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PART II

# Latin and Arabic: Case Studies

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### **3. Diglossia as a Problem in Translating Administrative and Juridical Documents: The Case of Arabic, Latin, and Romance on the Medieval Iberian Peninsula**

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It is obvious that, in multicultural environments, strategies for understanding each other are necessary in order to manage daily life. In multilingual societies, or communities in close contact with other communities using a different language, interpreting and translating become a major means of facilitating normal activities. Although research often focuses on translations of literary and scientific works, these were—in some regards—exceptions. Research on translations of non-literary texts from the economic or legal sphere can offer us insights into how languages intermingled. On the one hand, knowledge of foreign languages could be used to shape identities by differentiating between “us” and “them.” On the other hand, different languages could intermingle to create hybrid spaces where new cultural milieus developed.

The medieval Iberian Peninsula furnishes us with a very interesting example, since it was there that Latin Europe met its “Other,” that is, the Arabic sphere. From a contemporary view, the language situation is often understood as reflecting the segregation of two cultures: classical Arabic may have given Latin and its vernaculars some loanwords, mostly for Oriental products; Arabic literature may have been translated to transfer the knowledge of Greek antiquity to Europe. Nevertheless, the notion prevails that the terms “Christian,” “European,” and “Latin” somehow belong together and that they can be clearly distinguished from everything that is “Muslim” or “Arabic.” This notion is wrong in many respects: first, the medieval Iberian Peninsula featured Arabicized Christians, who translated the Bible into Arabic and used Arabic in their legal documents, as well as Romance-speaking Muslims, who successively lost their knowledge of classical Arabic. Second, the different societies stood in close contact with each other, and consequently knew and influenced each other. These interactions not only took place in centres for the translation

of “scientific” texts, but were also an integral feature of daily life. This means, of course, that—although translations of literary works are interesting for the history of interlingual relations—administrative and juridical documents used in daily life should be considered a major field of translation. From our perspective, it is difficult to appraise this form of entanglement between Arabic and Latin. Much of it happened only orally, and in many cases the written material is lost, because it was considered irrelevant for future generations. However, there are quite a number of medieval Iberian sources that can increase our understanding of how relations between Arabic and Latin developed, including in the legal and administrative spheres.

### 3.1 Languages of the medieval Iberian Peninsula

When we speak of Arabic and Latin, we need to include at least four language variants: classical Arabic and Latin as literary varieties on the one hand, and the Andalusī Arabic dialect and Romance as spoken varieties on the other hand, some of the latter developing to become written languages. Due to the specialization of its author, this chapter will mainly focus on Arabic. We will see later, however, that Latin was largely replaced by Castilian, and later also by Catalan, in the juridical and administrative sphere in the different Christian kingdoms of the Iberian Peninsula, whereas Romance-Arabic diglossia, in the case of Arabic speakers, lasted until their expulsion in the early seventeenth century. Dialects were written out only in a few literary genres; prominent examples of written Arabic dialect are some of the *ḥarǧas* of Andalusī poetry, especially that of Ibn Quzmān (d. 555/1160). Apart from this, written dialect—in particular as a means of expression that was regarded as appropriate for the occasion—is relatively scarcely attested. Although the Arabic-speaking Moriscos of sixteenth-century Valencia replaced classical Arabic with their own written dialect, as María del Carmen Barceló has shown,<sup>1</sup> this was due to their social situation, which prevented them from following the traditional curriculum of Arabic-Islamic learning. Consequently, they retained the ideal that classical Arabic constituted the only written language, but failed to implement this in practice.

What is the evidence for linguistic entanglement on an everyday basis? Deeds dealing with matters of real estate provide a compelling example. Interestingly, documents of this kind are mostly preserved from the period after a region formerly under Muslim control had fallen into Christian hands. According to Islamic law, deeds only had legal force for as long as the witnesses to them were alive and, consequently, many became invalid

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1 María del Carmen Barceló Torres, *Minorías islámicas en el país valenciano: Historia y dialecto* (Valencia: Universidad de Valencia, 1984).

and were consequently destroyed after the witnesses' death.<sup>2</sup> As a result of the shift from Muslim to Christian rule and the concomitant change of the legal system, however, deeds acquired a new form of relevance since, in the Christian legal system, proof of ownership had to be kept, regardless of whether the witnesses were still alive. In the case of Granada, we have a large corpus of Arabic legal deeds of different kinds (contracts, inheritance, documents, court records), all of them documenting the ownership of real estate. They were produced, with only a few exceptions, in the last decades before the Christian conquest or even in the first years after it, when Arabic was still in use as a legal language.<sup>3</sup> Some of these contracts were translated into Castilian in the sixteenth century.<sup>4</sup>

Under Christian rule, the original documents as well as their translations had to function within the framework of the new legal system. Consequently, the translation did not have to observe the Islamic form of legal validation, in which witnesses signed the deeds and later served in cases of disagreement to confirm the nature of the legal act, the deed thus serving as an *aide-mémoire*. In contrast to this, the Christians acknowledged the deed as the actual legal transaction and not only as its protocol.<sup>5</sup> Here we see a point that is pivotal for translating legal and administrative documents: since they document or even figure as a performative act, the translator must know how their different frameworks function. Translating legal and administrative documents implies not only reproducing the meaning of a text, but also showing why it is valid. In our case, the translator had to replace Arabic-Islamic<sup>6</sup> with Latin-Christian signs of validation. Mere knowledge of the languages did not suffice: the translator had to add insights into and explanations of the different legal systems and chancery practices. Ultimately, the translator needed to have received a formal

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- 2 On the Muslim archival practices, see Frédéric Bauden, "Du destin des archives en Islam: Analyse des données et éléments de réponse," in *La correspondance entre souverains, princes et cités-États: Approches croisées entre l'Orient musulman, l'Occident latin et Byzance (XIII<sup>e</sup>-début XVI<sup>e</sup> siècle)* (Miroir de l'Orient musulman 2), ed. Denise Aigle and Stéphane Péquignot (Turnhout: Brepols, 2013), 27–49; Maaïke van Berkel, "Reconstructing Archival Practices in Abbasid Baghdad," *Journal of Abbasid Studies* 1 (2014), 7–22; Konrad Hirschler, "From Archive to Archival Practices: Rethinking the Preservation of Mamluk Administrative Documents," *Journal of the American Oriental Society* 136, no. 1 (2016), 1–28.
  - 3 For a (slightly outdated) overview on the archives in Granada and their Arabic material, see María del Carmen Barceló Torres and Ana Labarta, "Los documentos árabes del Reino de Granada: Bibliografía y perspectivas," *Cuadernos de la Alhambra* 26 (1990), 113–119.
  - 4 For an overview and references to edited translations, see Juan Pablo Arias Torres and Manuel C. Feria García, "Escrituras árabes granadinas romanceadas: Una mina a cielo abierto para la historia de la traducción y la traductología," *Trans* 8 (2004), 180–184.
  - 5 Christian Müller, *Der Kadi und seine Zeugen: Studie der mamlukischen Haram-Dokumente aus Jerusalem* (Abhandlungen für die Kunde des Morgenlandes 85) (Wiesbaden: Harrassowitz, 2013), 349–354.
  - 6 The Arabic language is not always connected to the Islamic legal system, since it served in Toledo from the eleventh to the early fourteenth century as a legal language of Christians as well.

education that was difficult to access for most Arabic speakers in territories of the Iberian Peninsula ruled by Christians.

