

Financing the tribute to the Kingdom of Jerusalem: An urban tax in Damascus

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Abstract

The economic dynamics of the twelfth century finds its expression in an increased number of fiscal instruments and terminology. After an introduction to legal taxation and Saljūq fiscal policy, the philological problems of a specific due, *al-fissa*, illegitimate according to the *sharīʿa*, will be addressed along with its political function, history, levying and transfer. It was levied in Damascus for an annual and/or occasional tribute to the Kingdom of Jerusalem, even before the alliance of Damascus and Jerusalem in 532/1140. Before Nūr al-Dīn Maḥmūd's conquest of Damascus the monies were transferred by bearers of *ḥawālas*. It can be suggested that tax farmers were liable for them. A decree, *rasm*, allowed for the collection of *al-fissa*. The due was levied perhaps on the basis of an assessment of urban real estate. An interpretation of the term *al-fissa* was suggested as Arabic borrowing from the middle Latin term *fossa*.

I. Introduction¹

At the end of the fifth/eleventh century the Saljūqs laid the political and economic foundations for the second blossoming of the Islamic world in its core regions, from Syria to western Iran.² However, the transformation began to accelerate only two to three generations later, in about the 540s/1150s. Today, this newly produced wealth is still seen in the extensive civil and military building programme initiated by the Zangīd Nūr al-Dīn Maḥmūd (r. 541–569/1146–74): this programme included the construction and enlargement of citadels, fortifications and congregational mosques as well as several urban institutions and infrastructural facilities such as the water supply. Schools of higher learning (singular, *madrasa*) were founded to educate theologians and jurists who served the Sunnī renaissance and the

1 This contribution presents the preliminary results of the ongoing research project “The new economic dynamics of the Zangīd and Ayyūbid period”, supported by the German Research Foundation (DFG). I am indebted to Rudolf Hiestand who encouraged further research on this specific topic and Doris Nicholson of the Bodleian library who kindly provided me with copies of the relevant passages from Ibn al-Qalānīsī's manuscript. I owe gratitude to Emilie Norris and Elizabeth Gant for a thorough English revision of the draft.

2 Heidemann (2002). An assessment of Seljuq economic policy in Syria until the period of Nūr al-Dīn Maḥmūd can be found in chapter IV, 297–353.

administration of law, government and religion. That type of urban markets (*sūq*) were built up, as we know them today, as typical of the old cities in the Near East.³

Several archaeological settlement surveys and reports show: that vast regions became cultivated again;⁴ and ceramic and glass industries were established.⁵ The monetary economy was reformed and increased and penetrated ever more spheres within society. Military warfare against the crusader states (*jihād*) was greatly intensified. Alongside a discussion of trade, agriculture and political institutions, a study of changes in taxation is of the utmost importance. Increased state income allowed for investments in charitable foundations (*waqf*), fortifications and the military in general.

To increase income, it was necessary to create a juridical and administrative framework to allow the state to enforce its claim for fiscal skimming. From about the middle of the sixth/twelfth century several new expressions can be found in the sources relating to fiscal matters. These document the government's tighter grasp on urban resources. One new term for fiscal matters is dealt with here. After a brief introduction to legal taxation and Saljūq fiscal policy, the philological problems in the definition of a specific due, *al-fissa*, illegitimate according to the *sharīʿa*, will be addressed along with its political function and history. This due was levied in Damascus for the tribute to the Kingdom of Jerusalem.

II. Dues between revealed law and the necessity of state expenditure

The fostering and support of Islamic law in the Sunnī–Ḥanafī reading was of particular concern to the Saljūqs, Zangīds and Ayyūbids. This becomes apparent in the foundation of a multitude of *madrasas*. Important scholars like al-Kāsānī (d. 587/1191) and al-Sarakhsī (c. 500/1106) lived and worked in Aleppo and Damascus. The jurists of the sixth/twelfth and seventh/thirteenth centuries arranged anew the heritage of the early founders, adapted it carefully to contemporary needs and developed it further. In 1981 Baber Johansen studied the regulation of dues of the Ḥanafī law school, politically dominant in Syria and northern Mesopotamia after the Saljūq conquest at the end of the fifth/eleventh century. In their treatises the Ḥanafī scholars explained only the point of view of the revealed law, the *sharīʿa*. Whereas the arguments of the legal scholars burden the peasants, they allow for far-reaching possibilities to evade taxation on urban economic activities. Not surprisingly the legal scholars often came from that class of long-distance merchants, retailers and others earning a living from the activities and crafts of the *sūq*. At the end of his article Baber Johansen states that the fiscal system actually in force must have been different from that sanctioned by Islamic law, because almost every chance to tax the urban population legally was denied to the government, with the

3 Wirth (2000), 103–51, esp. 105. For a first appraisal of Nūr al-Dīn Maḥmūd's economic policy see Lev (2004).

4 For example Adams (1965); Bartl (1994).

5 Sauvaget (1948); Tonghini and Henderson (1998); Milwright (2005).

exception of *zakāt* on long-distance trade. Johansen concluded that the tax regulations that were actually applied have to be reconstructed from historical sources.

How did the Saljūq state, and then the Zangīd and Ayyūbid governments, finance themselves? The army lived mostly from dues on agricultural production in the *iqṭāʿ*-regions. The land taxes, *kharāj*, were given directly to the *muqṭāʿ*, the holder of an *iqṭāʿ*, who were entitled to receive it. In most cases the dues were probably paid directly in kind for the consumption of the troops and their horses and animals. The government, however – according to Nizām al-Mulk, the political architect of the Saljūq empire –, needed cash income, to pay the urban administration, to finance building activities and to support the elite troops. The latter were needed to curb the centrifugal forces, inherent in the *iqṭāʿ* system. The state had to skim urban economic activities to obtain the necessary cash income. Only in the cities was cash widespread and available for taxation. In the Saljūq period several new dues and taxes were developed or old ones applied in adapted forms: in the period concerned, complaints about dues and frequent references to them in the chronicles are indicative of their creative application by the Saljūqs on the one hand, and of renewed self-confidence among the jurists and theologians on the other.

Among the dues which were illegitimate according to Islamic law, the most important source of cash income for the state were the *mukūs*, excises, and the *ḥaqq al-baiʿ*, the fiscal “claim on sale”. The *mukūs* were constructed similarly to the *zakāt* on commodities in long-distance trade. *Mukūs* were tolls to be paid when a merchant left a city or a district with his merchandise. The *ḥaqq al-baiʿ*, on the other hand, was the collective name for several different intra-urban dues on sales. The earliest references are from Saljūq Baghdad and date from the early sixth/twelfth century. For Syrian cities this term was mentioned first in the early seventh/thirteenth century; however, this kind of due can be traced back under different names such as *rusūm* (decreed dues), to the period of Nūr al-Dīn Maḥmūd and even earlier.

From a religious and legal point of view the abrogation of illegitimate dues was a laudable merit for any ruler, and such events are therefore mentioned repeatedly in eulogizing chronicles. Conversely the introduction of illegitimate dues was rarely mentioned and, if it was, then it was done usually along with the resulting urban unrest. Reports from the Saljūq, Zangīd and Ayyūbid periods about the abrogation or reduction of illegitimate dues were frequent. The frequency of the reports on abrogations seems in fact to be more meaningful historically than the actual content of their annihilation.⁶

III. The due to finance the tribute to the Kingdom of Jerusalem

In addition to the *mukūs* and the *ḥaqq al-baiʿ* several other dues were also occasionally mentioned. The Damascene theologian and chronicler Abū

6 About the fiscal system and innovations of the Saljūqs, see in detail Heidemann (2002), 297–353 (chapter IV: Die wirtschaftspolitischen Instrumente).

Shāma (d. 665/1267) noted the abolition of dues in his general eulogy on the Zangīd ruler Nūr al-Dīn Maḥmūd. Without being explicit he referred mainly to the tax abrogations after a series of devastating earthquakes in the years 551–553/1156–58.⁷ However, in the case of Damascus, the fact of the abrogation presumably goes back to the period immediately after Nūr al-Dīn Maḥmūd’s conquest of the city in 549/1154.⁸ I quote the key passage in its entirety and literally, in order to discuss one philologically problematic term for a due:

And he made the illegitimate dues and excises (*al-ḍarāʾib wal-mukūs*) flat (*ṣafaḥa*⁹) [i.e. he lowered them] for the entirety of the travellers (*al-musāfirīn*, i.e. travelling merchants) and for all Muslims. And he dropped them [i.e. the dues] from his tax registers (*asqaṭahā min dawāwīnihī*), and he forbade any longing for them [i.e. the dues] and any intention towards them, in order to avoid their sin (*tajannuban l-ithmihā*) [which is connected with the collecting of these illegitimate dues] and to accept their reward (*iktisāban thawābahā*) [which is connected with their abrogation]. The amount, which he granted (*mablagh mā sāmaḥa*¹⁰ *bihī*) and from which he detached himself and for which he accomplished the order following the Book of God and the Practice of the Prophet, was for every year in pure gold (*min al-ʿain*) 156,000 dīnārs, and that was from Aleppo 50,000 dīnārs, from ʿAzāz from the *maks*, which was renewed for the travellers by the Franks – may God abandon them –, 10,000 dīnārs, from Tall Bāshir 21,000, from al-Maʿarra [Maʿarrat al-Nuʿmān] 3,000, **from Damascus, the well guarded [by God], 20,000 dīnārs – because her population requested him [Nūr al-Dīn Maḥmūd] for help and those within her [i.e. the population of Damascus under the Būrīds] called for assistance out of fear for themselves and their property (*amwāluhā*), because of the appropriation [of it] by the enemy (*istilāʾ al-ʿadūw*) and because he [the enemy] weakened [the Damascenes] for resistance against what he had been taken from them every year; this is the decreed due (*rasm*), which**

7 Ibn al-ʿAdīm, *Zubda* II, 308, reported for the year 552/1157 a tax exemption of the *mukūs* amounting to 150,000 Dīnārs, which is close to the figure given by Abū Shāma. So the citation can be related mainly to abrogations of this particular year. Heidemann (2002), 333.

