

A petition to a woman at the Fatimid court (413–414 A.H./1022–23 C.E.)

Marina Rustow

Emory University

mrustow@emory.edu*

Abstract

The Genizah of the Ben Ezra synagogue in Fustat preserved dozens of petitions addressed to the Fatimid and Ayyubid chanceries in Cairo and decrees that they issued in response. This article provides an edition, translation, and discussion of a petition housed among the Genizah documents of the Bodleian Library directed to Sitt al-Mulk, half-sister of the caliph al-Ḥākim (386–411/996–1021) and head of the Fatimid state between his death and her own in 414/1023. Geoffrey Khan had previously identified two petitions to a Fatimid princess housed in Cambridge and New York; it is likely that they, too, were addressed to Sitt al-Mulk. Such documents elucidate Sitt al-Mulk's role in government after her brother's death and provide evidence for the chronicler al-Musabbiḥ's claim that she received and responded to petitions from subjects. The article offers possible explanations as to why petitions such as this one, which concerns an Ismaili mosque, should have found their way to the Jewish community of Fustat whose members reused and preserved them. It also suggests some broader conclusions about the dispersal, survival, or disappearance of pre-Ottoman Middle Eastern archives and documents.

S.M. Stern once lamented the number of extant Fatimid chancery documents as “pitifully small” compared to the thousands of state documents that have survived from the same period in Latin Europe. He had in mind official decrees – originals or copies that the chancery issued with signatures or other signs of authentication – and those he published interested him primarily as a tool permitting some understanding of how the chancery worked, or at least a more intimate view than the medieval administrative manuals allow: “The chief value of the decrees”, Stern wrote, “lies in their furnishing actual illustration for the study of the practices of the Fāṭimid chancery”. But Stern also demonstrated that decrees are by no means the only surviving Fatimid chancery documents. Petitioners kept drafts and copies, and many of those

* This article could not have been written without the generosity and encouragement of Geoffrey Khan. I owe a special debt to Yaacov Lev for making extremely valuable comments on what I had hoped was the final version. I have also benefited from the suggestions and help of Omar Ali de Unzaga, Haggai Ben-Shammai, Federico Bruzone, Piero Capelli, Mark R. Cohen, Werner Diem, Carmela Viricillo Franklin, Nathan Hofer, Andreas Kaplony, Tamer el-Leithy, Ahmed Nabil, Petra M. Sijpesteijn, Paul E. Walker, and the staff of the Special Collections Reading Room at the Bodleian Library. My warmest thanks to all of them; responsibility for errors is mine alone.

have survived.¹ The Fatimid archives also preserved copies of decrees no less authentic than the versions it delivered to subjects and officials, and some of these have survived as well.² More than just a glimpse of the chancery, they offer a rare window on to a vast array of otherwise unknown people, from minor state officials to the voiceless classes rarely found in the chronicles.

Stern's lament on the paucity of authentic documentary material is but one variation on a theme commonly sounded in medieval Near Eastern studies: the paucity of surviving documents. The term of comparison is usually either medieval Latin Europe or the Ottoman empire. Stern suggested that the dearth of archives surviving in continuity pointed to "certain characteristics of Islamic institutions (the lack of stable corporations for instance)".³ Michael Chamberlain has gone even further, arguing that the medieval Arabophone literate classes had no particular regard for documents, or at least insufficient

- 1 S.M. Stern, *Fāṭimid Decrees: Original Documents from the Fāṭimid Chancery* (London: Faber and Faber, 1964), 14. The book contains ten documents, eight issued to the monastery of St Catherine in Sinai (six preserved in the monastery, one in Cairo, and another in Istanbul, previously published by B. Moritz); one preserved in the Coptic Museum in Cairo (previously published by Grohmann); and one from the Qaraite synagogue in Cairo re-edited on the basis of Gottheil's transcription; as well as an Arabic transcription of the Judaeo-Arabic copy of a decree originally published in S. D. Goitein, "A Caliph's decree in favour of the rabbinite [sic] Jews of Palestine", *Journal of Jewish Studies* 5, 1954, 123. See further Stern, "An original document from the Fatimid chancery concerning Italian merchants", in *Studi Orientalistici in onore di Giorgio Levi della Vida* (Rome, 1956), 529–38, an internal report (Stern thought it was a petition) addressed to al-ʿĀmir (now re-edited by Geoffrey Khan; see below, n. 7). Stern, "Three petitions of the Fāṭimid period", *Oriens* 15, 1962, 172–209, plus two fragments of endorsed petitions; idem, "A petition to the Fāṭimid caliph al-Mustansir concerning a conflict within the Jewish Community", *Revue des études juives* 128, 1969, 203–22, a petition preserved in the Genizah in seven drafts in Judaeo-Arabic and an eighth in Arabic; idem, "Petitions from the Ayyubid period", *Bulletin of the School of Oriental and African Studies* XXVII, 1964, 1–32, one from the Archivio di Stato in Pisa and two from St Catherine; idem, "Two Ayyubid decrees from Sinai", in S. M. Stern (ed.), *Documents from Islamic Chanceries* (Oxford: Bruno Cassirer, 1966), 9–38, both from St Catherine; idem, "Petitions from the Mamluk period (Notes on the Mamluk documents from Sinai)", *Bulletin of the School of Oriental and African Studies* XXIX, 1966, 233–76 (a review of H. Ernst, *Die mamlukischen Sultansurkunden* (Wiesbaden, 1960)), with three petitions and the decrees that resulted from them, all from St Catherine. For the administrative manuals, see, e.g., Abū l-Ḥasan ʿAlī al-Kātib ibn Khalaf, *Mawādd al-bayān*, ed. Fuat Sezgin (Frankfurt: Institut für Geschichte der Arabisch-Islamischen Wissenschaften, 1986); Tāj al-Riʿāsa Amīn al-Dīn Abū l-Qāsim ʿAlī ibn Munjib ibn Sulaymān Ibn al-Ṣayrafī, *al-Qānūn fī dīwān al-rasāʾil wa-l-ishāra ilā man nāla al-wizāra*, ed. Ayman Fuʾād Sayyid (Cairo: al-Miṣriyya al-lubnāniyya, 1990); Abū l-ʿAbbās Aḥmad b. ʿAlī al-Qalqashandī, *Ṣubḥ al-aʿshā fī ṣināʾat al-inshā*, 15 vols (Cairo: al-Muʾassasa al-miṣriyya al-ʿamma li-l-taʾlīf wa-l-tarjama wa-l-ṭibāʿa wa-l-nashr, 1964).
- 2 Geoffrey Khan, "A copy of a decree from the archives of the Fatimid chancery", *Bulletin of the School of Oriental and African Studies* 49, 1986, 439–53.
- 3 Stern, *Fāṭimid Decrees*, 1, 4; see also Paul E. Walker, *Exploring an Islamic Empire: Fatimid History and Its Sources* (London: I. B. Tauris, 2002), 113; Michael Brett, "Lingua Franca in the Mediterranean: John Wansbrough and the historiography of medieval Egypt", in Hugh Kennedy (ed.), *The Historiography of Islamic Egypt (c. 950–1800)* (Leiden: Brill, 2001), 5. Brett also offers a convincing suggestion as to when and why the Fatimid archives disappeared, 10–11.

regard to preserve them, and instead reproduced and challenged social hierarchies via other means.⁴ In fact, the evidence of pre-Ottoman archives and archival practices is abundant, but it is also hardly investigated. Comparing the tens of thousands of surviving original Arabic papyri with early medieval Latin documents copied into cartularies suggests that the shopworn comparison with medieval Europe requires some rethinking.⁵ Frédéric Bauden has rightly called the notion that few documents have survived from the medieval Near East “calamitous”, and made every effort to correct it for the Mamluk period in particular.⁶

Stern recognized the potential of “the ‘archaeological’ quarries” to supply the missing documents (he used inverted commas to distinguish genuinely archaeological finds such as papyri from non-archival collections in general).⁷ The *genizah* of the Syro-Palestinian synagogue in Fustat, better known as the Cairo Geniza, has preserved hundreds of chancery documents; one of the purposes of this article is to understand why.⁸ But the Geniza has not garnered

- 4 Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (Cambridge: Cambridge University Press, 1994), esp. 11–18 (17); for critiques of the premise, see Bruna Soravia, “Les manuels à l’usage des fonctionnaires de l’administration (Adab al-Katib) dans l’Islam classique”, *Arabica* 52, 2005, 418–19, and Tamer el-Leithy, “Rethinking Middle Eastern archives” (unpublished paper; my thanks to el-Leithy for allowing me to read and cite it).
- 5 For an analysis of the failure to preserve originals in northern Europe, see Patrick J. Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton: Princeton University Press, 1996), esp. ch. 3; on the “first big wave of cartulary composition” in France in the 1120s and its consequences, see Constance Bouchard, “Monastic cartularies: organizing eternity”, in Adam J. Kosto and Anders Winroth (eds), *Charters, Cartularies and Archives: The Preservation and Transmission of Documents in the Medieval West* (Toronto: Pontifical Institute of Mediaeval Studies, 2002), 22–32; and for additional analysis of the function of written documents, Adam J. Kosto, “Laymen, clerics, and documentary practices in the early Middle Ages: the example of Catalonia”, *Speculum* 80, 2005, 44–74.
- 6 Frédéric Bauden, “Mamluk era documentary studies: the state of the art”, *Mamlūk Studies Review* 9, 2005, 16.
- 7 Stern, *Fāṭimid Decrees*, 5.
- 8 In addition to the works cited in n. 1, see Goitein, “Congregation versus community: an unknown chapter in the communal history of Jewish Palestine”, *Jewish Quarterly Review* 44, 1954, 291–304; idem, “New sources on the Palestinian Gaonate”, in Saul Lieberman and Arthur Hyman (eds), *Salo Wittmayer Baron Jubilee Volume on the Occasion of his Eightieth Birthday* (Jerusalem: American Academy for Jewish Research, 1974), 503–37 (doc. 3); idem, “Petitions to the Fatimid Caliphs from the Cairo Geniza”, *Jewish Quarterly Review* 45, 1954, 30–38; D. S. Richards, “A petition for an iqtā‘ addressed to Saladin or al-ʿĀdil”, *Bulletin of the School of Oriental and African Studies* 55, 1992, 100–105; Moshe Gil, *Palestine during the First Muslim Period (634–1099)*, Hebrew, 3 vols (Tel Aviv: Tel Aviv University, 1983), vol. 2, doc. 196, a petition written in the margins of a Judaeo-Arabic letter preserved in Cambridge, re-edited in Khan, *Arabic Legal and Administrative Documents in the Cambridge Genizah Collections* (Cambridge and New York: Cambridge University Press, 1993), doc. 73; Khan, “The historical development of the structure of medieval Arabic petitions”, *Bulletin of the School of Oriental and African Studies* 53, 1990, 8–30, including citations of twenty-nine still unpublished petitions from the Genizah; and idem, *Arabic Legal and Administrative Documents*, including editions of thirty new petitions, eleven decrees, and fifty-four internal chancery documents, plus citations of ten chancery documents not mentioned in his “Historical development”.

enough recognition as a potential quarry for Arabic documents, presumably because it confronts Arabists with three perceived difficulties: alphabet (the preponderance of texts are in Hebrew script); geographic dispersion (its contents are in libraries on three continents); and the necessity of facing vast quantities of raw, unprocessed manuscript material, much of it in difficult hands. Nor does one imagine the *genizah*-chamber of a synagogue an obvious place to find chancery documents – let alone by far the largest group of them of any single provenance. It may not be obvious, but it is logical, as I will argue.