In contrast, the problem of understanding Arabic was minor: even if the role of Arabic and the extent of Arabicization in the different regions of the Iberian Peninsula at different times are disputed,<sup>7</sup> we can assume that some knowledge of Arabic could be found in al-Andalus and the neighbouring Christian kingdoms. Among the Christian population, it probably decreased in parallel with the decline of Muslim political power. However, given the existence of the Muslim Kingdom of Granada until 1492 and an Arabic-speaking Muslim community around Valencia, where Muslims formed the population's majority until the end of the fifteenth century,<sup>8</sup> it retained some importance. It is from the sixteenth century onwards that Arabic was understood only by Moriscos and some experts, and thus was considered a purely "Muslim" language, leading the Inquisition to confiscate Christian-Arabic texts and Arabic translations, branding them "Islamic."<sup>9</sup>

### 3.2 The role of Arabic in Christian environments

Before the sixteenth century, the situation was entirely different. Although Arabic is not normally considered to have generated an identity for Christians outside the Muslim sphere of influence, there is evidence that Arabic was known and used among such Christians. Peter I, king of Aragon (r. 1094–1104), signed a number of his charters with a monogram, adding the Arabic version of his name (*rašama*<sup>10</sup> *Bīṭruḥ b. šānḡuh* / "signed, Peter, son of Sancho") on some of them.<sup>11</sup> Take the case of Toledo, where we have more than 1,100 Arabic documents, all written after the Christian conquest in 1085.<sup>12</sup> Here we see a coexistence of different legal systems that we

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7 For an overview of the different hypotheses, see Otto Zwartjes, "al-Andalus," *Encyclopedia of Arabic Language and Linguistics*, ed. Kees Versteegh, vol. 1 (Leiden: Brill, 2006), 96–101.

8 Brian A. Catlos, *Muslims of Medieval Latin Christendom, c.1050–1614* (Cambridge: Cambridge University Press, 2014), 168–226; Robert Ignatius Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis* (Cambridge Iberian and Latin American Studies) (Cambridge: Cambridge University Press, 1984).

9 For an example, see a manuscript from 1542 with an Arabic translation of the Gospels (by Ishāq b. Bilašku, ninth century, Cordoba), and the Pauline Epistles in Madrid (Biblioteca Nacional MS. 4971, fo. 131r).

10 The form is Andalusī colloquial Arabic instead of the classical Arabic *rasama*.

11 Alberto Montaner, "La Historia Roderici y el archivo cidiano: Cuestiones filológicas, diplomáticas, jurídicas y historiográficas," *e-Legal History Review* 12 (2011), 51.

12 (Partial) editions in Angel González Palencia, *Los mozárabes de Toledo en los siglos XII y XIII* (Madrid: Instituto de Valencia de D. Juan, 1926–1930). For a recent study of not only the Arabic documents, but also their contemporaneous Romance and Latin counterparts, see Diego Adrián Olstein, *La era mozárabe: Los mozárabes de Toledo (siglos XII y XIII) en la historiografía, las fuentes y la historia* (Salamanca: Universidad de Salamanca, 2006).

do not understand completely.<sup>13</sup> Latin, Arabic, and Castilian were used concurrently to write documents (which are preserved, as in case of the above-mentioned Arabic documents from Granada, because they prove the right of ownership of real estate). The use of Latin reached its peak shortly after the conquest, Arabic in the thirteenth century, and Castilian after that. Especially for the twelfth century, we have to suppose that a flourishing Arabicized Christian culture existed, which was strengthened at regular intervals by immigrating Christians fleeing from what remained of Muslim al-Andalus.<sup>14</sup>

The formulary of the Christian-Arabic deeds reproduced the model of contemporaneous Islamic deeds—with the exception of Islamic formulae that were replaced by more “neutral” monotheistic ones. The documents normally begin with the *basmala* and *ḥamdala* as formulae that were also used by Arabicized Jews and Christians in the East. The contracts were concluded according to the “Sunna of the Christians” (*sunnat al-naṣārā*). Wilhelm Hoenerbach argued that Islamic law and the Castilian *fuero juzgo* were compatible, since they both derived from Roman law.<sup>15</sup> Unfortunately, this hypothesis is not yet fully substantiated, and we certainly lack a complete comparison between Muslim deeds and the Christian-Arabic deeds from Toledo. In any case, Toledo was a city where Arabic was accepted as a legal language for more than two hundred years after the Christian conquest<sup>16</sup>—thus, at a time when, according to modern estimations, less than one percent of its population was Muslim.<sup>17</sup> The documents display a slight loss of some features of classical Arabic, and also influences of Castilian, but never completely reach the language level of the dialect.<sup>18</sup> Surprisingly, the documents show that Arabic had ceased to be used as a spoken language long before the custom of writing deeds in Arabic had stopped. Many later documents explain that their content had to be translated for the people involved in the legal transaction. This shows that, despite the

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13 Jean-Pierre Molénat, “Quartiers et communautés à Tolède (XIII<sup>e</sup>–XV<sup>e</sup> siècles),” *En la España medieval* 12 (1989), 163–190; Jean-Pierre Molénat, “Mudéjars et mozarabes à Tolède du XII<sup>e</sup> au XV<sup>e</sup> siècle,” *Revue des mondes musulmans et de la Méditerranée* 63–64 (1992), 143–153; Christian Saßenscheidt, “Mozárabes und Castellanos im Toledo des 12. Jahrhunderts: Die Entwicklung des Toledaner Doppelalcaldentums,” in *Die Mozaraber: Definitionen und Perspektiven der Forschung* (Geschichte und Kultur der Iberischen Welt 7), ed. Matthias Maser, Klaus Herbers (Berlin: LIT-Verlag, 2011), 125–150.

14 Jean-Pierre Molénat, “Los mozárabes, entre al-Andalus y el norte peninsular,” in *Minorías y migraciones en la historia*, ed. Angel Vaca Lorenzo (Salamanca: Universidad de Salamanca, 2004), 11–24.

15 Wilhelm Hoenerbach, “Some Notes on the Legal Language of Christian and Islamic Deeds,” *Journal of the American Oriental Society* 81 (1961), 34–38.

16 Toledo was conquered in 1085, but the last Arabic deed was written in 1315. See González, *Los mozárabes de Toledo*, III, 230 (doc. 939).

17 Olstein, *La era mozárabe*, 121–122.

18 Ignacio Ferrando, “The Arabic Language among the Mozarabs of Toledo during the 12<sup>th</sup> and 13<sup>th</sup> Centuries,” in *Arabic as Minority Language* (Contributions to the Sociology of Language 83), ed. Jonathan Owens (Berlin: de Gruyter, 2000), 45–64.

extensive loss of an Arabicized Christian culture, a writing tradition in classical Arabic, based on principles also used in Islamic countries, had survived to some extent.