8 Abū Shāma usually drew his information for this period from Ibn al-Qalānīsī. However, there is no corresponding passage in the only existing manuscript of Ibn al-Qalānīsī’s *Dhail*. Ibn al-Qalānīsī, and following him Abū Shāma, reports the abolition of intra-urban dues on several occasions, so in 549/1154 (Ibn al-Qalānīsī, *Dhail*, ed. Amedroz, 329; ed. Zakkār, 505–06; trans. Gibb, 321; trans. Tourneau, 343–4), and in 553/1158 (Ibn al-Qalānīsī, *Dhail*, ed. Amedroz, 352–3; ed. Zakkār, 538–9; Abū Shāma, *Raudatain*, ed. Cairo I, 121; ed. Muḥammad Aḥmad I/1, 302–03; ed. Zaibaq I, 379–80). Elisséeff (1967) III, 804.

9 Whether *ṣafaḥa*, literally “to flatten” or “to lower”, means here the abrogation of the amount, or whether the text only implies “flat” or “reduced” tax rates, can be left undecided here. See in comparison the passage in Ibn al-ʿAdīm, *Zubda* I, 214, with the discussion in Heidemann (2002), 336.

10 Compare for the use of the word *sāmaḥa* Ibn al-ʿAdīm, *Zubda* II, 202. See also the citation of Ibn al-ʿUmarī (n. 74).

they call *'LFSHIT* – from Ḥimṣ 26,000 dīnārs, from Ḥarrān 5,000 dīnārs, from Sinjār 1,000 dīnārs, from al-Raḥba¹¹ 10,000 dīnārs, and the tribute of the Bedouins (*'idād*¹² *al-ʿarab*). [Then Abū Shāma continues with the expenditures of Nūr al-Dīn Maḥmūd for charitable foundations, scholars, travellers and poor people.]¹³

What kind of decreed due, *rasm*, did Abū Shāma term *'LFSHIT*? It is obviously a financial matter within the relationship of the principality of Damascus to the Kingdom of Jerusalem. The grapheme, *rasm*, of the term is interpreted differently by the editors of the text. The reason for the differing interpretations lies in the fact that this word and therefore its meaning has no lexical definition. One editor, Muḥammad Aḥmad, rendered the term as *'LQShHIT*¹⁴ and another, al-Zaibaq, in contrast as *'LFSHIT*. Al-Zaibaq suggests a contemporary expression in the Damascene dialect, without further explanation (*kalima ʿammīya*). Whether the first two letters indicate a definite Arabic article or are part of a foreign term can be left open at this point.

The best documented and almost contemporary reference is to be found in the chronicle of Ibn al-Qalānisī (c. 465–555/1073–1160). He was employed in the chancellery of Damascus (*dīwān al-rasāʿil*), where he became director (*ʿamīd*), and later continued as *raʿīs* of Damascus, head of the urban militia (*aḥdāth*).¹⁵ He died in 555/1160. He was in an official position when decrees were issued in Damascus concerning the *'LFSHIT*. The only existing manuscript of his chronicle in the Bodleian Library provides a vocalization for the term on two occasions (Figures 1 and 3). The manuscript itself dates from more than eighty years after the events to the year 629/1232. And even a given vocalization can be contingent on a foreign term and name. Ibn al-Qalānisī, and following him Abū Shāma, writes about a decree issued by the Būrīd ruler of Damascus Mujīr al-Dīn Abaq (r. 534–549/1140–1154). It was read out after the prayer from the

- 11 A repeated abrogation of the *mukūs* in his realm with special reference to al-Raḥba for the year 582/1186–87. See Abū Shāma, *Rauḍatain*, ed. Cairo II, 69; ed. Zaibaq III, 252.
- 12 Plural form *fiʿāl* of *ʿadad* (estimation); compare for the general meaning “estimation” de Goeje (1879), 296. The plural with the specific meaning of “tax estimation” or “dues of the nomads” is found several times in similar contexts. Compare the lists of tax income of Ayyūbid cities in Ibn Shaddād, A ʿlāq I/1, 150–51 (Aleppo); A ʿlāq III, 99–100 (al-Ruhā). Eddé (1999), 598 translates it with “tribut”.
- 13 Abū Shāma, *Rauḍatain*, ed. Cairo I, 16 (*'LFSHIT*); ed. Muḥammad Aḥmad I/1, 38–40 (*'LQShHIT* in the Copenhagen manuscript, *'LFSHIT* in the Cairene manuscript); ed. Zaibaq I, 70–71 (*'LFSHIT*). Heidemann (2002), 335–7. For a different interpretation see Lev (2004), 228, who sees religious rather than economic reasons for the abrogation.
- 14 Only Adolf Wahrmund (1898), I, 492, provides a meaning for the word *al-qishsha*. As it is obviously a colloquial expression (of about 1900) it is not appropriate in this context. He mentions for *qishsha* “little girl” or “small female ape”.
- 15 Cahen, Claude: Ibn al-Qalānisī, in: EI² III, 815; Cahen (1940), 38–40; Elisséeff (1967), I, 9–11.

minbar in the Umayyad mosque in Damascus on Friday, Rajab 9, 544/ November 11, 1149. The decree dealt with

[...] the abrogation of the *al-fissa* [*kasrā* and *shadda* are given in the manuscript, fig. 1] which was levied from the subjects, the annihilation of its [i.e. the tax] regime, and the obliteration of its decree (*rasmuhā*), and the abrogation of the house of taxation (*dār al-ḍarb*¹⁶).¹⁷

بَابُاطَالِ الْبَيْتِ

Figure 1. Ibn al-Qalānīsī, Dhail, ms. Bodleian Library, fol. 166 recto.

In the stone depot of the Umayyad mosque in Damascus in 1945 Henri Sauvaget discovered a fragment of an inscription which obviously refers to this abrogation in the year 544/1149. This primary document for the term *'LFSHIT* reads in the first line (Figure 2):

He ordered the abrogation of the (*'L*-)*FSHIT*
(...*ama*)*ra* (*bi*-)*izālat* (*'L*-)*FSHIT* [...].¹⁸



Figure 2. Inscription of 544 h., first line, from Sauvaget (1947).

Henri Sauvaget noticed three little teeth in the middle of the grapheme, *rasm*, of the term concerned. All three teeth are of equal length, thus excluding any reading of three different “one tooth”-letters. This suggests a *sīn* or a *shūn*. However, Sauvaget followed the emendation by Henry F. Amedroz and so, later, did Suhail Zakkār in his edition of the chronicle. Amedroz and Zakkār emended the clearly spelled and vocalized term of the manuscript into *al-fai'a*, although *al-fai'a* has only two “teeth” in the

16 In this context *dār al-ḍarb* does not mean a “mint”, but “house of taxation”. For a discussion of this term and the contexts in which it is used see Heidemann (2002), 329–30 n. 122. The translator Tourneau, 309, saw the problem as well and translated “et supprimant l’hôtel de la monnaie (sic)”.

17 Ibn al-Qalānīsī, Dhail, Bodleian Library, fol. 166r: (*bi-ibtālī l-fissati l-mustakhrajati mina l-raʿiyati wal-izālātī hukmihā wa-taʿfiyati rasmihā wa-ibtālī dāri l-ḍarb*). Compare the editions of Amedroz, 307 (*al-fai'a*), and Zakkār, 476 (*al-fai'a*); Tourneau, 309, translates it simply as “tax”. Compare also Mouton (1994), 220–24, on 224, esp. n. 122, who notes this tax as *al-fai'a* on the basis of the same text. Later Abū Shāma follows Ibn al-Qalānīsī; Abū Shāma, *Raudatain*, ed. Cairo I, 64 (*'LFSHIT*); ed. Muḥammad Aḥmad I/1, 164 (*'LFSHIT*); ed. Zaibaq I, 223 (*'LFSHIT*).

