

The topsy-turvy world of Norman Sicily*

Jeremy Johns

Few documents better illustrate the topsy-turvy world of Norman Sicily than an Arabic contract now in the Archivio di Stato in Palermo. In it, we see a family of Arab nobles reduced to the status of feudal vassals, a Benedictine abbot accepting an oath sworn upon the *Qurʾān*, and Muslims agreeing to pay to their Christian lord the *ġizya*, a religious tax that Islamic law imposed exclusively upon Christians and Jews. To cap it all, the contract is validated by the *ʿalāma* – a pious motto used as a signature and written as a cipher – of the Muslim judge or *qādi*, who was responsible for the administration of Islamic law to the Muslim community of Norman Sicily.



Palermo, Archivio di Stato, Tabulario della Commenda della Magione, pergamina no. 5, recto.

Translation

*Ibrāhīm and Ġabrūn were present, and they both agreed to what was imputed to the two of them. It is valid — My hope is God alone.**

In the name of God, the Merciful, the Compassionate; praise be to God, as is His due.

When it was of the date of the first days of Rabī al-Awwal, corresponding with August, Ġabrūn, and his brother, Ibrāhīm, and the brother of the two of them, ‘Abd al-Raḥmān, appeared before the Abbot Donatus — may God strengthen him — at St John’s. They were known [as] the sons of Mūsā, known as Šub’āt (“Greedy-guts”?). They acknowledged that they and their fathers, who were of the people of Manzil Yūsuf [modern Mezzojuso], belonged to the men of the registers. They swore in the presence of the Book [i.e. the Qur’ān] that, from this date, they would neither disparage nor be disloyal to their lord, and that they would never part from obedience to the church.

The Abbot pardoned them and forgave them, and handed over to them what had been seized from them. He imposed upon them each year a ġizya [religious-tax] of thirty quarter-dinars and a land-tax of twenty mudd† of wheat and ten of barley.

They asked the Lord Abbot — may God strengthen him — if they might dwell wherever they wished, and if they might put this request to the church.

Ġabrūn, Ibrāhīm and ‘Abd al-Raḥmān agreed to everything that is stated [herein], and they called witnesses for themselves, [that they came] freely [and] willingly, in good health and perfect well-being on the aforesaid date. There bore witness to all of that:

Abū l-Faraġ ibn Salām al-Laḥmī, being the maternal uncle of the aforesaid Ġabrūn and his brother.

Aḥmad ibn Abī l-Qāsim al-Qaysī

Abū Ġum’a ibn Muḥammad al-Qurašī [...]

‘Alī ibn Ya’lā al-Qurašī

Abū ...

This document is an official and contemporary copy of a contract made between a family of three Muslim brothers and their Christian, feudal lord, Donatus, the abbot of St John of the Hermits ([San Giovanni degli Eremiti](#)), which still stands next to the Royal Palace in Palermo ([Palazzo Reale/Palazzo dei Normanni](#)).



St John of the Hermits (San Giovanni degli Eremiti), Palermo.

* The ‘alāma of the Banū Raġā’ qāḍī of Sicily: *ṣaḥīḥ raġā’ ilāhu waḥda-hu*.

† The *mudd* was a dry measure of capacity identical to the Sicilian *salma*, equivalent to approximately 2.75 hectolitres or 7.5 imperial bushels.

The document that survives is not the original contract itself but rather an official copy of it. The original would have borne the autograph signatures of the five witnesses, but in this copy their names are written by the same scribe who wrote the text. Both the original and the copy are likely to have been prepared by the same scribe, and to have been read out loud in the presence of the abbot, the brothers ʿĠabrūn and Ibrāhīm, the five witnesses, and the Muslim *qāḍī* of Sicily. The *qāḍī* was the judge appointed by the Norman king to administer Islamic law for the Muslim community of the island. For most of the twelfth century, all the *qāḍīs* of Norman Sicily came from a single family, the Banū Raġāʿ Allāh al-Laḥmī, in which the office of *qāḍī* was passed from father to son. The *qāḍī* responsible for this contract is not named in the text, but was very probably *al-šayḥ al-faqīh al-qāḍī*, “the elder, jurist and judge” Abū al-Faḍl Raġāʿ (fl. 1161–1180), the son of *al-šayḥ al-faqīh al-qāḍī* Abū al-Ḥasan ʿAlī (fl. circa 1140–1160?), the son of *al-šayḥ al-faqīh al-qāḍī* Abū al-Qāsim ʿAbd al-Raḥmān (fl. 1116–1138). Once the scribe had prepared both the original and the copy of this contract, the *qāḍī* validated both, by writing with his own hand a note and his *ʿalāma* at the head of the document. In his note, he added his personal testimony that ʿĠabrūn and Ibrāhīm had been present in person when the contract was made, and had agreed to what was said about them. He then validated the contract by signing his family *ʿalāma*: *ṣaḥīḥ raġāʿ ʿllāhu waḥda-hu*, “It is valid — My hope is God alone”. That *ʿalāma* contains a play on the name of the founder of the dynasty, Raġāʿ ʿllāh al-Laḥmī, the great-grandfather of the *qāḍī* Abū al-Faḍl Raġāʿ who was responsible for this contract.