In the summer of 2004, I happened upon a Fatimid petition at the Bodleian Library.⁹ Since Stern had published drafts of another Fatimid petition from the same bound volume of Genizah fragments, he must certainly have known of this one.¹⁰ When I returned to the Bodleian two years later, I surveyed its collection of 12,401 Genizah folios for chancery material and conducted pilot searches for unpublished material in Cambridge. To the 173 known Fatimid, Ayyubid, and Mamluk petitions and decrees, I can at present contribute another fifty that have not yet been published or cited.¹¹ I hasten to emphasize that these are preliminary results: thorough searches in Cambridge alone could easily double the known corpus. Nor does this figure include petitions, rescripts, and decrees mentioned second-hand in letters and court dossiers. Without searching

- 9 Oxford, Bodleian Library, MS Heb b 18.23v (see the edition and translation at the end of this article). A handwritten register available from the librarians in the Special Collections Reading Room notes that the documents in this volume were acquired “by exchange” from the baptized Polish Jew, Christian missionary, and Hebrew Bible scholar C. D. Ginsburg (1821–1914), probably between 1906 and 1910, and that its ultimate provenance was the Cairo Genizah. As with all Genizah collections, there is a chance that some of this material came from *genizot* elsewhere in Cairo.
- 10 Oxford, Bodl. MS Heb b 18.21, recto and verso, published with Cambridge University Library, Taylor-Schechter (henceforth T-S) 30.278, in Stern, “Petition to the Fāṭimid Caliph al-Mustanṣir” (see below, n. 59). Stern published these texts just before his sudden and untimely death; he may have had plans to publish the petition below. See Richard Walzer, “Samuel M. Stern: in memoriam”, *Israel Oriental Studies* 2, 1972, 1–14; John Wansbrough, “Obituary: Samuel Miklos Stern”, *Bulletin of the School of Oriental and African Studies* XXXIII, 1970, 599–602. I have not yet checked Stern’s scholarly archive for unpublished editions; it is housed at the Jewish National and University Library in Jerusalem and together with Walzer’s comprises about thirty unsorted boxes. Stern’s published opus concentrated on quarry farther afield from Oxford (Cambridge, Pisa, Cairo, Istanbul, Sinai).
- 11 I list only the Oxford shelf marks here: Bodl. MSS Heb a 3.10v; b 3.30r; b 11.7v; b 18.21 (r and v); b 18.23v; c 28.10v; c 28.19v; c 50.4v; d 66.13v; d 66.16v; d 74.19v; d 74.20v; d 74.38v; d 77.14r; d 79.34v; d 81.19–22; e 98.69v; e 115.9v; f 18; f 56.4r–5v; f 56.13; f 57.1–7; f 99.5; f 103.43v; f 103.45v; f 106.64 verso; f 107.36 recto; g 2.60–67 (60v, 61v, 62v, 65r, 66r, 67r). All are fragments cut and reused for Hebrew texts, since in acquiring its Genizah manuscripts from collectors and dealers the Bodleian sought out Hebrew rather than Arabic script. While chancery texts represent 0.225 per cent of the total Oxford Genizah collection (twenty-eight of a total of 12,401 leaves), Cambridge, which acquired most of its Genizah leaves after collectors and other libraries had been through the material, houses at the very least more than twice that proportion (out of 192,843 leaves in total). The current estimate of total Genizah items runs to roughly 279,000 leaves, according to the Friedberg Genizah Project (www.genizah.org), which aims to reunite the Genizah virtually by offering on-line digital reproductions, descriptions, bibliographic references, and some transcriptions and translations.

for them specifically, I have found twelve such references datable between 1025 and 1041 alone.¹²

The evidence the Genizah has preserved from Egyptian chanceries raises some questions. How did this material make its way from the palace in Cairo to the synagogue in Fustat? Can its preservation in the Genizah shed light on medieval Near Eastern documentary practices? Before offering some answers to these questions, I will discuss the Bodleian petition, the events that gave rise to it, the identity of its recipient, and its potential significance for the history of early Fatimid Egypt. I will then propose some preliminary hypotheses about how it and other documents like it came into the possession of the Jews who frequented the Ben Ezra synagogue and filled its Genizah with disused papers.

Fatimid petitions

The Fatimids followed the Abbasids in issuing decrees in response to petitions (*al-tawqīʿ ʿalā al-qīṣaṣ*), in principle in response to anyone in the realm and in practice anyone with connections.¹³ While to a modern observer, the petition-and-rescript procedure suggests a certain laissez-faire, the Fatimids meant it to convey the ubiquitous presence of the caliph as the personal patron of his subjects. Like all premodern states, the Fatimid caliphate lacked manpower and reliable networks of communication; petitions served as an administrative device and a check on abusive officials. But each instance of petition and redress was also a performative occasion that allowed the caliph to establish himself as the highest protector of the weak and the dynasty as legitimate in the eyes of its subjects.¹⁴

The Mamluks clearly understood this. Early in their rule, while still attempting to secure their moral legitimacy, they developed an elaborate ceremonial surrounding the procedure of redress for injustices (*maẓālim*).¹⁵ Fatimid bureaucrats seem to have known it as well, judging from the remarkably candid Ibn al-Ṣayrafī, head of the Fatimid chancery in the mid-twelfth century, who described “rescripts and decrees in response to petitions concerning grievances” as a process by which “a man obtains his right from someone else” that

12 Marina Rustow, “Fatimid decrees and Jewish communal politics”, in María Ángeles Gallego (ed.), *Reason and Faith in Medieval Judaism and Islam* (Leiden: Brill, forthcoming).

13 On the Abbasids, see Maaïke van Berkel, “Communication and contention: the role of literacy in conflicts with ‘Abbāsid officials”, *History Compass* 5, 2007, 1661–76; Jørgen Nielsen, *Secular Justice in an Islamic State: Maẓālim under the Bahrī Mamlūks, 662/1264–789/1387* (Leiden: Brill, 1985), 4–9.

14 Mark R. Cohen, “Administrative relations between Palestinian and Egyptian Jewry during the Fatimid period”, in Amnon Cohen and Gabriel Baer (eds), *Egypt and Palestine: A Millennium of Association (868–1948)*, (Jerusalem: Ben-Zvi Institute, 1984), 117; Rustow, *Heresy and the Politics of Community: The Jews of the Fatimid Caliphate* (Ithaca: Cornell University Press, 2008), 89–91.

15 Nielsen, *Secular Justice in an Islamic State*, esp. 54–9; Nasser O. Rabbat, “The ideological significance of the Dār al-ʿAdl in the medieval Islamic Orient”, *International Journal of Middle East Studies* 27, 1995, 5, 11–3; and see Albrecht Fuess, “Zulm by Maẓālim? The political implications of the use of Maẓālim jurisdiction by the Mamluk sultans”, *Mamlūk Studies Review* 13, 2009, 121–48.

ultimately leads to “the establishment of justice in the realm”. He justified the emphasis the regime placed on responding to petitions not just as a matter of justice but as one of establishing legitimacy through claims to patronage: “most of those with a grievance are powerless people, paupers and retiring women, most of whom arrive from distant parts of the realm, believing that they are approaching someone who will help them and redress their grievances and assist them against their adversaries”.¹⁶ Petitions were not just an instrument of the weak; they were an instrument of the state. The honorifics, titles, and formulaic phrases with which petitions abound acknowledged and confirmed the ruler as patron of his subjects. That the bond between them was meant to be understood as personal is a point that relates to the survival of documents, and I shall return to it in due course.

Structurally, the Fatimid petition mirrored queries sent to *muftīs*, and historically perhaps derived from it. Some decrees appear on the same piece of paper as petitions, a type of reuse that had its roots in Roman *responsa* and paralleled the usage of medieval Muslim (and Jewish) jurists.¹⁷ In other cases, officials discarded the original petition and drew up a clean decree directed to someone in the government, giving the petitioner a copy that the chancery had authorized. Sometimes petitions were never answered at all; connections to sympathetic courtiers played an essential role in expediting a petition or ensuring that it received a response. That partly explains the large number of petitions the Jews of Egypt and Syria submitted from about 1020 until 1041 – no fewer than eighteen, most of them asking for investitures or mediation in communal conflicts: during that period several Jewish courtiers and bureaucrats worked inside the palace gates. As far as the evidence allows us to gauge, most of those petitions resulted in decrees.¹⁸ The Bodleian petition comes from the same period, and this may explain its survival in the Genizah.

A mosque in arrears

This petition is one of many the Genizah has preserved that have nothing to do with Jews. It concerns a set of charitable trusts or pious foundations (*aḥbās*, lines 6, 10, 13, 15) established for the benefit of a congregational mosque (*masjid jamāʿa*, line 5; *masjid jāmiʿ*, line 14) whose location is not mentioned. Since the addressee knew the mosque in question, the petitioner offers no details as to its location. The silence strongly suggests Fustat or Cairo.

The petition centres on the trusts attached to the mosque. In legal terms, the mosque had been endowed as a public trust (*ḥabs khayrī*), and generated income via properties that it owned and rented out – whether shops or apartments we do

16 Ibn al-Ṣayrafī, *al-Qānūn fī dīwān al-rasāʾil wa-l-ishāra ilā man nāla al-wizāra*, ed. ʿAlī Bahjat (Cairo, 1905), 150–51.

17 On the comparison with *fatāwā* on the one hand and letters on the other, see Khan, *Arabic Legal and Administrative Documents*, 303–04; Werner Diem, *Arabische Briefe auf Papyrus und Papier aus der Heidelberger Papyrus-Sammlung*, 2 vols (Wiesbaden: Harrassowitz, 1991), doc. 1 and the comments at 1:11 (my thanks to Andreas Kaplony for this reference); and Khan, “Historical development”, 8–9, 15, 16.

18 Rustow, “Fatimid decrees and Jewish communal politics”; for details and context, Rustow, *Heresy and the Politics of Community*, chs 3–8, 11.

not know. The rental income provided for an annual distribution to the mosque's preacher (*khaṭīb*) as payment for his services. Once he had received his share, the remainder of the trust's income went towards the salaries of the mosque's superintendent (*qayyim*) and muezzin, and towards the upkeep and maintenance of the building itself (line 7).

The amount cited as payment for the *khaṭīb* is difficult to read since the currency is written in *dīwānī* ciphers.¹⁹ The number is clearly twenty; the currency is probably *dīnārs*, since twenty *dirhams* would be far too small a sum. Even twenty *dīnārs* per annum was modest payment. Al-Maqrīzī reports that Fatimid *khuṭabā'* in congregational mosques earned between ten and twenty *dīnārs* per month; a *khaṭīb* at the sanctuary of Ḥusayn in Cairo (*al-mashhad al-ḥusaynī*) earned thirty *dīnārs* on 'Īd al-Ghadīr alone.²⁰ By comparison, our *khaṭīb* was not well paid. Monthly household expenditures in this period (I shall establish the petition's date below) averaged nearly three *dīnārs*.²¹ One hopes the *khaṭīb* had other sources of income.

