافُ لَوْمَةَ اَلَيْمٍ فِي اِمْضَاءِ الْحَقِّ وَلَا يَعْدِلُ مَا لَمْ تُعْتَرِضْ شِدَّةُ
not contradict the severity of the Law, to accept as instrumentary witnesses only men who have proven their intelligence,	[¹⁶ -v-8041] شَرْعِيَّةٍ عَنِ سَنَنِ الرَّفْقِ وَلَا يَقْبَلُ مِنَ الشُّهُودِ اِلَّا الْمَشْهُدِينَ بِالزَّكَاةِ وَالزَّ
virtue and sincerity; for his judgments depend on witnesses. He relies on them to confirm or annul [a sentence];	[¹⁷ -v-8041] كَاءِ وَالصِّدْقِ فَالشُّهُودُ مِنْ اَحْكَامِهِ وَمُسْتَنْدِنُ نَقْضِهِ وَاِبْرَامِهِ
they are the best arbitrators to determine forbidden or authorized decrees; they bring back by the bridle	[¹⁸ -v-8041] وَالْفَارُوقِ الْاِقْوَى بَيْنَ حَلَالِ الْفُصْلِ وَخَرَامِهِ وَالْعَابِدُونَ حَسْبَ الْعَدَالَةِ
whoever goes to the right or left, according to justice or against it. As for him, he must hold himself to that,	[¹⁹ -v-8041] اَوْ ضِدَّهَا ذَاتَ الْيَمِينِ اَوْ ذَاتَ الشَّمَالِ بِزَمَامِهِ وَهُوَ يَقِفُ عِنْدَ هَذَا الْوَقْفِ
conform to this pact in his actions and put to work the correct objectives for which without end we give him instructions and explanations.	[²⁰ -v-8041] وَيَعْمَلُ بِهَذَا الْعَهْدِ وَيَمْتَشِي مَا لَمْ يَزَلْ يَلْقَاهُ عَنَّا وَيَفْهَمُهُ مَنَّا مِنْ سَدَادِ الْقَصْدِ
Thus, when he arrives among you cooperate with him to advance the interests of religion, give him the possibility	[²¹ -v-8041] فَاِذَا وَافَاكُمُ فَوْاقِفُوهُ فِي تَمَشِيَّةِ مَصَالِحِ الدِّيَانَةِ وَاوَلُوهُ مُمْكِنُهُ
of [your] will, [your] support and [your] aid...	[²² -v-8041] فِي ذَلِكَ مِنَ الْاِنْحَاءِ وَالْعَضْدِ وَالْاَعْيَانَةِ

Taqdīm 65: Renewal by al-Mu‘taḍid of a judge responsible for choosing delegates and instrumentary witnesses. The foundations of the law are the Koran, Tradition, and the

¹⁴¹¹ From the verb 'BY, *abá, ya'bi*.

¹⁴¹² 'Azzāwī corrects with وَأَمْرُنَاهُ.

¹⁴¹³ 'Azzāwī corrects with يَسُوِي.

¹⁴¹⁴ 'Azzāwī: بَيْنَهُمْ.

consensus of the Community (mid shawwāl
640/beginning of April 1242)¹⁴¹⁵

مَخَاطَبَةٌ أُخْرَى وَعَنِ الْخَلِيفَةِ الْمُعْتَصِدِ [١-r-8142]

فِي إِعَادَةِ قَاضٍ لِحُطْبَتِهِ بَعْدَ الصِّدْرِ¹⁴¹⁶ [٢-r-8142]

Another allocution in the name of the caliph al-Mu‘taḍid to renew a judge in his appointment.
After the preamble

May God have written for you a watch which hastens the improvement of your situation and accompanies you along the royal path	[٣-r-8142] كَتَبَ اللهُ لَكُمْ نَظْرًا يَطَّرِدُ لِحَوَالِكُمْ صَلاَحَهَا وَسَلَكَ ¹⁴¹⁷ بَكُمْ عَلَى جَادَةِ
of His assistance (<i>tawfiqi-hi</i>), a path so obvious and clear that it cannot be missed. Know that the care we have for you	[٤-r-8142] تَوْفِيقِهِ التِّي لَا يَنْبَهُمْ ¹⁴¹⁸ تَبَيَّنَهَا وَاتِّصَاحَهَا □ وَان تَعْلَمُوا ان اَعْتَنَّا بِكُمْ
requires that we grant you benevolence without end at all times, that just and virtuous conduct (<i>siyaru l-‘adli wa-l-ihsāni</i>) is	[٥-r-8142] يَقْتَضِي ان لَا نُغَبِّكُمْ بِالنَّظَرِ الْجَمِيلِ فِي كُلِّ الْاَحْيَانِ وَان تَطْرُدَ فِيكُمْ سِيرَ الْعَدْلِ
required with you, and that we must appoint for your interests and finances someone whose worth we have recognized for that by putting them to multiple	[٦-r-8142] وَالْاِحْسَانَ وَان يَعْينَ لِمَصَالِحِكُمْ وَاشْغَالِكُمْ مِنْ عَرَفْنَا تَاهَلَهُ لَدَيْكُمْ ¹⁴¹⁹ بِتَرَدِّدِ
tests and repeated examinations. Taking this into account, we have appointed again Fulān to settle your affairs that have to do with	[٧-r-8142] الْاِخْبَرَ وَتَكَرَّرِ الْاِمْتِحَانَ وَبِهَذَا الْاِعْتِبَارِ اَعْدْنَا الْاِنَّ اِلَى تَوْلَى اِحْكَامِكُمْ
the Law and to manage your religious questions; from now on we entrust him alone to arbitrate	[٨-r-8142] الشَّرْعِيَّةِ وَتَقْلَدِ النَّظَرَ فِي نَوَازِلِكُمْ الدِّيْنِيَّةِ فَلَانًا ¹⁴²⁰ اِعَادَةَ تَفْرُدُهُ بِالْفَصْلِ
and judge for you, and this speaks to the fact that for us he certainly has the qualities necessary for this [appointment]	[٩-r-8142] بَيْنَكُمْ وَالْقَضَاءَ وَتَشْهَدُ بِمَا تَأْكُدُ لَهُ لَدَيْنَا مِنْ مَوْجِبَاتِ التَّاهِيلِ لَدَلِكُمْ
and to please us and it [also] show how much he has acquired merit in our eyes by [his] care (<i>i‘tinā</i>) and [his] application (<i>iṭhār</i>). He is someone	[١٠-r-8142] وَالْاِرْتِضَاءَ وَتَنْبِيءُ بِمَا تَضَاعَفَ لَهُ عِنْدَنَا مِنْ مَزِيَّاتِ الْاِثَارِ وَالْاِعْتِنَاءِ فَهُوَ
who has distinguished himself in our service, recently and in the past, and whose behavior each time we have employed him	[١١-r-8142] مَمَّنْ تَمَيَّزَ بِالْخِدمِ الْحَدِيثَةِ وَالْقَدِيمَةِ وَتَبَيَّنَ سُلُوكَهُ عَلَى تَرَدِّدِ اسْتِعْمَالِهِ
in this responsibility followed the clear roads and straight paths. He has been given the firm	[١٢-r-8142] فِي هَذِهِ الْخِطَّةِ لِلطَّرِيقِ الْوَاضِحَةِ وَالسَّبِيلِ الْقَوِيمَةِ وَقَدْ نَقُدُّمُ الْيَهْ بِالْوِ
advice to make the fear of God on High the pivotal point of his actions, to not allow his authority (<i>irādu-hu wa iṣḍāru-hu</i>) to stray from the Book of God	[١٣-r-8142] صِيَّةِ الْاَلَكِيدَةِ فِي ان يَكُونَ عَلَى تَقْوَى اللهِ تَعَالَى مَدَارَهُ وَان لَا يَعْدَلَ عَنْ كِتَابِ اللهِ
on High, the Tradition of His messenger, and the consensus of the Community (<i>ijmā‘i l-ummah</i>), to employ as delegates	[١٤-r-8142] تَعَالَى وَسَنَةِ رَسُوْلِهِ وَاجْمَاعِ الْاِمَّةِ اِيْرَادَهُ وَاصْدَارَهُ وَان لَا يَسْتَعْمَلَ مِنَ النُّوَابِ

¹⁴¹⁵ ‘Azzāwī, *NLA*, t. 1, 502-503.

¹⁴¹⁶ ‘Azzāwī corrects with لِحُطْبَتِهِ in relation to the rest.

¹⁴¹⁷ ‘Azzāwī corrects with يسلك.

¹⁴¹⁸ B-H-M, seventh form, absent from Kazimirski (pres. 2, 4, 5, et 10^e). Sense adopted from fifth and tenth forms.

¹⁴¹⁹ ‘Azzāwī: لَدَلِكُمْ.

¹⁴²⁰ ‘Azzāwī: فَلَانِ.

only the most virtuous [men] whom he will have carefully selected. As for instrumentary witnesses, they are offer support	[١٥-r-8142] عنه الا ازكياء الذين يحسن لهم اختياره والشهود هم مستند الحكم في
when he decides to execute or postpone [a decree]; may he strive to choose them without fault and to accept them only after having	[١٦-r-8142] ما ¹⁴²¹ يمضيه او يتوقف فيه فليقدم انتقاءهم جهده ولا يقبل منهم الا من
verified their sense of justice. May his greatest care be to judge in putting on the same plane the noble and the man of the people,	[١٧-r-8142] صحت عدالته عنده وليجعل التسوية في الحكم بين المشروف والشريف
the strong and the weak. In making decisions managing disagreements, may he adopt the point of view (<i>al-nazar</i>)	[١٨-r-8142] والقوى والضعيف من اهم ما يصرف اليه قصده وليتول النظر في تمشية
of one who says the law, and may he apply them according to the firmest method, to spread	[١٩-r-8142] الخصام ¹⁴²² تولى من يصدع فيها بالحق ويجريها على اقوم الطرق اظهارا لمذ
our doctrine in justice and forbearance and to support (<i>i'timādan</i>) the good condition that we desire for the situation	[٢٠-r-8142] هبنا في العدل والرفق واعتمادا على ما نوتره من استقامة الاحوال لكافة
of all [our] people (<i>al-khalq</i>). Show him perfect obedience in the appointment with which we have entrusted him, show him the finest perseverance	[٢١-r-8142] الخلق فائتمروا لما اسندناه اليه احسن ائتمار واستمروا على ما تحسن اثاركم
with aid that will increase the worth of your deeds and know that in him we honor you through an excellent decision and choice for you.	[٢٢-r-8142] من اعانته اجمل الاستمرار واعلموا انا اثرناكم به عن حسن نظر لكم واختيار
As for you, you will find with his return among you his excellent conduct regarding you, a conduct which you have already been able	[١-v-8242] وانتم تعرفون في عودته هذه اليكم من حسن سيرته فيكم ما حصلتم قبل منه
to know and appreciate (<i>'alā ma'rifat wa ikhtibār</i>), if God on High wills it. And He – May He be glorified – He will spread the welfare of our decision	[٢-v-8242] على معرفة واختيار ان شاء الله تعالى وهو سبحانه يوجدكم يمن نظرنا في
to all of your affairs, and cause all of you, the elite and the masses, to know the full reward of His kindness. By His grace.	[٣-v-8242] كل اموركم ويعرفكم اتم عابد بالخيرات على خاصتكم وجمهوركم بمنه
Peace. Dated the middle of the month of <i>shawwāl</i> in year 640.	[٤-v-8242] والسلام التاريخ منتصف شوال عام اربعين وستمائة

Taqdīm 66: Appointment of a judge to a post where he had already served. The foundations of the law are the Koran, Tradition, and the consensus of the Community¹⁴²³

[٥-v-8242] وفي إعادة قاضٍ آخر
Renewal of another judge

1421 'Azzāwī: فيما.

1422 'Azzāwī: الاحكام.

1423 'Azzāwī, *NLA*, t. 1, 504.