The document is dated only by the day and the month, but it specifies that “the first days of *Rabīʿ al-Awwal*” according to the Islamic, lunar calendar, fell during the month of August in the Julian, solar calendar. The coincidence of *Rabīʿ al-Awwal* with August occurs only every thirty years or so, and it can therefore be calculated that the document is most likely to date from one year between 1177 and 1180 A.D., during the reign of King William II (1166–1189). Dr Umberto Bongianino (Khalili Research Centre, University of Oxford), who is responsible for the palaeographic analysis of the Arabic documents for the *Documenting Multiculturalism Project*, has recently confirmed this approximate date. He has observed that the scribe who copied this contract also wrote an Arabic deed of sale dated February 1183 A.D., and so must have been active from at least *circa* 1177 until at least 1183.

The name of that scribe — Aḥmad ibn Abī al-Qāsim al-Qaysī — reveals that he claimed descent from the Arab confederation of *al-Qays*, which had been one of the most powerful tribal units during the later *Umayyad caliphate* in the mid 8th century. Similarly, the three brothers themselves traced their ancestry on at least their mother’s side to the pre-Islamic Arab confederation of *Laḥm*, to which had belonged the ancient kings of *al-Hīra*. The Banū Raġāʿ *qāḍīs* of Norman Sicily were also descended from the Banū Laḥm and so belonged to the same tribe as the mother of the brothers ʿĠabrūn and Ibrāhīm. Even the witnesses to the contract claimed ancient Arab lineage, from Qays and also from *Quraysh*, the tribe of the Prophet Muḥammad himself. In other words, the three brothers, all the witnesses to this document, and the *qāḍī* of Norman Sicily, took care to stress that they were members of the ancient Arab nobility of Islamic Sicily.

And yet Abbot Donatus, like most Christians of the Roman rite, who constituted the ruling elite in Norman Sicily, would have thought of the Muslim brothers as “villeins” who were “tied” to the lands of their feudal lord. Indeed, the brothers themselves had to acknowledge that they, like their fathers before them, belonged to “the people of the registers”, meaning that they were listed in the fiscal registers kept by their lord and by the royal administration, as belonging to the abbey’s estate of *Manzil Yūsuf*.

Surprisingly, the Benedictine abbot required the brothers to swear their oath of fealty to him and the abbey upon the Qurʿān — a work that he is likely to have regarded as blasphemous, diabolical or heretical.

Still more astonishingly, the brothers bound themselves to pay to Abbot Donatus the tax known as the *ġizya*. In the Islamic world, this was the “poll-tax” levied by Muslim rulers from their Christian

and Jewish subjects in return for the “protection” or *dimma* of the state. Christians and Jews living under Islamic rule were thus known as the *ahl al-dimma* (“protected people”) or *dimmīs*. The *ġizya* is the tribute which, in the Qur’ān, God commands the Muslims to impose upon their defeated Christian enemies:

“From among the people who have been given the Scripture [i.e. Christians and Jews], fight those who do not believe in God and the Last Day, and those who do not forbid that which God and His messenger [Muḥammad] have forbidden, and who do not follow the religion of truth [i.e. Islam], until they pay the *ġizya* readily, having been humbled” (*Qur’ān* 9: 29–31).

To find the *ġizya* levied by Christian rulers from their Muslim subjects is thus an extraordinary inversion of what a Muslim would have regarded as divine law.

The brothers also agreed to pay the abbot a proportion of the annual harvest of the arable lands that they held of the abbey. And here is a third surprise. The amount of grain that they contracted to pay annually is likely to have represented a tithe, or one tenth, of the total harvest. On that basis it is possible to extrapolate the total area of arable land that they held collectively, as a single household — as much as 170 hectares or 420 acres of arable land — a substantial estate by any standards and, for example, three times the average size of farms in the United Kingdom today. In other words, these Muslim “villeins” were in fact great landholders.

Their estate lay at *Manzil Yūsuf*, literally “the village of Joseph”, modern [Mezsojuso or Mezzoiuso](#), a remote mountain village about 40 kilometres south-east of Palermo. But the document makes it clear that all three brothers had been accustomed to reside elsewhere, presumably in Palermo itself. What this implies is that the three absentee brothers cannot have cultivated such a large estate with their own hands, and must have either employed labourers or, perhaps, rented out their lands to share-croppers.



Left: Sicily, showing the location of Mezsojuso.



Right: Mezsojuso in a mid-17th-century painting

The abbot and his monks clearly took a dim view of their absentee Muslim villeins and, shortly before the contract was agreed, had confiscated their property. This forced two of the brothers — one was still absent — to appear before the abbot, to agree to a new contract binding them and their missing brother to pay the *ġizya* and harvest-tax, and to return to their lands. But when the abbot had restored their property to them, the two brothers asked him if they might continue reside elsewhere. The abbot appears to have temporised by saying that they would have to put this request to the whole church.