Even that modest sum could not be guaranteed: what brought about the petition was that the mosque's income was now in danger of drying up since the renters had fallen in arrears and owed "about ten *dīnārs*" for the period ending Rajab 415 A.H. (September 1024; lines 9–10) – at least half a year's income. This is the only date the text contains and serves as a clue to when it was written.²² Rents could be paid monthly, annually, biennially, or exceptionally, every four years, and payment in advance brought a discount.²³ Based on standard rental terms, I propose as a *terminus a quo* two years before the date given on the petition, the end of Rajab 413 (late October 1022), and as *terminus ad quem* six months after the date on the petition, the end of Muḥarram 416 (early April 1025).

Faced with renters in arrears and a mosque staff that depended on them for income, the petitioner brought the dilemma to the palace in Cairo in the hope of redress. How reasonable was his hope? He had good reason to expect an answer, a fact that he does not fail to note: the mosque foundations were part

19 See A. Silvestre de Sacy, *Grammaire arabe*, 3rd ed. (Tunis, 1904 [1831]), 91 (para. 177); Claude Cahen and R. B. Serjeant, "A fiscal survey of the medieval Yemen: notes preparatory to a critical edition of the *Mulaḥḥaṣ al-fitan* of al-Ḥasan B. 'Alī al-Šarīf al-Ḥusaynī", *Arabica* 4 (1957), 31–2; Claude Cahen, "Douanes et commerce dans les ports méditerranéens de l'Égypte médiévale d'après le *Minhādī* d'al-Makhzūmī", *Journal of the Economic and Social History of the Orient* 7, 1964, 272–3; Abū l-Ḥasan 'Alī b. 'Uthmān al-Makhzūmī, *Kitāb al-minhāj fī 'ilm kharāj Miṣr*, ed. Claude Cahen and Yūsuf Rāḡib, partial ed. (Cairo, 1986), vii.

20 Aḥmad b. 'Alī al-Maqrīzī, *Kitāb al-mawā'iz wa-l-i'tibār fī dhikr al-khiṭaṭ wa-al-āthār*, ed. Ayman Fu'ād Sayyid, 5 vols (London: Mu'assasat al-furqān li-l-turāth al-islāmī, 2002), 2:334, 2:301 (in the edition published in Būlāq, 1853, 1:401, 1:389). Cf. *EF*² s.v. "Khaṭīb" (Johannes Pedersen).

21 Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 6 vols (Berkeley, CA: University of California Press, 1967–93), 1:369–70, citing Cambridge University Library, Or. 1080 J 291 (item 3, dated 1024) and T-S 16.374 (item 3a, 1022).

22 It, too, is written in *dīwānī* ciphers (see above, n. 19).

23 Goitein, *Mediterranean Society*, 4:92–93, 292–96; 3:144. Or there may have been some more complicated arrangement involving repairs in exchange for rent; see, e.g., *ibid.*, 4:101.

of “what is administered in her *dīwān*”, the bureau of the Fatimid woman to whom the petition is addressed (lines 4–5). Unlike Ibn al-Ṣayrafi’s “powerless people, paupers and retiring women”, our petitioner did not throw himself blindly on the mercy of his overlords but addressed himself to someone with a vested interest in the foundation, since she was its administrator. This is an important clue as to the addressee’s identity.

But first, the identity of the petitioner: he remains anonymous until lines 7–8, when, in the customary third person as “her slave”, he reveals that he “has a deputy charged with the office of preaching it (the *da‘wa*) known as Mūsā ibn Azhar”. This suggests that the petitioner was the *khaṭīb* himself and worked with a deputy; he thus held a stake not only in things running smoothly but also in receiving an income. In keeping with the indirect style of petitions, he glosses over this point, noting instead that his deputy, Mūsā ibn Azhar, required redress. The latter had recently “presented himself”, perhaps in Cairo to petition in person, “and complained about the regular income” from his office “and about the increasingly strong greed of the tenants in deferring it and dissolving this foundation” (lines 8–9). Their failure to pay meant that Mūsā ibn Azhar had to cede his income – as did, one presumes, the author of the petition, though he does not say this.

It is a frequent but as yet unexplained feature of petitions that the request is lodged on someone else’s behalf. The etiquette of patron–client relationships seems to have dictated that requests be made in indirect terms by third parties – not always those superior in rank. This feature of petitions may have developed from the practice of relying on chancery specialists or communal scribes to draft petitions for third parties, or it may be that the petitioner was such a specialist. In any event this kind of indirect request also became a standard feature of private petitions from the poor and investiture requests for communal leaders. Though illiteracy may have been the immediate reason poor petitioners relied on scribes, the practice of having petitions written on one’s behalf ultimately extended to the literate elite as a matter of etiquette. It was part of the practice of intercession (*shafā‘a*).²⁴

24 See, e.g., the Judaeo-Arabic petition to the *ra’īs al-yahūd* Shemu’el b. Ḥananya (1140–59) written by a scribe on behalf of a pauper, University of Pennsylvania, Center for Advanced Judaic Studies Library, Halper 379, in Judaeo-Arabic (Goitein’s unpublished edition available online through the Princeton Geniza Project, www.princeton.edu/~geniza); an undated (probably twelfth-century) petition written by a scribe on behalf of the Jewish pauper Ibrāhīm of Sunbāt to the head of the Jewish community in Fustat, Cambridge University Library, Or. 1081 J 10, in Hebrew and Judaeo-Arabic, line 3 (Mark R. Cohen’s edition online through the Princeton Geniza Project); and a letter in Hebrew rhymed prose (presumably to be translated into Arabic *saḥīf*) from the ga’on of the Jerusalem yeshivah Shelomoh ha-Kohen b. Yehosef to a group of Jewish notables in Cairo asking them to petition the chancery for a confirmation in office on his behalf, T–S 24:43, published in Goitein, “New sources on the Palestinian Gaonate”, 531–2 (doc. 2, with English translation and commentary, 517–23, and facsimile, 534–5; see his comments there, 523); republished in Goitein, *Palestinian Jewry in Early Islamic and Crusader Times in Light of Geniza Documents*, Hebrew, ed. Joseph Hacker (Jerusalem: Ben-Zvi Institute, 1980), 73–5 (facsimiles, 75–6); and in Gil, *Palestine*, vol. 2, doc. 51.

Thus far the situation as the petitioner explains it. Then he lodges his request: that a decree (*manshūr*, line 11: literally, an open letter, a decree without a seal²⁵) be issued to the governor (*‘āmil*) and administrator (*mutawallin*) of the district that housed the mosque asking them to help the deputy Mūsā ibn Azhar in three ways: by supporting his efforts to extract payment from the tenants; by sending him money directly; and by generally enforcing the terms of the trust.

Fatimid women

Who is the woman to whom this petition is addressed? There is no mention of her name anywhere in the document. Besides the date and the feminine endings in the honorifics in line 2, the principal clue to her identity is that the mosque and its attendant foundations form part of “what is administered” in her *dīwān* (lines 4–5). If she had her own *dīwān*, she was a high-ranking member of the Fatimid court. Indeed, the entire premise of the petition is that she possessed the power to command governors of districts (line 11).

That narrows the field of possible candidates significantly. Though the Fatimids, unlike the Byzantines, never allowed women to rule officially, many ruled *de facto* and others wielded power tantamount to that of caliphs and viziers.²⁶ A detail of the closing formula to which I shall return (line 16) demonstrates that the recipient of this petition held as much power as a caliph or a vizier.

The highest ranking female member of the Fatimid family for most of the eleventh century was the mother of al-Mustaṣṣir, al-Sayyida Raṣad, a slave whom the Qaraite Jewish courtier Abū Sa‘d Ibrāhīm al-Tustarī had given or sold as a concubine to al-Zāhir (1021–36). Al-Tustarī’s rise at court dates to the 1020s and Raṣad’s entry to the palace to the same period, but she remained a mere concubine until she gave birth to the future caliph al-Mustaṣṣir in 1029, and her real power at court dates only from her son’s accession in 1036.²⁷ She is therefore too late for our document.

The most likely candidate is al-Ḥākim’s older half-sister Sitt al-Mulk (b. 359/970).²⁸ Al-Ḥākim (996–1021) was famously and entirely exceptional among the

25 The use of this term seems to contradict Stern’s understanding of Fatimid nomenclature (*Fatimid Decrees*, 86–8): he claimed that in Fatimid usage, *sijill manshūr* was a hendiadys and *sijill* merely the common shortened form, while other dynasties used the term *manāshūr* (this is the plural given by Ibn al-Ṣayrafī and al-Qalqashandī). Stern argues this against Grohmann, Labib, and Goitein, who assume that a *sijill manshūr* (literally, “open decree”) was called this because it was publicly announced. Stern’s basic view that the Fatimids did not distinguish between *sijill* and *sijill manshūr* may well be correct, since a highly etiolated taxonomy was unlikely at this early stage in the evolution of chancery terminology; but this petition demonstrates clearly that the term *manshūr* was also used independently. As usual, the documents confound the neat distinctions presented in the administrative manuals.

26 See Yaacov Lev, “The Fatimid princess Sitt al-Mulk”, *Journal of Semitic Studies* 32, 1987, 319; Delia Cortese and Simonetta Calderini, *Women and the Fatimids in the World of Islam* (Edinburgh: Edinburgh University Press, 2006), 103, 116.

27 For details and sources, see most recently Rustow, *Heresy and the Politics of Community*, 177–8, 296–7.

28 A candidate I considered but rejected is ‘Ā’isha, the concubine of the Fatimid *amīr* ‘Abdallāh, son of the caliph al-Mu‘izz (953–75). Though she died in 415/1024–25,

Fatimid caliphs in his arbitrarily and sometimes violently interventionist style of rule. While his supporters justified his policies as the inscrutable ways of a messianic figure, he made enemies at court, including his sister. When on 27 Shawwāl 411/13 February 1021 al-Ḥākim disappeared on one of his night time walks in the Muqattam hills above the royal city of Cairo, at least one contemporary, the chronicler Hilāl al-Šābi (d. 1056), pointed to Sitt al-Mulk as his murderer. The two had had a history of tension and political disagreements, and by 1020, Sitt al-Mulk had not only begun to think that her brother was making poor decisions but also to fear for her safety.²⁹

After her brother's death, Sitt al-Mulk ruled the government de facto. A significant interval of six weeks elapsed during which she declared no successor, ruling alone and amassing power. Then, on 10 Dhu l-Ḥijja 411/27 March 1021, she had the seventeen-year-old al-Zāhir anointed *imām*-caliph and systematically put his rivals to death. Four chroniclers report that during this murderous period, she acquired a quality essential to rule: "she began to strike *hayba* in people's hearts".³⁰ Roy Mottahedeh defines *hayba* as the "salutary 'awe' or 'dread'" that "surrounded kingly authority by virtue of its threat of coercion"; *hayba* inspired responses as mild as respect for authority and as severe as disabling terror.³¹ For a period of at least two years, Sitt al-Mulk remained

after the date mentioned in our petition, and is also said to have left on her death a legacy of 400,000 *dīnārs*, a sum that might easily have endowed a public building, she was not a terribly prominent a person at court: al-Maqrīzī ranks her as "among the most important old women of the palace" (*min wujūh 'ajā'iz al-qasr*), almost by way of apology for not mentioning her elsewhere in his history. This implies there were others of her rank. Nor is there to my knowledge any record of 'Ā'isha's possessing a *dīwān*, hearing petitions, or wielding the kind of power that might have merited her *mulk* or *sulṭān*. Aḥmad b. 'Alī al-Maqrīzī, *Itti'āz al-hunafā' bi-akhbār al-'imma al-Fātimiyyīn al-khulafā'*, ed. Jamāl al-Dīn al-Shayyāl (vol. 1) and Muḥammad Ḥilmī Muḥammad Aḥmad (vols. 2 and 3) (Cairo: al-Majlis al-A'lā li-l-shu'ūn al-islāmiyya, 1967–73), 2:173; see also Cortese and Calderini, *Women and the Fatimids*, 180 n. 10; J. M. Bloom, "The Mosque of the Qarafa in Cairo", *Muqarnas* 4, 1987, 16–18.