... May God on High assure them respect always by the awe He inspires in them, may He lead their situation in religion and in life on earth, as He

approves of it. This is what we write — May God have written for you that the shadows of salvation will pass and flow slowly

over you, that security will be a companion for you that is always present and renewed, and that you will have confidence

in His magnificent kindness, which will ease the hopes you place in Him. Know that our attention for you extends to all your

affairs and [aims for] that which will be good for your elite and your masses; this attention will put your land in order, will comfort

your righteousness, will direct you to the best paths and will bring you,

if God on High wills it, welfare now and in the future, by the grace of God on High. This is why, when we ordered

your judge Fulān, as our generous solicitude for you and for him required, to betake himself to his appointment as judge

and to exert himself for you in the offices with which he had already been entrusted with you, we saw fit to strengthen his arm

with this allocution so that he might establish the law and justice in the affairs pertaining to him in his legal appointment (*khuṭṭāti-hi al-shar'īyya*),

and in arbitrating among you, which is incumbent on him alone for your religious disputes; may he apply the law without fear

of blame, and may he, in putting it to work, draw himself up as an obstacle to any oppressor. We have given him counsel

to fear God – May He be exalted and magnified – in public and in private, to rely on the Book of God the Powerful and on the Tradition brought by the

messenger of God — Peace and the blessing of God upon him — and on the consensus of the Community (*wa 'alá ijma' i l-ummati*) which

leads not astray he who follows the lights of its path. And he, with the help of God on High, may he firmly direct

your trials (*ahkām*) and suppress the wrongs of your conflicts in the way you are accustomed to, may he adopt for you the attitude you are used to,

in delivering among you perfect sentences according to the law that grants no superiority to those who are known over those who are unknown

[٦-v-8242] ادام الله تعالى كرامتهم بتقواه

وأجرى أحوالهم في دينهم ودنياهم على ما

[٧-v-8242] يرضاه □ وانا كتبناه كتب الله لكم

انسحاب ظلال العافية عليكم وانسدا

[٨-v-8242] لها واستصحاب الامنة التي لا

تعدمون اطرادها واتصالها والثقة

[٩-v-8242] من الطافه¹⁴²⁴ الجميلة بما ييسر

ءامالكم لديهِ وأن تعلموا ان نظرنا لكم في كل

[١٠-v-8242] اموركم وفيما يصلح بخاصتكم

وجمهوركم النظر الذي يمهد بلادكم ويؤكد

[١١-v-8242] سدادكم ويسلك بكم على الهدى

الشواكل ويعود ان شاء الله تعالى

[١٢-v-8242] عليكم بالخير في العاجل واءلاجل

بمن الله تعالى والى هذا فانا لما امرنا

[١٣-v-8242] قاضيكم فلانا بالتوجه لخطته من

القضاء الذي كان هنالك بسبيله

[١٤-v-8242] وصرفه اليكم بمقتضى حميد

الاعتناء به وبكم وجميله راينا ان نشد عضده

[١٥-v-8242] بخطابنا هذا في ان يقيم الحق

والعدل في ما يرجع اليه من خطته الشرعية

[١٦-v-8242] ويختص به من الفصل بينكم في

نوازلكم الدينية وان يصدع بالشرع لا يخاف

[١٧-v-8242] فيه لومة لائم وينهض في تمشيته

بما يكف كل ظالم وحددنا له الوصايا

[١٨-v-8242] باتقاء الله عز وجل في سره

وعلنه والاعتماد على ما جاء به رسول الله

[١٩-v-8242] صلى الله عليه وسلم من كتاب الله

العزيز وسنته وعلى اجماع الامة الذي لا

[٢٠-v-8242] يضل من اقتفى واضح سننه وهو

بمعونة الله تعالى يجريكم على ما عهدتم

[٢١-v-8242] من ضبط احكامكم وازاحة علل

خصامكم ويسير فيكم السيرة التي الفتحو

[٢٢-v-8242] ها اجادة للفصل بينكم بالشرع

الذي لا مزية فيه للوجيه على الخامل

¹⁴²⁴ أطفافة: 'Azzāwī.

and in establishing the law in the eyes of which the ranks of the most humble are equal to the most elevated. He is the one designated

[1-r-8343] واقامة للحقّ الذي يستوى فيه
الأدنى والأرفع من المنازل وهو الذي قدمه
فيكم¹⁴²⁵

by neighbors for this appointment among you, he had excellent deeds carrying it out along the straightest

[2-r-8343] بهذه الخطّة جواره وحسنت في
تمشيتها على اقوم طرقها طول اقامته

paths during his long stay among you, so much so that over the years he has come to know you all, great and small, and the quality of

[3-r-8343] عندكم في المدة المديدة آثاره
فيعرف على مرّ السنين صغيركم وكبيركم
ويتهدى

his policies with you place him on the best path to ensure, with the help of God on High, justice for all, the masses and the elite.

[4-r-8343] من حسن السياسة فيكم الى ما يعم
بالمعدلة بحول الله تعالى خواصكم وجماهيركم

Thus, when with the will of God on High we arrives among you, be with him brothers for the law and buttresses for enjoining good

[5-r-8343] فاذا وافاكم بمشيئة الله تعالى فكونوا
معه في الحق اخوانا وعلى الامر بالمعروف

and forbidding evil. And spare with him no resource, nor means, to help him and to respond

[6-r-8343] والنهي عن المنكر اعوانا ولا
تذخروا دونه في الموافقة والمعاضدة وسعا

to his desires. Be sure that our solicitude will follow you, in any moment and at all times,

[7-r-8343] ولا امكاناً وتحققوا ان اعتناءنا بكم
يتعهدكم حيناً فحيناً وزماناً فزماناً

if God on High wills it...

[8-r-8343] ان شاء الله تعالى

Taqdīm 67: Appointment of a judge responsible for selecting instrumentary witnesses. The foundations of the law are the Koran, Tradition, and the consensus of the Community¹⁴²⁶

[9-r-8343] وَفِي مُخَاطَبَةِ تَقْدِيمِ قَاضٍ Appointment allocation of a judge

This is what we write — May God have written for you the guarantee of salvation and careful kindness, and the habit

[10-r-8343] وانا كتبناه كتب الله لكم اكنفالا
متعهدات العوافى والألطف واعتياداً

of anticipating what will organize the regions and countries. Know that we, in virtue of the fact that

[11-r-8343] للتنبوء في متمهدات النواحي
والاكناف وان تعلموا انا بحكم ما استر عانا

God — May He be glorified — entrusted us with guarding the affairs and interests of the flock (*al-ra'īyya*) in all the land, that he required us to follow,

[12-r-8343] الله سبحانه من أمور الرعية في
جميع البلاد ومصالحها والزمن من السلوك

to govern it, the ancient and obvious paths and that He placed in our safekeeping the management

[13-r-8343] في النظر لها على قديم السبل
وواضحها وقلدنا من امانة القيام بما يعود

¹⁴²⁵ 'Azzāwī proposes جواره... وهو الذي قدم فيكم (*wa-l-ladhī quddima fī-kum... jiwāru-hu*): "he who has been appointed... is your neighbor", but our reading agrees better with the syntax of the sentence (*wa-l-ladhī qaddama-hu fī-kum... jiwāru-hu*).

¹⁴²⁶ 'Azzāwī, *NLA*, t. 1, 505.

of that from which all, near and far, will profit, both in his [practice of] religion which is the first point where we lead him along	[١٤-r-8343] نفعه على دانيها ¹⁴²⁷ ونازحها طوراً في دينها الذي هو أولى ما نقيمها فيه
a direct path and on the straight road, and in daily life (<i>dunyā-hā</i>) where we ask him	[١٥-r-8343] على جادة السداد وسنن الاستقامة وتارة في دنياها التي هي مطلوبة
to act without ceasing to improve valorization and culture, [for all of this] we have not ceased — By God on High, He who lavishes	[١٦-r-8343] فيها بالاستصحاب لحسن العمارة والاستدامة وما زلنا والله تعالى المان
His aid and Who participates in everything that improves the religious and secular situation — to devote to benevolent	[١٧-r-8343] بالا عانة والموفق لكل ما تصلح عليه احوال الدنيا والديانة نتخولكم بجميل
attention, and at no time have we denied you active solicitude for your affairs. We will appoint no one	[١٨-r-8343] الالتفات ولا نخليكم من اعمال الاهتمام بشئونكم ¹⁴²⁸ في كل الاوقات ولا نُقَدِّم
to render justice who has not already been designated for that by a choice founded on multiple offices in diverse regions. In	[١٩-r-8343] لآحكامكم الا من تقدم الاختيار له بالاستعمال في كثير من الجهات وبهذا
consideration of this, we have named Fulān to rule according to the law in your differences and disputes, to arbitrate	[٢٠-r-8343] الاعتبار قدمنا اء لان فلانا للفصل بالشرع في قضاياكم ونوازلكم والصدع
with justice the quarrels you bring before him when problems arise among you, to treat equally in applying	[٢١-r-8343] بالعدل في ما توردون عليه من التخاصم في طواري ¹⁴²⁹ مسايلكم والتسوية في القضاء
the law the famous and the unknown. He showed himself worthy of this charge because of the reputation he gained by his	[٢٢-r-8343] بالحق بين نبيهم وخاملكم بعد ان تاهل لدينا لذلك بما له في الطلب والحسب
merit and education, and by the fact that in this education he followed the footsteps of his predecessors (<i>li-salafī-hi</i>) characterized by purity and virtue.	[٢٣-r-8343] من النباهة ولاقتفاه لسلفه في هذه الخطه في ما اتصفوا به من النقاء والنزاهة
We have counseled him to fear God on High, to keep His order and His prohibitions in awe, and to ask Him only to be exonerated	[١-v-8443] وقد وصيناه بتقوى الله تعالى ومراقبة امره ونهيه وان يقصر على ¹⁴³⁰ طلب التخلص
of the consequences of all his work and each of his deeds. We have ordered him to found on the Book of God the Powerful, on the Tradition	[٢-v-8443] لديه من التبعات [في] ¹⁴³¹ كل عمله وسعيه وامرناه ان يبنى على كتاب الله العزيز وسنة

¹⁴²⁷ دانيها: 'Azzāwī.

¹⁴²⁸ بشؤنكم: 'Azzāwī.

¹⁴²⁹ طواريء: 'Azzāwī.

¹⁴³⁰ Error for 'an ?

¹⁴³¹ Correction by 'Azzāwī.

of his Messenger — Peace and the blessing of God upon him — on the consensus of the Community (*wa ijma' i l-ummati*) any judgment he pronounces or applies;

رسوله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ
واجماع الامّة كل حكم يمضيه وينفذه وان
لا يعدل

that his intentions and decisions never stray from these [principles] to [examine] the cases [submitted to him]; that he devote all his attention and thought to the instrumentary witnesses

[٤-v-8443] بحال عن ذلك في نازلة من
النوازل منحاه وماخذه وان يصرف الى
الشهود

on whom the decision to confirm or deny rests and with the help of whom payable dues

[٥-v-8443] الذين عليهم مدار النفي والاثبات
وبهم استخراج الحقوق المقتضيات

are calculated; that, among them, he accept he who has shown himself to be a truthful witness by the guarantees [he has granted], and that he exclude he who is infected

[٦-v-8443] اقوى نظره وتامله وان يتلقى
المعدّل منهم بتقبله ويرد المجرّح بما
اقتضاه

with the consequences of his poor conduct. We have insisted that in all decrees presented to him and in

[٧-v-8443] له سوء عمله واكدنا عليه في ان
يسوى في كل حكم يمضيه عند توجهه

all decisions he makes once the [facts] have been elucidated and clarified he treat equally the strong and the weak, the man of the people and the nobleman;

[٨-v-8443] وفصل يجريه بعد اتضاحه
وتبينه بين القوى والضعيف والمشرّوف
والشريف

for in the law there should be no exception for rank and judgment between opposing parties should be only according to that which is obligatory.