18 Sauvaget (1947), 16–31, here 27.

middle of the word. Sauvaget declared then that the three teeth are a mere typo for *al-fai'a*.¹⁹ The subsequent translation by Roger de Tourneau²⁰ and the study of the history of Damascus by Jean-Michel Mouton²¹ took this reading for granted. The *rasm* of the inscription and the vocalization of the two occurrences of this term in the only existent manuscript in the Bodleian library advocates unmistakably: *al-fissa*.

Furthermore the emendation of the term to *al-fai'a* does not seem to be conclusive. Firstly, the feminine form as *al-fai'a* is not used in any other fiscal contexts so far as I know, not even as *nomen unitatis* of *al-fai'*.²² Secondly, *fai'* has the general meaning of tribute, tax or governmental annual revenue²³ used in the 'Abbāsīd²⁴ and Būyīd²⁵ period. In the early period of the Islamic conquest it was used mainly to denote war tribute, booty or loot from non-Muslim enemies. Given the general sense and the development of the term, it would be strange to assume a meaning of tribute which ought to be handed over to the Kingdom of Jerusalem, which was governed by Christians.

IV. *Al-fissa* in the year 526/1132

The earliest reference to the due *al-fissa* is found for the year 526/1132, levied in Damascus without, however, explicit reference to payments due to

Figure 3. Ibn al-Qalānīsī, Dhail, ms. Bodleian Library, fol. 128 verso.

- 19 Sauvaget (1947), 15, 25. Compare a different inscription about a decree on tax exemptions in Khartabirt from the year 561/1165–6, Henri Sauvaget reads the term again as *fai'a*, but with a question mark (On lira donc à la ligne 1: [الفَيْسَةُ]) (avec une indentation de trop): c'est cette lettre parasite qui rendait tout d'abord le mot méconnaissable). The clearly visible part of the grapheme corresponds only to a سه, but the teeth have different lengths indicating different letters. Thus *al-fai'a* as well as 'LFSH/T can be safely excluded for this inscription. On this inscription see also Van Berchem (1907), 142–6.
- 20 Trans. Tourneau, 200, 309.
- 21 Mouton (1994), 220–21 n. 122, 224. Yared-Riachi (1997), esp. 221–2, in her book on the foreign relation of the principality of Damascus skipped this term. Also Elisséeff (1967), III, esp. 802–05, did not mention the *fai'a* or *al-fissa*.
- 22 For *nomen unitatis* see Brockelmann (1987), 81–2. Gerhard Wedel, Berlin, was so kind as to conduct a search run in his database of classical Arabic texts. The term *fā'a* or FY'T/H occurred in 21 cases only as variant spelling of *fī'a*, group. *Fai'a* can also mean “hard date-stones” or a synonym for *hīna*, meaning in general “time”; Lane (1863–1894), 2468. In addition Dozy gives the meaning of “return to obedience”, coming from the verb *fā'a*; Dozy (1881), II, 292. And Ibn Qudāma uses it to mean a sexual relation, being a synonym for *jimā'*; Ibn Qudāma, 'Umda, trans. Laoust, 192.
- 23 Løkkegaard (1950), 44–8; Frede Løkkegaard: Fay', in EI² II, 869–70. Compare Elisséeff (1967), III, 802.
- 24 Compare *fai'* as tax-revenue under Hārūn al-Rashīd in the year 191/806–07; Ṭabarī III, 727; trans. Bosworth, 286.
- 25 Letter by the Caliph to the Būyīd 'Izz al-Daula Abū Maṣṣūr in Wāsiṭ from the year 363/974. Hachmeier (2002), 171–2, 328 l. 24 (*māl al-fai'*, letter no. 215). I am grateful to U. Hachmeier for this information.

the Kingdom of Jerusalem. It occurred in a eulogy by Ibn al-Qalānīsī about tax abrogations by the Damascene ruler Shams al-Mulūk Ismāʿīl ibn Būrī (r. 526–529/1132–35). After the assassination of his father on Tuesday Rajab 21, 526/June 6 1132,²⁶ Shams al-Mulūk decreed the abrogation, probably in order to appease any public unrest, usually connected with a transfer of power:

And he opened the course of his rule with the observation of the conditions of the subjects and the people who barely make a living (*mutaʿayyishūn*)²⁷ by lifting from them what used to be taken from them every year of the tax instalments of *al-fissa* (*aqsāt*)²⁸ *al-fissa*, the *kasrā* and *shadda* are given in the manuscript, figure 3). And he abolished its enactment and forbade its obtaining. He terminated its regime and he compensated the persons in possession of the *ḥawālas* (*arbāb al-ḥawālāt*) entitled to it [i.e. the obtaining of *al-fissa*] by other means. So the prayers for him multiplied and the praise of him continued. And that happened in Rajab 526 [May–June 1132].²⁹

Ibn al-Athīr wrote about a hundred years later in Mosul using the Dhail of Ibn al-Qalānīsī as his source. He did not mention *al-fissa* in the parallel paragraph concerned with the transfer of power in Damascus. One may suspect that he no longer understood the term.³⁰ Ibn al-Qalānīsī gives some additional valuable information. *Al-fissa* was an intra-urban due. It was neither primarily levied on merchants engaged in long-distance trade (*mukūs*) nor from retailers in the *sūq* which were due to the fiscal “claim on sale” (*ḥaqq al-bai*). However, even people who barely made a living (*mutaʿayyishūn*) were liable for this due. Bills of exchange, *ḥawālāt*,³¹

26 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 233; ed. Zakkār, 370; trans. Tourneau, 198. Yared-Riachi (1997), 171–2.

27 For the meaning see Lane (1863–94), 2211.

28 Compare Dozy (1881), II, 344. For the use of this term see Ibn al-Azraq, Tārīkh, ed. ʿAwaḍ, 275 (Shawwāl 502/May–June 1109); Ibn al-Azraq, Tārīkh, ed. Hillenbrand, 149–50; trans. 34–5 (512/1118). Heidemann (2002), 350–51.

29 Ibn al-Qalānīsī, Dhail, Bodleian Library, fol. 128v; ed. Amedroz, 234–5; ed. Zakkār, 372 (*wa-ftataḥa amra l-siyāsati bi-nazri fī-amri l-raʿīyati wal-mutaʿayyishīna, bi-an rafāʿa ʿanhum mā kāna yustakhrāju minhūm fī kullī sanatin min aqsāti l-fissati wa-abṭala rasmahā wa-ḥazara tanāwulahā wa-azāla ḥukmahā wa-ʿawwada arbāba l-ḥawālāti ʿalaihā bi-jihāti ghairihā, fa-kathura lahu l-duʿāʾu wattaṣila ʿalaihī l-thanāʾu, wa-dhālika fī-rajaba sanati sittin wa-ʿishrīna wa-khamsi miʿatin*). For a different translation see Gibb, 212 and Tourneau, 200. There was no interruption in the relationship between the principality and the Kingdom in 526/1132 because Ismāʿīl ibn Būrī continued his father’s policy of a contractual *modus vivendi*; compare Köhler (1991), 169–70.

30 Ibn al-Athīr, Kāmil X, ed. Tornberg, 478–9; ed. Beirut, 680.

31 According to Islamic law *ḥawāla* generally means a written “transfer of obligation”. A wrote a mandate for B to collect the money from C, who is in debt to A; in other words A assigned the payment, to which C is obliged to a third party B; Schacht (1964), 148–9; A. Dietrich: *Ḥawāla*, in: EI² III, 283. In the Saljūq period it specifically denotes a draft effected by the ruler on a tax-farmer in favour of a third party; Grasshoff (1899), 37–62; Løkkegard (1950), 63–4; Halim Inalcık: *Ḥawāla*, in EI² III, 283–5.

gave the legal title for obtaining *al-fissa*. In 526/1132 the ruler reimbursed the *arbāb al-ḥawālāt* from other sources, presumably from the state coffers.³²

After the end of an armistice, the crusaders of Jerusalem twice attempted in vain to conquer Damascus in Dhū l-Ḥijja 519/January 1126 and again in Dhū l-Qaʿda 523/November 1129.³³ However, diplomatic exchanges must have been resumed soon afterwards, probably in order to secure commercial caravans in southern Syria. This becomes apparent in 527/1132. The lord of Beirut had seized valuable goods from Damascene merchants (*tujjār*) in violation of a mutual security agreement (*al-muwādaʿa al-mustaqarra*).³⁴ This otherwise unknown agreement is further evidence of the manifold relations between Jerusalem and Damascus.