29 Heinz Halm, "Le destin de la princesse Sitt al-Mulk", in Marianne Barrucand (ed.), *L'Égypte fatimide: son art et son histoire* (Paris: Presses de l'Université de Paris-Sorbonne, 1999), 69, 71; Cortese and Calderini, *Women and the Fatimids*, 124 at n. 78; see also Halm, *Die Kalifen von Kairo: Die Fatimiden in Ägypten, 973–1074* (Munich: C. H. Beck, 2003), 305–11.

30 *Wa-qāmat laha hayba fī qulūb al-nās*. For the sources, see Lev, "Fatimid princess", 326 nn. 33–4; see also Bar Hebraeus, *Tārīkh mukhtaṣar al-duwal*, ed. Anṭūn Šāliḥānī (Beirut: al-Abā' al-Yasū'iyyīn, 1958), 313. To judge by al-Maqrīzī, she had wielded the debilitating sort of *hayba* a decade earlier: Abū l-Qāsim 'Alī b. Aḥmad al-Jarjārā'ī, who would become vizier under al-Mustaṣfir, originally served as Sitt al-Mulk's *kātib*, but in 404/1013, refused to continue "out of fear for his life from serving her". Sitt al-Mulk "was annoyed by this" and the episode resulted in al-Ḥākim's having al-Jarjārā'ī's hands cut off. After al-Ḥākim's death, he returned to her service. Al-Maqrīzī, *Khīṭaṭ*, ed. Fu'ād Sayyid, 4:183 (Būlāq ed., 2:297–8).

31 Roy Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (Princeton: Princeton University Press, 1980), 184. See also Goitein, *Mediterranean Society*, 2:35; and Cohen, *Jewish Self-Government*, 248–50, citing a letter to the *ra'īs al-yahūd* Mevorakh b. Se'adyah in which Avraham ha-Kohen, head of a small Jewish community in lower Egypt, confesses having had to keep the peace by resorting to his own "tremendous awe" (*al-hayba al-'aẓīma*; Cambridge: Westminster College, Frag. Cairens. 51,

without question the most powerful person in the government, and then died of dysentery, probably having been poisoned.

I say at least two years because the chroniclers offer contradictory information as to when Sitt al-Mulk died, and modern historians have chosen one of these dates, 11 Dhū l-Qaʿda 413 (5 February 1023), as the correct one – arbitrarily in my opinion. The two contemporaneous witnesses are al-Musabbihī (366–420/977–1030) and Yaḥyā al-Anṭakī (d. 458/1066). The surviving part of al-Musabbihī’s chronicle covers a period from 1 Jumādā II 414 through the end of 415 (August 1023–March 1025), and it does not mention Sitt al-Mulk directly at all.³² This suggests strongly that she had died before Jumādā II 414. Yaḥyā al-Anṭakī says that she died in 414 (26 March 1023–13 March 1024), but he does not say when.³³ Read together, these two chroniclers suggest that Sitt al-Mulk died sometime between Muḥarram and Jumādā II 414 (26 March and 18 September 1023). The Maghribi chronicler Ibn ʿIdhārī (second half of the seventh/thirteenth century) corroborates this when he reports that the news of Sitt al-Mulk’s death reached the west in 414.³⁴ The other chroniclers who mention her death all offer contradictory information: Bar Hebraeus (1225/26–1286), al-Nuwayrī (677–733/1279–1333), Ibn al-Dawādārī (first half of the eighth/fourteenth century), and al-Maqrīzī (766–845/1364–1442) each provide different dates; all were writing at least two centuries after the event. Bar Hebraeus says Sitt al-Mulk died four years after al-Ḥākim (i.e. 415/1025); al-Nuwayrī offers 11 Dhū l-Qaʿda 413 (5 February 1023), which appeals in its specificity but is not necessarily correct; Ibn al-Dawādārī also says that Sitt al-Mulk died in 413; and al-Maqrīzī gives the latest date of all, 1 Jumādā II 415 (August 10 1024), five years and eight months after al-Ḥākim’s death.³⁵ The historiographic consensus of 11 Dhū l-Qaʿda 413 (5 February 1023) came about in part because Heinz Halm has offered al-Nuwayrī’s date as the one to be trusted, supporting the assertion with Ibn ʿIdhārī’s report that the news reached the Maghrib in 414 and al-Musabbihī’s silence about

lines 22–3; Goitein’s unpublished edition available online through the Princeton Geniza Project); a correspondent of Mevorakh’s nephew referring to the latter’s *hayba* as “momentous” (*jalīla*, Budapest: Hungarian Academy of Sciences, David Kaufmann Collection 230.3v, line 28); and a petition to Mevorakh claiming that a certain case could be resolved only “by the hand and *hayba* of your excellency” (T-S 16.256, line 22; Goitein’s unpublished edition available online through the Princeton Geniza Project).

32 al-Amīr al-Mukhtār ʿIzz al-Mulk Muḥammad b. ʿUbaydallāh b. Aḥmad al-Musabbihī, *al-Juzʿ al-arbaʿūn min Akhbār Miṣr*, ed. Ayman Fuʾād Sayyid and Thierry Bianquis (Cairo: Institut français d’archéologie orientale, 1978).

33 Yaḥyā ibn Saʿīd ibn Yaḥyā al-Anṭakī, *Kitāb al-tārīkh al-majmūʿ ʿalā al-taḥqīq wa-l-taṣdīq*, ed. Louis Cheikho (Beirut: al-Abāʾ al-Yasūʿiyyīn, 1905), 243–4.

34 Aḥmad ibn Muḥammad Ibn ʿIdhārī, *Kitāb al-bayān al-mughrib fī akhbār al-Andalus wa-l-Maghrib*, ed. Georges S. Colin and Évariste Lévi-Provençal, 3 vols (Leiden: Brill, 1930), 1:271.

35 Bar Hebraeus, *Tārīkh mukhtaṣar al-duwal*, 313; Aḥmad ibn ʿAbd al-Wahhāb al-Nuwayrī, *Nihāyat al-arab fī funūn al-adab*, ed. Mufid Qumayḥa, 33 vols in 15 (Beirut: Dār al-kutub al-ʿilmiyya, 2004), 28: 129 (cf. the reference given in *EF*², s.v. “Sitt al-Mulk” [Heinz Halm]); Abū Bakr ibn ʿAbdallāh ibn al-Dawādārī, *Die Chronik des Ibn al-Dawādārī. Teil 6, Der Bericht über die Fatimiden*, ed. Salāḥ al-Dīn Munajjid (Cairo: Harrassowitz, 1961), 316; al-Maqrīzī, *Ittīʿāz*, 2:174.

the princess.³⁶ But al-Nuwayrī's specific and early date is not necessarily to be trusted more than those of the other early chroniclers. Given their contradictory testimonies, I feel constrained to take a more conservative position and say that Sitt al-Mulk died between Muḥarram and Jumādā II 414 (26 March and 18 September 1023), two years and one month or two-and-a-half years after her brother. That would put her death thirteen to nineteen months before the date mentioned on our petition (Rajab 415/September 1024) – and suggest that rents on the mosque apartments or shops were paid biennially. If this is correct, the tenants were supposed to pay their rent at the latest in Rajab 413 (October 1022), and were at maximum between six and eleven months in arrears. The petition could well, then, have been addressed to Sitt al-Mulk in the second half of 413 or early 414 (1022–23).

Circumstantial evidence strengthens the hypothesis that the petition is addressed to Sitt al-Mulk. The Fatimid historian al-Musabbiḥī (d. 1030) describes her as having her own *dīwān* – to my knowledge, the only Fatimid woman of this period said to have had one – and said that she received petitions there (her slave girl Taqarrub, d. 1025, handled them).³⁷ She was also the only female patron of architecture during al-Ḥākim's reign. Female relatives of the previous two caliphs had funded the construction of mosques and other monuments (see below); but as far as we know Sitt al-Mulk was alone among al-Ḥākim's relatives in taking such initiatives during his caliphate. To the wells, reservoirs, and baths she is known from other sources to have built or endowed, we may now add the endowment for a mosque.³⁸

The titulature also supports the hypothesis: the petition addresses *al-sayyida al-karīma*, and the contemporaneous narrative sources call Sitt al-Mulk variations of this: *al-sayyida*, *al-sayyida al-amma*, *al-sayyida al-sharīfa*, *al-sayyida al-azīza*.³⁹ Though no chronicler, to my knowledge, calls her *al-sayyida al-karīma*, the missing adjective need not be a hindrance: *al-karīma* can be an honorific as well as a formal title, and the adjective shifted positions in the Fatimid formulary. Another petition from the Genizah addressed to a Fatimid

36 Halm, "Sitt al-Mulk", in *EF*²; idem "Le destin de la princesse Sitt al-Mulk", 71–2. Lev places her death in 414, correctly in my view (and notes the problem with al-Maqrīzī's date; "Fatimid princess", 327–8).

37 al-Musabbiḥī, *Akhbār Miṣr*, 111; see Lev, *State and Society in Fatimid Egypt* (Leiden: E. J. Brill, 1991), 69; on the name, cf. Halm, "Le destin de la princesse Sitt al-Mulk", 69.

38 Lev, "Fatimid princess", 321; Fu'ād Sayyid, *La capitale d'Égypte jusqu'à l'époque fatimide* (Beirut: Steiner, 1998), 324; Cortese and Calderini, *Women and the Fatimids*, 169. Sitt al-Mulk's direct administration of this *ḥabs* is curious given its relatively limited income. Under the Fatimids, most foundations fell under the direct administration of the *dīwān al-aḥbās* – but not all. Benefactors could appoint an administrator (*nāzir*) to collect revenues against a fixed yearly amount, or they could administer the *ḥabs* themselves. In this case, Sitt al-Mulk was nominally the *nāzira*, while the administration came under the jurisdiction of her *dīwān*. If the foundation had been created to support the *da'wa* specifically, there was good reason to keep its administration within the royal family. On *aḥbās* and the *dīwān al-ḥabs* under the Fatimids, see Claude Cahen, Muṣṭafā Ṭāhir and Yūsuf Rāghib, "L'achat et le waqf d'un grand domaine égyptien par le vizir fātimide Ṭalā'ī b. Ruzzīk", *Annales Islamologiques* 14, 1978, 59–126.