[٩-v-8443] فالحق لا يعتبر فيه تباين
المناصب ولا يقضى بين متخاذهيه¹⁴³² الا
بالواجب

Thus, when he arrives among you, with the will of God on High, submit to him as you should; cooperate with him

[١٠-v-8443] فاذا وافاكم بمشيئة الله تعالى
فانقادوا اليه احسن انقيادٍ وتعاونوا معه

in the virtuous and upright actions he entrusts you with and in carrying out the decrees he pronounces for you with [his] authority (*min ishdār*)

[١١-v-8443] على ما يحملكم عليه من صلاح
وسدادٍ ويعمله في احكامكم من اصدار
بالشرع

wa irād) according to the law; if God on High wills it. And He — May He be glorified — He will grant you to find the welfare of this decision and He will bring together

[١٢-v-8443] وايراد ان شاء الله تعالى وهو
سبحانه يوجدكم يمين هذا النظر لكم ويجمع
[١٣-v-8443] على طاعته قولكم وعملكم بمنه

your words and deeds to obey it.¹⁴³³ By His grace...

□

Taqdīm 68: Appointment of a judge responsible for choosing instrumentary witnesses. The foundations of the law are the Koran, Tradition, and the consensus of the Community¹⁴³⁴

[١٤-v-8443] وَمِنْ مُخَاطَبَةِ أُخْرَى فِي ذَلِكَ

[Excerpt] from another allocution on the same subject

¹⁴³² متجاذبيه. 'Azzāwī corrects with

¹⁴³³ God's decision? More likely God: "Obey Him".

¹⁴³⁴ 'Azzāwī, *NLA*, t. 1, 506.

May God assure them always respect through the awe He inspires in them and may He help them for the actions he accepts and approves.

This is what we write — May God have written for you situations where virtue and righteousness are renewed and hopes

in which success and welfare come together. Know that the care taken for the interests of your lands

and [the concern] to govern you in all times according to the paths of justice and forbearance cause us to watch over you at all

times and to choose men of virtue and religion to assure [these offices] with you. Because of our benevolence

for you in your affairs, large and small, and because of our desire to bring happiness to your elite and your masses, we have chosen

Fulān to assume your affairs having to do with the Law and to fulfill the direction we have planned for your

situation. As for him, his purity and his virtue have been tested, his methods and his intentions are well-known, and recognized

is the rank [he has reached] in science and in religion following the tracks and footsteps of his predecessors (*salaf*). We have counseled him to fear God

on High¹⁴³⁷ in all his behavior and to fear His power in managing what he undertakes or will receive to judge

between opposing parties. We have ordered him to base on the Book of God the Powerful and on the Tradition of His messenger

— Peace be upon him — his decisions, whether they confirm or invalidate observing the consensus of the Community (*ijmā' a l-ummati*) in

the judgments he issues, and to accept as instrumentary witnesses (*al-shuhūd*) only those known from the beginning to be able to act as such, those whose awareness

and wisdom preserve their testimony against any risk of inattention or negligence, to grant equal treatment to the strong and the weak in

his judgments, without privileging the nobles at the expense of the masses. We have ordered him to dedicate himself

to eliminating new things not authorized by the law and to repress reprehensible actions that should be fled

and forbidden, to erase all trace of them, whether in the markets or elsewhere,

[8443-v-1^o] ادام الله كرامتهم بتقواه واعانهم على ما يتقبله من الاعمال ويرضاه

[8443-v-1⁶] وانا كتبناهُ كتب الله لكم احوالاً يتجدد لها الصلّاح والسنّاد واما لا

[8443-v-1⁷] يفترون بها الانجاح والاسعاد وان تعلموا ان الاعتناء بمصالح جهاتكم

[8443-v-1⁸] والاجراء لكم على سنن العدل والرّفق في كلّ اوقاتكم ممّا نتعهدكم¹⁴³⁵ به الحين

[8443-v-1⁹] بعد الحين ونختار لاقامة ذلك فيكم اهل الزكاء والدين وبمقتضى النظر

[8443-v-2⁰] الجميل لكم في الاقل والاكثر من امورك وقصد الخير لخاصتكم وجمهوركم تخيرنا

[8443-v-2¹] لتولّي الاحكام الشرعية هنالكم وتوفية المقصود في تسديد احوالكم

[8443-v-2²] فلانا وهو المخبور النزاهة والزكاء المشهور المذاهب والآنحاء المعلوم¹⁴³⁶

[8544-r-1] ما لسلفه في العلم والدين من رتبة الاقتداء والافتقاء وقد وصّيناه بتقوى الله

[8544-r-2] تعالى¹⁴³⁸ في كل متصرفاته ومراقبة أمره فيما يديره من محاولاته في الفصل بين

[8544-r-3] الخصوم وتناولاته وامرناه ان يبنى على كتاب الله العزيز وسنة رسوله عليه

[8544-r-4] السلام ما يجريه من نفيه واثباته وان يلاحظ اجماع الامة في ما ينفذه من

[8544-r-5] حكوماته وان لا يقبل من الشهود الا من عرف بالاصلية للقبول وسلم في شها

[8544-r-6] دته بتيقظه وذكابه من الغفلة والذهول وان يُسوّي في الحكم بين الاقوياء

[8544-r-7] والضّعفاء ولا يجعل مزية على المشروفين فيه للشرفاء وامرنا ان يجتهد

[8544-r-8] في ازالة المحدثات التي لا يجيزها الشرع ومحق المنكرات التي يجب الزجر

[8544-r-9] عنها والامنع وان يطمس اثار ذلك كله حيث كان في الاسواق وسواها

¹⁴³⁵ نتعهدكم 'Azzāwī corrects with

¹⁴³⁶ Proposal by 'Azzāwī, for the last word on the page lost to a hole.

¹⁴³⁷ Reference to Koran 4:131: "Verily we have directed the People of the Book before you, and you (o Muslims) to fear God."

¹⁴³⁸ Reference to Koran 4:131: وَلَقَدْ وَصَّيْنَا الَّذِينَ آوْتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَإِيَّاكُمْ أَنْ اتَّقُوا اللَّهَ

to follow the most direct and clearest paths to eliminate all abuses, to observe the law

in his decisions without fearing anyone in Creation and [finally] to not resort to forbearance where firmness [is expected], nor to firmness

where forbearance [is expected] so that his watch unfurls according to a strict rule (*sadīd*) and extends the farthest possible to accomplish justice,

by the force of God on High. Thus, when he arrives among you, submit to his orders in the capacities we have entrusted to him. Agree

with him for the law and do not have an opinion different from his own concerning it. Be brothers in the essence of God — May He be exalted and magnified.

Cooperate to do good and fear [God]¹⁴⁴⁰ and you will receive kindness, happiness, and security, if God on High

wills it. And He — May He be glorified — He will grant you aid from which will flow the quality of your religion and your life on earth and He will bring you

all together, near and far, in health and security.

By His grace.

[١٠-r-8544] ويسلك في رفع كل مظلمة اقوم الطُّرُق
وأجلها وان يصدع بالحقّ

[١١-r-8544] دون مراقبة لاحد من الخلق ولا يضع
الرفق موضع الشدة ولا الشدة

[١٢-r-8544] موضع الرفق حتى يجري نظره على
قنون سديد وينتهي في توفية العدل

[١٣-r-8544] الى امد بعيد بحول الله تعالى فاذا وافاكم
فانتمروا له في ما اسندناه اليه واتفقوا

[١٤-r-8544] معه [على]¹⁴³⁹ الحق ولا تختلفوا فيه
عليه وكونوا في ذات الله عز وجل اخوانا

[١٥-r-8544] واستقبلوا بالتعاون على البر والتقوى¹⁴⁴¹
خييرا ويمننا وامانا ان شاء الله

[١٦-r-8544] تعالى وهو سبحانه ينجدكم على ما فيه
صلاح دينكم ودنياكم ويشمل بالعافية

[١٧-r-8544] والامانة¹⁴⁴² ادناكم واقصاكم بمنه

Taqdīm 69: Appointment – from Marrakesh? – of a judge responsible for choosing instrumentary witnesses. The foundations of the law are the Koran, Tradition, the consensus of the Community, and the words of the scholars¹⁴⁴³

[١٨-r-8544] **وَفِي تَقْدِيمِ عَآخِرٍ □**

Another appointment

This is what we write – May God have written for you a vision that guarantees your religious interests and that chooses for you the [most qualified] person to

take charge of your affairs having to do with the Law. Know then that we keep you in our considerations with great care for all that concerns you,

which leads you in such a way that, both the elite and the masses, you will go in the right direction and which treats you with such benevolence (*jamīl al-iltifāt*)

[١٩-r-8544] وانا كتبناه كتب الله نظرا

بمصالحكم الدينية متكفلا وتخيرا لمن يكون
في

[٢٠-r-8544] احكامكم الشرعية مستعملا ثم

العلم ان الاعتناء منا يتعهدكم في كل اموركم

[٢١-r-8544] ويجريكم على ما فيه سداد

خاصتكم وجمهوركم ويوفيكم من جميل
الالتفات

¹⁴³⁹ Added by ‘Azzāwī.

¹⁴⁴⁰ Reference to Koran 5:2: “...Help ye one another in righteousness and piety...” (*wa ta‘āwanū ‘alá l-birri wa-l-taqwá*).

¹⁴⁴¹ Reference to Koran 5:2: *وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى*.

¹⁴⁴² ‘Azzāwī corrects with *والأمانة*.

¹⁴⁴³ ‘Azzāwī, *NLA*, t. 1, 507.

that joy fills your eyes with tears and swells your bosoms. This is because you have distinguished yourselves in the Presence of the Almohads

by the reports of neighbors whose protection has been confirmed and whose clauses with you have been respected and continue to be, and because you [show] in the ties of friendship

with the eminent Power and the shelter you seek near it a sincerity marked with brightness. We have decided, after having asked the help

of God on High, to choose to occupy the office of judge for you one on whose purity and virtue we can rely, someone who, in the responsibilities

he exercises deserves confidence by the righteousness of his intentions. We appoint over you with this act Fulān — May God on High assure him always His assistance

and may he give him as a companion virtuous work — so that he might pass judgment in your disputes according to the rules of the law, so that he might devote himself

as much as possible to justice in the judgments he renders for you, that he might follow the path of the judges who preceded him to decide

and arbitrate according to the law/truth. We have counseled him to fear God on High, a fear which equips the faithful against all false steps.

We have ordered him in the judgments he confirms or annuls, in the accords¹⁴⁴⁷ and injunctions [he pronounces], to rely on the clear and precise verses [of the Koran],

on the authentic words and deeds [of Muḥammad], and on the consensus of the Community (*wa ilā ijma' i l-ummati*) established in the works of the finest *imāms*,

and to not stray in the judgments he renders from the words of the scholars, his predecessors in this authority (*fī al-irād*

wa-l-iṣḍār). We have insisted that he examine the condition of the instrumentary witnesses, that he distinguish which he should accept

and which he should dismiss,¹⁴⁴⁸ that he assure with meticulous care the texts of acts and contracts, that he treat equally

both parties when he convokes them or asks them to sit, that he do all that is possible to have he who has a right to obtain

[٢٢-r-8544] ما يفى باقرار عيونكم وابهاج صدوركم ذلكم لما تميزتم به لحضرة الموحدين

[٢٣-r-8544] من الجوار 1444 الذى تاكدت ذمته ورعيت لكم قديما وحديثا حرمةه ولما لكم في موالات 1445

[١-v-8644] الامر العلى والانضواء اليه من الخلوص الذى لاحت سمته وقد راينا بعد استخارة

[٢-v-8644] الله تعالى ان نختار للقضاء لكم من يستنام الى زكابه ونقايه ويوثق فيما

[٣-v-8644] يتولاه بسداد انحابه فقدمنا بهذا الرسم هناكم 1446 فلانا وصل الله تعالى توفيقه

[٤-v-8644] وجعل العمل الصالح رفيقه ليجرى الحكم في نوازلكم على قانون الشرع ويلتزم

[٥-v-8644] العدل في احكامكم باقصى الوسع ويسلك مسلك القضاة من سلفه في الفصل

[٦-v-8644] بالحق والصدع وقد وصيناه بتقوى الله تعالى التى من لزمها امن من العثار

[٧-v-8644] وامرناه ان يسند في نقضه وابرامه وتوفقه واقدامه الى محكمات الايات

[٨-v-8644] وصحاحات الاثار والى اجماع الامة الثابت في مصنفات الائمة الاخيار

[٩-v-8644] وان لا يشذ في حكم يمضيه عن اقوال العلماء الذين بهم يقتدى في الايراد

[١٠-v-8644] والاصدار واكدنا عليه في تفقد احوال الشهود والتميز بين المقبول منهم

[١١-v-8644] والمردود والتثبت التام في نصوص السجلات والعقود وان يسوى

[١٢-v-8644] بين المتخاصمين في الحضور لدينه والقعود ويوفى في توفية كل ذى حق

1444 Proposal by 'Azzāwī for two illegible words.

1445 'Azzāwī corrects with موالاة.