While the final outcome is not recorded, there can be little doubt that the chapter of St John’s eventually acceded to their request, and that the brothers were permitted to return to their comfortable town houses far from their farm in the mountains. The abbey depended upon the

income from its Muslim "villeins" and, had the abbot refused their request, the brothers might well have abandoned their lands and fled, either to a more liberal lord elsewhere in Sicily, or even to a Muslim country overseas.

For their part, the brothers seem to have derived sufficient income from the extensive lands that they held of the abbey at Mezzojuso to make it worth their while to reaffirm their terms of tenure. Even after paying the *ġizya* and the harvest-tax to the abbot, and after hiring labourers or renting their land to share-croppers, the brothers seem to have been left with a surplus large enough to persuade them that it was in their interests to renew their servile status as "men of the registers" — a term frequently translated as "villeins" in Latin documents — to a Christian lord. And they must also have had sufficient confidence in the "protection" afforded them by the Norman king to pay the *ġizya* and to invest their family assets in such a long-term venture as agriculture.

At the same time, the relationship between the brothers and their Christian lord was clearly to a certain degree precarious and unstable. The abbot had the power to determine where they could and could not live, on pain of confiscation of their property. At the same time, regarding the amount they were to pay him for their lands in cash and kind, he seems to have been to some extent constrained by established custom. The rate that they paid for both the *ġizya* and the harvest-tax is not out of line with what other lords asked of their Muslim villeins.

The role played in this contract by the Muslim *qāḍī* of Sicily is particularly intriguing. Islamic law, of course, made no provision for the enserfment of Muslim villeins by a Christian lord, nor for the imposition of the *ġizya* upon a Muslim household. The legal formulae used in this contract, therefore, must have been composed *ad hoc* by a *faqīh* or "jurist" familiar with the formulary of Islamic contract law, and willing to use his expertise to prepare this highly anomalous document in such a way that it resembled a legal contract under Islamic law. The document includes, for example, a simplified form of a standard witness formula (*šahāda*): the recapitulation that the three named brothers — now specifically including the absent 'Abd al-Raḥmān — agreed to everything in the contract; a clause introducing the witnesses called by the brothers in order to testify before the *qāḍī* that they were in good mental and physical health, and acted of their own free will; followed by the autograph signatures of the five witnesses. Whether the *qāḍī* or his court composed this contract, or whether he merely ratified a contract drawn up according to a well-established model, is not stated in the text, but it seems unlikely that this was the only such contract ever made in Norman Sicily. That said, it is difficult to believe that every Muslim who was bound to the lands of a Christian lord would have been issued such a written contract. It is certainly possible that the social status and wealth of these three brothers, and perhaps also their tribal connection to the *qāḍī* himself, may have required the preparation of a written record. It is thus worth noting that the witnesses summoned by the brothers and, indeed, the *qāḍī* himself, testified in effect on behalf of Abbot Donatus and St John's, by bearing witness that the brothers had voluntarily sworn themselves upon the *Qur'ān* into the service of a Benedictine abbey.

Whatever security for their persons, property and religious freedoms the brothers did enjoy was guaranteed by the Norman king in Palermo, far from their lands at Manzil Yūsuf upon which they were registered and where they were expected to reside. So long as the king's authority was strong enough to ensure their protection within his kingdom, the brothers seem to have been willing to bind themselves in service to the abbot St John's. But were the king's authority to have failed, they would have found themselves at the mercy of their Latin Christian neighbours, immigrant peasants from the Italian mainland who coveted their large estate and its abundant harvest.

A decade or so after this contract was written, when King William II died childless in November 1189, civil war broke out amongst the Christians of Sicily. The Latins seized the opportunity to attack their Muslim neighbours. The Muslims, in self-defence, fled the towns and the arable lands in the plains and valleys, and occupied the mountains of western Sicily in open rebellion. Mezzojuso, where the brothers held their lands, lay close to the geographical centre of the Muslim revolts. By 1190, the abbey of St John's had lost control of Mezzojuso, and the brothers had abandoned their

lands either to join the rebels, or to flee overseas. As the wheel of fortune turned, the topsy-turvy world of Sicily was set aright, and came to resemble much more closely the rest of Christian Europe.

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Further reading

- Jeremy Johns, 'The boys from Mezzoiuso: Muslim *jizya*-payers in Christian Sicily', in Robert G. Hoyland and Philip F. Kennedy (eds.), *Islamic Reflections Arabic Musings: Studies in Honour of Professor Alan Jones*, Gibb Memorial Trust, Cambridge, 2004: 243–256. (Download [here](#).)
- Jeremy Johns, 'Sulla condizione dei Musulmani di Corleone sotto il dominio normanno nel XII secolo', in *Byzantino-Sicula IV: Atti del I Congresso Internazionale di Archeologia della Sicilia Bizantina*, Palermo, 2002: 275–294. (Download [here](#).)
- Jeremy Johns, *The way of the qāḍī: the Banū Raġā' qāḍīs of Norman Sicily* (preprint English / Italian forthcoming on DocuMult website, Summer 2021)