Who were these *arbāb al-ḥawālāt*? Within the same political tradition but seventy years later, in the period of the Khwārazmshāh Ghiyāth al-Dīn Pīrshāh (reigned in ʿIrāq al-ʿAjam 618–627/1221–30), *aṣḥāb al-ḥawālāt* were proprietors of tax remittances. They have paid in advance a certain amount to the treasury for these claims. These *ḥawālas* entitled them to receive the tax money from a *mustaufī*, a tax collector of a certain tax district.³⁵ Another example refers to Damascus in the year 649/1251–52, merchants (*tujjār*) were carrying *ḥawālas* issued by the Mongol general Baijū Nūyān and presented them to the Ayyūbid ruler of Damascus, to demand the payment of tribute due to the Mongol empire. The merchants maintained that the Ayyūbid ruler had agreed to pay a tribute to the Mongols years previously.³⁶

Who issued these bills of exchange for dues in Damascus? If one takes a relationship between the due *al-fissa* and the Kingdom of Jerusalem for granted, then as with the events of the report of 544/1149, institutions in the Kingdom of Jerusalem were probably issuing those *ḥawālas* to merchants paying for them in advance. As with the Mongol case, the *arbāb al-ḥawālāt* might be merchants engaged in trade between Jerusalem and Damascus. They were entitled to receive the *fissa* from those responsible for its collection in Damascus. The reasons for the *fissa* were previous treaties between Jerusalem and Damascus. The ruler of Damascus issued a decree, *rasm*, which obliged the population of Damascus to pay for the collection of the tribute.

32 Compare Mouton (1994), 224. He understood the term as *al-fai'a* according to the editions as a due for financing court officials (les revenus de la *ḥay'a*, [...] servaient à payer les pensions des membres de la cour). He based his suggestion on the above cited passage. Presumably he saw the term *arbāb* as meaning “court members”.

33 Ibn al-Qalānisī, Dhail, ed. Amedroz, 212–13, 224–6; ed. Zakkār, 339–40, 356–60; trans. Gibb, 174–7, 195–200; trans. Tourneau, 164–7, 184–7. Richard (1979), 33–5; Hoch (1993), 27–31.

34 Ibn al-Qalānisī, Dhail, ed. Amedroz, 236–7; ed. Zakkār, 375; trans. Gibb, 215–16; trans. Tourneau, 203–04. Hoch (1993), 27–31; Köhler (1991), 169. However, skirmishes at the border were customary; Richard (1979), 35–6.

35 Horst (1964), 37, 74–5, 108. Compare as well p. 77 (*arbāb ḥawālāt-i dīwānī*).

36 Ibn Shaddād, A ʿIrāq III, 237–8.

V. The historical context of the year 544/1149

Most of the historical information about *'LFSH/T* or *al-fissa* is connected with the abrogation of the year 544/1149. It affected the obligation of the Damascene population to the Kingdom of Jerusalem according to the above-quoted eulogy by Abū Shāma. The historical context reveals the history of Damascene financial obligations to Jerusalem.

In the years preceding 544/1149 the Atābakīyat Damascus was wedged between the competition of the Zangīd principality in the north and the Kingdom of Jerusalem in the south-west for hegemony.³⁷ Since the time of the Būrīd amīr Ṭughtakīn (r. 522–526/1128–32) one goal of the numerous treaties with the Franks was to establish security for the trade routes. This security was necessary for the passage of caravans, to obtain cash, excises, the *mukūs*, from these merchants. With the rise of 'Imād al-Dīn Zangī's power in Syria and his pressure on Damascus, mutual military assistance between Damascus and Jerusalem was added. Nūr al-Dīn Maḥmūd later continued to pursue his father's policy for hegemony over the Atābakīyat Damascus within the general schedule of his war against the crusaders.

Most important for the issue at hand is the period of close contractual relations between the principality of Damascus and the Kingdom of Jerusalem, from 534/1140 until the conquest of Damascus by Nūr al-Dīn Maḥmūd in 549/1154. After the death of the short-reigned Jamāl al-Dīn Muḥammad ibn Būrī (r. 533–534/1139–1140) on Friday Sha'ḅān 8, 534/the night between March 28–29, 1140, Damascus came under the nominal rule of Abū Sa'īd Mujīr al-Dīn Abaq (r. 534–549/1140–1154), while executive power lay in the hands of his wālī Mu'īn al-Dīn Unur. Being menaced by 'Imād al-Dīn Zangī's advance from the north, the Būrīd lord sought an alliance with the Kingdom of Jerusalem. The subsequent treaty of that year included payments in cash for the Kingdom (*māl mu'ayyan; ilaihim al-māl*). Hostages, among them relatives of the Damascene leaders (*rahā'in min aqārib al-muqaddimīn*), were sent to Jerusalem in order to guarantee that payments would be made. William of Tyre reported that for the necessary relief expedition for Damascus, Mu'īn al-Dīn Unur agreed to pay 20,000 dīnār per month to cover the Frankish expenses.³⁸ The relationship between Damascus and Jerusalem now became legally formalized to such an extent that even crusaders' violations of the truce could be adjudicated at the royal court of Jerusalem.³⁹ Also in this period between 1140 and 1144, the wālī of Damascus Mu'īn al-Dīn Unur visited 'Akkā and Ṭabarīya accompanied by the famous man of letters and nobleman Usāma ibn Munqidh (488–584/

37 For an overview of Damascene–Frankish relations see Mouton (1994), 49–93.

38 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 272; ed. Zakkār, 426; trans. Gibb, 259–60; trans. Tourneau, 256–7. Wilhelm, *Historia* XV.VII, 684 (668–669); trans. Babcock and Kray II, 105–06. Elisséeff (1967), II, 370–71; Köhler (1991), 186, 192–3; Mouton (1994), 56, 71; Hoch (1993), 36–41. For the political situation see Richard (1979), 37.

39 Usāma ibn Munqidh was able to claim reimbursement for stolen livestock at the court in Jerusalem. The Muslim owner of the sheep was compensated for the losses in his herd; Ibn Munqidh, *I'tibār*, ed. Hitti, 64–5; trans. Preissler, 101–02; Köhler (1991), 190; Hoch (1993), 40.

1095–1188).⁴⁰ The alliance with Jerusalem secured Damascus almost seven peaceful years.

The first changes in the balance of power occurred after the assassination of ʿImād al-Dīn Zangī in Rabīʿ II 541/September 1146. Damascus and Jerusalem were relieved of their common powerful aggressive foe in the north. His son Nūr al-Dīn Maḥmūd succeeded him in Aleppo, but was subordinate to his elder brother in Mosul. Nūr al-Dīn Maḥmūd held sway over only half of his father's realm. As soon as possible Damascus reconquered Zangīd-held Baʿlabakk in the Biqāʿ valley in order to secure its northern region. This political situation allowed the Kingdom a more aggressive policy towards Damascus, probably still within the formal framework of the truce. After the conquest of Baʿlabakk, Mujīr al-Dīn Unur attempted a reconciliation with Nūr al-Dīn Maḥmūd. Mujīr al-Dīn Unur handed the assassin of Zangī into the hands of his son, concluded a contract (*kitāb al-ʿaqd*) and married his daughter to Nūr al-Dīn Maḥmūd in Shawwāl 541/March 1147. Although Mujīr al-Dīn Unur sought equidistance to his northern and southern neighbours, the reconciliation was menacing for the Kingdom of Jerusalem.⁴¹

Three external events changed the further course of events, but not the basic structures underlying these relations: the rebellion of the governor of Bosra in 541–542/1147, the advance of the Second Crusade in 543/1148 and renewed Zangīd expansion towards southern Syria in the aftermath.⁴² The alliance with Jerusalem was disturbed at the end of 541, beginning of 542/early in 1147. The governor of the Ḥaurān, Altuntāsh, attempted to cede Bosra and Salkhad⁴³ to the Kingdom of Jerusalem in exchange for personal compensation. Mujīr al-Dīn Unur was able to settle the issue with the Kingdom of Jerusalem after negotiation and reimbursement of military expenses. Nevertheless, the analysis of this incident by Michael Köhler shows that even in this military conflict both sides formally obeyed the truce as well as the legal procedures established in 534/1140 in the case of a military conflict.⁴⁴

The year 543/1148 saw the advance of a new crusader army from Europe via Constantinople and Asia Minor into Syria and Palestine.⁴⁵ It disturbed

40 Ibn Munqidh, Iʿtibār, ed. Hitti, 137–8; trans. Preissler, 173–4. Köhler (1991), 190–91; Hoch (1993), 40; Mouton (1994), 57–8.

41 Ibn al-Qalānisī, Dhail, ed. Amedroz, 287–9; ed. Zakkār, 449–50 (citation); trans. Gibb, 272–6; trans. Tourneau, 279–81. Elisséeff (1967) II, 403–06; Köhler (1991), 293; Hoch (1993), 90–94, 146–7; Hoch (1996), 363; Hoch (2001), 182. In contrast to Köhler's "equidistance", Hoch emphasizes the contract with Aleppo as a "de facto" abrogation of the treaty of alliance with the Latin kingdom".

42 See the detailed analysis of the relationship by Köhler (1991), 195–6.

43 Michael Meinecke, Şalkhad, in EI² VIII, 994–6.

44 Ibn al-Qalānisī, Dhail, ed. Amedroz, 289–90; ed. Zakkār, 450–3; trans. Gibb, 275–9; trans. Tourneau, 281–4. Wilhelm, Historia, XVI.VIII, 723–6 (715–17); trans. Babcock and Kray II, 146–9. Köhler (1991), 196–200 (focuses on the legal issues); Hoch (1993), 96–101 (concentrates on the political issues); Mouton (1994), 57; Yared-Riachi (1997), 209–10; Meinecke, Aalund and Korn (2005), 15. The last three references offer only brief overviews.