1446 'Azzāwī: هنالك.

1447 لا يتوفى عبد إلا بتوفيق الله.

1448 This seems to concern the person, and not their testimony, for which we would expect 'an-hum.

that which he is owed and that he enjoin that which is good, chase away evil and pursue all

[١٣-v-8644] حقه غاية المجهود وان يكون بالمعروف ءامراً وعن الامكر زاجراً ولكل ما

that is contrary to the law. Thus, when with the will of God on High he arrives among you, submit to him as

[١٤-v-8644] يخالف الحق منافراً فاذا وافاكم بمشيئة الله تعالى فانقادوا احسن انقياد

you should, be with him as one hand united for that which he communicates to you from the tasks we have entrusted to him.

[١٥-v-8644] اليه وكونوا معه يدا واحدة فيما يُحملكم من هذه المناخذ عليه □

Taqdīm 70: (Incomplete) judicial appointment.
The foundations of the law are the Koran,
Tradition...¹⁴⁴⁹

[١٦-v-8644] **وَفِي مَعْنَى ذَلِكَ**

On the same subject

This is what we write – May God have written for you the recognition of what [our] benevolent watch holds to redress

[١٧-v-8644] وانا كتبناه كتب الله لكم تعرفاً من النظر الجميل لما فيه استقامة احوالكم

and guide your affairs, and union for you to commit yourselves to the exemplary path, so that you might receive peace (*ṣalāḥ*) in return

[١٨-v-8644] وسداد اموركم وتألفاً في اقتفاء مثلى السبيل على ما يعود بالصّلاح

for your elites and your masses. Know that we take constant care of your

[١٩-v-8644] على خاصتكم وجمهوركم ولن نعلمنا ويوفيكم وان تعلموا انا نوالى الاعتناء

interests and important affairs and that we choose as well as possible those to whom we entrust a job in

[٢٠-v-8644] بمصالحكم ومهماتكم ونجيد الاختيار لكل من نستعمله في شغل من اشغال

your regions, particularly the office of judge charged with leading according to precise rules affairs having to do with the Law

[٢١-v-8644] جهاتكم وبخاصة خطّة القضاء التى تجري الاحكام الشرعية على قوانينها

and to weigh on the most just of scales religious differences to discern the law therein. We appoint to this office solely

[٢٢-v-8644] وتزن النوازل الدينية تحرياً فيها للحقّ باعدل موازينها فلا نقدم لها الا من

those men whose religious practices and knowledge are known, whose morals (and character?)¹⁴⁵⁰

[١-r-8745] عرفت ديانتهم ومعرفته وتميزت بالنباهة والنزاهة شيمته (...)¹⁴⁵¹

have an excellent reputation of purity and whose listening and attention... (whole) to prefer justice in sentencing and discernment in examining [facts]. In terms of these considerations

[٢-r-8745] لا يثار الفصل بالعدل والشرع بالصدع اصغاؤه وتلفته وبهذا الاعتبار

that reinforce the respect and aid [he will enjoy] and which direct his arrow (*tafwīqa-hu*) towards the targets of righteousness¹⁴⁵² — may he take charge

[٣-r-8745] الذى يشدد¹⁴⁵³ كرامته وتوفيقه وسدّد¹⁴⁵⁴ إلى مرامى السداد تفويقه ليتولى

¹⁴⁴⁹ ‘Azzāwī, *NLA*, t. 1, 508.

¹⁴⁵⁰ Suggestion.

¹⁴⁵¹ Two words erased by humidity.

¹⁴⁵² See *taqdīm* 76 for an analog translation.

¹⁴⁵³ Proposal: *yushaddid*.

¹⁴⁵⁴ ‘Azzāwī corrects with ويسدّد.

of the juridical decrees throughout your land and advance the demands of justice whenever he invalidates, confirms, binds,

[٤-r-8745] الاقضية في بلادكم كلها ويُمشَى مقتضا¹⁴⁵⁵ العدل في نفيها واثباتها وعقدها

or unbinds. His education is solid and his rank with us is well-established. We have tested him and he came out improved;

[٥-r-8745] وحلّها وطلبه متين ومكانه لدينا مكين وقد خبرناه فزكى على الاختبار

we have employed him and had nothing but praise for his conduct and the choices he followed, having recognized his search for the law/truth

[٦-r-8745] واستعملناه فحمدنا ما انتحاه من السير والاثار وشكرنا توخيه للحق

in exercising authority (*fī l-īrādi wa-l-iṣḍār*). We recommended to him before the fear of God on High — to devote himself to that is to beautify it,

[٧-r-8745] في الايراد والاصدار وبعد ان وصّيناه بتقوى الله تعالى التي يزينها التزامها

it is on that that he must base the judgments he confirms or annuls; [We have also counseled him] to follow in his sentences only that which is required by the Book of God

[٨-r-8745] ويستند اليها نقض احكامه وايرامها وان لا يفصل الا بما يوجبه كتاب الله

on High, so that “No falsehood can approach it from before or behind it”¹⁴⁵⁶ and to comply strictly with the Tradition

[٩-r-8745] تعالى الذي لا ياتيه الباطل من بين يديه ولا من خلفه¹⁴⁵⁷ وان لا يعدل عن سنة

of His messenger — Peace be upon him — to forbid what is not established and to establish what is not forbidden... Thus ends

[١٠-r-8745] رسوله عليه السلام في نفي ما لم يثبت واثبات ما لم تنفه انتهى

what was found of this allocution.

[١١-r-8745] ما الفى من هذا الخطاب

Taqdīm 71: Appointment of a judge responsible for choosing instrumentary witnesses, assistants or secondary judges, and the ḥisba (?). The foundations of the law are the Koran, Tradition, and the consensus of the Community¹⁴⁵⁸

[١٢-r-8745] □] وَفِي الْمَعْنَى أَيْضًا □

Still on the same subject

May God assure them always respect through the awe he inspires in them and dispense to them the shares of His favor and His blessing. This is

[١٣-r-8745] ادام الله كرامتهم بتقواه واجزل حظوظهم من نعماء ورحماه □ وان

what we write — May God on High have written for you to know the privilege of a very benevolent watch, and to adopt a behavior that will ensure you a sound

[١٤-r-8745] كتبنا الله تعالى لكم تعرفا ليمن النظر الاجمل وتصرفا في ما يقضى لكم

and virtuous situation in the present and in the future. Know that our watch over you is benevolent and that the care we have

[١٥-r-8745] بصلاح الاحوال في الحال والمستقبل وان تعلموا ان نظرنا لكم جميل واعتناءنا

¹⁴⁵⁵ مقتضى: Azzāwī.

¹⁴⁵⁶ Koran 41:42: continuation “It is sent down by One Full of Wisdom, Worthy of all Praise”.

¹⁴⁵⁷ Koran 41:42: continuation تنزيل من حكيم حميد.

¹⁴⁵⁸ Azzāwī, *NLA*, t. 1, 509-510.

<p>for the interests of your elites and your masses is assured, that we take you along the ways of justice, and lead you</p>	<p>[١٦-r-8745] بمصالح¹⁴⁵⁹ خاصتكم وجمهوركم كقيل وانا نحملكم على سنن العدل ونجريكم في</p>
<p>by the clearest path, no matter your situation, that we choose to promote justice in your disputes that have to do with the Law</p>	<p>[١٧-r-8745] جميع احوالكم على اوضح السبيل وبتخير لتمشية العدل في نوازلكم الشرعية</p>
<p>and in your religious affairs someone who enters therein like a blade. May God cause you to know at all times the privilege</p>	<p>[١٨-r-8745] وقضاياكم الدينية من يمضي فيها مضاء النصل والله يعرفكم يمن هذا القصد</p>
<p>of this project, may He grant you the grace and security that you hope for and may He obtain for you the profit of the choice</p>	<p>[١٩-r-8745] في كل زمان ويحظيكم بما تاملونه من من وامن ويوجدكم اثر ما نوثره</p>
<p>we make of forbearance, justice and beneficence for you and for all Muslims. By His grace. In addition — May God assure you always respect —</p>	<p>[٢٠-r-8745] لكم ولكافة المسلمين من رفق وعدل واحسان بمنه والى هذا ادام الله كرامتكم</p>
<p>the judgeship is relied upon to resolve questions in dispute; thanks to it</p>	<p>[٢١-r-8745] فان خطة القضاء هي الخطة التي لها يفزع في مشكلات النوازل وبحقها</p>
<p>and to the specific role it plays in the sciences of the Law unclear cases can be decided and distinction can be made between</p>	<p>[٢٢-r-8745] يُصدع في مبهمات المسائل وبما خصته به من علم الشريعة ويفرق بين</p>
<p>truth and error. Because of this, we employ for this position he who fulfills it the best, who carries it out</p>	<p>[٢٣-r-8745] الحق والباطل وبحسب ذلكم نستعمل¹⁴⁶⁰ لتوليها من يقوم بها خير قيام ويجريها</p>
<p>according to the most just rules and the best order. In consideration of which we have appointed to judge your disputes</p>	<p>[١-v-8845] على احسن قانون واجمل نظام وبهذا الاعتبار قدمنا الان عليكم للفصل في نوازلكم¹⁴⁶¹</p>
<p>that have to do with the Law and to take charge of you according to the applicable rules Abū Fulān — May God assure him always his assistance</p>	<p>[٢-v-8845] الشرعية وحملكم على القوانين المرعية ابا فلان وصل الله توفيقه وسدد الى مرام</p>
<p>and direct his path towards the desired good and righteousness. He has already been tested and chosen, and we have verified that the purity and righteousness</p>	<p>[٣-v-8845] الخير والسداد طريقه بعد ان اختير واختير وثحق انه يوافق بزكابه وسداد</p>
<p>of his intentions agreed with the esteem and absolute confidence we had for him; we have already appointed him to a position for which we had nothing but praise for his (...ability?) and for his</p>	<p>[٤-v-8845] انحابه التيقن فيه والتقدير وبعد ان تقدم استعماله (وشكر...) ¹⁴⁶² بما اسند</p>

¹⁴⁵⁹ Omitted by 'Azzāwī.

¹⁴⁶⁰ Proposal by 'Azzāwī for an illegible word.

¹⁴⁶¹ 'Azzāwī proposes مسائلكم but *nawāzili-kum* seems more likely because of a dot that appears above the hole in the paper.

¹⁴⁶² Two words erased.

sense of responsibility in the functions entrusted to him; the virtue of his intentions and his behavior merited nothing but praise.

