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Trade and Religious Boundaries in the Medieval Maghrib: Genoese Merchants,
their Products, and Islamic Law

by

Joel S. Pattison

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

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in the

Graduate Division

of the

University of California, Berkeley

Committee in Charge:

Professor Maureen C. Miller, Chair
Professor Geoffrey Koziol
Professor Laurent Mayali
Professor Hussein Fancy

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Abstract

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by

Joel S. Pattison

Doctor of Philosophy in History

University of California, Berkeley

Professor Maureen C. Miller, Chair

By deploying Italian notarial evidence alongside Islamic legal sources and Arabic literary evidence, this dissertation shows that the relationship between medieval Genoa and the Maghrib developed under the influence of Islamic legal norms governing trade between Muslims and Christians. Genoa was a powerful and wealthy medieval city, at the center of the economic expansion of Europe during the Middle Ages, whose assets included a far-flung series of colonies, enclaves, and legal privileges from London to Iran. The city's relationship with the Muslim world was crucial in establishing Genoa as a trade hub. Both Muslim legal experts and Christian merchants favored institutions that regulated and limited interactions between Christians and Muslims in the port cities of Tunis, Bijāya, and Ceuta during the thirteenth century.

Histories of Christian-Muslim relations in the medieval Mediterranean have long focused on multi-confessional societies such as Iberia, Sicily, or the various Christian and Muslim polities of the Eastern Mediterranean. The Introduction discusses the Genoese presence in the Maghrib in light of the existing literature on alterity, conflict, and co-existence, and argues for the relevance of non-state actors such as merchants and religious scholars in defining Christian-Muslim interactions. Chapter One discusses the varied source bases available to investigate the relationship, from Latin notarial documents produced in medieval Genoa, to chronicle evidence, to merchant manuals. Genoese notarial sources were overwhelmingly concerned with recording sales, legal actions, and so on, but can be read in aggregate to understand Genoese investment preferences, reactions to events, and social lives regarding the Maghrib trade. Available Arabic sources include late-medieval *fatwā* compilations, chronicle evidence, and letters. While these sources are not always in explicit dialogue with each other, they can be used to answer similar questions: what were the important items in trade? Where did trade take place? Who controlled the terms of trade?

Chapter Two reviews the major political and economic history of the Maghrib and Genoa during the thirteenth century. Over this period, the political unity of the Maghrib was lost as the Almohad empire collapsed, with local rulers establishing a variety of different

regimes in the port cities of the region. Genoese merchants thus faced the challenge of negotiating terms of trade and settlement in a changing political environment, and were not above taking advantage to raid or even contemplate outright conquest when conditions seemed right. Nonetheless, relationships between Maghribi cities and Genoa were resilient and survived violent disruptions, with the Maghrib accounting for a significant proportion of all Genoese foreign investment before the 1260s and the opening of the Black Sea trade.

In Chapter Three, the dissertation turns to the physical and conceptual spaces in which trade took place, with particular emphasis on the *fondaco*, the *suq*, and the customs-house (*diwān*). Muslim legal experts and Christian merchants alike favored limiting exchange to certain zones where transactions could be witnessed, goods protected, and translation services made available. Another important impetus came from Muslim jurists' desire to limit Christian interactions with Muslims in certain spaces, such as the city market, based on their assumed violations of Islamic legal norms governing the sale and manufacture of certain items. Chapter Four offers an analysis of the people and social groups who were active in the Maghrib trade, showing how the category of "merchant" in fact obscures the very wide range of Genoese society that was involved in both trade and travel, including artisans, legal professionals, sailors, and servants, men and women. Furthermore, free Maghribi Muslims and Jews were also present in Genoa alongside a sizeable slave population, and their activities were not limited to large-scale trade, but included small loans, labor in the port, and ransoming slaves.

Chapter Five explores the material aspect of trade, by reviewing what physical objects changed hands and why some items created more problems than others. Goods such as wine, wine by-products, and certain textiles gave rise to concerns among Muslim religious elites about impurity, and led to a discourse about necessity, public utility, and privacy in the consumption of potentially suspect commodities and "Christian" products. Comparison with Genoese notarial documents suggests that many material concerns that appear in the *fatwās* (pork lard, cream of tartar, wine) were well represented in the Maghrib trade.