45 For a brief overview of this crusade see Berry (1969); however, he does not give sufficient analysis of Muslim–Frankish relations. See also Elisséeff (1967) II, 410–23

again the uneasy balance of power in the south adjusted only a year before. The attack was directed towards Damascus.⁴⁶ After some days of siege warfare in Rabī‘ I 543/July 1148, the siege of Damascus was lifted. It had failed.⁴⁷ After the siege and even though religious feelings were unleashed for the purpose of war, Unur was still interested in occasional alliances in order to curb the hegemony of Nūr al-Dīn Maḥmūd in southern Syria.

At the end of the year 543–beginning of 544/April–May 1149, Mu‘īn al-Dīn Unur of Damascus conducted raids from the region of the Ḥauran into the Kingdom of Jerusalem in response to their disregard of the armistice. Probably inspired from both sides, he finally asked for “a renewal of the truce and a reconciliation for some stipulated amount of money (*tajdīd ‘aqd al-muhādana wal-musāmaḥa bi-ba‘d al-muqāṭa‘a*)”. It was concluded in Muḥarram 544/May–June 1149 for a duration of two years. The truce was probably meant to be effective only between Damascus and Jerusalem, namely the parties concerned.⁴⁸ Therefore in Ṣafar 544/June 1149, Mu‘īn al-Dīn Unur supported his son-in-law Nūr al-Dīn Maḥmūd with some troops during military operations in the region of Antioch, whereas he himself

(from a Zangīd point of view with a detailed description about the site of the siege); Yared-Riachi (1997), 211–16 (from a Damascene point of view).

- 46 On the geo-strategic reasons for the choice of Damascus see Hoch (1993), 85–90; (1996). On the decision process for Damascus see the still current analysis by Hiestand (1979), 83–93.
- 47 Ibn al-Qalānisī, Dhail, ed. Amedroz, 298–300; ed. Zakkār, 462–4; trans. Gibb, 282–7; trans. Tournau, 295–8. Ibn al-Athīr, Kāmil XI, ed. Tornberg, 85–9; ed. Beirut, 129–31. According to Michael the Syrian, the Damascenes had attempted to bribe Baldwin III and the prince of Ṭabarīya with gold-dīnārs to split the crusaders. These dīnārs turned out to be fourées or subaerati, with copper inside; Chronicon 1234, vol. II, 117; trans. 88: Michael XVII.VI, trans. Chabot, 276. Also Wilhelm, Historia XVII.VII, 768–9; trans. Babcock and Kray II, 193–5, mentions payments (*pecunia*) of Damascus as the reason for lifting the siege. Although there might possibly be treason involved, this incident is presumably fictitious and might echo the usual payments to Jerusalem. Niederkorn (1987), 65–6 did not exclude payments, but does not see them as decisive in the outcome of the siege. Hiestand (1979), 90–93 made important arguments that the King of Jerusalem took the initiative for the decision to go for Damascus. Obviously strategic priorities and chances outweighed the intention of maintaining good relations between neighbours. Forey (1984) argues strongly against any conspiracy theory, and simply stresses military failure as a cause. According to most sources, one reason was the split between the Franks of Jerusalem and those from the west. Niederkorn and then Michael Köhler argue that one reason for the split and failure might be the unwillingness of the Franks in Jerusalem to permit the creation of a Frankish principality in Damascus, for which possibly the newly arrived European crusader Thierry of Flanders was designated. Damascus was much larger and economically stronger and it would soon overshadow Jerusalem as the established centre of Latin Christendom. Here, the interests of the Kingdom of Jerusalem and the Principality of Damascus might have met; Niederkorn (1987), 67–8; Köhler (1991), 197–212. For a further discussion of different opinions on the failure see Hoch (1993), 126–33; (2001).
- 48 Ibn al-Qalānisī, Dhail, ed. Amedroz, 303–04; ed. Zakkār, 471–2; trans. Gibb, 289–90; trans. Tournau, 303–04. Köhler (1991), 213; Hoch (1993), 146; Hoch (2001), 188. For more detail about the raids see Ibn al-‘Adīm, Zubda II, 298–9.

stayed behind in the Ḥaurān.⁴⁹ At the end of Rabīʿ I 544/beginning of August 1149 Muʿīn al-Dīn Unur returned to Damascus.

Muʿīn al-Dīn Unur died unexpectedly, after a brief illness, in the night to Monday, Rabīʿ II 23, 544/on Sunday evening August 28, 1149 in Damascus. A power struggle soon arose, and Mujīr al-Dīn Abaq, formerly under the tutelage of Muʿīn al-Dīn Unur, tried to take the direction of affairs into his own hands. This sudden change in power provoked unrest within the city. This was the situation in which Mujīr al-Dīn Abaq heralded tax exemptions including the abolition of *al-fissa* on Friday, Rajab 9, 544/November 11, 1149.⁵⁰ This time *al-fissa* have been connected with the agreed payment of a certain amount of money from Muḥarram 544/May–June 1149. These tax exemptions were most prominently announced in the inscription of the Umayyad mosque (fig. 2). They were one of the measures intended to safeguard his power. The Franks used the situation in Damascus for repeated raids into the Ḥaurān. With the death of his brother Saif al-Dīn Ghāzī in Mosul in Jumādā II/September 1149, a strengthened Nūr al-Dīn Maḥmūd saw an opportunity to intervene in the Ḥaurān under the pretext of the *jihād* in the following year. He called up the amīrs of Damascus to join his *jihād*. In Dhū l-Ḥijja 544/April 1150 he traversed the plain of the Biqāʿ towards Damascus. Meanwhile Mujīr al-Dīn Abaq had again concluded a treaty with the Kingdom for mutual military assistance against any “army of Muslims”, (*ʿasākir al-muslimīn*) i.e. the menace of Nūr al-Dīn Maḥmūd from the north.⁵¹ The political situation was now almost the same as at the time of the treaty of 532/1140. According to Ibn al-Qalānisī, Nūr al-Dīn Maḥmūd criticized fiercely the renewed alliance against him, among other points for “[...] your expenditure of the wealth of the weak and poor of the population for them [i.e. the Franks]”.⁵² Close to Damascus, bad weather conditions forced Nūr al-Dīn Maḥmūd to withdraw. In Muḥarram 545/May 1150 Nūr al-Dīn Maḥmūd and Mujīr al-Dīn Abaq concluded a peace treaty (*sulḥ*). Abaq acknowledged formally the overlordship of the Zangīd ruler, documented by the inclusion of his name in the Friday prayer (*khutba*) and in the coin-protocol (*sikka*), while retaining the policy of equidistance towards Jerusalem and Aleppo.⁵³

About a year later in Muḥarram 546/April–May 1151, Nūr al-Dīn Maḥmūd again attempted to invade the principality of Damascus, accompanied by his *jihād* propaganda. He laid siege to the city.

49 Ibn al-Qalānisī, Dhail, ed. Amedroz, 304–05; ed. Zakkār, 472–5; trans. Gibb, 290–94; trans. Tourneau, 304–05. Hoch (1993), 146–7.

50 Ibn al-Qalānisī, Dhail, ed. Amedroz, 305–08; ed. Zakkār, 475–7; trans. Gibb, 294–6; trans. Tourneau, 306–10. Hoch (1993), 147. For a description of the political situation in Damascus see Havemann (1975), 89–90.

51 Ibn al-Qalānisī, Dhail, ed. Amedroz, 308; ed. Zakkār, 478 (*wa-qad kānū ʿāhadū l-ifrānǧa an yakānū yadan wāḥidatan ʿalā man yaqsidahum min ʿasākiri l-muslimīna*); trans. Gibb, 296; trans. Tourneau, 311.

52 Ibn al-Qalānisī, Dhail, ed. Amedroz, 308–09; ed. Zakkār, 478–80 (*wa-badhluḥum lahum amwāla ḍuʿafāʾi wal-masākīna mina l-raʿāyati*); trans. Gibb, 296–9; trans. Tourneau, 311–3.

53 See Ibn al-Qalānisī, cited above. Elisséeff (1967) II, 443–8; Köhler (1991), 214–5; Hoch (1993), 147–8; Hoch (2001), 189–90.