39 For those titles, see Halm, "Sitt al-Mulk", in *EF*²; idem, "Le destin de la princesse Sitt al-Mulk", 69; and cf. Lev, "Fatimid princess", 328 n. 44.

woman, almost certainly also Sitt al-Mulk, calls her *mawlatunā al-karīma* in its closing lines, but in the corresponding section of address at the beginning, calls her simply *al-sayyida* minus the modifier.⁴⁰ In the early Fatimid formulary, adjectives were not yet tethered to their posts, as they later became in the Mamluk era, when adjectives were affixed as formal titles to the names of their bearers. During the early years of Fatimid rule over Cairo they still exercised mobility. One might object that the more rigorous Mamluk usage reflected in al-Qalqashandī's administrative manual dictated that a member of the caliph's family should not be called *al-karīma* but *al-sharīfa*, since the modifier *sharīf* was reserved for members of the royal family. But in fact, only the converse holds true: while *sharīf* could not be used for someone outside the ruling family, *karīm* applied equally to high-ranking members of state and caliphs alike. Fatimid petitions and decrees, for instance, call caliphs and their ancestors *karīm* and *akrāmūn*; decrees issued by caliphs refer to themselves as *manshūr karīm*. Even al-Qalqashandī concedes that *karīm* applies to the rank just below that of the caliph, including that of *amīrs* and viziers: "The *kātib*s of our times conventionally describe most things attributed to the sultan as *sharīf*", he says, following with examples. As for *karīm*, "it is the convention of the *kātib*s of our times to treat it as an attribute of lesser value than *sharīf*, and describe by it documents issued by high dignitaries of the state beneath the sultan, such as *nā'ibs*, *amīrs* and viziers".⁴¹ Even by al-Qalqashandī's lights, the adjective could apply to a caliph's sister, particularly one who was the chief of government during a period in which there was no vizier.

The honorifics confirm that she was a member of the caliphal family who possessed both dominion (*mul[k]*) and sovereignty (*sulṭān*; lines 2 and 5); these terms leave little doubt that she had attained something close to the rank of sovereign. The petition's closing formulae likewise contain the phrase *fī ḥādhihi l-ayyām al-sharīfa*, "in these illustrious days" (line 16), and in standard petition formulary, the adjective modifying "days" referred to the ruler.⁴² This adjective in particular

40 New York, Jewish Theological Seminary, Elkan Nathan Adler Collection (henceforth ENA) 3974.3 (cited in Khan, "Historical development", 19, and idem, *Arabic Legal and Administrative Documents*, 312, 316 n. 46), recto, lines 3 and 18. This petition was sent from the Fayyūm to a high-ranking Fatimid woman between 1021 and 1029 (it offers blessings on al-Zāhir that indicate that his son, the future al-Mustansir, had not yet been born); Sitt al-Mulk is the most likely candidate. It was glued to our petition by the person who wrote the verses from Zachariah on verso, and they later came apart (the top half is in New York and the bottom in Oxford); a small piece of the Oxford petition remained attached to the one in New York (see below, n. 85). There is a third petition to a Fatimid woman preserved in Cambridge, T-S Ar. 42.194 (cited in Khan, "Historical development", 20, and idem, *Arabic Legal and Administrative Documents*, 314 n. 39), which may contain a fragmentary draft cut and re-glued to the first draft; too little has been preserved to reconstruct its content. Its recipient is also called *mawlatunā al-sayyida* and *al-ḥadra al-sharīfa*. I hope to publish both in due course.

41 Al-Qalqashandī, *Ṣubḥ al-aʿshā*, 6:187; Stern, "Petitions from the Mamluk period", 258 n. 100; Khan, "Copy of a decree", 449.

42 Other surviving examples from the Fatimid period include *fī ḥādhihi l-ayyām al-zāhira*, "in these radiant days", in petitions to al-Āmir (1101–30), his vizier Ibn Salār, and al-Ḥāfiẓ (1130–49) – the adjective refers to the caliph; and *fī ḥādhihi l-ayyām al-juyūshiyya* "in these days of (the commander of) the armies", in a petition to a vizier of al-ʿĀqid (1160–71), where the adjective refers to a vizier, either Ruzzīk or ʿĪrghām,

refers to a member of the caliphal family. The addressee of this petition was, then, a member of the caliphal family who had achieved the rank of sovereign. The most straightforward interpretation is that she was Sitt al-Mulk.

Women and early Fatimid mosques

Which mosque is the subject of the petition? A detail in the document helps us narrow down the possibilities: it was a congregational mosque whose *khaṭīb* “preaches and upholds the lofty *da‘wa*”.⁴³ There were only a handful of Ismaili mosques with *khuṭabā*’ in the early eleventh century: ‘Amr, Ibn Ṭūlūn, al-Azhar and al-Anwar (later known as the mosque of al-Ḥākim).⁴⁴ The latter had been completed in 1013, making it theoretically a candidate for Sitt al-Mulk’s intervention in the form of endowments. On the other hand, the *khaṭīb*’s relatively small income suggests a small mosque in Fustat, a congregational one (*masjid jāmi‘*) nonetheless because of its dedication to preaching the *da‘wa*.⁴⁵ Indeed, while in 1009 al-Ḥākim made an enormous endowment for the upkeep of al-Azhar (completed in 972), he also made smaller endowments for the mosques he had built in al-Rāshida and al-Maqs.⁴⁶ Sitt al-Mulk may have followed suit, equipping one or several smaller mosques.

That Sitt al-Mulk endowed at least one early Fatimid mosque furnishes evidence of an already well documented phenomenon: during the first century of Fatimid rule, women of the caliphal family conspicuously built and endowed mosques, mausolea, and other public monuments.⁴⁷ They did so especially at turning points in the succession. In 363/973–74, when al-‘Azīz became the heir apparent, his mother, Durzan (also called Taghrīd), built a pavilion overlooking the Nile called Manāzil al-‘Izz – a name that suggested not only her son but also his father al-Mu‘izz.⁴⁸ In 365/976, a year after al-‘Azīz acceded

who effectively ruled the government. ENA 3974.4 (unpublished; cf. Khan, “A petition to the Fātimid Caliph al-‘Āmir”, *Journal of the Royal Asiatic Society* 1, 1990, 50), line 10; T-S 13 J 20.5r, line 18; T-S Ar. 51.107r, line 14; and T-S 13 J 8.27, line 3. The last three are published in Khan, *Arabic Legal and Administrative Documents*, docs. 79, 85 and 113 (see there, note to line 3, 433–4). For which vizier is meant in the petition from the reign of al-‘Aḍid, see *ibid.*, note to line 7, 357–8.

43 *Li-man yakhtubu wa-yuqīmu al-da‘wa al-‘āliya*, line 6. The second verb is often used with the preposition *bi-* following, especially when it means to pay, but it can also be used without it, in the sense of “to uphold”: see, e.g., T-S 13 J 20.18, line 9, *yuqīmu jāhahu fī l-balad*; edited in Goitein, *Palestinian Jewry*, 153–4.

44 See Pedersen, “Khaṭīb”, in *ET*²; cf. al-Maqrīzī, *Khiṭaṭ*, ed. Fu‘ād Sayyid, 2:424 (Būlāq ed., 1:433), quoting the lost chronicle of Ibn al-Ṭuwayr (525–617/1130–1220), who speaks of al-Anwar (completed 1013), al-Azhar, and al-Aqmar (not completed until 1125).

45 I am grateful to Yaacov Lev for helping me clarify this issue.

46 Two chroniclers made copies of the *waqf* deed: Ibn ‘Abd al-Zāhir, *al-Rawḍ al-zāhir fī tārikh al-malik al-Zāhir*, ed. ‘Abd al-‘Azīz al-Khuwayṭir (Riyadh: n.p., 1976), 278–9; al-Maqrīzī, *Khiṭaṭ*, ed. Fu‘ād Sayyid, 4:96 (Būlāq ed., 2:273–4). See Nasser Rabbat, “Al-Azhar mosque: an architectural chronicle of Cairo’s history”, *Muqarnas* 13, 1996, 66 n. 58; Lev, *State and Society*, 121.

47 Lev, “Fatimid princess”, 321.

48 al-Maqrīzī, *Khiṭaṭ*, ed. Fu‘ād Sayyid, 4:456–7 (Būlāq ed., 2:364–5).

to the throne, Durzan built the mosque of the Qarāfa outside Cairo.⁴⁹ Durzan's daughter, Sitt al-Malik, followed suit in 366/977 and built a well or cistern (*hawḍ*) at al-Qarāfa.⁵⁰ Sitt al-Mulk was Durzan's granddaughter and in building and endowing public projects followed an established tradition. After Sitt al-Mulk's time, Raṣad, the mother of al-Mustanṣir, built another *hawḍ* near the Qarāfa.⁵¹

This succession of building campaigns by female members of the Fatimid family recalls a suggestive argument of J. M. Bloom linking the beginnings of Fatimid rule over Egypt to women's piety.⁵² Bloom points to an unusually large number of tenth-century tombstones in Egypt for both women and what he takes to be Shiites, despite the declining use of tombstones in general, and correlates the two phenomena by noting that women were essential in the spread of Fatimid propaganda during the decades before the conquest of Egypt. In large measure, he argues, the Fatimids proclaimed the *da'wa* through practices centred on cemeteries. While during the period of Fatimid rule from Ifrīqiya, women never appear by name or position, Bloom argues, in Egypt they suddenly emerged at the centre of importance. To judge by the evidence of commemorative stelae, so did a number of female 'Alid saints, such as al-Sayyida Nafisa, Umm Kulthūm, and al-Sayyida Zaynab. Once the Fatimids conquered Egypt in 969, he argues, women of the caliphal family took advantage of both female piety and esteem for 'Alid claims to cement their rule. They did this by constructing public buildings, a frequent act of patronage by rulers and other high-ranking courtiers, who invariably did so in their own names rather than that of the state, again as a kind of personal gesture of patronage towards their subjects.⁵³

Bloom's thesis has come under criticism for his interpretation of the sources and his use of statistics: the tombstones in his sample are of uncertain provenance, and what he takes to be evidence of Shiism may have been only a cult of 'Alid saints.⁵⁴ But one need not accept the controversial elements of his argument – the success of the Fatimid *da'wa* in Egypt prior to the conquest; a necessary link between 'Alid saints and Shiism – in order to find significance in the fact that Fatimid women sponsored public monuments. Nor am I the first to comment on this: Delia Cortese and Simonetta Calderini have noted Fatimid women's patronage of public monuments and the link between piety – or

49 Ibid., ed. Fu'ād Sayyid, 4:288 (Būlāq ed., 2:318).

50 Ibid., ed. Fu'ād Sayyid, 4:904 (Būlāq ed., 2:459–60).

51 Ibid., ed. Fu'ād Sayyid, 4:905 (Būlāq ed., 2:460).

52 Bloom, "Mosque of the Qarāfa" (for the name of al-Ḥākim's sister, read Sitt al-Mulk, not Sitt al-Malik).

53 See also Lev, "Fatimid princess", 320 at n. 8.

54 See Christopher S. Taylor, "Reevaluating the Shi'i role in the development of monumental Islamic funerary architecture: the case of Egypt", *Muqarnas* 9, 1992, 1–10, which explains the development of funerary and monumental commemorative architecture in fourth/tenth-century Egypt based on the cult of saints rather than Shiism. For criticism of Bloom's reading of the sources, see Yūsuf Rāghib, "La mosquée d'al-Qarāfa et Jonathan M. Bloom", *Arabica* 41, 1994, 420–21; for criticism of the statistical analysis on which Bloom bases his argument, see Tamer el-Leithy, "Coptic culture and conversion in medieval Cairo, 1293–1524 A.D." (PhD diss., Princeton University, 2005), 22–3.

religious propaganda – and charity during the delicate early stage of Fatimid rule.⁵⁵ Stephen Humphreys has demonstrated a similar pattern of female patronage in twelfth- and thirteenth-century Syria, where elite women founded *madrasas*, Sufi hospices, and mausolea, including a staggering proportion of female patrons from the Ayyubid family (nearly half the patrons from the Ayyubid house were women). While women could not participate in the activities that took place in many of the religious and charitable institutions they founded, they nonetheless played a defining role in shaping “the character of Islam in Ayyubid Damascus”. Nor, Humphreys suggests, is there is anything altogether remarkable about this (except for scholarly neglect of the phenomenon): Damascus “was arguably the most exciting center of Sunni religious thought in the thirteenth century”, and given the “unprecedented level of [building] activity and such a broad base of patronage” among Ayyubid princes, it is hardly surprising “that elite women should become uncommonly visible as patrons of religious architecture there . . . [T]hey were only being dragged along by a powerful tide”.⁵⁶ This was equally true in late-tenth and early-eleventh-century Fatimid Cairo-Fustat, which was the new centre of the Islamic world to which the literate elite as well as merchants and artisans flocked in great numbers. That women of the Fatimid court should have had a hand in building projects in the capital stands to reason. Though Bloom claimed that Sitt al-Mulk helped shift “women’s involvement in the cemeteries of Cairo to political activities at the court”, in fact the phenomenon of women’s patronage was longer lived than he suggests.⁵⁷ The Bodleian petition demonstrates that, like her grandmother and aunt, Sitt al-Mulk remained involved in Cairo’s public Ismaili monuments, their functioning, maintenance, and continuity – even after she had amassed the kind of power that led to her period of rule.