In addition, he has always grown in the bosom (*hujr*) of the services of this powerful and generous command, receiving sustenance, he and his father

— May God on High give him strength — at the teats of its immense beneficence and its universal favor. Moreover, we have counseled him to fear

God on High, to fear His orders and His prohibitions in all situations and to observe the law in his words

and his deeds. We have commanded that he make of the venerable Koran his *imām*, to place before him the Tradition of His messenger — Peace and

the blessing of God be upon him —, to base the judgments he confirms or annuls on the consensus of the Community (*'alā ijmā'i l-ummati*) when there is no clear text

in the Book nor in the Tradition, to also examine the condition of instrumentary witnesses (*al-shuhadā*) and to employ

as secondary judges (*al-musaddidīn*) only pious and just men (*al-musaddadīn*) and, in court (*majlis al-aḥkām*), to grant equal treatment

to the strong and the weak, to the nobles and men of the people, to not privilege a party at the expense of the law,

without favoring his familiars, without pushing away those who are unknown, to fear God with an absolute fear

and to act as he who waits trembling for the retribution of God on the day of Judgment. In addition, we have ordered him to eliminate

all new things that should be eliminated, to discard any innovation not authorized by the law, to put an end

to any invention whose inventor has been the object of a decree of banishment or exile until there remains only that which the Law of

Muḥammad authorized and the sublime path that it traced. Thus, the situation will remain

[^o-v-8845] إليه من هذه الخطّة واستقلاله
وحمدت مناحيه في النزاهة وأحواله ولم

[^٦-v-8845] يزل مع ذلك ناشئاً¹⁴⁶³ في حجر
الخدمة لهذا الأمر العزيز الكريم ومرتضعاً
هو وأبوه

[^٧-v-8845] اعزه الله تعالى لدرء احسانه
الجسيم وفضله العميم وقد وصى مع ذلكم
بتقوى

[^٨-v-8845] الله تعالى ومراقبة أمره ونهيه في
جميع أحواله وملاحظة الشرع في مقاله

[^٩-v-8845] وفعاله والقي إليه ان يجعل
القرءان العزيز امامه وسنة رسوله صلى
الله

[^{١٠}-v-8845] عليه وسلّم امامه وان يبنى
على اجماع الامة اذا عدم النص الجليّ في
الكتاب

[^{١١}-v-8845] والسنة نقضه وابرامه وان
يتصفح مع ذلك¹⁴⁶⁴ احوال الشهداء ولا
يستعمل

[^{١٢}-v-8845] من المسدّدين غير المسدّدين
الاتقياء وان يسوّى في مجلس الاحكام

[^{١٣}-v-8845] بين الاقوياء والضعفاء
المشروفين والشرفاء وان لا يوتر على
جانب الحق

[^{١٤}-v-8845] جانباً ولا يحابي موالياً له ولا
ينافي مجانبا وان يتقى الله حق اتقابه

[^{١٥}-v-8845] ويعمل عمل المستشعر لجزاء
الله يوم لقابه وامرناه مع ذلك ان
ير [فع]¹⁴⁶⁵

[^{١٦}-v-8845] كل محدث يجب له الرفع
ويذهب كل مبتدع لم يبحه الشرع ويزيل

[^{١٧}-v-8845] كل مخترع يتعين الزجر
لمخترعه والرّدع حتى لا يبقى الا ما
اباحتسه

[^{١٨}-v-8845] الشريعة المحمّدية واقتفيت فيه
آثارها السنيّة فبذلكم تستمر الا

¹⁴⁶³ ناشئاً: Azzāwī.

¹⁴⁶⁴ ذلك: Azzāwī.

¹⁴⁶⁵ Absent from the manuscript.

on the path and course of virtue and the door of kindness will open after having trembled.

[١٩-v-8845] حوال على مهيع الصّلاح
ومنهاجه وينفرج باب الخيرات بعد
ارتجابه

Thus, when with the will of God on High, this judge, yours, arrives among you, submit your affairs to him. Present to him

[٢٠-v-8845] فاذا وافاكم بمشيئة الله تعالى
قاضيك المذكور فارجعوا اليه باحكامكم
واعرضوا

your nascent conflicts, obey him in all that we have charged him with among you, collaborate

[٢١-v-8845] عليه نواشى خصامكم وائتمروا
له في كل ما نمشيه فيكم من الحق واسلكوا

with him and support him in following the firmest road, help him to render justice to the victim at the expense of

[٢٢-v-8845] من 1466 معاونته ومعاضدته
على اقوم الطرق واعينوه على اخذ الحق
من الظالم

the oppressor, and know that justice resides in what allows situations to improve for a long time and lastingly, if God

[٢٣-v-8845] للمظلوم واعلموا ان العدل فيما
يستمر به صلاح الاحوال ويدوم ان شاء
الله

on High wills it. And He — May He be glorified — He will cause you to know the privilege of this appointment and will lead you along the luminous tracks

[١-r-8946] تعالى وهو سبحانه يعرفكم يمن
هذا التقديم ويسلك بكم على المنهج
الواضح

and the straight path. By His grace.

[٢-r-8946] والصراط المستقيم بمنه

Taqdīm 72: Appointment of a judge responsible for instrumentary witnesses. The foundations of the law are the Koran, Tradition, and the consensus¹⁴⁶⁷

[٣-r-8946] وَمِنْ تَقْدِيمِ دِيمٍ آخَرَ

Another appointment

May God assure them always respect through the awe he inspires in them and grant them in abundance His favor and grace. This is what we write — May God have written

[٤-r-8946] ادام الله كرامتهم بتقواه وانالهم المزيد من
فضله ونعماه وانا كتبناه كتب الله

for you a watch that accomplishes for you the promise of excellent situations and behavior that leads you with forbearance and justice to fulfill

[٥-r-8946] لكم نظرا يجرى لكم معهود الاحوال
الصالحة وسييرا يقضى 1468 بكم من الرفق والعدل

your hopes and to bring you closer to Him in obeying His orders and avoiding what He forbids. Know

[٦-r-8946] الى الامال الناجحة والتقرب بامثال
اوامره واجتناب نواهييه اليه وان تعلموا

that our watch over you is attentive at all times and that your interests enjoy with us profound solicitude and care.

[٧-r-8946] ان نظرنا يتعهدكم في كل الاناء وان
مصالحكم مجبرة 1469 منا ببال التهمم والاعتناء

This is why we will choose to judge your problems someone who will weigh them with precise weights and we will employ for your affairs someone

[٨-r-8946] لذكم نتخير لاحكامكم من يقيم وزنها
بالقسط ونستعمل في اشغالكم من

1466 'Azzāwī: في.

1467 'Azzāwī, *NLA*, t. 1, 511.

1468 'Azzāwī corrects with تقضي.

1469 'Azzāwī corrects with مُجْرَاة.

who will direct them in a satisfying and rigorous manner showing the effects of equity among you and taking special care to protect	[٩-r-8946] يتولاها بالكفاية والضبط اظهارًا لاثار المعدلة فيكم وايتارا للاحتياط
your regions and lands. Because of these objectives which are ours in all your affairs	[١٠-r-8946] على جوانبكم ونواحيكم وبحسب هذا القصد الذى نعتمده في كل اموركم
and which allow us to perpetuate an excellent [situation] for your elites and your masses, we have appointed Abū Fulān to the office of judge	[١١-r-8946] ونستديم به شامل الصّلاح لخاصّتكم وجمهوركم قدمنا لان لخطه القضاء
over you with the responsibility of settling cases having to do with the Law and to follow juridical questions according to	[١٢-r-8946] في نوازلكم الشريعة والاجراء لمسائلكم الاحكامية على قوانينها
the applicable rules. Indeed, we have discovered in him the signs of decency and virtue, and recognized	[١٣-r-8946] المرعية ابا فلان بعد ان توسمت فيه مخابيل الزكاء والعفاف وتعرفت
in his friendship and his capacities the qualities of one who has been formed to be a functionary; in addition he has merited	[١٤-r-8946] منه شمائل المترشح للاستعمال بمشكور الخلال والاوصاف وتقاضت
to be close and near to [Our Presence] because of the services rendered (<i>wasā'il</i>) by his father, a servant known and eminently respectable. ¹⁴⁷⁰ Furthermore,	[١٥-r-8946] له وسائل ابيه الاثير الحرمة الشهير الخدمة مزية التقريب والازدلاف ومع ذلكم
he have counseled him to fear God the Magnificent, to respect His design, and to tremble in fear before Him, in private as in public.	[١٦-r-8946] فانه موسى بتقوى الله العظيم ومراقبة أمره واستشعار الخيفة له في سره وجهره
He has received the order to make of the Book, the Tradition and the consensus (<i>ijmā'</i>) the principle director (<i>dawābit</i>) of his authority (<i>irādi-hi wa isdāri-hi</i>) and the framework	[١٧-r-8946] ومامور ان يجعل الكتاب والسنة والاجماع ضوابط ايراده واصداره وروابط
for that which he forbids or ordains: may he make no exception of that in any of his judgments and issue no sentence if it is not	[١٨-r-8946] انهابه وانتماره فلا يشذ فى حكم عن جوامعها ولا ينفذ له فصل الا على جواد
on the wide and obvious path thus laid out. He must treat equally in his decrees (<i>al-aḥkām</i>) the strong	[١٩-r-8946] ها الواضحة ومعابها ¹⁴⁷¹ وعليه ان يسوى في الاحكام بين اقوياء الناس
and the weak and grant no privileges to the nobles to the detriment of the men of the people. As for instrumentary witnesses,	[٢٠-r-8946] وضعفاهم ولا يوجب مزية في الحق على مشروفهم لشرفاهم والشهود
they are a support for him when he decides to carry out or postpone [a decree]; may he then apply himself to know and discover ¹⁴⁷² their condition, and may he approve	[٢١-r-8946] هم عمدة امضاه وتوقفه فليبالغ في كشفه عن احوالهم وتعرفه ولا
only he whose behavior and (...) are known for their equity. Thus, when with the help of God on High he arrives among you,	[٢٢-r-8946] يقبل الا من عرف بالعدالة (...) ¹⁴⁷³ وتصرفه فاذا وافاكم بحول الله تعالى
collaborate with him in the projects we have ordered him to fulfill among you.	[١-v-9046] فتعاونوا معه على هذه المقاصد التي امرناه بتمشيتها فيكم وكونوا معه يدا
Be with him as one hand united for the responsibility of governing you which we have entrusted to him. You will [then] know the blessing that comprises the attentive and protecting watch	[٢-v-9046] واحدة في ما انهضناه اليه من توليكم وستعرفون بركة النظر الذى به نعتمدكم
that we keep over you in all circumstances, if God wills it. And He — May He be glorified — He will grant that you find the privilege of this nomination	[٣-v-9046] في كل الاحوال وننتحيكم ان شاء الله وهو سبحانه يوجدكم يمن هذا التقديم

¹⁴⁷⁰ *Hurma*: allusion to a woman from the ruling family?

¹⁴⁷¹ Probably ومهانعا.

¹⁴⁷² Reverse gradation.

¹⁴⁷³ One or two words are completely erased.

in the present and in the future, and He will use you in causing you to collaborate through your virtuous actions [in the advent] of good and His awe.

By His grace...

[٤-v-9046] في حالكم واستقبالكم ويستعملكم من التعاون على البر والتقوى باصلاح اعمالكم

□ [٥-v-9046] بمنه

Taqdīm 73: Appointment of a judge responsible for choosing instrumentary witnesses and a worthy son of his father. The foundations of the law are the Koran, Tradition, and the consensus of the Community¹⁴⁷⁴

وَفِي تَقْدِيمِ آخَرَ Another appointment

This is what we write — May God on High have written for you to know [our] benevolence and to adopt a behavior that will assure you

much happiness. We have appointed Abū Fulān to manage your affairs that have to do with the Law and to lead you, for

your religious questions, according to the applicable rules. In the past, we have appreciated his positions and approved

his deeds in this office where he has been employed many repeated times; he has distinguished himself by his remarkable methods

which added to his merits and facilitated the fulfillment of his hopes; he placed his feet in the footprints of his father, marking himself by [his] services

and enrolling himself among those who are responsible in the field wherein his capacities bloom, and where he attains and obtains the goodness

of this high commandment (*hādha l-amr al-‘alī*) in the present and in the future. We have counseled him to fear God on High in all situations that he provokes

or undergoes, to fear Him, He the Highest, in all that he forbids or ordains, to take the Book of God on High,

the Tradition of His messenger — Peace be upon him — and the consensus of the Community (*ijmā‘a l-ummati*) as the direction (*qibla*) of his conduct (*ihtidā‘i-hi*), to accept

as instrumentary witnesses only those whose equity and virtue have been proven and to decide in differences between plaintiffs

with lawful judgment and totally equitable arbitration. May, for him, the strong and the weak,

[٦-v-9046] وانا كتبناهُ كتب الله تعالى 1475 لكم تعرفنا للنظر الجميل وتصرفاً فيما يحظيكم

[٧-v-9046] بالخير الجزيل □ وانا قدمنا اعلان للنظر في احكامكم الشرعية واجرايكم في

[٨-v-9046] قضاياكم الدينية على القوانين المرعية ابا فلان بعد ان شكرت احواله واستحسن

[٩-v-9046] اثاره في هذه الخطبة التي تكرر فيها استعماله وتميز من الوسائل الملحوظة

[١٠-v-9046] بما تزكو معه اثره 1476 وتيسر اماله وحذا حذو ابيه اتساماً من الخدم

[١١-v-9046] وارتساماً في اولى الذمم في ما يفسح فيه مجاله ويدرك خير هذا الامر

[١٢-v-9046] العلى حالاً واستقبالا ويناله وقد اوصى بتقوى الله تعالى في كل تصرفه

[١٣-v-9046] وتقلبه ومراقبته تعالى في كل ما نهى عنه وامر به وان يجعل كتاب الله تعالى

[١٤-v-9046] وسنة رسوله عليه السلام واجماع الامة قبلة اهتداه ولا يقبل

[١٥-v-9046] من الشهود الا من وثق بعدالته وزكاه وان يسوى بين المتحاكمين حكما

[١٦-v-9046] بالحق وفضلاً بالعدل في كل انحابه وان يكون عنده القوى والضعيف

¹⁴⁷⁴ ‘Azzāwī, *NLA*, t. 1, 512.