Medieval Genoa has long been understood as a capitalist or proto-capitalist society characterized by merchant entrepreneurs, individualists, and pragmatists who established institutions that became influential in the modern economy. The dissertation shows how the Genoese trade diaspora in fact functioned within and depended on religious legal principles governing trade across religious boundaries, and highlights the importance of material culture in understanding how those boundaries were constructed.

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Note on Transcription

To render Arabic text in Latin script, I have relied on the standards established by the *International Journal of Middle Eastern Studies* (IJMES). However, well-known names, such as those of tribes and dynasties, have been given in their conventional English equivalents; thus "Almohads" and not *al-muwahḥidūn*. Cities and place names have generally been given in their modern versions, as in *Ceuta* instead of Sabta. Proper names in Latin Genoese sources appear in their modern Italian equivalents; thus *Ioannes* = Giovanni, *Willelmus* = Guglielmo, etc.

Unless otherwise noted, all translations from Latin, Arabic, and other languages are my own.

All dates are given in the Common Era (CE) unless specially noted.

Weights, Measures, and Currency

Medieval Genoese and Maghribis used a range of currencies, weights, and measures to record transactions.

The most common unit of currency in my sources was the Genoese *lira*, which, like many European currencies after Charlemagne's reforms, theoretically corresponded to a weight in silver. Each *lira* was composed of 20 *soldi*, which in turn was composed of 12 *denari*: 240 *denari* thus made up each *lira*. The *lira* and *soldo* were, until the late thirteenth century, units of account only: from 1138, the Genoese mint mainly produced *denari* and *grossi* (4 *denari* coins). Although a gold currency (the *genovino*) began to be minted in 1252, most transactions continued to use the *lira* as the unit of account. Unless otherwise noted, the £ sign refers to Genoese *lire*. Other currencies, such as the "besant," are discussed when they first appear in the main text.

Genoa also used its own set of weights and measures. For most units of solid mass (dry goods), the Genoese pound (*libbra*) was roughly equivalent to 316 g. A *rotolo* was a pound and a half (472.15 g), and 100 *rotoli* made up a *cantaro* (47.6496 kg). Certain dry items, such as grain, were measured by volume: one *mina* was equivalent to 116 l. Liquids were generally measured in *barili*, a term whose value fluctuated over time, but in 1300 was equal to around 47.65 litres. Finally, the *meçarolia* or *mezzarola* was equivalent to two *barrili*, or 91.48 l.

The following chart is adapted from Quentin Dooselaere's *Commercial Agreements and Social Dynamics in Medieval Genoa* (2009), 215. It is meant to give an indication of average prices and incomes in Genoese *lire* during the late twelfth and thirteenth century:

1150-1225 Income and Prices in Lire		
	Wages of oarsman (per sailing season)	3–5
	Wages of captain (per sailing season)	10–12
	Annual wages for servant women	2–4 (+ food)
1226-1300 Income and Prices in Lire		
	Price of a Mule	8–12
	Price of a year's supply of food	2.5
	Price of a <i>canna</i> (2.5 meters) of English cloth	1.5–3

Pietro Rocca, *Pesi e misure antiche di Genova e del Genovesato: studi* (Genoa, 1871), 103–105; Cornelio Desimoni, *Tavole descrittive delle monete della Zecca di Genova dal 1139 al 1814* (Genoa: Tip. del R. Istituto Sordo-Muti, 1890); Giuseppe Lunardi, *Le monete della Repubblica di Genova* (Genova: Editore di Stefano, 1975).