In the same period, the first Castilian gold coins were minted in Toledo between 1174 and 1221. They have Arabic inscriptions and follow Almoravid models. We are not obliged to consider this as evidence for the use of Arabic as an official language in Castile, since the similarity of the new coins to their Almoravid predecessors was a means to secure their acceptance. In the inscriptions, all Muslim references have been converted into Christian ones: the ruler is no longer addressed as “Commander of the Faithful” (*amīr al-muʿminīn*) as on Almoravid coins, but as “Commander of the Catholics” (*amīr al-qatūliqīn*). Instead of Muḥammad, the pope is mentioned as “Imām of the Christian Church, Pope of great Rome” (*imām al-bayʿa l-masīḥiyya bābah Rūmā l-ʿuẓmā*). The Qurʾānic quotations on Almoravid coins, “Whoso desires another religion than Islam, it shall not be accepted of him; in the next world he shall be among the losers” (Q 3:85: *wa-man yabtaḡi ḡayra l-islāmī dīn fa-lan yuq̄bala minhu wa-huwa fī l-āḡirati mina l-ḡāsirīn*), has been replaced by a Gospel quotation “In the name of the Father, the Son, and the Holy Spirit, one God! ‘Who believes and is baptized, will be saved!’” (Mark 16:16: *bi-l-abi wa-l-ibni wa-l-rūḡi l-quddūsi l-ilāhi l-wāḡidi man amana wa-ʿtumida yakun sālim*).<sup>19</sup> Interestingly, this is not an ad hoc translation, but originates from an older Bible normally ascribed to a certain Ishāq b. Bilaṣku (fl. 908 or 946 in Cordoba).<sup>20</sup> Recent research has shown that this translation was a revision of an older translation.<sup>21</sup> We do not know why that translation was created, but the inscription proves that it was known in Cordoba and also used by official persons.

### 3.3 Arabic-speaking minorities as translators

Further examples of Arabicized communities under Christian rule come from the Muslim sphere. In the course of the Christian conquest, Muslims were subjected to Christian domination in all regions of the Iberian Peninsula. Their numbers differed, and in most regions, they were de-Arabicized relatively quickly. Instead, they used Aljamiado, that is, Romance in Arabic script. The main exception is the Kingdom of Valencia, which Jaime I of Aragon conquered in the middle of the thirteenth century. Valencia kept its Arabic-speaking, Muslim population—the Mudéjares, or later, when they

19 Casto Maria del Rivero, *La moneda árabe-española. Compendio de numismática musulmana* (Madrid: Maestre, 1933), 45–46.

20 Both Munich manuscripts as well as the London manuscript have as text: “man amana wa-ʿumida yakūnu sālim” (Munich, Bayerische Staatsbibliothek Cod. Aumer 234, fo. 100v; Munich, Bayerische Staatsbibliothek Cod. Aumer 238, fo. 43v; London, British Library MS. add. 9061, fo. 76v).

21 Juan Pedro Monferrer Sala, “Tres interferencias hebreas en la traducción árabe andalusí del evangelio de Marcos contenida en el ms. Qarawiyīn 730,” *Collectanea christiana orientalia* 13 (2016), 279–287.

officially became Christians, the Moriscos—for a few centuries. However, not all groups of Muslims were equally persistent in staying. While Muslims in the rural areas tended to stay, the urban centre, Valencia, quickly developed a Christian majority; the Muslim elite emigrated almost completely, while the remaining Muslim populations consisted mainly of artisans and peasants. They had their mosques, and we know of their *qāḍīs*, but they were in some regards isolated from the rest of the Islamic world.

However, a certain degree of exchange with other Muslims was retained: these Muslims were even a topic in Aragonese-Mamlūk relations, since the Mamlūks spoke up for their right to either practise their religion freely or to be allowed to emigrate to Muslim countries without hindrance. Whether their *qāḍīs* and religious scholars could compete in religious knowledge with scholars in other regions is doubtful, considering that they were appointed by the Aragonese king, whom they served as officials in the local and regional administration.<sup>22</sup> Thus, political loyalty was of more importance than an education in line with the standard curriculum of Arabic-Islamic knowledge. The Arabic documents written by these communities show a decreasing ability to write classical Arabic, which reached its lowest ebb in the sixteenth century, when they were forced to convert to Christianity. Carmen Barceló has argued that the spoken dialect was put into writing in this period, one of the few instances when a regional Arabic dialect became a written language that totally replaced its classical variant.<sup>23</sup> If we follow Barceló, this can only be assumed for the sixteenth and early seventeenth centuries, when writing Arabic and referring to an Arabic-Islamic frame of knowledge could arouse suspicions, so that knowledge of classical Arabic was almost completely abandoned. It is significant that a considerable portion of the documents analysed by Barceló were preserved as parts of inquisitorial archives. The documents from the preceding centuries show that classical Arabic was an ideal not often achieved. Even in the *dār al-islām*, most texts were written in some kind of Middle Arabic. Outside the *dār al-islām*, Middle Arabic may have been cruder, due to the lack of institutions teaching a formal variant of Arabic. However, as long as the opportunity existed to retain knowledge of the ideal, writers followed it as best as they could.

Let us look at some examples of how the language situation of the Mudéjares influenced the translation of documents. In the diplomatic relations between European-Christian and Arabic rulers, the translations of documents were of particular interest. During the time of the crusades, the rulers often met personally, and communicated with the help of an interpreter. Even the results of their negotiations were generally written down in a way that seemed to reproduce an oral translation. At least,

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22 Brian A. Catlos, *The Victors and the Vanquished: Christians and Muslims of Catalonia and Aragon 1050–1300* (Cambridge Studies in Medieval Life and Thought 4) (Cambridge: Cambridge University Press, 2007), 154–162.

23 Barceló, *Minorías islámicas en el país valenciano*, 143–151.



al-Qalqašandī (d. 821/1418), author of the most important Mamlūk chancery manual *Ṣubḥ al-ašā fī šināʿat al-inšāʿ* (“The Dawn of the Night-Blind: On Chancery Practice”), attributed the stylistically poor quality of treaties concluded with the crusaders to such ad hoc translations.<sup>24</sup> In the fourteenth and fifteenth centuries, communication took place in a more indirect way, since rulers met only rarely, tending to exchange letters instead. Although letters were always carried by ambassadors, the written document was understood as the central means of communication. Arabic letters express this explicitly by beginning with formulae such as “Your letter has arrived accompanied by your messenger” (*waṣala kitābukum ṣuḥbat rasūlikum*); the protocol of diplomatic receptions shows that the ambassador was generally understood as a mere carrier, even if he delivered more detailed information and negotiated resulting treaties. The letters were translated in the chanceries, which were also able to produce documents in foreign languages. According to al-Qalqašandī, the Mamlūk chancery had foreign-language offices for Persian, Greek, and “Frankish.”<sup>25</sup>

On the Latin side, the first chancery with an Arabic office we know of is the Norman chancery on Sicily, which used Latin, Greek, and Arabic, the first attested Arabic document being dated to 1095. The Arabic office first followed Fātimid chancery practices,<sup>26</sup> then switched to the practices of the Muʿminid chancery at the end of the twelfth century.<sup>27</sup> The Aragonese chancery had an Arabic office at the latest from the thirteenth century onwards, in which mainly Jews worked in the early years. Two Arabic documents from it are preserved—both surrender treaties concluded during the conquest of the *Regnum Valentiae* that were extensively studied by Robert Ignatius Burns. He showed that the Latin and Arabic versions often did not correspond in terms of content, since the chancery lacked the ability (or the will) to translate Latin-Christian concepts into Arabic. Interpersonal relations in the European-Christian feudal system, and in Islamic international law, worked in different ways. Consequently, the Latin version of a treaty of surrender could be understood as prescribing the slow integration of a Muslim territory into the victorious Christian realm, as well as the establishment of a relationship of liege and lord between the respective Muslim and Christian. The Arabic version of the treaty of

24 Daniel König, “Übersetzungskontrolle: Regulierung von Übersetzungsvorgängen im lateinisch/romanisch-arabischen Kontext (9.–15. Jahrhundert),” in *Abrahams Erbe: Konkurrenz, Konflikt und Koexistenz der Religionen im europäischen Mittelalter*, ed. Ludger Lieb et al. (Berlin: de Gruyter, 2015), 476–477.