Which route to the Genizah?

How, then, did this petition find its way to the Cairo Genizah? Since it concerns an Ismaili mosque, it apparently bears no relationship to the community in whose synagogue it was preserved. How did they come to possess it?

In tracing our petition’s route from Cairo to Fustat, it helps to know whether it was a mere draft or a final copy submitted to the chancery and disposed of when the decree it requested was drawn up. If it was a draft, it never saw the chancery or made it to the palace in Cairo to begin with. If it was a final copy, it somehow left the palace, and we should like to know who helped it to do this. The petition shows no signs of erasures, false starts, crossings out, or reuse in the same hand.

55 Cortese and Calderini, *Women and the Fatimids*, 163–70.

56 R. Stephen Humphreys, “Women as patrons of religious architecture in Ayyubid Damascus”, *Muqarnas* 11, 1994, 36, 48. For a fascinating comparative case that through the questions it raises could illuminate much about Fatimid women, see Carl F. Petry, “Class solidarity versus gender gain: women as custodians of property in later medieval Egypt”, in Nikkie R. Keddie and Beth Baron (eds), *Women in Middle Eastern History* (New Haven: Yale University Press, 1991), 122–42.

57 Bloom, “Mosque of the Qarāfa”, 17.

Its *mise-en-page* and *mise-en-texte* are characteristic of chancery documents: the line-spacing is wide, the rows written with an upward tilt at the ends of lines and stacking of words, and the writing highly cursive, with links between normally unlinked letters.⁵⁸ All this indicates someone experienced in producing petitions, and by extension, a final copy. Indeed, one did not call in the experts until it was necessary: of a set of eight drafts of a single petition from 1040, only the eighth is in a chancery hand (the first seven are in Judaeo-Arabic, with one false start in an awkward and inexperienced Arabic hand quite different from the hand in which the final draft is written).⁵⁹ All these characteristics strongly suggest final copy – as does the fact that the back of our petition was left blank (at least initially). True, the petition does not bear the official endorsements that mark other petitions from the Genizah as having passed through the chancery.⁶⁰ But this follows from the fact that the petitioner was asking for a separate decree to be sent to the governor of the district: there was no need for officials to write on the petition itself. Our document is, then, likely to have been the very petition delivered to Cairo. This only intensifies the question of how it arrived at the synagogue in Fustat.

Its preservation in the Genizah, by contrast, is no mystery: the verso contains a series of Hebrew biblical verses (Zach. 3:5–4:9) with the Aramaic translation (*targum*) added after each verse, written in a very inexperienced and sloppy hand with a wide, rough, and improperly cut calamus of the type used for writing exercises or private notes. That the verso contained a biblical text was enough to consign the document to the Genizah. The reuse of petitions for Hebrew writings is not atypical. Of the thirty-four Fatimid chancery documents that Geoffrey Khan has published whose origins lie outside the chancery – petitions to caliphs and other dignitaries, but not decrees or internal procedural documents – eighteen contain texts in Hebrew characters despite the fact that the petitions on which they were written bear no connection to Jews.⁶¹

One possible answer emerges by analogy with Bauden's recent discovery of a pair of Mamluk decrees embedded in an autograph notebook of the historian al-Maqrīzī.⁶² Bauden began with a datable manuscript of which five pages

58 On the question of line-spacing, cf. Khan, *Arabic Legal and Administrative Documents*, 306.

59 T-S Ar. 30.278 and Bodl. MS Heb. b 18.21, in Stern, "Petition to the Fatimid Caliph al-Mustansir". For notes on Stern's edition, see Rustow, *Heresy and the Politics of Community*, 316 n. 53; for a reproduction of both documents, see *ibid.*, 317.

60 See Stern, "Three petitions", and Khan, *Arabic Legal and Administrative Documents*, 305, who cites Ibn al-Šayrafī's report of bureaucratic negligence to explain why some petitions have no endorsements; but it could equally be that (as he explains, *ibid.*, 304) separate decrees were sometimes drawn up.

61 Some of these eighteen petitions were cut before being reused; still others were cut in half and re-glued as a long rectangular strip. Both treatments suggest that the Arabic text had in some way outlived its usefulness. In our case, neither the fledgling scribe nor his teacher altered the paper except to glue it to ENA 3974.3 and to write on it. The paper is trimmed on the left side, where the text abuts the edge of the paper, but that is also true on the Hebrew side, suggesting that yet a third and even later set of hands cut it. Trimming the wide blank margin characteristic of chancery documents would have yielded a rectangle large enough for a small letter or accounting slip – genres found abundantly in the Genizah.

62 Bauden, "Maqriziana I: discovery of an autograph manuscript of al-Maqrīzī: towards a better understanding of his working method. Description: Section 1", *Mamlūk Studies*

were written on datable decrees, two of them land grants made by a Mamluk sultān who reigned for only three years (ʿImād al-Dīn Ismāʿīl, 743–46/1342–45). This allowed him a great deal of precision in tracing the decrees’ reuse. Bauden convincingly reconstructs how al-Maqrīzī came to possess the decrees in the first place. Until 790/1388, he had worked in the Mamluk chancery. He did not walk away from the premises with official documents in hand, as far as we know, but let a calamity do the job for him: in 791–92/1389–90, a group of *amīrs* overthrew the sultān, forced him from Cairo, raided the palace and sold the chancery archives by weight as scrap paper.⁶³ (And then, al-Maqrīzī writes with a wistfulness any historian can understand, *nusiya rasmuhā* – “the information they contained was forgotten”). Al-Qalqashandī adds to this picture that the price of paper rose in the eighth/fourteenth century, making stealing paper from the chancery a profitable enterprise for rebel *amīrs*. As a former chancery official, al-Maqrīzī was in a position to know of the theft and understand what it meant. He knew, then, what he was doing when he bought the decrees in the paper market at Cairo, even if it seems outrageous that a historian would press primary sources into service as scrap on which to draft his chronicle rather than as evidence towards the history it contained.⁶⁴ Such acts – both al-Maqrīzī’s and those of the rebel *amīrs* who targeted the chancery archives in their raid – do not necessarily betray what Chamberlain might identify as the absence of proper reverence due to an archive or a lack of appreciation for probative texts. They may betray just the opposite of these things: after the weapons and stables, would-be revolutionaries emptied the archives since they contained tangible evidence of the regime’s claim on its subjects’ loyalties. Now people would have to turn to the new rulers to have their privileges confirmed, and this, in turn, would help bolster the legitimacy of the new regime, since the privileges the documents confirmed rested on the relationship between individual rulers and their subjects and were not automatically transferred by legacy.

Our petition does not, alas, permit a sleuthing expedition like the one Bauden enjoyed: the undated biblical text on verso fails to provide a *terminus ad quem* for the document’s reuse. But it is worth trying his argument – a raid on the chancery – to see if it fits our case.

The Fatimid sources relate a similar state of unrest during the years following the death of Sitt al-Mulk. The government endured perennial tensions with and

Review 7, 2003, 21–68; idem, “The recovery of Mamluk chancery documents in an unsuspected place”, in Michael Winter and Amalia Levanoni (eds), *The Mamluks in Egyptian and Syrian Politics and Society* (Leiden and Boston: Brill, 2004), 59–78.

63 Bauden, “Recovery of Mamluk chancery documents”, 274. Calamities frequently help the historian: see the description of Catastrophe as a deity who favours the scholar in Marc Bloch, *The Historian’s Craft: Reflections on the Nature and Uses of History and the Techniques and Methods of Those Who Write It*, trans. Peter Putnam (New York: Knopf, 1953 [1949]), 61.

64 Bauden, “Recovery of Mamluk chancery documents”, 74; al-Maqrīzī, *Khīṭaṭ*, ed. Fuʾād Sayyid, 3:730 (Būlāq ed., 2:225–26). See also Fuʾād Sayyid’s n. 3 (3:731–2), and his introduction, 1:109–11, which notes the significance of this episode for the problem of the disappearance of Middle Eastern archives.

among the army factions in the capital; in times of stability, the regiments held together in a delicate arrangement of counterbalances, but they often rioted, especially during economic crises. In 414–15/1024–25, Sitt al-Mulk's slave-soldier palace guard, the Qayṣariyya, clashed with the Turkish regiment and robbed a ḥājj caravan. They were not, however, reported to have looted a palace, let alone her former palace, where this document would have lain in an archive.⁶⁵ On ʿīd al-adḥā in 415/1025, Sudanese slave troops commandeered a distribution of meat intended for high-ranking officials and then plundered a banquet held for the Kutāma Berber regiment, officials of state (*shuyūkh al-dawla*), and the caliph's family. Two weeks later, they plundered the grain port of Fustat. But again, the chroniclers do not mention a raid on the archives.⁶⁶

Chronicles report later instances of plunder as well, most famously in 1068, in the midst of the crisis known as *al-shidda al-mustanṣiriyya* (the calamity of al-Mustanṣir's reign), or simply *al-shidda al-ʿuẓmā* (the great calamity). The Turkish regiment took a good portion of the palace treasures in lieu of payment and sold them in the markets of Cairo – enormous stockpiles of weapons, stables full of riding animals, and thousands of books.⁶⁷ Later that year, the vizier Abū l-Faraj Muḥammad b. Jaʿfar b. al-Muʿizz al-Maghribī, in lieu of his salary, took twenty-five camel-loads of books, estimated at a value of 100,000 *dīnārs*.⁶⁸ We know in fine detail what the Fatimid treasury contained before and after the looting thanks to a fifth/eleventh-century treatise that records the information.⁶⁹ While it had contained manuscripts, archival documents were either not deemed worthy of mention or (more likely) were stored in the various *dawāwīn* that had produced them. The most significant mass deacquisitioning of palace goods occurred a century later, in 1171, when Salāḥ al-Dīn toppled the Fatimids and installed himself as *sultān*: he ordered entire storerooms to be emptied systematically, including a collection of 1,600,000 manuscripts, and the work of selling off the palace treasures was said to have lasted for ten years. Among them were clothing, furnishings, books and jewellery; the books were reported to include 100,000 books by known calligraphers (*bi-l-khuṭūṭ al-mansūba* or *bi-khaṭṭ*

65 al-Musabbihī, *Akhbār Miṣr*, 43, 74. See the further references in Lev, “Army, regime, and society in Fatimid Egypt, 358–487/968–1094”, *International Journal of Middle East Studies* 19, 1987, 344. Al-Maqrīzī notes that Sitt al-Mulk's father al-ʿAzīz had established the Qayṣariyya when he built her palace; see al-Maqrīzī, *Khīṭaṭ*, 2:332; Lev, “Army, regime, and society”, 361 nn. 80–81; and Fuʿād Sayyid, *Capitale de l'Égypte*, 300–23.