Abbreviations for Frequently Cited Works

- Annales*: Belgrano, Luigi and Cesare Imperiale di Sant 'Angelo, eds. *Annales Ianuenses*. 5 vols. *Fonti per la storia d'Italia: secoli XII e XIII* (no. 11-14bis). Rome: Istituto Storico Italiano, 1890-1929.
- Aprosio*: Aprosio, Sergio, ed. *Vocabolario ligure: storico-bibliografico sec. X - XX. Pt. 1*: 2 vols., Savona: Sabatelli, 2002.
- ASG: Archivio di Stato di Genova
- ASLSP: Atti della Società Ligure di Storia Patria
- Battifoglio: Battifoglio, Pietro, and Geo Pistarino. *Notai genovesi in Oltremare: Atti rogati a Tunisi da Pietro Battifoglio (1288-1289)* Genova: Università di Genova, Istituto di medievistica, 1986.
- Dubitabilia*: John Tolan, ed. *Ramon de Penyafort's Responses to questions concerning relations between Christians and Saracens: critical edition and translation*. 2012. <https://hal.archives-ouvertes.fr/hal-00761257>.
- El2/3*: Encyclopedia of Islam, Second/Third Edition.
- Lanfranco: Lanfranco, Hilmar C Krueger, R. L Reynolds, and Società Ligure di Storia Patria. *Lanfranco 1202-1226*. Genova: Società Ligure di Storia Patria, 1951.
- Giovanni de Guiberto: Giovanni di Guiberto, Margaret Winslow (Hall) Cole, Società ligure di storia patria, and Archivio di Stato di Genova. *Giovanni di Guiberto (1200-1211)* R. Deputazione di storia patria per la Liguria, 1939.
- Libri Iurium*: Dino Puncuh, Antonella Rovere, et al. *I Libri Iurium della Repubblica di Genova*. 6 vols. Rome: Ministero per i beni culturali e ambientali, 1992-2002.
- Martino: Martinus Saonensis. *Il cartulario del notaio Martino*. Edited by Dino Puncuh. Genova: Società ligure di storia patria, 1974.
- Fatāwa al-Burzulī*: al-Burzulī, Abu-'l-Qāsim Ibn-Aḥmad. *Fatāwa al-Burzuli: Jām'a Masā'il al-Ahkām la-ma nazala min al-qadāya bi-al-muftīn wa-l-hukkām*, 7 vols., edited by Muhammad al-Habib Hila. Beirut: Dār al-Gharb al-Islāmi, 2002.

- al-Mi'yār:* al-Wansharīsī, Aḥmad ibn Yaḥyá. *al-Mi'yār al-mu'rib wa-al-jāmi' al-mughrib 'an fatāwá ahl Ifrīqīyah wa-al-Andalus wa-al-Maghrib*, edited by Muḥammad Ḥajjī, 13 vols. Rabāt: Wizārat al-Awqāf wa-al Shu'un al-Islāmīyah lil-Mamlakah al-Maghribīyah, 1981.
- al-Idrīsī:* al-Idrīsī, Muhammad. *Opus geographicum, sive: "Liber ad eorum delectationem qui terras peragrarare studeant"*, edited by E. Cerulli, A. Bombaci, et al. 9 vols. Naples: Brill, 1970.
- MGH:* *Monumenta Germaniae Historica*
- Uberto I/ II:* Giovanni, Antonella Rovere, and Marco Castiglia. *Il cartolare di "Uberto" I: atti del notaio Giovanni, Savona (1213-1214)*. Savona: Società savonese di storia patria, 2013.
- Il cartolare di "Uberto" II: atti del notaio Guglielmo : Savona (1241-1215)*. Savona: Società savonese di storia patria, 2010.

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INTRODUCTION

Around the year 1140, the Andalusī Muslim geographer Abū ‘Abd Allāh Muḥammad b. Abī Bakr al-Zuhrī wrote a description of the world, in the form of a commentary on a series of regional maps taken from earlier geographers. It was a colorful text, filled with personal anecdotes, and al-Zuhrī paid careful attention to the wonders (*‘ajā’ib*) that travelers could expect to see. Coming at length to a description of Genoa, he offered an interesting observation:

Janwa is one of the greatest of the cities of the Byzantines (*al-rūm*) and Franks (*al-ifranj*). The people of this city are the *Quraysh* of the Byzantines. It has been said of them, that they are [descended from] Christian Arabs originally, from the children of Jabāla b. al-Ayham, who converted to Christianity in Syria. They are a people who do not physically resemble the Byzantines, for most of the Byzantines are blond, whereas these [the Genoese] have brown hair and dark eyes, and they have aquiline noses. Therefore they are called Arabs, and they are a people of merchants on the sea, from Syria to al-Andalus. And they have great skill on the sea.¹

What to make of this tale linking Genoa with early Islamic history? It is hard not to read it as a mark of respect, albeit a back-handed one. For one, *Quraysh* was the tribe of the Prophet Muḥammad himself, masters of Mecca and prominent merchants in the sixth century. Although their leaders at first bitterly resisted the message of Islam, after the Prophet's victory the tribe's descendants retained great prestige in the Muslim world. A well-known *hadīth* of the Prophet stated that all future caliphs were to be members of the Quraysh tribe, as indeed were the four "rightly guided" caliphs, their Umayyad successors, and the ‘Abbāsids who came after them.² To call the Genoese the *Quraysh* of the Byzantines thus implied a high honor, but perhaps also stubbornness. Moreover, the connotation is only strengthened by al-Zuhrī's comparison to a different Arab tribe, the Bānu Ghassān, who were mostly Christians at the time of the Prophet, and to their leader, Jabāla b. al-Ayham, who was famous for having renounced Islam and returned to Christianity rather than face punishment for his crimes at the hands of the caliph ‘Umar (r. 634-644).³ Such a

¹ "madīnat janwa wa hiya min ‘a‘zam mudun al-rūm wa-l ifranj, wa ‘ahl hadhihi al-madīna hum quraysh al-rūm, yuqāl ‘anhum inna ‘ašlihim min al-‘arab al-mutanaṣṣira min ‘awlād Jabal bin al-Ayham al-ghassānī aladhī tanaṣṣara fī al-shām. Wa-hum qawm lā yashbuhum al-rūm fī khilqatihim. Li-anna al-rūm al-ghālib ‘alayhim al-shuqra wa-ha’ula’ qawm sumr du’j, shumm al-‘aranīn. Falidhālik qīla innahum min al-‘arab, wa hum qawm tujjār fī al-baḥr min bilād al-shām ila bilād al-andalus. wa-lahum shidda fī al-baḥr." "Kitāb al-ju‘rāfiyya: Mappemonde du calife al-Ma’mūn reproduite par Fazārī (III e / IX e s.) rééditée et commentée par Zuhri (VI e / XII e s.)," ed. Muhammad Hadj-Sadok, *Bulletin d'Études Orientales* 21 (1968), 230.

² W.M. Watt, "Quraysh," in: *Encyclopaedia of Islam, Second Edition*, ed. P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. [Hereafter cited as *EI2*].

³ Philip K. Hitti, ed. and trans., "The origins of the Islamic state: being a translation from the Arabic, accompanied with annotations, geographic and historic notes of the Kitāb fitūh al-buldān of al-

genealogy would make the Genoese descendants of apostates. Finally, we have the racialized description of the Genoese: different from their neighbors, more closely resembling "Arabs." Would this observation on race have rung true to al-Zuhri's contemporaries? The Arabic phrase "aquiline noses" (*shumm al-ʿarānīn*) in fact can sometimes have the metaphorical meaning "proud" or "haughty," lending a further shade of nuance to al-Zuhri's anecdote.⁴ Did al-Zuhri anticipate the association of Genoa with pride, *superbia*, two centuries before Petrarch's famous invocation, in the 1350s, of the city that was "proud of its men and its walls"?⁵

Wherever he came by it, al-Zuhri's theory of Genoa's ethnogenesis ultimately was not influential. His more famous contemporary, al-Idrisi (1100-1166) writing in Sicily at the court of Roger II (r. 1130-1154) made no mention of Genoa's origins in his *Kitāb nuzhat al-mushtāq fī-ikhtirāq al-afāq* ("Book of Pleasant Diversion for One Who Seeks to Travel"), choosing to focus more on Genoa's imposing war fleet and the tenacity of its merchants.⁶ Al-Zuhri's text was relatively popular in the late medieval period and was widely cited by other geographers, but none of them repeated his claims about Genoa.⁷ The geographer Ibn Saʿīd al-Maghribī (d. 1286), who made use of al-Zuhri's text, simply noted Genoa's impressive stone harbor, its fleets, and its wars with Venice.⁸ For their part, Genoa's own medieval historians Jacopo da Varazze and Jacopo Doria agreed on their city's origins in pre-Roman times, and preferred to debate the exact provenance of the name *Genua*: whether it derived from the god Janus, from the Latin *genus* ("knee"), or something else.⁹