Damascus called aid from Jerusalem. This call for aid did not remain undisputed in Damascus. In Rabīʿ I/June troops from Jerusalem came to relieve Damascus and the Ghūṭa. On their approach they were ravaged by Nūr al-Dīn Maḥmūd's forces. When the remaining knights from Jerusalem finally reached Damascus, Nūr al-Dīn Maḥmūd withdrew. In the course of these events a great number of Franks entered the city in order to obtain supplies.⁵⁴ This was followed by joint, but unsuccessful, operations in the Ḥaurān and to Bosra, which seemed to be under the control of a rebellious governor. When the Frankish army returned to its territory in the last ten days of Rabīʿ I 546/end of June–beginning of July 1151, Ibn al-Qalānisī reports:

They [the Franks] demanded the rest of the stipulated [amount] (*al-muqāṭaʿa*) which should be given to them for the withdrawal of Nūr al-Dīn from Damascus.⁵⁵

On Thursday, Rabīʿ II 10, 546/July 26, 1151, Nūr al-Dīn Maḥmūd returned to Damascus and again concluded an agreement with Damascus.⁵⁶ Later in the year, in Rajab–Shaʿbān/October–November Muḥjir al-Dīn Abaq went to Aleppo acknowledging the overlordship (*tāʿa*) of Nūr al-Dīn Maḥmūd. Nevertheless Damascus was interested in good relations with Jerusalem as well.⁵⁷

Two years later in spring 548/1153 Nūr al-Dīn Maḥmūd planned for a joint attack on Jerusalem with Muḥjir al-Dīn Abaq in order to relieve the besieged city of Ascalon,⁵⁸ belonging at that time to the Egyptian Fāṭimids. However, the allies quarrelled among each other and the project failed. More than fifty years later the chronicler Ibn al-Athīr in Mosul stated that the alliance between Damascus and Jerusalem was responsible for that failure.⁵⁹ According to him, Damascus again owed a stipulated annual sum of money to the Kingdom of Jerusalem. He continues that the Franks used to enter Damascus to review Christian slaves, releasing those who wanted freedom, whether the owner agreed or not.

54 Ibn al-Qalānisī, Dhail, ed. Amedroz, 312–4; ed. Zakkār, 484–7 (*wa-waṣala minhum khalqun kathīrun ilā l-baladī li-qaḍāʾ hawāʾijihim*, ed. Zakkār, 487); trans. Gibb, 302–06; trans. Tourneau, 318–22.

55 Ibn al-Qalānisī, Dhail, ed. Amedroz, 314; ed. Zakkār, 488 (*yaltamisūna bāqīya l-muqāṭaʿati l-mabdhūlati lahum ʿalā tarḥīli Nūri l-Dīni ʿan Dimashq*); trans. Gibb, 307; trans. Tourneau, 322. Köhler (1991), 215; Hoch (1993), 149.

56 Ibn al-Qalānisī, Dhail, ed. Amedroz, 316; ed. Zakkār, 490 (a situation on the acceptance of the terms agreed upon; *al-ḥāli ʿalā qabūli l-shurūṭi l-muqtaraha*); trans. Gibb, 310; trans. Tourneau, 324.

57 Ibn al-Qalānisī, Dhail, ed. Amedroz, 315–16; ed. Zakkār, 489–91; trans. Gibb, 309–10; trans. Tourneau, 324–5. Elisséeff (1967) II, 462–71; Köhler (1991), 215; Hoch (1993), 149–50; Hoch (2001), 190–92.

58 For the strategic significance of Ascalon see Hoch (1993), 81–5.

59 Ibn al-Qalānisī, Dhail, ed. Amedroz, 318–21; ed. Zakkār, 495–7; trans. Gibb, 314–17; trans. Tourneau, 327–32. Ibn al-Athīr, Kāmil XI, 124–5; ed. Beirut 188–9 (without mentioning the Muslim relief forces in this passage). Elisséeff (1967), II, 474–81, esp. 479; Richard (1979), 40, goes so far as to speak about Damascus as a “Frankish protectorate”; Köhler (1991), 216; Hoch (1993), 150–51.

And they [the Franks] used to impose on its population [of Damascus] every year a stipulated sum (*qaṭīʿa*) which they took from them. Their messengers (*rusuluhum*) used to enter the city and take it from them.⁶⁰

Ibn al-ʿAdīm also knows about the annual stipulated sum (*qaṭīʿa*) paid to the crusaders for mutual assistance against Nūr al-Dīn Maḥmūd.⁶¹ William of Tyre⁶² reports that Damascus owed an annual tribute (*annua tributa*).⁶³ Those messengers might be the formerly mentioned *arbāb al-ḥawālāt*.

According to Ibn al-Athīr the Ascalon incident was the final reason for Nūr al-Dīn Maḥmūd's decision to capture Damascus. After cutting food and provisions to the city, Nūr al-Dīn Maḥmūd conquered the city on Sunday, Ṣafar 10, 549/April 25, 1154. According to the treaty of mutual assistance Mujīr al-Dīn Abaq had called the Franks in Jerusalem and paid money to them (*yabdhalu lahumu l-amwāl*), but it was, however, in vain. This latter fact about the payment was transmitted only by Ibn al-Athīr, who was biased in favour of Nūr al-Dīn Maḥmūd. Nevertheless, the reliability and value of the Damascene alliance policy is demonstrated by the fact that the knights of Jerusalem had already set out for the relief of Damascus.⁶⁴ After the occupation of Damascus, Nūr al-Dīn Maḥmūd abolished certain intra-urban dues, according to Ibn al-Qalānīsī⁶⁵ and Ibn al-ʿAsākir⁶⁶. But neither included *al-fissa* in their lists. We know the abrogation of *al-fissa* by Nūr al-Dīn Maḥmūd only from the aforementioned undated report of Abū Shāma.

Even after the conquest of Damascus, Nūr al-Dīn Maḥmūd had an interest in maintaining a regular contractual relationship with the Kingdom of Jerusalem. On Rabīʿ I 24, 550/May 28, 1155, Nūr al-Dīn Maḥmūd and Baldwin III concluded a security agreement (*muwādaʿa*); payments to Jerusalem probably also continued.⁶⁷ In Shawwāl 551/November–December 1156, the next security agreement and armistice (*al-muwādaʿa* and *al-muhādana*) was reached, for the duration of one year and with a

60 Ibn al-Athīr, Kāmil XI, ed. Tornberg, 130; ed. Beirut, 197 (*wa-kāna lahum ʿalā ahlīhā kulla sanatin qaṭīʿatan ya'khudhūnahā minhum, wa-kāna rusuluhum yadkhalūna l-balada wa-ya'khudhūnahā minhum*).

61 Ibn al-ʿAdīm, Zubda II, 304.

62 Hiestand (1978).

63 Wilhelm, Historia XVII.XXVI, ed. Huygens, 796 (803); trans. Babcock and Krey II, 225 (*ut tanquam subiectus annua tributa persolveret*). Köhler (1991), 216; Hoch (1993), 146; Hoch (2001), 192. Compare also Wilhelm, Historia XVI.VIII, 723–6 (715–17); trans. Babcock and Krey II, 146–9.

64 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 326–9; ed. Zakkār, 503–06; trans. Gibb, 318–21; trans. Tourneau, 339–44. Ibn al-Athīr, Kāmil XI, ed. Tornberg, 130–31; ed. Beirut, 197–8. Ibn al-ʿAdīm, Zubda II, 304–05 (following Ibn al-Athīr). Elisséeff (1967) II, 481–8; Köhler (1991), 219–20; Hoch (1993), 151; Hoch (2001), 193.

65 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 329; ed. Zakkār, 505–06; trans. Gibb, 321; trans. Tourneau, 343–4.

66 Ibn al-Asākir, Tārīkh, ed. Elisséeff (1972), 128, 137; Lev (2004), 224.

67 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 331; ed. Zakkār, 509; trans. Gibb, 322. Elisséeff (1967) II, 495–6; Köhler (1991), 222.

stipulated payment of 8,000 *dīnār šūrī*.⁶⁸ The armistice was concluded – according to Ibn al-Qalānīsī – to have an earlier beginning, namely in Sha‘bān (beginning September 19, 1156). It is likely that Nūr al-Dīn Maḥmūd needed this new truce because of the devastating effects of the first wave of earthquakes in Sha‘bān 551.⁶⁹

And the stipulated payment, which should be brought to them from Damascus were 8,000 *dīnār šūrī*.⁷⁰

Confidence in the due payment and its procedure was obviously lower than during the Būrīd period. The difference between it and the preceding routines seems to lie in the fact that the money was to be brought to Jerusalem directly, and no *ḥawālas* were issued or messengers sent. Michael Köhler concluded, in his study on the relationship between Jerusalem and Damascus in the period concerned, that Nūr al-Dīn Maḥmūd sought a peaceful relationship for a decade after his conquest of Damascus, so that he could concentrate his military power in the north. As far as it is possible to judge, all alliances between Damascus and Jerusalem came into being through the initiative of the respective rulers of Damascus and obliged only Damascus to pay in cash.⁷¹

About 200 years after these events, the Damascene author and distinguished administrator Ibn Faḍlallāh al-‘Umarī (d. 749/1349)⁷² served in the Mamlūk chanceries in Cairo and in Damascus. Retrospectively he wrote of the period of the crusades:

In those severe years the distress of the Muslims increased by them [the Franks] and hundreds remained, sometimes fewer and sometimes in excessive numbers, so that they [the Franks] stirred up the regions of Damascus from their dwelling places [those of the Muslims] and they compelled their population to disgraceful deeds in their religion. They imposed on them [a sum of] money (*māl*), which was apportioned (*furīda*) on the state coffers (*‘alā buyūt al-amwāl*), on the owners of property (*arbāb al-amlāk*), and on the merchants (*al-tujjār*). The kings of Syria used to claim it [the imposed due] and carry it to the Franks [it was done] in the way of a stipulated sum (*qaṭī‘a*). I know of a number of documents (*manāshīr*), registrations (*tawāqī‘*), and old lists (*jarāyid qadīma*), in which what was [imposed] on *iqṭā‘āt*

68 Gold bezants were struck in Akkon, and probably also in Tyre and perhaps in Jerusalem. They constituted the dominant gold coin in Bilād al-Shām (historical Greater Syria). The fineness of their alloy is about two thirds of gold. Heidemann (2002), 423–5; Heidemann (2007).