25 Abū l-Abbās Aḥmad al-Qalqašandī, *Kitāb Ṣubḥ al-ašā fī šināʿat al-inšāʿ*, ed. Muḥammad ʿAbd al-Rasūl Ibrāhīm (Cairo: Dār al-kutub al-sultāniya, 1913–1919), vol. 1, 165–167.

26 Jeremy Johns, *Arabic Administration in Norman Sicily: The Royal Dīwān* (Cambridge Studies in Islamic Civilization) (Cambridge: Cambridge University Press, 2002), 257–280.

27 Nadia Jamil and Jeremy Johns, “A New Latin-Arabic Document from Norman Sicily (November 595 H/1198 CE),” in *The Heritage of Learning: Arabic and Islamic Studies Dedicated to Professor Wadād al-Qāḍī* (Islamic History and Civilization 122), ed. Maurice Pomerantz and Aram Shahin (Leiden: Brill, 2015), 121–144.

surrender, in turn, would characterize the same document as a terminable contract, which stipulated certain duties such as peacekeeping and paying tribute. Thus, the revolts of Ibn Huḍayl alias al-Azraq that troubled Jaime I (r. 1213–1276) for such a long period are partly explained as resulting from misunderstandings between the contractors; as Burns and Paul Chevedden proved, the Latin and Arabic documents on the same procedure often failed to correspond.<sup>28</sup>

### 3.4 A letter too difficult to understand

A translator's remark on a Mamlūk letter—written in 1330 to the king of Aragon—shows that even the chancery sometimes had problems understanding Arabic texts. It says:

This is translated from a letter from the Sultan of Damascus, which was sent to the very noble king, Don Alfonso, by the Grace of God King of Aragon, of Valencia, of Sardinia, of Corsica, and Count of Barcelona. The person who translated this letter says that no one who saw it was able to say what this Arabic meant, but that it is executed with great skill, in verses of enormous subtlety of the type that is effected with Arabic grammar. In many places, he was not able to translate words, because such words do not exist in Romance, or he had to translate the meaning. This is the translation, which follows. The most difficult part is when he speaks in the third person.<sup>29</sup>

If we now look at the original letter, which is fortunately preserved in Barcelona,<sup>30</sup> we see a normal Mamlūk letter. Its language, which follows the ideals of Mamlūk epistolography, is thus written at an elevated linguistic level. However, its vocabulary does not differ from other Arabic letters in the same archive. It is the script that constitutes the main challenge for

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28 Robert I. Burns, Paul E. Chevedden, and Mikel de Epalza, *Negotiating Cultures: Bilingual Surrender Treaties in Muslim-Crusader Spain under James the Conqueror* (The Medieval Mediterranean—Peoples, Economies and Cultures 22) (Leiden: Brill, 1999), 15–59, 143–192.

29 John Boswell, *The Royal Treasure: Muslim Communities under the Crown of Aragon in the Fourteenth Century* (New Haven, CT: Yale University Press, 1977), 382–383: “Este es traslado de una carta del Ssoldan de Damasco que fue enbiada al muy noble Rey, Don Alfonso, por la gracia de Dios Rey d’Aragon, de Valencia, de Çardenia, de Corçega, Comte Barchilona. Dize el que traslado esta carta, non sse cuyde ninguno que viesse esta carta que es de entendeder este arauigu della segundo la lengua espeçial, ante es fecha a gran maestria por viesos vesifagados de gran soteleza, del que la fizo en la gramateca del arauigo. En muchos logares non se pudo trasladar los viervos, ca non auie tales viervos en romançe, o ve de trasladar la entaçion. Este es el traslado que sse ssigue. Lo mas es como quan ffabla a terçera persona.” Translation by Daniel Potthast.

30 Maximiliano Alarcón y Santón and Ramón García de Linares, *Los documentos árabes diplomáticos del Archivo de la corona de Aragón* (Madrid: Escuela de Estudios Árabes, 1940), 370–371 (doc. 152).

a modern reader. The letter is written in a normal Mamlūk document hand, that is, in the script *ṭuluṭ*.<sup>31</sup> As usual in documents from Mamlūk and other Eastern chanceries, many diacritical dots, used to differentiate between consonants, are missing. The Maġribī and Andalusī chanceries, whose documents were more common in the Aragonese chancery, were not only written in a Western script (*Maġribī*), but were also completely vocalized and, consequently, very easy to read. As the quotation shows, the translator only had vocabulary problems, whereas the different scripts caused him no trouble.

A further example of misunderstanding is provided in a letter written in Tunis in 1360.<sup>32</sup> Its sender writes that parts of the tribute payment can be postponed to the following year, in Arabic: *fī qābil ḡālīka l-ām*. The translator confused the word *ām* (عام), that is, “year,” with the word *ilm* (علم), that is, “knowledge,” thus rendering the Castilian translation as *cosa sabida*, that is, “common knowledge,” and thereby producing a senseless text. Here indeed, the script is the reason for the wrong translation, since in Maġribī script the letter *alif* has a small bottom stroke to the left that seems to connect it to the following letter, as is the case with the letter *lām*.

### 3.5 Understanding different systems of validation

Such problems of understanding the text are not well-attested. More often, the sources present us with problems of understanding different concepts used in administrative and legal documents. As we have seen, the validation of documents was important and led to the preservation of Arabic deeds from Granada. When such documents were translated from Arabic to Romance, only a limited knowledge of Islamic forms of validation was needed. The deeds were accepted as valid; their translator had only to give them an acceptable Latin form. In the exchange between Arabic and Latin speakers, the translations had to be comprehensible to members of both linguistic groups to validate the document. In Arabic administration, the *‘alāma* served as validation. It was a calligraphically-shaped motto written above (in the Mashreq, i.e. the Middle East, and in Ifrīqiya, i.e. the eastern part of northwestern Africa) or below (in the rest of the Maghreb) the document’s text. The motto’s text could be a (religious) formula or a personal name—it was sometimes used by a single person and sometimes by a whole dynasty.<sup>33</sup> In the Mashreq, most officials close to

31 For the different types of letters and the scripts that had to be used in them, see al-Qalqaṣandī, *Kitāb Ṣubḥ al-aṣā*, ed. Ibrāhīm, vol. 6, 189–196.