Nonetheless, al-Zuhri's fanciful anecdote is worth considering for how it describes the nature of medieval Genoa's relationship with Islam, and with the Muslim West in particular. Any reader familiar with Genoa's medieval (or modern) reputation will not be surprised to find the nods to its merchant fleet, the importance of the sea. But the notion of

Imām abu-l Abbās Ahmad ibn-Jābir al-Balādhuri" *Studies in History, Economics and Public Law*, LXVIII (New York: Columbia University Press, 1916) I, 208-209.

⁴ Edward Lane, *Arabic-English Lexicon* (London: S. Lane Pool, 1863-1893) 5: 2029; Ibn Manẓūr, *Lisān al-ʿArab*, edited by ʿAlī Shīrī (Beirut: Dār Iḥya al-Turāth al-ʿArab, 1988) vol 9 : 185.

⁵ *Petrarch's Guide to the Holy Land*, ed. and trans. Theodore J. Cachey Jr. (Notre Dame: University of Notre Dame Press, 2002), 93.

⁶ Al-Idrisi, *Opus Geographicum*, 649-650.

⁷ Al-Zuhri's *Geography* exists in at least nine manuscripts from the late medieval and early modern period. For more on his reception by later Maghribi scholars, see Muhammad Hady-Sadok, ed., "Kitāb al-juʿrāfiyya", 7-91, and Halima Ferhat, "Al-Zuhri", *EI2*

⁸ Ibn Saʿīd al-Maghribī *Kitāb al-Jughrāfiyya* V:2, (1/50)
[<https://web.archive.org/web/20120302123907/http://sh.rewayat2.com/boldan/Web/4097/001.htm>]

⁹ Stephen Epstein, *Genoa and the Genoese 958 - 1528* (Chapel Hill: University of North Carolina Press, 1996), 172-173.

the "Genoese as renegade Arabs" cuts to the heart of the paradoxes in the relationship between the Genoese and the Muslims of the West: a relationship defined by both distance and familiarity, violence and commerce, often at the same time. Merchants could turn pirate at the drop of a hat, crusaders could sell weapons to their Muslim enemies. It is also a relationship with frustrating *lacunae* and baffling silences in the source base available to describe it. Al-Zuhrī was a native of Almería, which witnessed a terrible sack at the hands of the Genoese and Castilians in 1146, an event he does not mention. Meanwhile, the Genoese who traded and traveled in the Maghrib left abundant records of their activity in the city's famous collection of notarial records, but rarely reflected at any length on the way their long contact with Maghribi or Andalusī Muslims affected them. No comparable source base has survived in the Maghrib itself, despite the well-attested existence of a scribal and notarial culture there.¹⁰

Like al-Zuhrī, in this dissertation I have placed people and their complex relationships to religious tradition at the center of my analysis. Building on earlier studies that privileged state diplomacy or religious discourse in defining the relationship between Europe and the Maghrib, or between Christianity and Islam, I reconstruct ties between medieval Genoa and the Maghrib through the eyes of those who most defined them through thousands of interactions over time: the men and women who traveled between Liguria and the Maghrib, who invested money in trade or who bought commodities that crossed the Mediterranean: merchants, sailors, slaves, diplomats, and clerics. I have done so by placing into conversation a wide range of sources produced by medieval Genoese, Maghribi Muslims, and others, in a variety of different contexts. For the most part, these are sources that, though individually well known, have only rarely been read alongside each other: chiefly, the legal acts of Genoese notaries and the tradition of *fatwā* compilations by Muslim jurists of the Mālikī school of law. There is of course a serious interpretive challenge involved in incorporating such different texts, written for such distinct purposes, but reading these sources together allows us to see new connections between religious norms and economic activity, and to situate legal discourse in a context of trade and commerce. Thus, though the inquiry is defined in large part by geographic and chronological limits — Genoa, the Maghrib, and the thirteenth century — the questions it raises are relevant beyond the immediate scope of the relationship in question, and contribute to our evolving understanding of the relationship between religious values and economic behavior, and the challenge of cross-cultural trade in the Mediterranean world.