66 al-Musabbihī, *Akhbār Miṣr*, 81–2, 87–8.

67 al-Maqrīzī, *Ittiʿāz*, 2:275–6; idem, *Khīṭaṭ*, ed. Fuʿād Sayyid, 2:353 (Būlāq ed., 1:408); see the parallels cited in Lev, “Army, regime, and society”, 363 n. 131; and on the crisis in general, idem, *State and Society*, 44–6.

68 al-Maqrīzī, *Ittiʿāz*, 2:294–5; idem, *Khīṭaṭ*, ed. Fuʿād Sayyid, 2:356 (Būlāq ed., 1:409); see Paul E. Walker, “Fatimid institutions of learning”, in idem, *Fatimid History and Ismaili Doctrine* (Aldershot: Ashgate, 2008), 32.

69 al-Qāḍī al-Rashīd ibn al-Zubayr, *al-Dhakhāʾir wa-l-tuḥaf*, ed. M. Ḥamīdullāh (Kuwait: Daʾirat al-maṭbuʿāt wa-l-nashr, 1959), paragraphs 372–414; trans. Ghāda Ḥijjāwī al-Qaddūmī, *Book of Gifts and Rarities* (Kitāb al-Ḥadāyā wa al-Tuḥaf): *Selections Compiled in the Fifteenth Century from an Eleventh Century Manuscript on Gifts and Treasures* (Cambridge, MA: Harvard University Press, 1996), 229–41.

mansūb) – but again, no archives.⁷⁰ Though we hear of no archives during the Salāḥ al-Dīn episode, he had good reason to destroy chancery documents or sell them as scrap paper: not only would new dynasts have thought preserving old chancery material inessential to their rule; they would have thought its destruction essential to their legitimacy. It is equally possible that the archives of Sitt al-Mulk's *dīwān* were at some point moved into the caliphal palace, from which they would later have been deacquisitioned: al-Maqrīzī reports an analogous transfer after the vizier al-Afḍal (515/1121) was assassinated, when al-Āmir moved the vizier's library of half a million volumes into the palace (and then consecrated many of them as *waqf* for public circulation).⁷¹

In sum, there is tempting circumstantial evidence, but no smoking gun to suggest that our petition left the palace during a specific cataclysm. Though the number of cut-up decrees from the Genizah demonstrates that Jews, like al-Maqrīzī, reused government paper after it left the palace, one might look elsewhere to explain the survival of our remarkably whole and intact petition.

Models and contacts

Though the Hebrew and Aramaic writing exercise on verso consigned our petition to the Genizah and saved it from oblivion, a significant number of other Arabic documents from the Genizah were never reused but nonetheless survived there. That suggests that they did not find their way to Fustat by mere chance. A total of forty-six of Khan's corpus of 159 Arabic legal and administrative documents bear no Jewish names and also bear no secondary inscriptions in Hebrew script (thirty-three chancery documents and thirteen legal texts). That they all survived in the Genizah despite their seeming lack of connection to anything Jewish suggests that disused documents served members of the Jewish community of Fustat not merely as writing material, but for some other purpose. I'd like to suggest that they served as models in their transactions with the state.

Both Stern and Khan proposed a solution compatible with this one, though neither spelled out its details or potential consequences. Fatimid petitions, Stern suggested, "found their way into the Genizah through Jewish clerks

70 Ibn Abī Ṭayyi' (575–c. 625–30/1180–c. 1228–33), quoted in al-Maqrīzī, *Khiṭaṭ*, ed. Fu'ād Sayyid, 2:358 (Būlāq ed., 1:409); see the parallel in al-Maqrīzī, *Itti'āz*, 3:331; on the expression *khaṭṭ mansūb*, see the editor's note in *Itti'āz*, 3:331 n. 2, and al-Maqrīzī's own explanation in *Khiṭaṭ*, ed. Fu'ād Sayyid, 4:232 (Būlāq ed., 2:401). See also Walker, "Fatimid institutions of learning", 33–4; idem, *Exploring an Islamic Empire*, 113. The passage is also quoted in Shihāb al-Dīn 'Abd al-Raḥmān b. Ismā'īl al-Maḥdī al-Dimashqī Abū Shāma (599–665/1203–68), *Kitāb al-rawḍatayn fī akhbār al-dawlatayn*, ed. Ibrāhīm al-Zaybaq (Beirut: al-Risāla, 1997), 2:209–10 (thanks to Nathan Hofer for this reference; see also Fu'ād Sayyid, *Khiṭaṭ*, 2:358 n. 2). Cf. also al-Maqrīzī's description of a fire that took place in the palace library (*khizānat al-kutub*) on 4 Ṣafar 691 (26 January 1292), *Khiṭaṭ*, ed. Fu'ād Sayyid, 3:683 (Būlāq ed., 2:212): the *ghilmān* seized the charred books and sold their pages off cheaply.

71 Aḥmad ibn 'Alī al-Maqrīzī, *Musawwadat kitāb al-mawā'iz wa-l-i'tibār fī dhikr al-khiṭaṭ wa-l-āthār*, ed. Ayman Fu'ād Sayyid (London: Mu'assasat al-Furqān li-l-Turāth al-Islāmī, 1995), 140; and see the parallel to Ibn Muyassar cited in Walker, "Fatimid institutions of learning", 33 n. 92.

employed in the chancery, who discarded these papers by throwing them into the lumber-room of the synagogue”.⁷² The broad outlines of the scenario stand to reason: the first century of Fatimid rule alone saw no fewer than thirty Jews employed in the state bureaucracy in Cairo or elsewhere, most in high ranking posts.⁷³ But the motive Stern describes is not entirely plausible: would chancery officials have left the palace with Arabic documents for no purpose other than to offer them a proper Jewish burial? Khan salvaged half the theory by noting that Jews were likely to have put their own petitions in the Genizah; those not concerning Jews, he suggested, probably entered the Genizah through Jewish officials.⁷⁴ But why?

Given the rigours of writing effective petitions – meaning, among other things, ones that followed the formulary and addressed each ruler with the proper titulature – the Jewish community would have needed models. What better models to use than drafts and discarded petitions from Cairo? Jewish courtiers and bureaucrats could indeed have brought petitions to the synagogue in order to supply the community with a library of formularies on which to draw in need. The monks of St Catherine in Sinai must have kept a similar cache on hand, or how would they, in their isolation, have known of developments in the petition formulary, the set phrases that could win or cost them their success in addressing the palace?⁷⁵ The use of chancery documents as models is attested in other contexts, too: Ibn Khaldūn notes that Jaʿfar b. Yaḥya al-Barmakī (d. 187/803), *kātib* and governor under Hārūn al-Rashīd, “used to write rescripts (*tawqīʿāt*) on petitions for al-Rashīd and to hand the petition (with the rescript) back to the petitioner. Stylists vied with each other to obtain his decrees in order to learn the different devices and kinds of good style from them. It has even been said that such petitions were sold for a *dīnār*. Things were handled in this manner in (various) dynasties”.⁷⁶ If people paid extraordinary sums to use Jaʿfar’s decrees as nothing more than models of good style, would Fatimid subjects not have gone to some trouble to procure disused petitions to use them as models for other petitions?

Genizah documents provide abundant evidence of Fatimid Jewish courtiers using their high positions to help individual Jews or some faction of them petition the caliph. Officials within the Jewish community – who also served

72 Stern, “Original document”, 530–32.

73 Rustow, *Heresy and the Politics of Community*, 120–21.

74 Khan, “The Arabic fragments in the Cambridge Genizah collections”, *Manuscripts of the Middle East* 1, 1986, 54; idem, *Arabic Legal and Administrative Documents*, 2. Goitein, *Mediterranean Society*, 2:345–6, notes that the Genizah preserved very few papers of Jewish government officials, explaining that even if they maintained ties with the members of the Palestinian Rabbanite synagogue, they most probably kept their primary residence in Cairo rather than Fustat and did not deposit their papers there. In fact, many papers emanating from Jewish courtiers were deposited in the Genizah, even if not by the courtiers themselves.

75 On formulary’s tendency to change over time, see Khan, “Historical development”.

76 ‘Abd al-Raḥmān ibn Muḥammad ibn Khaldūn, *al-Muqaddima*, ed. (Cairo, 1327 (1909)), 274–5; ed. ‘Alī ‘Abd al-Wāḥid Wāfi (Cairo, 1957–62), 619; in *Kitāb al-ʿibar*, ed. Yūsuf Asʿad Dāghir (Beirut, 1957–61, 7 vols in 2), 1:437; trans. Franz Rosenthal (New York, 1958), 2:27 [2:23].

as judges, witnesses, court clerks and teachers within the walls of the Ben Ezra synagogue – would have kept model petitions on file until a new caliph acceded to the throne, making the old formulae obsolete. As the old models were retired, a new set of models replaced them; the officials then gave the old petitions to students, teachers, and scribes to be reused as scrap, or else discarded them directly into the Genizah chamber. That is why some have writing on verso and others are blank. In short, our petition likely spent some period of time in a Jewish communal archive before its final consignment to the Genizah.

There is, in fact, hard evidence that those who ran the Jewish community kept archives of government documents and drew upon them when defending their privileges. In 1025, a leader named Shelomoh ha-Kohen b. Yehosef was elected *ga'on* of the Jerusalem *yeshivah*. To strengthen his position – as was customary – he sought a rescript of investiture from al-Zāhir. In petitioning the caliph, he reminded him that “three of his ancestors have shown their kindness to us, and we possess their rescripts, the rescript of his grandfather, his great-grandfather, and his father. Let him complement those with his own rescript”.⁷⁷ The *ga'on* claims here to possess the physical rescripts that caliphs had issued to his predecessors in office, even if they have not come down to us. He knew, in short, that documents and archives were essential to procuring rights and privileges, as was knowing their contents and drawing on them in case of need. That is why the Jews – and other *dhimmī* communities – kept archives.

Nor does one need to look very far to find the Jewish courtiers who might have supplied the synagogue with its model petitions. Abū Naṣr David ha-Levi b. Yiṣḥaq, a Qaraite whom al-Musabbiḥī records on 21 Jumādā II 414/10 September 1023 as having been appointed over some finances in the tax ministry (*dīwān al-kharāj*), appears in Geniza records between 1024 and 1055 chiefly as an intercessor and intermediary between the Fatimid chancery and either the Jerusalem *yeshivah* or the Syro-Palestinian synagogue in Fustat. But he is not the only candidate. The brother of Abū Saʿd al-Tustarī (the court banker who in the 1020s supplied al-Mustanṣir with his concubine Raṣad), Abū Naṣr Ḥesed al-Tustarī, appears during those same decades in the same role of intercessor. And both courtiers appear in letters and petitions of the period as linking the *yeshivah* to the chancery. Either of them might have brought our petition to the leaders of the Syro-Palestinian Rabbanite community in Fustat.⁷⁸

A final piece of circumstantial evidence suggests an active interest in chancery documents not only among the high leaders of the Jewish community but among a broader segment of Jews as well. Within the synagogue walls,

77 T-S 24.43, lines 38–47 (see above, n. 24). Jewish leaders also knew what the Fatimid archives contained and drew on this knowledge when needed: when the *ga'on* Shelomo b. Yehuda al-Fāsī (1025) petitioned al-Zāhir for reinvestiture in the face of a rival, he reminded him that “The pure presence has made grants in numerous *sijillāt* to many leaders over time, a fact of which the archives *al-dawāwīn* offer proof”. ENA 4020.65 (see below, n. 79).