¹⁴⁷⁵ Omitted by ‘Azzāwī.

¹⁴⁷⁶ ‘Azzāwī corrects with آثاره.

the noble and the [man of the people] be equal, no matter the decree he issues or receives.¹⁴⁷⁷ Thus, when he arrives among you, address

[١٧-v-9046] والمشروف [والشريف] 1478
سواء ما يورده او يصدره من قضايه فاذا
وافاكم فاقترضوا

him alone concerning the powers we have confided to him. Welcome him with submission and obedience on

[١٨-v-9046] عليه ما اسدناه من احكامكم اليه
وتلقوه بالانتمار والانتقاد فيما

the paths of virtue and righteousness, on which he will bear you with the help of God — May He be glorified — and He, He will assure you always respect

[١٩-v-9046] يحملكم عليه من سنن الصلاح
والسداد بحول الله سبحانه وهو يديم كرا

and will continue to bring you His assistance [founded] on the awe He inspires in you. By His grace...

[٢٠-v-9046] متكم ويصل على تقواه اعانتكم
بمنه

Taqdīm 74: Appointment of a judge responsible for choosing secondary judges and instrumentary witnesses as well as the ḥisba. The foundations of the law are the Koran, Tradition and the consensus of the Community¹⁴⁷⁹

[٢١-v-9046] وَمِنْ تَقْوَىٰ دِيمٍ ءَاخَرَ

[Excerpt] from another appointment

May God on High assure them always respect through the awe He inspires in them (...) may he make their action sublime. This is

[٢٢-v-9046] ادام الله تعالى 1480 كرامتهم بتقواه
و(...) 1481 الصنع واسناه وانا

what we write — May God have written for you acts that do not cease to improve and hopes followed by success for you all.

[١-r-9147] كتبنا الله تعالى لكم اعمالا
يستمر صلاحها وءامالا يعمكم نجاحها

Know that our benevolence will always bring you more support that is the best for you, that we seek

[٢-r-9147] وان تعلموا انا نعتمدكم من نظرنا
الجميل بالاصح لكم فالاصح ونتوخي

to lead you, the elite and the masses, along the clearest path of justice and that we want to perpetuate for you

[٣-r-9147] اجراء خاصتكم وجمهوركم على
سنن العدل والاوضح ونقصد ان نستمر 1482
اموركم

a situation where your hopes will be crowned with success and where you will find a vast and wide shelter,

[٤-r-9147] على ما يحظيكم بالامل الانجح
ويؤويكم في تعرف الامنة وتكيف الدعة

[enjoying] recognized security and a tranquil life. We choose to occupy an office with you someone who has distinguished himself by the uprightness of his method

[٥-r-9147] الى الجناح الارحب الافسح
ونتخير للاشغال فيكم من تميز بالمذهب
السد

¹⁴⁷⁷ “no matter the *irād* or *iṣḍār* of his decision” ?

¹⁴⁷⁸ Added by ‘Azzāwī, absent from the manuscript.

¹⁴⁷⁹ ‘Azzāwī, *NLA*, t. 1, 513-514.

¹⁴⁸⁰ Omitted by ‘Azzāwī.

¹⁴⁸¹ Three words missing.

¹⁴⁸² ‘Azzāwī corrects with تستمر.

and the superiority of his reason. May God on High cause you to know the fortuitous consequences of our plans in all your situations

[٦-r-9147] يد والعقل الارجح والله تعالى
يعرفكم يمن قصدنا في كافة احوالكم
ويظفركم با

and satisfy your hopes with success in the present and in the future. By His grace. This is why — May God assure you always respect through the awe He inspires —

[٧-r-9147] طراد الامال في حالكم ومثالك
بمنه والى هذا ادام الله كرامتكم بتقواه

after having asked the help of God on High, we have appointed Abū Fulān

[٨-r-9147] فانا قدمنا بعد الاستخارة لله تعالى
للنظر هنالك في الاحكام الشرعية

— May God grant him always His assistance and open for him the path towards desired goals — to take care

[٩-r-9147] واجراء النوازل الدينية على
القوانين المرعية ابا فلان وصل الله تعالى
توفيقه

of your affairs that have to do with the Law and to take charge of religious questions according to the applicable rules. As soon as we had chosen, tested, and employed him,

[١٠-r-9147] ونهج الى مرامى الاصابة
طريقه على حين اختيار واختبر واستعمل
فصدق

our opinion of and esteem for him were confirmed, for he had followed the path of his father — May God exalt his worth — without passing by righteousness,

[١١-r-9147] الظن فيه والتقدير واهتدى بسنن
ابيه اعزه الله فلم يعد السداد

purity and goodness. From childhood, he sought sustenance in the kindness and favor of this eminent power,

[١٢-r-9147] والزكاء والخير بعد ان نشا
مغدوا بانعام هذا الامر العلى وفضله

through contact with it he became used to walking along the paths and ways that please [God] and he learned through

[١٣-r-9147] ومالوفا منه السلوك على طرق
التوفيق وسبله ومتعرفاً من استقا

the reform of your situation what kind of support we do not cease to give you [in appointing people] like him. We have counseled him moreover to fear God

[١٤-r-9147] مة احوالكم ما لم نزل نعتمدكم
بمثله وقد وصيناه مع ذلكم بتقوى الله

on High and to tremble before him, to follow the path and tracks of tradition and to adopt the Book of God

[١٥-r-9147] تعالى واستشعارها واقتفاء سنن
السنن واثارها واتخاذ كتاب الله

on High, the Tradition of his messenger — Peace and the blessing of God be upon him — and the consensus of the Community (*wa ijma' i l-ummati*) like a light (*sirāj*) that

[١٦-r-9147] تعالى وسنة رسوله صلى الله
عليه وسلم واجماع الامة سراج الذي

will help to guide in any obscure matter, or like an *imām* thanks to whom he will neither stray nor deviate from the paths

[١٧-r-9147] يهتدى به في كل ميهم من
الامور وامامه الذي لن يعدل به عن سنن

of justice, or [even more] like a sign that is for him “direction from your Lord and a healing for the (diseases) in your hearts.”¹⁴⁸³ We have insisted

[١٨-r-9147] العدل ولن يجور وحقته الذي
هى هدى وشفاء لما في الصدور¹⁴⁸⁴ واكدنا

that in all circumstances he select and choose instrumentary witnesses, that he use secondary

[١٩-r-9147] عليه في انتقاء الشهداء وتخيرهم
في كل الاناء واستعمال من تصح

judges (*al-musaddidīn*) in whom the confidence placed has never been faulted, that in court (*majlis al-ahkām*) and wherever

[٢٠-r-9147] امانته من المسددين من الانتقاء
والتسوية في مجلس الاحكام

¹⁴⁸³ Koran 10:57: “O mankind! there hath come to you a direction from your Lord and a healing for the (diseases) in your hearts,- and for those who believe, a guidance and a Mercy”.

¹⁴⁸⁴ Koran 10:57: وَشَفَاءٌ لِّمَا فِي الصُّدُورِ وَهُدًى وَرَحْمَةٌ لِّلْمُؤْمِنِينَ

he annuls or confirms [decrees] (*maḥall al-naqḍ wa-l-ibrām*) he treat equally the strong and the weak, the nobles and the men of the people so much so that

[٢١-r-9147] ومحل النقض والابرام بين
الاقوياء والضعفاء والمشروفين والشرفاء
حتى

the strong does not expect help and the weak is not crushed with humiliation, so much so that justice

[٢٢-r-9147] لا يطمع قوى في اعانة ولا
يغلب ضعيفاً من اهانة وحتى يتمشى

advances along a luminous path (...) the group, if God on High wills it. Among the points on which

[٢٣-r-9147] العدل متضح الطريق
(...-انفة) 1485 والفريق ان شاء الله تعالى
ومما

we have insisted with him, there is one which we do not cease to repeat at all times and to which we invite any official in

[١-v-9247] اكدنا عليه فيه ما لم نزل نردده
في كل الاناء ونحث عليه كل مستعمل في

the provinces and regions: to eliminate innovations and abuses and to bring them back to the state of the erased remains,

[٢-v-9247] الجهات والارزاء من ازالة
المحدثات والمظالم واعادتها كالطول
الطواسم

to bring to light the obvious tracks and signs of the law, to apply the law on which

[٣-v-9247] وايضاح ما للحق من الاثار
الواضحة والمعالم وتمشية الشرع الذي لا
تاخذ

blame has no hold and to govern that which belongs to us in seeking permanent goodness. Thus, when with the help of God on High

[٤-v-9247] فيه لومة لايم والجرى على ما
لدينا بالخير الدايم فاذا وافاكم بمعونة الله
تعالى

he arrives among you, refer to him for the matters that concern you, entrust to him alone the settlement of your conflicts, consider

[٥-v-9247] فارجعوا اليه باحكامكم واقصروا
عليه نوازل خصامكم وتعرفوا

his arrival among you as the privilege of your life, know that through him we have distinguished you in appointing someone whose experience we have praised

[٦-v-9247] بقدمه عليكم يمين ايامكم
واعلموا انا خصصناكم منه بمن حمدنا
اختباره

and whose actions we have praised in all circumstances. If God on High wills it. And He — May He be glorified — He will cause

[٧-v-9247] وشكرنا في جميع الاحوال اثاره
ان شاء الله تعالى وهو سبحانه يعر

you to know the privilege of his arrival and appointment and He will lead you along a road wide and straight. By His grace. Written

[٨-v-9247] فكم يمين قدمه وتقديمه ويسلك
بكم على الاحب 1486 السنن وقويمه بمنه
كتب

the first day of the moon of *dhū l-qa'da* in the year 648.