In his 1994 history of medieval Genoa, Steven A. Epstein identified Genoa's relationship to Islam as fundamentally important, as only alternating violence against and commerce with Muslims could explain how a small Roman port city, capital of a mountainous and unproductive agricultural region, became a mercantile juggernaut by the twelfth century: "Islam provides the Mediterranean scope of Genoese history."¹¹ This

¹⁰ Petra Sijpestein, *From al-Andalus to Khurasan: Documents from the Medieval Muslim World* (Leiden: Brill, 2007). In fact several notarial formularies (*wathā'iq*) do survive from very late fifteenth-century Granada; see Kathryn Miller, *Guardians of Islam: religious authority and Muslim communities of late medieval Spain* (New York: Columbia University Press, 2008), 85-89.

¹¹ Steven A. Epstein, *Genoa and the Genoese*, xvi.

dependence has long been understood in both economic and ideological terms. Roberto Lopez, who did more than anyone else to encourage the study of Genoese history at American universities, argued in 1937 that successful Genoese piracy against Muslim targets in the eleventh century provided the initial capital for its subsequent economic development.¹² Fittingly, the earliest surviving Genoese notarial cartulary, that of Giovanni Scriba, is written partly on paper recycled from an Arabic chancery document; possibly a Faṭimid letter to the Genoese commune; the Latin acts are scribbled in between the massive, formal Arabic script.¹³ The city's medieval self-conception, too, depended heavily on a relationship with Islam: Genoa's almost two-hundred year urban chronicle begins with the First Crusade. Its first author, the nobleman Caffaro di Rustico di Caschifellone (c. 1080 - 1166) deliberately presented Genoa as a champion of Christendom against Islam both in the Levant and in al-Andalus, while crusade would remain a touchstone of later Genoese chroniclers throughout the Middle Ages.¹⁴

Genoa's medieval self-image thrived on its hostility to and intimacy with Muslims. Giovanna Petti Balbi has argued that the twelfth-century commune presented itself to its regional partners and rivals as "both the guarantor of the safety of Christendom, and privileged interlocutor with the infidel."¹⁵ Agreements signed with Provençal cities promised Genoese aid against Muslim piracy while offering Provençal merchants the chance to trade with the Muslims under the Genoese banner. Meanwhile at Roncaglia in 1158, the commune's ambassadors protested to the emperor Frederick Barbarossa (r. 1158-1190) that they were exempt from any obligation other than fealty and "the protection of the coasts against barbarians."¹⁶ So important was this idea, Petti Balbi argues, that the commune chose not to incorporate its many treaties with Muslim rulers into the officially sanctioned *Libri Iurium* produced in the thirteenth century, since the treaties' formal guarantees of peace and commerce contrasted awkwardly with the notion of Genoa as defender of Christendom at sea.¹⁷

Mutual dependence between commerce and violence, hostility and intimacy at all levels of society has become a theme of recent historiography on the medieval

¹² Roberto Lopez, "Aux origines du capitalisme génois," *Annales d'histoire économique et sociale* 9: 47 (September 30, 1937, 429-454.

¹³ Michele Amari, "Nuove ricordi arabici su la storia di Genova, 8: Frammenti di un diploma arabico ritrovati nelle schede del notaio Giovanni Scriba di Genoa, *Atti della Società Ligure di Storia Patria* 5 (1867), 633-4.

¹⁴ See for instance Antonio Musarra, *In Partibus Ultramaris: I Genovesi, la Crociata e la Terrasanta* (secc. XII-XIII) (Rome: 2017), 649-658.