78 For details and references to previous scholarship, see Rustow, *Heresy and the Politics of Community*, esp. ch. 7.

there was traffic in petitions. Complete Arabic petitions have survived in the Genizah copied into Hebrew characters.⁷⁹ People learning how to draft a petition – or learning the craft of rhetoric – copied them as writing exercises, and evidently internalized much of the rhetoric they contained: the phrases they use can also be found in letters and petitions written for internal Jewish consumption. The administrative style of the Jewish leaders of Fustat in the eleventh and twelfth centuries is suffused with rhetoric derived from petitions or otherwise demonstrating their familiarity with the means, methods, and idioms of courtly politics and palace bureaucracy.⁸⁰ This suggests that Jews kept current with chancery style not only in order to send petitions to Cairo but to administer their own affairs as well. All the more so in transactions with the government: Jews strove to fit their requests into the kind of formulaic language that would procure a response, and for that, they needed models.

The problem of archives

What does our petition, its reuse, and its survival say about the preservation of medieval Near Eastern documents? First, it invites us to rethink Chamberlain's claim that in the medieval Near East, "Individuals, households, religious bodies, and groups did not brandish documents as proofs of hereditary status, privilege, or property to the extent they did in the Latin West", or that "their strategies of social reproduction" were not "recorded, sanctified, or fought out through documents to the extent they were in Europe".⁸¹ In fact, documents were essential tools of everyday life, primarily but not exclusively in government bureaus, courts of law (despite Islamic law's denial of the probative value of documents – cf. the Arabic papyri), and business or financial transactions. People made frequent recourse to texts as means of asserting or contesting rights and privileges or asking for new ones. Private petitions addressed to wealthy potential benefactors demonstrate the widespread use of documents by illiterate and semi-literate people, as do awkward signatures on legal documents. The layout and other scribal features of chancery petitions attest to a class of people specialized in writing them, which in turn confirms that one did not have to know how to write one in order to lodge one. Writing and documentation, in short, pervaded the medieval Near East, even if those fully competent in their use and production were few. To deny this and assert instead a preference for perpetuating social hierarchies through biographical dictionaries is to make a virtue of a false necessity: there were documents, and more survived than is commonly understood.⁸²

79 E.g., ENA 4020.65, published in Goitein, "Congregation versus community", in the same hand as Bodl. MS Heb B 3.21 and T-S 30.278 (above, n. 10). For an attempt at identifying the copyist, which I regard as conjectural, see Gil, *Palestine*, sec. 771.

80 For examples, see Marina Rustow, "Formal and informal patronage in the Islamic east: Geniza evidence", *al-Qanṭara: Revista de Estudios Árabes* 29, 2008, 341–82.

81 Chamberlain, *Knowledge and Social Practice*, 14.

82 I am indebted on this point to Tamer el-Leithy's compelling argument in "Rethinking Middle Eastern archives".

That is not to say that archives in the Near East survived without disruption. But disruption is not wholesale destruction, even less a failure to produce documents. The most common explanations offered for archival disruption in the Near East are war and regime-change, with the implication that in the face of violence, documents ceased to exist. But surely Near Eastern centres of state power did not see more violence and regime change than medieval European ones. With a slight analytical shift away from the destruction of documents and towards their dispersal, the failure of archival continuity begins to make sense. Even after riots, revolts and changes in regime, short of massive conflagrations, writing material did not simply disappear without a trace. Since the archives contained written documents that secured rights, they proved especially vulnerable when the regime changed or the palace came under attack from those hoping to change it. The old regime suffered the death of its claims on rule, and the precious documents that had taken the petitioners some time and trouble to secure suffered the indignity of being reduced to scrap. But even at the peaceful accession of an heir, the old documents lost their value and one had to petition the new ruler for the old privileges. That suggests a proliferation of documents, rather than a dearth of them.

It also suggests that *dhimmīs* and other vulnerable sectors of the population might have had unusually good reasons to keep documents. Indeed, Christian and Jewish institutions have turned out to be among of the best sources of original documents from the Islamic Middle Ages.⁸³ It was this petition's reuse that saved it. The reuse of documents instead of their preservation in archives might, then, be interpreted as evidence not of a putative allergy towards documentation, but of an acute and living concern with it; not of a lack of appreciation for written texts, but of a keen awareness of their potential as a technology serving the pragmatics of power.

University of Oxford, Bodleian Library, MS Heb. b 18.23 verso (Figure 1)

Paper, 62 cm × 18.5 cm, torn at top, trimmed at right and bottom margins, but hardly any text is missing (part of one letter in the left margin and one on the last line have been trimmed away). No collesis joints. Verso contains a Hebrew writing exercise in an inexperienced hand consisting of biblical verses, Zach. 3:5–4:9, with the Aramaic translation (*targum*) after each verse. Most diacritical points and all *hamzas* and *shaddas* are my additions; marked vowels appear in the original. I have used the following symbols in the transcription and translation:

- [] Obliterated text, tears, and lacunae. Letters between brackets are my reconstruction of the text.⁸⁴
- () Phrases I have inserted into the translation to facilitate comprehension.

83 Stern, *Fāṭimid Decrees*, 4.

84 But see next note.

- 1 بسم الله الرحمن الرحيم
- 2 لمولاتنا السيدة الكريمة خلد الله ملـ[كها وحرس
عـ[زها وادام [عـ]لاها⁸⁵
- 3 وكبت اعداها في اصطناع المعروف وفعل الخير
- 4 عوايد الله سبحانه ينشر لها شكرها وينخر لها اجرها
وملفوفة⁸⁶
- 5 الجارية في ديوانها لا زال مأهولاً بدوام سلطانها
مسجد جماعة
- 6 وله احباس تصرف منها عشرون ديناراً في كل سنة لمن
يخطب ويقيم الدعوة العالية
- 7 ويصرف فاضلها في مصالح المسجد وأجرة قيمه ومؤذنه
ولعبدها
- 8 خليفة على الخطابة بها يعرف بموسى بن ازهر وحضر في هذا
الوقت فشكى تأخر جاري الخطابة واستحكام طمع
- 9 السكان في المدافعة به
- 10 واختلال هذا الحبس وذكر ان الباقي عند السكان الى
سلخ رجب سنة خمس عشرة واربع مائة
- 11 نحو من عشرة دنانير وعبدها يسلم الانعام بمنشور
من حضرتها
- 12 المحروسة الى عامل الناحية ومتولي حمايتها بالشد
على يد هذا المذكور
- 13 في استخراج هذه الاحباس فيما يسلف ويستأنف وتقوية
امره ومعاضدته
- 14 وموازرتة والعناية به في جميع ما يعود بمصالح
المسجد الجامع
- 15 والمنع من اعيانه⁸⁷ ومدافعتة او تطرق خلل على
هذا الحبس لتكثر الدعا
- 16 لها في هذه الايام الشريفة ولها الرأي العالي في
ذلك ان شاء الله
- 17 [وا]حمد لله وصلواته على محمد النبي واله الطاهرين
وابناء عترته الائمة المهتدين⁸⁸ وسلم تسليماً

Translation

(*Ifitāh: protokoll*)

1. In the name of God, the merciful, the compassionate.
2. To our mistress, the noble lady, may God make her dominion eternal, secure her high rank, perpetuate her loftiness

85 The missing letters from this line can be found on a triangle of paper still attached to ENA 3974.3 (see above, n. 40).

86 The reading of this word is uncertain. Chancery scribes avoided splitting single phrases across two lines and instead stacked words at the end of the line (Khan, *Arabic Legal and Administrative Documents*, 429), as is the case in line 1. Conversely, here the scribe extends the last word to the line's end to avoid breaking the next phrase.

87 Or possibly: اعيانه, thwarting his efforts and making it impossible for him to collect payment.

88 For the reading of this line, cf. the analogous phrasing in Grohmann, "Fātimidenerlass", 8, line 37 and Stern, "A Fātimid decree of the year 524/1130", *Bulletin of the School of Oriental and African Studies* XXIII, 1960, 453, line 32.

3. and crush her enemies. In (return for) the bestowal of a benefaction and the rendering of a benefit
4. the beneficence of God, transcendence be to Him – may her thanks be disseminated for her and her reward stored up for her.

(*Matn* or *ba'diyya: expositio*)

Included in

5. what is administered⁸⁹ in her *dīwān* – may it continue to be filled with the perpetuity of her reign – is a communal mosque
6. with pious foundations from which twenty *dīnārs* are distributed annually to the person who preaches and upholds the lofty *da'wa*.
7. Their remainder (i.e. of the income from the foundations) is distributed for the repair of the mosque and the salary of its superintendent and its *mu'adhdhin*. And her slave
8. has a deputy charged with the office of preaching it (i.e. the *da'wa*), known as Mūsā ibn Azhar. Recently he presented himself
9. and complained about the delay of the income for the office of preacher and about the strong desire of the tenants to defer⁹⁰ it
10. and dissolve this foundation. And he mentioned that the debt owed by those living there until the end of Rajab in the year 415 is
11. about ten *dīnārs*.

(*Qiṣṣa* or *ruq'a: petitio*)

Her slave asks for a benefaction in the form of a decree (*manshūr*)⁹¹ from her Presence,

12. may she be preserved, to the governor of the district and the administrator of its jurisdiction, strengthening the hand of the aforementioned (preacher)
13. in extracting (income) from these foundations according to what came before and what will resume, strengthening his affair, assisting him,
14. aiding him, and being solicitous towards him in everything that occurs regarding the repairs of the congregational mosque,
15. protecting its property and defending it, or in any occurrence of injury to this foundation, so that prayers for her may be abundant
16. during these days of (her) illustriousness.⁹²

(*Hukm* or *marsūm: dispositio*)

The exalted resolution in this matter belongs to her, if God wills.

(*Khawātim: eschatokoll*, including *ḥamdala* and *taṣliya*)

17. Praise be to God and His prayers be upon Muḥammad the prophet and his pure family, and the sons of the Prophet's descendants, the rightly guided imāms, and save them.

89 *Al-jāriya* serves here as a technical term meaning “that which is administered”. It may also imply *al-ṣadaqa al-jāriya*, as pious foundations are called. See Lane, s.v.; Khoury, *Chrestomathie de papyrologie arabe*, 132–3; T-S 12.254, recto, margin, line 19; ENA NS 48.6 (formerly Misc Genizah 6), verso, line 9; T-S 13 J 5.3, part b, line 5.

90 Cf. T-S 12.129, recto line 8; Bodl. MS Heb a 3.5, line 26; Bodl. MS Heb d 66.8, line 15; ENA 4007.5, lines 3 and 8; and numerous other legal contexts.

91 See n. 25.

92 *Hādhihi l-ayyām al-sharīfa*; the reference is to Sitt al-Mulk herself. See above, n. 42.

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.