32 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 320–323 (doc. 141). For the contemporaneous translation, see Andrés Giménez Soler, “Documentos de Túnez, originales ó traducidos, del Archivo de la Corona de Aragón,” *Anuari del Institut d’Estudis Catalans* (1909–1910), 243.

33 During the period in question, that is, the fourteenth and fifteenth centuries, the Naṣrids in Granada used the formula “this is correct” (*ṣaḥḥa ḥaḡḡā*), the Marīnids in Fez used “it was written on the mentioned date” (*wa-kutiba fī l-ta’rīḥ*

the sultan—for example, judges—had their own *ʿalāma*, while its use in the Maghreb was restricted to the actual ruler.<sup>34</sup> European Christian chanceries, in turn, used a different method of validation based on seals. Arabic chanceries also knew seals—clay and lead *bullae* from different periods of Arabic history are preserved and chancery manuals mention them. However, they only served to close documents and had no authority for validating the document's authenticity. Ibn Ḥaldūn (d. 808/1406), who served as *kātib al-ʿalāma* in the Ḥafṣid chancery, wrote that the ruler's seal had only a symbolic function, as it was not used regularly.<sup>35</sup> These differences were a topic in the written communication. Thus, the Marīnīd Sultan Abū l-Ḥasan ʿAlī wrote to Pedro IV of Aragon in 1350:

وذكرت أنك وجدت كتابنا بغير طابع شمع وقع عندك فيه ترتيب فتوقفت في أمر  
 [...] حتى تتحقق أن الكتاب الذي وصلك هو كتابنا واعلم أن العلامة التي نوقع في  
 آخر كتبنا بخط يدنا علامة الصحة على ما كتبناه فوقها وأما طابع الشمع فلا عبرة  
 به وإنما عمل حياطة على الكتاب أن لا يفك فيقرأ

You mention that when you found our letter without a wax seal, you entertained doubts [about the ambassador] and let the case of [...] rest, until it was attested that the letter that reached you was our letter. Know that the *ʿalāma*, which we write at the end of a letter with our own subscription, is the sign of authentication for everything that is written above it. The wax seal does not mean anything; it serves only as a device to prevent the letter from being opened and read.<sup>36</sup>

One cannot be sure that Pedro was ignorant of the function of the *ʿalāma*, as the letter states in a later passage that the Marīnīd messengers had written in another letter that Pedro had recognized the *ʿalāma* and its meaning. The doubts about the letter's authenticity probably only served to buy more time, before the king had to act in accordance with the sultan's request. That Pedro was able to feign such ignorance shows that Muslim rulers considered the linguistic abilities of the Aragonese chancery to be

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*al-muʿarraḥ*), the Muʿminids in Marrakesh used "Praise to God alone!" (*al-ḥamdu li-llāh waḥdah*), and the Ḥafṣids in Tunis used "Praise to God and thanks to God!" (*al-ḥamdu li-llāh wa-l-ṣukr li-llāh*). The Mamlūk sultans used their names, but letters to Christian rulers were written without *ʿalāma*.

34 On most occasions, subordinates used their personal signature in their own handwriting as a means of validation; in a few cases, however, the signature was elaborated, resembling the later Ottoman *tuğras*. See Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 324–330 (docs. 142–143).

35 Ibn Ḥaldūn, *Taʾrīḥ al-ʿalāma Ibn Ḥaldūn*, 7 vols. (Beirut: Dār al-kitāb al-lubnānī, 1956–1959), vol. 1, 476.

36 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 197 (doc. 99).

limited. Seen together with the examples featuring the problems of translating texts correctly, the documentation presented so far suggests, in fact, that, despite its Jewish and Muslim staff, the Aragonese lacked fundamental abilities in dealing with Arabic documents.

### 3.6 Languages of negotiations (I): Aragon–Granada

Before drawing premature conclusions, let us look at another instructive example of language knowledge in diplomatic exchange: in 1300, Aragon and the Naṣrids of Granada negotiated a military alliance against Castile. The documentation of this alliance and its negotiations is very dense.<sup>37</sup> In addition to the original Arabic treaty sent from Granada to Aragon,<sup>38</sup> we also possess the Castilian text of the treaty sent from Barcelona to Granada as a copy in the registers.<sup>39</sup> Moreover, we have the Castilian text of a parallel treaty between Muḥammad II and Alfonso de la Cerda—pretender in Castile, who fought on the side of Aragon<sup>40</sup>—and a bilingual negotiation protocol.<sup>41</sup> The Naṣrid royal prince came to Zaragoza for the negotiations in summer 1300. Jaime II and Alfonso de la Cerda ratified the actual treaty in autumn, and Muḥammad a few months later still, in January 1301. The protocol seems to be the result of the negotiations in Zaragoza. It is written in Arabic and Castilian—which is surprising, considering that, in the early fourteenth century, one would have expected Catalan to be used in Aragon, since Castilian replaced Catalan in Aragon a hundred years later. Although there is no concrete evidence for this, the protocol seems to have been written by a single scribe: before the first Castilian paragraph, we see a crossed-out line of Arabic script containing the words “Chapter for the King of” (*faṣl ‘an malik*). Here, the scribe seems to have started to write in Arabic before he switched to Castilian, writing: “And moreover, We, the King of Aragon mentioned above [...]” (*Et otrossi nos sobredito Rey de Aragon [...]*.)” The protocol contains almost the complete text of the later treaty, including purely formulaic sections. The introduction and clauses binding the sultan of Granada are written in Arabic, the clauses for the Aragonese king are written in Castilian, and the closing part is missing. By comparing this document to the final version of the treaty, written in the Naṣrid chancery in Granada, we see that the final document was written more carefully—it is actually very easy to decipher—and is written completely in Arabic. The Aragonese version, of which we have an archival copy, was written completely in Castilian.

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37 Andrés Giménez Soler, *La Corona de Aragón y Granada: Historia de las relaciones entre ambos Reinos* (Barcelona: Imprente de Casa Provincial de Caridad, 1908), 67–81.

38 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 7–10 (doc. 3).

39 Giménez, *La Corona de Aragón y Granada*, 76–78.

40 Giménez, *La Corona de Aragón y Granada*, 80–81.

41 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 4–6 (doc. 1).

Thus, when the alliance was concluded, two similar, but actually rather different texts in different languages, prepared by two different chanceries, were exchanged. Both texts follow the model of Arabic peace treaties: after the invocation, they start in Arabic with the phrase “So that everybody who reads this document, knows that [...],” (*li-ya’lama kull man yaqifu ‘alā hāḍā l-kitāb annā [...]*)<sup>42</sup> or in Castilian with “Sepan todos quantos esta carta vieren como [...].” This formulary is clearly neither a contract nor a bilateral document. However, it spells out the rules for the subjects of one party and states that the other party should follow the same rules. In consequence, it represents more of a decree than a real contract, but it was a frequently used form for medieval Arabic-Latin peace treaties.<sup>43</sup> To a certain extent, the Aragonese version transfers an Arabic model into its own language, whereas the Arabic version is adapted only in its material form: it is written on parchment. Around 1300, paper had almost completely substituted parchment in the Arabic sphere, even in the case of very important documents—all Mamlūk treaties were written on paper. Its *mise en page* is more difficult to evaluate, since no medieval treaties between Arabic rulers are preserved. However, the layout is centred on a piece of parchment that is wider than its length, and the equally wide margins on the right- and left-hand sides seem rather uncommon for Arabic documents. Most astonishing is the validation by a pending wax seal, of which only the holes in the parchment are preserved where the seal was fixed. Except for this and a few other treaties from Granada and other Mağribī chanceries, wax seals were never used by Arabic medieval chanceries.<sup>44</sup> As a result, we can understand the treaty as a hybrid of Arabic and Latin forms of contracts. The Naşrid chanceries validated it not only by using the *‘alāma*, but also added a pending seal. How the Aragonese

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42 Al-Qalqaşandī, *Kitāb Şubḥ al-a’şā*, ed. Ibrāhīm, vol. 6, 342, interprets the first word as jussive *li-ya’lam kull*, that is, “everybody knows.” Since the Andalusī and Mağribī documents are vocalized, we see that the jussive was used as the final clause. Decrees from the Mashreq follow a different formulary, which introduces an equivalent part in another way, so that al-Qalqaşandī, as a Mamlūk clerk, here, has only limited authority.