¹⁵ Giovanna Petti Balbi, "Genova e il Mediterraneo occidentale nei secoli XI -XII" in *Comuni e memoria storica: Alle origini del comune di Genova* (Atti del convegno di studi, Genova 24-26 settembre 2001), (Genova 2002) 503-526.

¹⁶ *Annales* Vol. 1, 50.

¹⁷ Petti Balbi, "Genova e il Mediterraneo," 511-512.

Mediterranean, and particularly of cross-cultural, and inter-religious, contact and exchange. The new scholarship stresses not so much the *contrast* between "conflict and coexistence," or antagonistic rhetoric and pragmatic or peaceful social relations, as the *interdependence* of attitudes previously read as fundamentally opposed. Hence David Nirenberg's 1996 study of religious minorities in France and Aragon, *Communities of Violence*, which argued, among other things, that some anti-Jewish discourse served to define and even legitimate the presence of Jews in Christian society.¹⁸ Hussein Fancy's 2015 *Mercenary Mediterranean* examined the role of Muslim mercenaries (*jenets*) in Iberian Christian armies during the later Middle Ages, and argued that far from subverting religious norms of antagonism between Christianity and Islam, such behavior actually depended on them and reinforced them. Muslim soldiers taking service with Christian kings saw themselves as continuing the practice of *jihād*, whereas Christian rulers, particularly the kings of Aragon, exploited the non-Christian soldiers in their employ as part of their own imperial propaganda, drawing on a long tradition of military slavery.¹⁹ Turning back to Genoa, Petti Balbi argued there was no real opposition between Genoa's crusading impulses and its mercantile interests, and that it was impossible to tell whether trading by Genoese merchants preceded or followed raids and organized violence in the Western Mediterranean.²⁰

This new approach to the complementarity of hostility and intimacy among the different religious groups in the medieval Mediterranean may be read as part of a broader interest in inter-religious relations more generally, particularly between Christianity and Islam, over the last twenty years. Interest in the relationship between medieval Christianity and Islam is of course much older than this, and the work of earlier generations of scholars continues to be important; but the pace and variety of publications has accelerated in recent decades.²¹ Historians in Europe and the United States have turned their attention

¹⁸ David Nirenberg, *Communities of violence: persecution of minorities in the Middle Ages* (Princeton: Princeton University Press, 1996).

¹⁹ Hussein Fancy, *The mercenary Mediterranean: sovereignty, religion, and violence in the medieval crown of Aragon* (Chicago: University of Chicago Press, 2016).

²⁰ Petti Balbi, "Genova e il Mediterraneo occidentale," 4.

²¹ Generalizing slightly, many of the earlier treatments of Christian-Muslim relations were concerned with ideas or images of the religious other at a pan-Christian (often Latin Christian) or pan-Islamic level. See for instance Norman Daniel, *Islam and the West: The Making of an Image* (Edinburgh: Edinburgh University Press, 1962); R.W. Southern, *Western Views of Islam in the Middle Ages* (Cambridge: Harvard University Press, 1962); Benjamin Kedar, *Crusade and Mission: European approaches toward the Muslims* (Princeton: Princeton University Press, 1984). Studies of medieval Muslim attitudes to Christians have also appeared, albeit more recently: see, among others, Mahmoud Ayoub, "The Islamic Context of Muslim-Christian relations," in *Conversion and continuity: indigenous Christian communities in Islamic lands, eighth to eighteenth centuries* eds. Michael Gervers and Ramzi Jibran Bikhazi (Toronto: Pontifical Institute of Mediaeval Studies, 1990); and a collection of essays edited by Robert Hoyland, *Muslims and others in early Islamic society* (Ashgate: 2004).