[٩-v-9247] غرة شهر ذى قعدة عام ثمانية
واربعين وستمائة □

Taqdīm 75: Appointment of a judge responsible for choosing instrumentary

1485 Two unclear words.

1486 'Azzāwī corrects with الألب.

witnesses. The foundations of the law are the
Koran, Tradition, and consensus¹⁴⁸⁷

وَمِنْ تَقْوَىٰ دِيمِ آخِرٍ [١٠-v-9247]

[Excerpt] from another appointment

This is what we write for you – May God on High have written for you conditions that improve without end and hopes followed with success that fulfill

[١١-v-9247] وانا كتبناهُ كتب الله تعالى¹⁴⁸⁸
لكم أحوالاً يصحبكم صلاحها وءامالاً
يحسبكم نجا

You. Know that your interests are the object of [our] worries, that [our] care guarantees you affairs that are in order

[١٢-v-9247] حها وان تعلموا ان
مصالحكم مجراة بالبال وان النظر لكم
كفيل بانتظام الامور

and balanced situations, that the choice of people employed to treat your juridical or daily¹⁴⁸⁹ (*ashghāli-kum*) problems

[١٣-v-9247] قبلكم واعتدال الاحوال وان
تخير المستعملين في احكامكم واشغالكم
[١٤-v-9247] ممّا نوفيكم فيه قسط الالتفات
والاهتبال وانا قدمنا ءلان ابا فلان

is one of the tasks to which we dedicate much attention and work. Thus we have appointed Abū Fulān

to take charge of deciding and judging among you, may he care only about justice when he postpones or carries out [a judgment] and may he not

[١٥-v-9247] لتولى الفصل بينكم والقضاء
وتوخّى العدل في التوقف والامضاء
والا

leave the straightest path to bring back to it [those] among you [who have strayed]. Once his decency

[١٦-v-9247] لتزام في التسديد بينكم لاسدّ
الانحاء بعد ان توسّم فيه العفاف

and virtue were known, knowing that from childhood he had assimilated the art of prosecution and defense for [our] service and that he had distinguished himself by the merits, his own and those of this father,

[١٧-v-9247] والزكاء ورشحه للخدمة
التجريح والانشاء وتميز بما لابيّه وله
من

the seeking of which multiplies efforts, we counseled him to fear God in [exercising] his authority (*fī irādi-hi*

[١٨-v-9247] الوسائل التي توفّر التّهم
بها والاعتناء وصى¹⁴⁹⁰ بتقوى الله في
ايراده

wa ishdāri-hi), we insisted that he adorn his deeds and works with virtue, we ordered him to take

[١٩-v-9247] واصداره واكد عليه في
تحسين اعماله بالزكاء وءاثاره وامر ان
يجعل

the Book, Tradition, and consensus (*ijmā'*) as the line of sight for his intuition and intelligence, to never let stray his gaze from

[٢٠-v-9247] الكتاب والسنة والاجماع
تلقاء بصيرته وبصره وان لا يعدل عن
هذه

these three fundamental principles, to undershore testimony (*shuhūd*) in justice with the excellent selection

[٢١-v-9247] القواعد الثلاث بشيء من
نظره وان يعتمد الشهود في الحقوق
باحسن

¹⁴⁸⁷ 'Azzāwī, *NLA*, t. 1, 515.

¹⁴⁸⁸ Omitted by 'Azzāwī.

¹⁴⁸⁹ Or "financial".

¹⁴⁹⁰ 'Azzāwī: ووصي.

and choice he will make, to treat equally in (...?), the strong and the weak (...),

[٢٢-v-9247] انتقابه وتخيره وان يسوّى
في (...) ¹⁴⁹¹ القوى والضعيف
و (...) ¹⁴⁹²

the noble and the man of the people in acting according to justice and in preferring it to anything else. Thus, when with the help of God

[١-r-9348] والمشروف والشريف عملا
بالعدل واقتفاءً لسيره فاذا وافاكم بحول
الله

on High he arrives among you, collaborate with him for the most sacred of projects, and follow in all your affairs the clearest

[٢-r-9348] تعلى فتعاونوا معه على القصد
الاصح وسيروا في كل اموركم على
السنن

and most obvious path, you will thus rejoice in the most profitable commerce and the success of your efforts, if God on High wills it.

[٣-r-9348] الابين الاوضح تفوزوا في
ذلكم بالتجر الاربح والسعى الانجح ان
شاء الله تعلى

And He — the Highest, may He be glorified — with his appointment, He will cause you to know happiness, and He will bring you, to you and to him, His assistance for a just and well-done

[٤-r-9348] وهو سبحانه [وتعالى] ¹⁴⁹³
يعرفكم الخير في تقديمه ويعينكم واياه
على سديد العمل وقو

Labor. By His grace...

[٥-r-9348] يمه بمنه

Taqdīm 76: Appointment of a judge responsible for choosing instrumentary witnesses. The foundations of the law are the Koran, Tradition, consensus and examples (athar)¹⁴⁹⁴

وَفِي مَعْنَاهُ

On the same subject

May God have written for you actions that carry your religious and secular interests to their end thanks to the attention

[٦-r-9348] كتب الله لكم اعمالا

of he who brings you the support of the best defense and protection, which leads you with equity and forbearance as perfectly

¹⁴⁹⁵ تستند مصالحكم الدينية والدينية ملاحظة من

[٧-r-9348] يعتمدكم باحسن الحياطة والكفالة

ويجريكم من العدل والرفق على اتم ما

as just administration and government require and assures you all the benevolence that will obtain for you superabundant shares

[٨-r-9348] يقتضيه سداد الادارة والايالة ويوفيكم من

النظر الجميل ما يحظيكم

of [its] excellent (*mustahsana*) and desired (*mustanāla*) favors. Our always increasing care for your affairs is confirmed

[٩-r-9348] باوفر حظوظ النعم المستحسنة المستتالة

وبهذا الاعتبار يتأكد

by these considerations and our determined action for everything that improves

[١٠-r-9348] اعتناؤنا بالاهم فالاهم من اموركم

ويتجدد اعتمالنا في كل ما يصلح عليه

¹⁴⁹¹ Two words erased by humidity, perhaps: من الاعدل من.

¹⁴⁹² One word erased.

¹⁴⁹³ Added by 'Azzāwī.

¹⁴⁹⁴ 'Azzāwī, *NLA*, t. 1, 516-517.

¹⁴⁹⁵ Apparently missing *bi-hā*.

the condition of your elites and masses is renewed. This is why, for the charge of judgeship among you, we have appointed Fulān	[١١-r-9348] احوال خاصتكم وجمهوركم ولذلك اخترنا اعلان لخطه القضاء بينكم فلانا
— May God assure him always respect and assistance and guide his arrow (<i>tafwīqa-hu</i>) to the targets (<i>marāmī</i>) of truth (<i>al-tahqīq</i>). He is	[١٢-r-9348] ادام الله كرامته وتوفيقه وسدد الى مرامى التحقيق تفويقه وهو
someone who has been employed numerous times in this capacity and in whom we have recognized competence and a sense of responsibilities in the	[١٣-r-9348] الذي تتردد ¹⁴⁹⁶ في هذه الخطه استعماله و علم اضطلاع به باعبابها
burden it entails. For he brings to it the support of solid religious practice, precise knowledge,	[١٤-r-9348] واستقلاله لانها مستظهر لها بالديانة المتينة والمعرفة المعينة
a virtue of which he has never been destituted, and an equity that has never ceased to win	[١٥-r-9348] والنزاهة التي لم يزل عليها مفظورا والعدالة التي لم يبرح بها
him praise. And, in addition to the fact that he is diligent in reciting the Book of God day and night and that he is known	[١٦-r-9348] مشكورا ومع اكبابه على تلاوة كتاب الله ليلا ونهارا واشتهاره
to scrupulously follow Tradition and to never stray from it, neither to the left nor the right, he has received from us the finest counsel ¹⁴⁹⁷	[١٧-r-9348] باتتباع السنة لا ينكب عنها يمينا ولا يسارا وقد تلقى عنا الوصايا
to fear God – May He be glorified and magnified – and he has understood. He has recognized and verified with certitude	[١٨-r-9348] البالغة بتقوى الله عز وجل وتلقن وتحقق ان مذهبنا العدل في الرعا
that our method is equity for [our] subjects. And he, with the help of God on High, he will commit to the clearest path of the Law in the decrees he issues for you	[١٩-r-9348] يا وتيقن وهو بحول الله تعالى يسلك في احكامكم سنن الشريعة الابين
and he will consider what the positive verses and traditions say concerning all your affairs; he will accept as instrumentary witnesses	[٢٠-r-9348] ويعتبر في جميع قضاياكم الايات المحكمات والسنن ولا يقبل من الشهود
only [those men] whose obvious impartiality raises them above all doubt and suspicion. We have also given him the order that we give	[٢١-r-9348] الا من نفت عنه العدالة الظاهرة التهم والظن وقد امرناه بما نامر به
to all those whom we appoint: may he correct evil and cause it to cease, ¹⁴⁹⁸ may he guard against inadvisable or forbidden	[٢٢-r-9348] كل من تقدمه من ازالة المنكرات وتغييرها والتحذير من ممنوع المحدثات
Innovations, ¹⁴⁹⁹ may he pronounce the law without fearing blame nor considering the protections that an	[٢٣-r-9348] ومحذورها وان يصدع بالحق غير ¹⁵⁰⁰ خابف فيه لومة لايم ولا مراغ فيه
oppressor [may enjoy], may he see only, when issuing a judgment, the reward [that will be] in the hands of	[١-v-9448] لحرمة ظالم وان يجعل نصب عينيه في ما يفصل فيه من الاحكام مثوبة بين يدي
God — May he be exalted and magnified — on the day of Judgment, and may he obey His order when the Highest — may He be glorified — said: “when you judge	[٢-v-9448] الله عز وجل يوم الفصل ويأتمر لامره سبحانه في قوله تعالى واذا حكمتم
between man and man, judge with justice, ¹⁵⁰¹ following in all of this the clearest path and the best	[٣-v-9448] بين الناس ان تحكموا بالعدل ¹⁵⁰² سالكا في ذلك كله على اوضح السبل وأحسن

¹⁴⁹⁶ 'Azzāwī corrects with ترداد.

¹⁴⁹⁷ Lit. “that reaches [its goal].”

¹⁴⁹⁸ Reverse gradation.

¹⁴⁹⁹ Reverse gradation.

¹⁵⁰⁰ Word completed by 'Azzāwī.

¹⁵⁰¹ Koran 4:48.

¹⁵⁰² Koran 4:58.

Conduct, keeping in his positive or negative sentences to what is required by the Book, consensus (*ijmā'*), and tradition (*al-athar*)

[٤-v-9448] السَّيْرُ واقفا في ما يثبتُه او ينفيه مع مقتضى الكتاب والاجماع والاثر

and confronting his exegesis and his knowledge (*mā yasnaḥu la-hu min al-ta'wīl wa-l-naẓar*) with the words of the great scholars, those who serve as examples.

[٥-v-9448] عارضا على اقوال أئمة العلماء المقتدى بهم ما يسنح له من التاويل والنظر

Thus, when with the will of God on High he arrives among you, offer him the reins of your judgments; submit

[٦-v-9448] فاذا وافاكم بمشيئة الله تعلى فالقوا اليه ازمة احكامكم وانتمروا

to all the measures he takes to resolve your differences; be as one hand untied with him in coming together

[٧-v-9448] لكل ما يمضيه في مسائل خصامكم وكونوا معه يدا واحدة باتفاقكم

and agreeing on the service of the law; commit yourselves to obeying him and conforming perfectly [to his orders] for all your affairs that

[٨-v-9448] على الحق والتنامكم والتزموا من حسن الانقياد اليه والامتثال لما

we have entrusted to him, a commitment the consequences of which will clearly appear.

[٩-v-9448] قصدناه من اموركم عليه ما يظهر فيه اثر التزامكم ان شاء الله تعلى وهو

If God on High wills it. And He

— May He be glorified — He will lead you, you and him, from beginning to end, along the exemplary path, and He will facilitate

[١٠-v-9448] سبحانه يحملكم واياء على الطريقة المثلى في الاخرة والاولى ويبسركم

[the accomplishment] of good works, but not those that are unacceptable. By His grace.