43 Around half of all preserved Arabic peace treaties are written as decrees. Decrees had several advantages over normal contracts (*kitāb*). They did not require the presence of the contractors with whom an oath was taken, but could be decreed in the absence of the other party. Islamic law regulated them to a lesser extent, since they were administrative and not juridical acts. Since they were formulated in a way suggesting that the Muslim ruler granted the Christian ruler privileges, they demonstrated his superiority. Research on why treaties were so often written as decrees is limited: Rüdiger Lohker, *Islamisches Völkerrecht: Studien am Beispiel Granadas* (Bremen: Kleio, 2006), for example, regards them as purely legal documents.

44 The only completely preserved pending wax seal is found on the French-Hafşid peace treaty concluded after the Eighth Crusade (1270) to Tunis. It is edited and described in Antoine-Isaac Silvestre de Sacy, “Mémoire sur le traité fait entre le roi de Tunis et Philippe-le-Hardi, en 1270, pour l’évacuation du territoire de Tunis par l’armée des croisés,” *Histoire et mémoires de l’institut royal de France, Académie des inscriptions et belles-lettres* 9 (1832), 448–477.

chancery validated it, we do not know; however, the text was written following an Arabic model—but in Castilian.

If we compare the final versions with the notes of the negotiation, we see that the Castilian version conforms almost word-for-word to the Castilian parts of the notes. The Aragonese chancery translated only the Arabic parts, but could use the rest of the earlier draft. In the case of the Arabic version, the language of the negotiation and the language of the final text do not correspond: the Arabic part of the protocol is written in a form of Andalusí dialect—it uses a conjugation in which the first person singular takes the form *nafal* and the plural *nafalū*. Moreover, it employs different conjunctions (*in kān* for conditional clauses) and non-classical prepositions (such as *matā*). Otherwise, the text tries to add the case endings of classical Arabic—not written as *taškīl*, but as separate letters *alif-nūn*. The final version, in turn, is written in normal chancery style without deviation from classical grammar. Even if we do not know which language was used in the actual negotiations, we may assume that both sides had the ability to converse in the spoken varieties of Arabic and Latin, but that their knowledge of the written language was limited. The change from Latin to Romance in Iberian-Christian chanceries thus probably made it easier for the Arabic side to understand what had been written down. In contrast, Arabic linguistic conservatism may have caused the aforementioned translation problems for the Aragonese side.

### 3.7 Languages of negotiations (II): Aragon–Cairo

We find a similar example of using only an informal level of Arabic in negotiations and in drafting the text of a treaty in the case of a trade agreement between the Mamlūks and Aragon concluded in 1430.<sup>45</sup> In addition to the actual treaty concluded in Rhodes, we also possess a draft of the same treaty written in Cairo in 1429.<sup>46</sup> An Aragonese ambassador came to Cairo to negotiate the agreement, but when the Mamlūks demanded an additional clause, the ambassador was not authorized to accept unforeseen changes. Thus, he probably returned to Aragon with the draft. The text looks like a normal Mamlūk treaty; that is, it is written on a long paper scroll, now cut into 111 pieces, with wide spacing between the lines. Its

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45 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 372–390 (doc. 153).

46 Mercé Viladrich, “Jaque al sultán en el ‘damero maldito.’ Edición y traducción de un tratado diplomático entre los mercaderes catalanes y el sultanato mameluco (1429),” in *L'expansió catalana a la mediterrània a la baixa edat mitjana, Actes del Séminaire/Seminari organitzat per la Casa de Velazquez (Madrid) i la Institució Mia i Fontanals (CSIC, Barcelona)*, ed. Maria Teresa Ferrer i Mallol and Damien Coulon (Barcelona: Consell superior d'investigacions científiques, Institució Milà i Fontanals, Departament d'estudis medievals, 1999), 161–205.

formulary corresponds with the formulary of Mamlūk decrees (*marsūm*)<sup>47</sup> without the *‘alāma*, since it is only a draft. One year later, the Aragonese ambassador did not come to Cairo; instead, the Grand Master of the Knights Hospitaller on Rhodes, Antoni de Fluviá, mediated the negotiations. The resulting treaty is very untypical for Mamlūk documents, since it is not written on a scroll, but rather on eight folia. Its scribe lacked all calligraphic abilities, so that the script looks ordinary—almost ugly—and is more difficult to decipher than is normally the case for scripts from the chancery (*dīwān al-inšā’*). Contrary to most other Mamlūk administrative documents, it is not validated by an *‘alāma*, but instead by signatures—whereas the text field for the testimonies is surrounded by the formula “There is no god but God” (*lā ilāh illā llāh*)—which could be interpreted as a substitute for the *‘alāma*. An agreement between rulers could in fact also take on the form of a *kitāb*, a contract that needed validation by the signatures of witnesses. However, the combination of a decree’s formulary and this kind of validation—normally used in juridical documents—is otherwise not attested. The formulary tries to reproduce a decree, but only resembles it. After the invocation, the text starts with the sentence “That it be known to everyone who sees this paper” (*an yakūna ma’lūm li-man yarā hādīhi l-waraqqa*), thus loosely reproducing the beginning of treaties from the Maghreb (*li-ya’lama kull man yaqifu ‘alā hādā l-kitāb*). Consequently, the Mamlūk form of a *marsūm* was replaced by a formulary only attested in the Muslim West, probably because the Aragonese delegation had a better knowledge of the necessary formulae. The discrepancy with the expected form shows that its scribe had problems formulating classical Arabic. The text is not written in a dialect, but in a variant of Middle Arabic instead; it tries to follow the rules of classical grammar, but adds many minor errors (for example, shortened imperfect forms, different rules of congruence, etc.). These problems are explained if we look at the names of the Mamlūk delegation: Muṣṭafā Bek b. [...] Murād Ḥān, Muṣṭafā Bek b. [...] b. Murād, Salḡūq b. [...] b. Ḥān al-Turkī, and ‘Abd ar-Raḥmān b. [...].<sup>48</sup> Obviously, the members of the delegation were Mamlūks, that is, soldiers of Turkish origin, and not scribes. Al-Qalqašandī points out that a scribe in the Mamlūk chancery at least had to know Turkish as a foreign language, since the Mamlūks had only limited knowledge of Arabic. The 1430 trade agreement shows that the delegation consisted only of policy makers without any trained scribe, resulting in a final text that did not conform to the ideals of chancery practice (*inšā’*). As mentioned earlier, al-Qalqašandī explained that the poor stylistic quality of treaties concluded with the crusaders resulted from the fact that they were drafted using an oral form of

47 For Mamlūk decrees and their formulary, see Hans Ernst, *Die mamlukischen Sultansurkunden des Sinai-Klosters* (Wiesbaden: Harrassowitz, 1960), XXIII–XXXIX; and Donald S. Richards, *Mamluk Administrative Documents from St Catherine’s Monastery* (Leuven: Peeters, 2011), 19–31.