69 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 334–5; ed. Zakkār, 514; trans. Gibb, 326. Elisséeff (1967), II, 504; Köhler (1991), 222–3.

70 Ibn al-Qalānīsī, Dhail, ed. Amedroz, 336; ed. Zakkār, 515–16; trans. Gibb, 327 ([...] *wa-anna l-muqāṭa‘ata al-maḥmūlata ilaihim min Dimashqa thamānīyatu ālāfi dīnārīn šurīyatīn*).

71 Köhler (1991), 224, 227.

72 K. S. Salibi, Ibn Faḍl Allāh al-‘Umarī, in EI² III, 758.

and property with respect to the land-tax and to the [urban fiscal] claims (*min wujūh al-kharāj wal-ḥuqūq*) is referred to. It used to be written in them [the documents] about such and such and about the stipulated sum of the Franks (*qaṭīʿa al-Franj*). I have seen a register (*tauqīʿ*) by the *raʿīs* of Damascus Ibn al-Ṣūfī⁷³ that he gave generously (*musāmahatuhū*) what was on [or due to] his property (*milkuhū*) for the *qaṭīʿa al-Franj* [perhaps to relieve others]. The situation was in this way with the Franks in Syria.⁷⁴

Assessing the political situation and looking again at the passage about tax exemptions granted by Nūr al-Dīn Maḥmūd quoted at the beginning, we can summarize the *LFSH/T* – or *al-fissa* in Ibn al-Qalānīsī’s spelling – as follows:

1. The *fissa* exists in the context of tribute payments. These payments were mentioned by William of Tyre as *tributa*, or by Ibn al-Qalānīsī as a stipulated sum, *muqāṭaʿa*, or in the words of Ibn al-ʿAdīm, Ibn al-Athīr and Ibn Faḍlallāh al-ʿUmarī as *qaṭīʿa*.
2. Payments, or tributes for alliances, had been known about from the beginning of Frankish–Muslim relations. The first occurrence of the term *al-fissa*, however, appeared in the context of the year 526/1132, even before the alliance was more formally recognized in 534/1140. The payments of *al-fissa* were finally abolished by Nūr al-Dīn Maḥmūd.
3. For certain time periods – according to Ibn al-Athīr and William of Tyre – the payments were due annually; and according to Ibn al-Qalānīsī they may have been paid sometimes occasionally.
4. The *fissa* was a due levied on the Damascene population for payments to the Kingdom of Jerusalem, and – this is proven by the very existence of the term – it was neither an excise (*mukūs*) and nor a “claim on sale” (*ḥaqq al-baiʿ*), for which other terms were used. According to the late source of Ibn Faḍlallāh al-ʿUmarī, however, the state coffers, the merchants and property owners were held responsible for procuring the “stipulated sum”.

73 The Banū al-Ṣūfī held the position of the *raʿīs* almost hereditary from 1094 to 1154; Havemann (1989), 234–5.

74 ʿUmarī, Masālik, ed. Amari, 99–100 on the basis of the manuscript in the Bodleian library, Pocock no. 191; ed. Sezgin, vol. 2, 120–21 on the basis of the manuscript 2227 in the Süleymaniye library: (*wa-ʿazamat balyatu l-muslimīna bihim tilka l-sinīna l-shidāda wa-baqiyat miʿīna* [sic!] *tāratān fī naqṣin wa-tāratān fī zdiyādīn ḥattā az-ʿajū atrāfa Dimashqa ʿan mustaqarrihā wa-aḥwājū ahlahā ilā l-danīyati fī dīnihā qarrarū ʿalahim mālan furīda ʿalā buyūti l-amwāli wa-arbābi l-amlāki wal-tujjāri wa-kānat mulūku l-Shāmi tastaʿdhu wa-taḥmaluhū ilā l-Franji ʿalā sabīli l-qaṭīʿati wa-waqaftu ʿalā ʿiddati manāshīra wa-tawāqīʿa wa-jarāyida qadīmatin yudhkaru fīha mā ʿalā l-iqtāʿati wal-amlāki min wujūhi l-kharāji wal-ḥuqūqī wa-qad [kānat, only in the Bodleian manuscript] *kutiba fīhā min kadhā kadhā wa-min kadhā kadhā wa-min qaṭīʿati l-Franji kadhā wa-ra-ʿaitu tauqīʿan li-bni l-Ṣūfī raʿīsi Dimashqa bi-musāmahatihī bi-mā ʿalā milkihi min qaṭīʿati l-Franji wa-kāna l-hāla maʿa l-Franjī bil-Shāmi ʿalā hādihā*). See also Gribetz (1987), 267–8. I am grateful to Benjamin Z. Kedar for directing my attention to this reference.*

5. The collection of the *fissa* in Damascus itself was ordered by a decree (*rasm*) of the ruler.
6. These payments constitute an extra due, which was imposed on the “weak and poor of the population” and “the subjects and those who can barely make their living (*muta‘ayyishūn*)”, who are at all times all permanent urban residents, who could be taxed.
7. According to Ibn al-Athīr, messengers (*rusul*) from Jerusalem were sent to collect the *fissa*. The contemporary Damascene chronicler Ibn al-Qalānisī termed them more properly “persons in possession of bills of exchange (*arbāb al-ḥawālāt*)”. These people might be merchants. Later in the period of Nūr al-Dīn Maḥmūd the stipulated payment (*al-muqāta‘a*) was carried directly to Jerusalem.

VI. Levying the due

How should one view the levying of a due from “subjects and people who have barely their living” in a city? For the period in question in Damascus we have no additional information. Comparisons can be made with Iraq at that time, with a situation in Damascus about 250 years later and with taxation in the Kingdom of Jerusalem just a few decades later.

Firstly, extra dues for military defence and the method of its collection are described for contemporary Iraq. They constituted a further kind of financing besides market taxes (*ḥaqq al-bai‘*) and excises (*mukūs*).

- In Rabī^c II 488/May 1095 the caliphal vizier ‘Amīd al-Daula Abū Maṣūūr planned to construct a wall surrounding *al-ḥarīm* quarter in Baghdad on the eastern side of the Tigris. He therefore took recourse to an extra taxation on property (*bi-jibāyāt al-māl*). He levied the due on the real estate and mansions of the people (*‘aqārāt al-nās wa-dūrihim*). There was a violent uprising among shop owners, merchants and craftsmen in the market.⁷⁵
- In Ṣafar 517/April 1123 the caliph planned construction work on the city wall of Baghdad. To finance it, he taxed the real estate of the city (*al-jibāya min al-‘aqār*), which affected the shop owners (*aṣḥāb al-dakkākīn*). He collected a huge amount of money. There was massive resistance to this measure in the city, so he relented and ordered the return of the collected revenue.⁷⁶
- In the year 526/1132 construction work was again undertaken at the city wall. This time it was financed by taxing urban real estate (*jubiya al-‘aqār*).⁷⁷

75 Ibn al-Jauzī, Muntazam, ed. Haidarabad IX, 85; ed. ‘Aṭā XVII, 16. Makdisi (1959), 293, 300–02.

76 Ibn al-Jauzī, Muntazam, ed. Haidarabad IX, 243–4; ed. ‘Aṭā XVII, 217–19; Sibṭ ibn al-Jauzī, Mir‘āt, ed. Ghāmidī, 766–7; Ibn al-Athīr, Kāmil X, ed. Tornberg, 435; ed. Beirut, 616. Al-Duri (1971), 221.