[١١-v-9448] من صالح الاعمال لا لما تعدمون له قَبُولًا بِمَنْ هـ

Taqdīm 77: Fragment of a judicial appointment¹⁵⁰³

الحمد لله وحده¹⁵⁰⁴

Appointment

May God have written for you security that spreads over all of your lands and a happiness that accompanies you in all circumstances and at all

Times. Know that your affairs receive from us profound attention and care, that they enjoy

at all times our total benevolence, and that we use to take care of them one who distinguishes himself in our presence by [his]

capabilities (*bi-l-iṭṭilā'*) and [his] competence, in particular to [exercise] the office of judge in the case of differences, and to decide,

in accordance with the Law, in new juridical affairs. We will thus designate for this someone designated by his virtue and

decency (*afāfu-hu*); without setting aside for all that one in whom we have sensed — and recognized — qualities and character; and this to fully accomplish

[١٢-v-9448] وَفِي تَقْدِيمِ

Glory to God alone

[١٣-v-9448] كتب الله لكم امناً يعمُ جميع اوطانكم ويمناً يصحبكم في كل احوالكم واحيا

[١٤-v-9448] نكم وان تعلموا ان اموركم مجردة من ابيال الاهتمام والاعتناء وموفاة

[١٥-v-9448] قسط النظر الجميل في كل الاناء ومستعمل فيها من يميز لدينا بالا

[١٦-v-9448] ضطلاع¹⁵⁰⁵ والغناء لاسيما خطة القضاء في نوازل الخصام والفصل

[١٧-v-9448] بمقتضى الشرع في نواشى الاحكام فاذا نقدّم لذلك من قدمه زكاؤه

[١٨-v-9448] وعفاه ولانعدل بها عن من خبرت فشكرت خلالاه واوصافه ذلكم لنوفى

¹⁵⁰³ 'Azzāwī, *NLA*, t. 1, 517.

¹⁵⁰⁴ Almohad inscription added next to the title in the same color but much finer, omitted by 'Azzāwī.

¹⁵⁰⁵ 'Azzāwī: بالاطلاع.

the choice and selection required by this responsibility,¹⁵⁰⁶ and to judge as worthy of this appointment people of purity

and devotion. We ask of God, our master, that in this choice made for our subjects, He continue to accompany us with His help and His

Guidance, and that He make us one of the [agents] who establish the law of God — May He be exalted and magnified — in the interests of His servants.

After having asked of God on High the authority (*fī l-irādi wa-l-iṣḍārī*) for this and having asked for the gift of His

guidance in our government of the regions and districts, near and far, we have seen fit to appoint...

تلكم الخطّة واجب التخيّر والانتقاء
ونوهل لتوليها اهل النقاء [١٩-v-9448]

والانتقاء ونسئل¹⁵⁰⁷ الله ربنا ان يمدنا
بالاختيار للرعايا بتوفيقه وتسدد

يده ويجعلنا ممن وفى القيام بحق الله
عز وجل في مصالح عبيده وقد

راينا بعد تقديم استخارة الله تعالى في
الايراد والاصدار واستيهاب

هداه في ما نعمله من النظر للادنى
والاقصى من الجهات والانظار ان نقدم

¹⁵⁰⁶ Or: “to acquit ourselves concerning this charge (*al-khutṭa*) of obligation of the obligations of choosing and selecting”.

¹⁵⁰⁷ ونسأل: ‘Azzāwī:

Annexes

Governing the Empire

Annex 1: The Almohad Caliphs

- 1- ‘Abd al-Mu’min (1130 in the Maghrib, 1145 in al-Andalus, 1163)
- 2- Abū Ya‘qūb Yūsuf (1163-1184)
- 3- Abū Yūsuf Ya‘qūb al-Manṣūr (1184-1199)
- 4- Abū ‘Abd Allāh al-Nāṣir (1199-1213)
- 5- Abū Ya‘qūb al-Mustanṣir (1213-1224)
- 6- Abū Muḥammad ‘Abd al-Wāḥid b. Yūsuf I al-Makhlū‘ (1224, 8 months).
- 7- Abū Muḥammad ‘Abd Allāh al-‘Ādil (621/1224-624/1227)
- 8- Abū Zakariyyā’ Yaḥyā b. al-Nāṣir al-Mu‘taṣim (1227-1229)
- 9- Abū l-‘Alā’ al-Ma’mūn (1227-629/1232), last Almohad ruler in al-Andalus
- 10- ‘Abd al-Wāḥid al-Rashīd (629/1232-640/1242)
- 11- ‘Alī Abū l-Ḥasan al-Mu‘taḍid bi-Llāh al-Sa‘īd (640/1242-646/1248)
- 12- ‘Umar al-Murtaḍá (646/1248-665/1266)
- 13- Idrīs Abū l-‘Ulá Abū Dabbūs al-Wāthiq (665/1266-668/1269)

Annex 2: Periods of war and truce with the Christian kingdoms of the Iberian peninsula

Dates	Treaties	Comments
1149	Peace treaty between Aragon and Ibn Mardaniš. Lasts ten years.	
566/1170-1171	Renewal of treaties with León at Zallāqa near Badajoz (according to the <i>Bayān</i>).	Muḥammad Ibn Wazīr was the Almohad ambassador.
1173	Castile and Portugal sue for peace. 5 years are granted to Portugal, 2, 4, or 5 to Castile (because of famines on both sides of the border).	War with León (1173-78). The Almohads take Cáceres and Alcántara. Giraldo Sempavor enters the service of the Almohads.
1178	End of the truce with Portugal who raids Seville in 1178. Treaty with León until 1183	Siege of Cuenca by Castile and Aragon (1177).
577/1183	León breaks its traditional alliance and attacks Cáceres	
1190->1195	The caliph accepts treaties with Castile and renews the peace with León	Almohad attack on Portugal
1191	Treaties with Portugal after retaking Torres-Nova, Alcacer do Sal and Silves	
1195	Refusal of Castilian peace proposal. Offensive alliance with León	
1197	Peace treaties accepted with Castile and León	
600/1203-1204	Treaties renewed	
611/March 1214-1215	Treaties with Castile after Las Navas de Tolosa	
618/February 1221-1222	Renewal under al-Mustaṣṣir	
1228	Almohad treaty with Fernando III and caliphal departure for Africa.	End of the Almohad presence in the Iberian peninsula.
1241	Treaties broken by Ibn al-Aḥmar	Al-Aḥmar tries to take Martos and Andújar (1241).

Annex 3: List of governors inventoried in the narrative sources by ‘Izz al-Dīn Mūsá (1224-1269)

Gouvernorship\Caliphs	‘Abd al-Wāḥid b. Yūsuf I	Al-‘Ādil b. al-Manṣūr	Al-Ma’mūn b. al-Manṣūr	Al-Rashīd	Al-Sa‘īd	Al-Murtaḍá
Ifriqiya 1. The <i>sayyid</i> Abū l-‘Alā’ 2. his son the <i>sayyid</i> Abū Zayd	‘Abū b. Abī Muḥammad b. al- <i>shaykh</i> Abī Ḥafṣ al- <i>Hintātī</i>					Cordova
<i>Sayyid</i> Idrīs b. al-Manṣūr	The <i>sayyid</i> ‘Abd Allāh al-Bayāsī then attached to Seville	<i>Sayyid</i> Abū l-rabī‘				Granada
<i>Sayyid</i> Abū l-Hasan b. al-Manṣūr						Seville
<i>Sayyid</i> ‘Abd Allāh al-Bayāsī	Abū l-‘Alā’ Idrīs al-Ma’mūn					Malaga
<i>Sayyid</i> al-Ḥasan b. al-Manṣūr						Murcia
<i>Sayyid</i> Abū Muḥammad b. al-Manṣūr	<i>Sayyid</i> ‘Isá b. Abī Mūsá b. ‘Abd al-Mu’mīn					Valencia
<i>Sayyid</i> Abū Zayd b. Abī ‘Abd Allāh al-Bayāsī	<i>Sayyid</i> Abū Zayd b. Abī ‘Abd Allāh al-Bayāsī					Jaén
1. <i>Sayyid</i> Abū Muḥammad b. Abī ‘Abd Allāh al-Bayāsī 2. Sulaymān b. Abī Ḥafṣ ‘Umar b. ‘Abd al-Mu’mīn	‘Umar b. ‘Isá b. Abī Ḥafṣ b. Yahyā					Bougie
	1. Ibn Yaghmur 2. Yahyā b. al-Aṭās al-Tinmālī	<i>Sayyid</i> Abū ‘Umrān b. Abī ‘Abd Allāh al-Ḥarḍānī Ibn al-Aṭās				Ceuta
Abū Ishāq Ibrāhīm b. Idrīs b. Abī Ishāq b. Jāmi‘		<i>Sayyid</i> Abū Mūsá b. al-Manṣūr	Abū ‘Alī b. Khallāš al-Balansī			Fez
		Muḥammad b. Abī Zayd b. Yūjān	Abū ‘Abd Allāh b. Wanūddīn			Tlemcen
		Muḥammad b. Abī Zayd b. Yūjān				Mallorca
		Abū Yahyā Muḥammad b. ‘Alī b. Abī ‘Umrān				Salé
			<i>Sayyid</i> Abū l-‘Alā’ gendre d’al-Rashīd	Abū Ḥafṣ ‘Umar (al-Murtaḍá)	Muḥammad b. Abī Ya‘lá al-Kūmī	Sijilmāssa
			1. Abū Ya‘qūb Yūsuf b. ‘Alī b. Yūsuf 2. ‘Abd Allāh b. Zakariyā al-Hazrājī	1. ‘Abd Allāh b. Zakariyā al-Hazrājī 2. Abū Zayd ‘Abd al-Raḥmān b. Abī Zakariyā al-Ġadmīwī	Abū Muḥammad ‘Abd al-Ḥaqq al-Ġanfīsī	Sūs
			<i>Sayyid</i> Abū Muḥammad b. Abī Zakariyā b. Abī Ibrāhīm		Ibn Yidīr	Dar‘a
			Abū Muḥammad b. Wanūddīn			Tazā
				<i>Sayyid</i> Abū ‘Alī b. Muḥammad b. ‘Umar b. ‘Abd al-Mu’mīn	<i>Sayyid</i> Abū ‘Alī b. Muḥammad b. ‘Umar b. ‘Abd al-Mu’mīn	Azemmūr
				Ibn Māksīn	Ibn ‘Aṭūs	Aghmāt
				Abū Ḥafṣ ‘Umar (al-Murtaḍá) before Salé		

Annex 4: List of principal *kuttāb* from al-Mustanşir to al-Wāthiq

Caliph	Name of <i>kātib</i>	Geographic origin
Al-Mustanşir	Muḥammad b. ‘Abd al-Raḥmān b. ‘Ayyāsh Abū l-Ḥasan ‘Alī b. ‘Ayyāsh b. ‘Abd al-Malik b. ‘Ayyāsh Muḥammad b. Yakhlaftān al-Fāzāzī Aḥmad b. Muḥammad b. ‘Abd al-Raḥmān b. ‘Ayyāsh	al-Andalus Cordova Maghrib al-Andalus
‘Abd al-Wāḥid	?	
Al-‘Ādil	?	
Al-Mu‘taşim	Abū l-Ḥasan al-Saraqusī	Al-Andalus
Al-Ma‘mūn	Abū Zakariyā al-Fāzāzī Abū ‘Abd Allāh b. ‘Ayyāsh Abū l-‘Abbās b. ‘Umrān etc.	Maghrib al-Andalus al-Andalus
Al-Rashīd	Abū Zakariyā al-Fāzāzī Abū ‘Abd Allāh al-Qabāḥī Abū ‘Abd Allāh al-Ḥusayn b. Abī ‘Ashra Abū ‘Abd Allāh b. Sulaymān Abū l-‘Alā’ b. Ḥassān Abū ‘Abd Allāh al-Fāzāzī Abū l-Muṭarrif b. ‘Amīra Abū l-Ḥasan al-Ru‘aynī Abū l-Qādim al-Qabājī Abū ‘Abd Allāh al-Tlīmsānī Abū l-Mu‘manānī	Maghrib Maghrib Maghrib Maghrib Maghrib al-Andalus al-Andalus al-Andalus Tlemcen al-Andalus
Al-Sa‘īd	Abū l-Ḥasan al-Ru‘aynī Abū ‘Abd Allāh al-Tlīmsānī Abū Bakr al-Fāzāzī etc.	Al-Andalus Tlemcen Maghrib
Al-Murtaḍā	Abū l-Ḥasan al-Ru‘aynī Abū ‘Abd Allāh al-Ru‘aynī etc	Al-Andalus Tlemcen
Al-Wāthiq	Abū l-Ḥasan al-Ru‘aynī Abū ‘Abd Allāh al-Ru‘aynī etc	Al-Andalus Tlemcen

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