48 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 377.



Arabic, to the effect that stylistic ideals had to be abandoned.<sup>49</sup> The aforementioned examples reinforce this theory, showing that the knowledge of classical Arabic was certainly available in the chanceries, but not necessarily at the places where treaties were negotiated. As in the Muslim West, the persistence of classical Arabic as a written language resulted in problems of composing texts—even for the Muslims involved. Although we do not have any information about the actual process of negotiating, we have to assume that diglossia added further problems for the European Christians, because they needed not only translators and interpreters for the spoken language, but in some situations, for the written language in its varieties between classical and Middle Arabic as well.

### 3.8 The role of the diplomatic personnel

Since responsibility for the deviances from classical Arabic in the agreement lay with the members of the Mamlūk delegation, furthering our understanding of how diplomatic documents were translated requires a closer look at the people involved. The above-mentioned negotiations between Granada and Aragon in 1300 were an exception, in that they represent one of the few occasions in which high-ranking members of the elite from both sides met: Zaragoza was the residence of the kings of Aragon, so Jaime II as well as the Castilian Alfonso de la Cerda would have participated. The actual heir apparent, Muḥammad III, led the delegation from Granada.<sup>50</sup> The extant notes of the negotiations provide the sole indication that some of the persons involved were bilingual. Further information on interpreters and translators is completely lacking. The usual situation in diplomatic exchange was that a delegation from one side visited the other ruler. In the case of Aragon, these delegations mostly consisted of noblemen and merchants, as during the negotiations of 1429 and 1430 with the Mamlūks (Rafael Ferrer and Lluís Sirvent in both years, Pere de Cassaggia only in 1429).<sup>51</sup> The delegations were accompanied by Jews and Mudéjares as translators, who occasionally also served as ambassadors without being accompanied by Christian diplomats.<sup>52</sup> In diplomatic exchange, a small distinction—unexplained until now—was made between Mudéjares and Jews. The former only served as envoys to rulers in al-Andalus and the Maghreb,

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49 Al-Qalqašandī, *Kitāb Ṣubḥ al-ašā*, ed. Ibrāhīm, vol. 14, 70–71.

50 Giménez, *La Corona de Aragón y Granada*, 67.

51 Viladrich, "Jaque al sultán," 174; and Alarcón and García de Linares, *Los Documentos árabes diplomáticos*, 390.

52 For an overview on persons who acted as diplomats in the exchange between Aragon and Muslim rulers, see Nikolas Jaspert, "Zur Loyalität interkultureller Makler im Mittelmeerraum: Christliche Söldnerführer (alcayts) im Dienste muslimischer Sultane," in *Loyalty in the Middle Ages: Ideal and Practice of a Cross-Social Value*, ed. Jörg Sonntag and Coralie Zermatten (Brepols Collected Essays in European Culture 5) (Turnhout: Brepols, 2016), 235–274.

whereas Jews were also sent to the Mamlūks.<sup>53</sup> The ambassadors sent from Arabic rulers are more diverse: of course, there are also some officials, called *qāḍī*, *qā'id*, or *fāris*, that is, members of the juridical and military elite, but we often also find European-Christian merchants and mercenaries. The Mamlūks, who sent only high-ranking officials on their relatively few missions, must be regarded as an exception.<sup>54</sup> Hypotheses that Arabic knowledge on Christian Europe, its languages, and political developments was limited in comparison to European-Christian knowledge of the Arabic sphere are totally unsubstantiated.<sup>55</sup> Many people, who knew both sides as merchants or mercenaries, populated the harbours on both sides of the Mediterranean. Even the Arabic chanceries, whose secretaries were educated very traditionally, had, as mentioned before, offices for foreign languages. The Naṣrid chancery of Granada, in particular, produced a number of Romance documents written there and sent to Christian rulers. These documents are almost completely in Romance, except for an Arabic validation: they are sealed, but also feature the usual Naṣrid *'alāma*.<sup>56</sup> In the sixteenth century, it became more and more acceptable in the Maghreb to also use Castilian as a language of diplomatic exchange.<sup>57</sup>

On the other side of the Mediterranean, the Aragonese diplomatic apparatus also featured some bilingual experts. We can assume that a number of noblemen serving as ambassadors knew some Arabic—even if we have examples where they clearly negotiated with the help of interpreters.<sup>58</sup> The Jews and the Mudéjares were consulted because of their knowledge of languages. We can suppose that the Sephardic Jews—especially shortly after the Christian conquest of the formerly Muslim territories on the Iberian Peninsula—displayed good knowledge in drafting documents of private

53 Dominique Valérián, "Les agents de la diplomatie des souverains maghrébins avec le monde chrétien (XII<sup>e</sup>-XV<sup>e</sup> siècle)," *Anuario de Estudios Medievales* 38/2 (2008), 885-900.

54 For the Mamlūk missions to Aragon, see Aziz Suryal Atiya, *Egypt and Aragon: Embassies and Diplomatic Correspondence between 1300 and 1330 A.D.* (Abhandlungen zur Kunde des Morgenlandes 23,7) (Leipzig: Brockhaus, 1938). Apart from these missions, we have relatively little information about Ibn Taġrībīrdī, who served as ambassador to Venice in 1506. See John Wansbrough, "A Mamluk Ambassador to Venice," *Bulletin of the School of Oriental and African Studies* 26 (1963), 503-530.

55 See, for example, Peter M. Holt, "Al-Nāṣir Muḥammad's Letter to a Spanish Ruler in 699/1300," *al-Masāq* 3 (1990), 23-29, who argues that the Mamlūk letter published in Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 377 (doc. 146), to Alfonso of Castile was directed to Fernando IV of Castile, who was misnamed by the Mamlūk chancery because of its secretaries' ignorance. The addressee of this letter, of course, was Alfonso de la Cerda, the above-mentioned pretender in the Castilian Civil War at that time.

56 For a few examples of this, see Ana Labarta, "Sellos en la documentación nazari," *Revista del Centro de Estudios Históricos de Granada y su Reino* 28 (2016), 129-149.

57 Mercedes García-Arenal, Fernando Rodríguez Mediano and Rachid el Hour, *Cartas Marruecas: Documentos de Marruecos en Archivos Españoles (Siglos XVI-XVII)* (Estudios árabes e islámicos 3) (Madrid: Consejo superior de investigaciones científicas, 2002).