77 Ibn al-Jauzī, Muntazam, ed. Haidarabad X, 25; ed. ‘Aṭā XVII, 270.

The form of extra dues levied on urban real estate property (*jibāyat al-‘aqār*, *al-jibāya min al-‘aqār*) was not only destined for urban defence expenditures and fortifications, but was always collected when the sultan or caliph in Baghdad was in need of ready cash income. The taxable base was monthly rents (singular *ujrat shahr*), as we are told in a report about the levying of an extra tax in summer 515/1121.⁷⁸ Unfortunately there are no sources on how these “rents” were assessed. A certain administration in Baghdad was responsible for the collection. It was called *dīwān al-‘aqār*, “the office for real estate”.⁷⁹ Urban opposition to this kind of extra taxation occurred frequently. In Aleppo, in the year 518/1124, the *wālī* of the city had to revert to “confiscations among the population” (*muṣādarāt al-nās*) to finance defence measures.⁸⁰

Secondly, we have a detailed description of the levy of an extra due for Damascus, but 250 years later, during the siege of the city by Tīmūr in 803/1401. Tīmūr claimed protection money from the city. The remaining authorities within the beleaguered city allocated the due payment on real estate property including the *waqfs*.⁸¹

Thirdly, a general tax was collected in the year 1183 in the Kingdom of Jerusalem to meet growing defence expenditure. It was levied as a hearth-tax on cities, castles and villages, based on property and real estate as well as on revenue yielded by business.⁸² Benjamin Kedar discusses various probable models for this unprecedented tax in the crusader states. He found comparable models in Germany, France and England after the 1120s. It is pertinent to discuss the influence of the tax systems in the Islamic states, because parallels to the *jibāyat al-‘aqār* seem to be in evidence.⁸³

Summarizing, these kind of dues were allotted to every real estate property and finally to every hearth. This included even those people who barely made a living. A similar model can be assumed for the *fissa*. However, we do not know who actually collected the money from the public for the bearers of the bills of exchange. For Damascus and Syria in general we have no reports of an official authority or regular administration responsible for the collection of intra-urban dues, especially the market dues. But there are reports of *damān*, guaranteed payments, of the basis of decreed dues, *rusūm*, for foodstuffs in the market and of the usage of water flows.⁸⁴ These passages refer to a tax-farming system for dues. The *ḍāmin*,

78 Ibn al-Jauzī, Muntazam, ed. Haidarabad IX, 222, ed. ‘Aṭā XVII, 192. See also Sibṭ ibn al-Jauzī, Mir‘āt, ed. Jewett, 59; ed. Haidarabad VIII, 96; ed. Ghāmidī, 721.

79 Al-Dūrī (1970), 222.

80 Ibn al-‘Adīm, Zubda II, 217–18, 223–30 (citation 230). Compare Ibn al-Qalānisī, Dhail, ed. Amedroz, 211–12; ed. Zakkār, 337–8; trans. Gibb, 172–3; trans. Tournau, 162–4; Ibn al-Athīr, Kāmil X, ed. Tornberg, 439–40; ed. Beirut, 623–4; Ibn al-‘Adīm, Bughya IV, 1963; ‘Azīmī, Tārīkh, ed. Za‘rūr, 374. For the historical situation see Heidemann (2002), 242–3.

81 Heidemann (1999).

82 Wilhelm, Historia, XXII.XXIV (XXIII), 1043–6 (1109–12); trans. Babcock and Krey II, 286–9.

83 Kedar (1974).

84 Year 549/1154, *damān al-anhār*, guaranteed payment of the water-flows: Ibn al-Qalānisī, Dhail, ed. Amedroz, 329; ed. Zakkār, 505–06; trans. Gibb, 321; trans.

the guarantor, the tax-farmer, agreed to pay a certain sum of money to the government. In turn he had the right to collect the decreed dues within the city. This might be taken as a working hypothesis: a *dāmin*, who has the right to collect the *fissa*, was liable to the bearers of the bills of exchange.

VII. The etymology of the term '*LFSHIT* or *al-fissa*

The term '*LFSHIT* or in Ibn al-Qalānisi's spelling *al-fissa* has no plausible meaning in Arabic or Persian, explicit or implicit, neither for the editors of the chronicles of Ibn al-Qalānisi and of Abū Shāma nor for Henri Sauvaget. It stands to reason that it must be a Latin or early French expression. Abū Shāma mentioned explicitly in the quoted passage above that the due was termed '*LFSHIT* by the Franks. For a borrowed term the first two characters could be part of the original expression, and they do not necessarily have to be interpreted as a definite Arabic article. Nevertheless the spelling as *al-fissa* by Ibn al-Qalānisi produced probably – until further evidence is shown – the closest rendering in Arabic of a meaningful borrowed term. After the exclusion of other plausible possibilities in medieval Latin⁸⁵ and early French,⁸⁶ *al-fissa* might be derived from the Latin word *fossatum*, fosse or moat. I am indebted at this point to Rudolf Hiestand, who encouraged me to follow up this pace. The word *fossatum*⁸⁷ with its variants *fossa*⁸⁸ and *fossataria*⁸⁹ is documented for the sixth/twelfth century. In the special sense it denotes a corvée or a due for military purposes, namely for maintenance of fortifications and moats. The term *fossa* is included with exactly that meaning in an order of the Capetian king Louis VI (r. 1108–37) issued in 1126. However, the word *fossatum* and its derivatives were not used in this sense in all of the recorded middle-Latin and early French literature of Oütremère. If we – notwithstanding – took the correctness of this interpretation for granted, how might this institution have come to Oütremère? In the year 1131 the count Fulco of Anjou became king of Jerusalem, but he had already arrived in Syria two years earlier.⁹⁰ He had previously been a baron in Capetian France. This might be

Tourneau, 343. Year 553/1158, guaranteed payments of different market dues (*ḍamanū al-qiyām bi-ʿasharati ālāfi dīnārin baiḍā'a*): Ibn al-Qalānisi, Dhail, ed. Amedroz, 352–3; ed. Zakkār, 538–9. The same text in Abū Shāma, *Rauḍatain*, ed. Cairo I, 121; ed. Aḥmad Muḥammad I/1, 302–03; ed. Zaibaq I, 379–80.

85 Compare Niermeyer and Van de Kieft (2002).

86 Compare Godefroy (1880–1902).

87 Miraeus, Aubertus (Aubert LeMire): *Opera diplomatica*. Ed. Jean François Foppens, 4 vols, Leuven and Brussels, 1723–48. Cited in Niermeyer and Van de Kieft (2002), 588–9.

88 *Ordonnances des rois de France de la troisième race*, 21 vols, Paris 1723–1849, here vol. XI, 184. Cited in Niermeyer and Van de Kieft (2002), 588.

89 Mansi, Giovanni Domenico, *Sacrorum concilium nova et amplissima collectio*, 31 vols, Firenze 1759–1798; here vol. 19, col. 339 (Fuero de Leon 1017/1020); cited in Niermeyer and Van de Kieft (2002), 588. According to R. Hiestand this word was also current in the Spanish-Christian realm. Therefore it cannot be ruled out that transmission of the term went from Spain via North Africa to the Near East.

90 S. Schein, Fulco, in: *Lexikon des Mittelalters* VI, col. 1016–17; Yared-Riachi (1997), 174.

a possible path for the transmission of the term. If we consider a Latin origin for *al-fissa*, then perhaps it expressed a due for the financing of fortifications in the Kingdom of Jerusalem. For the crusader history in turn, Rudolf Hiestand concludes that, if the term was a Latin borrowing in Arabic, then there must be an institution with that name in Oûtremer, which has not yet been documented. He does not rule out this possibility.⁹¹

There are no special terms in Arabic for extra dues levied for a determined purpose, for example for those protection monies which the Franks demanded from Damascus. In Iraq extra dues for fortifications are called “tax on real estate property (*jibāya min al-‘aqār*)” and in Syria simply “confiscations (*muṣādarāt*)” or “stipulated amount (*muqāṭa‘a* or *qaṭī‘a*)”. The lack of any specific indigenous Arabic terminology makes it likely that in Damascus, bordering the Kingdom of Jerusalem, a borrowed term was used for it. When Ibn al-Athīr wrote about a hundred years later in Mosul, he may have skipped the only regionally applied term, which he probably no longer understood. The Damascene Abū Shāma, living a hundred years later, did know the term, but had to explain it for the reader in the passage cited at the beginning.

VIII. Summary

The new economic dynamics in the Zangīd period finds its expression not only in increased building activity but also in an increased number of fiscal instruments and terminology. The systematic lexicographic glossary of all the different kinds of dues – illegitimate according to the *sharī‘a* – in the period of the Saljūqs, Zangīds and Ayyūbids cannot be derived from the rich indigenous lexicographic tradition or medieval handbooks on Islamic law. Handbooks for administration, as we know them for Mamlūk Egypt, are missing for Syria and northern Mesopotamia. The narrative chronicles only highlight certain dues and their historical context.

Al-fissa was an annual and/or occasional tribute of the principality of Damascus to the Kingdom of Jerusalem. Its abrogation in 526/1132 shows that this kind of due was levied even before the contractual alliance of Damascus and Jerusalem in 532/1140. Before the conquest of Damascus by Nūr al-Dīn Maḥmūd the monies were transferred by bearers of a bills of exchange, the *hawālas*. They were probably issued by authorities in Jerusalem. It can be suggested – similar to other intra-urban dues – that tax farmers were liable for the bills of exchange. A decree, *rasm*, was issued by the ruler of Damascus which allowed for the collection of *al-fissa*. The due was levied perhaps on the basis of an assessment of urban real estate. An interpretation of the insufficiently explained term *al-fissa* was suggested as Arabic borrowing from the middle Latin term *fossa*. As a mere hypothesis it can be formulated that the due may have served the maintenance of fortifications in the Kingdom of Jerusalem. Nevertheless *al-fissa* stands in the contexts of a number of new dues and taxes in Syrian cities which were mentioned for the first time in the period of Nūr al-Dīn Maḥmūd. In spite

91 Personal letter April 4, 2002.

of repeated abrogation of dues, the historical sources show that the fiscal grip of the government on urban economic activities became stronger and more innovative.

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