58 As in the Toledan deeds, it is often noted in peace treaties that they were translated orally for one side. See Ferrando, "The Arabic Language," 55-56.

law, whereas their knowledge of administrative chancery practices was probably more limited, as the studies by Burns show for the thirteenth century.<sup>59</sup> We know less about the Mudéjares in the chancery. Comparatively much is known about Aḥmad b. Ḥasan b. Šu‘ā’. He is attested as a translator in an Aragonese delegation to Granada. In the same year, i.e. 745/1344, he copied the letter of safe conduct for ‘Alī b. Kumāša, an ambassador from Granada to Aragon,<sup>60</sup> and translated several Arabic letters.<sup>61</sup> He was also the *qāḍī* of Játiva. As mentioned before, the *qāḍī* in Aragon was the person appointed to administrate the Muslim community, so the title reveals relatively little about his knowledge of classical Arabic and Islamic sciences. Another Ibn Šu‘ā’, Ibrāhīm, probably a relative of Aḥmad,<sup>62</sup> who was also *qāḍī* of Játiva, served on a diplomatic mission to Granada in 1361 and negotiated with the Marīnīds—as attested in a document arranging the release of the son of a Marīnīd *wazīr*, who was held in Aragonese custody in 1360.<sup>63</sup> Later, he became seneschal at the court of the Aragonese queen Eleonora.

Unfortunately, none of the translations of these documents is preserved. Only the Arabic copy by Aḥmad b. Šu‘ā’ of ‘Alī b. Kumāša’s safeguard is found in the Archivo de la Corona de Aragón.<sup>64</sup> It is discernible from the original at first glance, since the complete copy is written in very straight lines, contrary to the ideals of Arabic chancery practice, where the lines are curved. The script itself is skilful and clearly readable, but differs from the normal Andalusī and Maġribī chancery style. A closer look at the script reveals a few differences to the originals that mostly contravene the rules of classical Arabic.<sup>65</sup> The document mentioned above, witnessed by Ibrāhīm b. Šu‘ā’ for the release of the Marīnīd prisoner and written in classical Arabic, follows the form of a normal testimony (*išhād*). The different witnesses’ signatures obviously do not correspond with the script used for the

59 Burns, Chevedden, and de Epalza, *Negotiating Cultures*, 214–216.

60 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 110–111 (doc. 56).

61 Alarcón and García de Linares, *Los documentos árabes diplomáticos*, 110–113, 117–119 and 122–124 (docs. 56, 57, 60, 63). Not one of his translations has survived; we know of them only from notes on the Arabic documents.

62 Barceló, *Minorías islámicas*, 372, argues that he was Aḥmad’s son, which seems implausible, since he names himself Abū Ishāq Ibrāhīm b. Abū ‘Abdallāh Muḥammad b. Šu‘ā’.

63 Pedro Longás, “Capitulaciones celebradas para el rescate de Abu Omar Muza Benibrahim, vizir de reino de Fez, cautivo en el reino de Aragón,” in *Homenaje ofrecido a Menéndez Pidal: Miscelánea de estudios lingüísticos, literarios e históricos*, no editor, vol. 3 (Madrid: Librería y Casa Editorial Hernando, 1925), 551–561 (= P.PaisValenciano I 265).

64 Archivo de la Corona de Aragón, Cartas árabes 55. Alarcón and García de Linares, *Los Documentos árabes diplomáticos*, 109 (doc. 55) give only a very short description of the document.

65 Daniel Potthast, “Translations of Arabic Diplomatic Letters in the Aragonese Chancery,” in *Dasselbe mit anderen Worten? Sprache, Übersetzung und Sprachwissenschaft; Akten des 2. Symposiums des Zentrums historische Sprachwissenschaften (ZhS), München, 11. und 12. April 2014*, ed. Peter Schrijver and Peter-Arnold Mumm (Münchner Forschungen zur historischen Sprachwissenschaft 16) (Bremen: Hempfen, 2015), 183.

text of the *iṣhād*. The last signature by Ibrāhīm b. Šu'ā' seems very clumsy, as if made by a man not used to writing. Since it is difficult to appraise the quality of the writing based only on the signature of a witness—signatures on legal documents were normally written in almost unreadable scripts—we would be going too far if we assumed that his Arabic writing skills were minor. However, we can be sure that the document was drafted and written by someone else—probably a member of the Marīnīd delegation.

Even if both Ibn Šu'ā'-s travelled to Granada, lived there at least for some weeks or months, and probably also had some private, written contact with a number of Naṣrīd officials, who regularly translated Arabic letters, their knowledge of the Arabic dialect of Valencia would only have enabled them to roughly understand Classical Arabic. As we have seen, their position as *qāḍī* seems to have been in some way hereditary and probably also needed royal approval, so that formal knowledge of Arabic-Islamic scholarship was not necessary and, most likely, was not accessible in their original environment in Valencia.

### 3.9 Conclusion

To briefly summarize this broad overview of Arabic-Latin translations, we see that at least parts of the medieval Iberian Peninsula featured bilingual societies at certain times, but that the bilingualism fully incorporated only the spoken language varieties, while knowledge of the literary languages was only found among experts. Even in cases where such experts were desperately needed, as in diplomatic exchanges, they were not always available, and people had to rely on their own knowledge of the dialect to understand the literary language. This result is surprising, given that contact between Christian and Arabic societies was often intensive. For the fourteenth century, for which we possess much documentation of the diplomatic relations between the Aragonese kings and the Muslim rulers whose chanceries used Arabic, we can see that delegations travelled to and from Aragon at regular intervals of a few weeks. From a linguistic point of view, these exchanges worked: first, because the Aragonese could understand a considerable amount of the letters' content based on their knowledge of the Valencian dialect; and second, because the envoys often had a bilingual background and were thus able to solve any problems that arose orally.

Thus, we see an imbalance between the Arabic and Iberian-Christian sides, since oral and written knowledge of the vernaculars were more easily acquired than knowledge of the languages of scholarship, which could only be learned in particular places. Establishing Romance dialects as written languages simplified the Muslims' access to Christian Europe, since, unlike Latin, there were many places where they could study them.

If we take a look at the first diplomatic situation for which we have original documents that show us which languages were used, we see that

the Muslims had similar problems finding experts who could understand the Iberian-Christian side, which still used Latin. In 1069, the rulers of Zaragoza and Navarra, al-Muqtadir I and Sancho IV, concluded a peace treaty.<sup>66</sup> It was completely written in Latin. Al-Muqtadir accepted it with the addition of one Arabic sentence:

أنا ملتزم هذا إذا التزم الأمير سانجه سلمه الله كلما ثبت فيه إن شاء الله وهو  
المستعان

I am bound to this, if the Amīr Sānġuh—may God preserve him—is also bound to everything that is established in it, God willing! He is the One Whose help is sought!

We can only speculate whether al-Muqtadir understood the Latin text he accepted, even if it is a very vulgar variant. However, by developing Romance into a written language, the non-Arabic textual culture of Christian Iberia became more accessible for everyone lacking a formal education in Latin, while Arabic, with its diglossia, continued to remain a more inaccessible language in its written form.

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66 José María Lacarra, "Dos tratados de paz y alianza entre Sancho el de Peñalen y Moadadir de Zaragoza (1069 y 1073)," in *Colonización, parias, repoblación y otros estudios*, ed. José María Lacarra (Zaragoza: Anubar, 1981), 92–93.