both to discourse and lived experience, interrogating regional and chronological differences, and moving beyond generalizations about "Islam" or "Christianity." Their efforts have borne fruit on several fronts. The Brill series *Christian-Muslim Relations: a Bibliographical History*, begun in 2009, currently runs to thirteen huge volumes, covering the period from 600 to 1800 CE, with more volumes to come. Produced under the direction of David Thomas at the University of Birmingham, the series provides bibliographical information on major medieval and early modern authors in a wide range of languages and literary genres, whose works touch on Christian-Muslim relations, alongside interpretive essays from contemporary scholars of religious history.²² One of these, John Tolan, at the University of Nantes, is also the director of the EU-funded RELMIN: "The Legal Status of Religious Minorities in the Euro-Mediterranean World," begun in 2010, which has not only published editions of late antique and medieval texts in Latin, Arabic, and vernacular language sources, but has also sponsored dozens of books and articles by European, American, and Middle Eastern scholars on a variety of subjects connected to legal treatment of religious minorities.²³ In the last decade alone, we have seen studies of medieval Latin translations of the Qur'ān (2009), dietary laws and discourses of identity in Judaism, Christianity and Islam (2011), and the variable status of *dhimmis* in the Muslim West (2013), among many other studies of religious difference in the Middle Ages.²⁴

The intense interest in inter-religious conflict and exchange has developed in the context of another thriving field of medieval history: Mediterranean studies. Also a subject of inquiry with very deep roots in twentieth-century socio-economic history, in recent years the medieval Mediterranean has come to be understood in terms that fit well with a focus on cross-cultural exchange, including "connectivity," "networks," "movement," and "communication."²⁵ Medieval Mediterranean history has proven useful to think with for historians, sociologists, and economists alike, particularly those challenging earlier, Eurocentric approaches to history, which viewed macro-historical developments such as capitalism, globalization, and colonialism as essentially northwestern European

²² *Christian-Muslim Relations: a Bibliographical History* ed. David Thomas et al., 13 vols (Leiden, Brill: 2009-2019); for a useful sourcebook, see Jarbel Rodriguez (ed.), *Muslim and Christian contact in the Middle Ages: a reader* (Toronto: University of Toronto Press, 2015).

²³ <http://www.cn-telma.fr//relmin/index/>

²⁴ Thomas Burman, *Reading the Qur'ān in Latin Christendom, 1140-1560* (Philadelphia: University of Pennsylvania, 2009), David Freidenreich, *Foreigners and their Food: Constructing Otherness in Jewish, Christian, and Islamic Law* (Berkeley: University of California Press, 2011), Maribel Fierro and John Tolan (eds), *The Legal Status of Dhimmi in the Islamic West (Second/Eighth-Ninth/Fifteenth Centuries)* (Turnhout: Brepols, 2013).

²⁵ See discussion in Peregrine Horden and Nicholas Purcell, *The corrupting sea: a study of Mediterranean history* (Oxford: Blackwell Press, 2001); Brian Catlos and Sharon Kinoshita (eds), *Can We Talk Mediterranean?: Conversations on an Emerging Field in Medieval and Early Modern Studies* (Palgrave: Macmillan, 2017); Damien Coulon, Christophe Picard, Dominique Valérien (eds), *Espaces et Réseaux en Méditerranée, VIe-XVIe siècle*, 2 vols (Paris: Éditions Bouchène, 2007-2010).

phenomena rooted in the early modern period.²⁶ Merchants have often been at the center of these analyses: crossing oceans, connecting disparate societies, borrowing cultural and technical knowledge from each other, and contributing to a common Mediterranean culture. Monumental source bases such as the Cairo Geniza or the Genoese notarial cartularies have been explored to illuminate merchant mentalities, culture, and institutions, whose connections to modern forms of organizing trade and labor are still vigorously disputed.²⁷

Given these powerful currents in scholarship, one might expect Genoa's relationship with the Muslim West to have received a great deal of attention. After all, the Genoese State Archive boasts one of the largest collections of medieval documents from the entire medieval period, much of which concerns merchants and their overseas trade, plenty of which took place on the Muslim-ruled shores of the southern and western Mediterranean. Yet while the Genoese archives have been well-known since the nineteenth century, several factors have led historians to prioritize other interpretive strategies. Genoese historians have long recognized the importance of the Maghrib and al-Andalus for their city's economic development, but most foreign students of Genoa and its overseas trade in the medieval period have tended to focus their attention on the Eastern Mediterranean, on the Crusader states of the twelfth century, and later, on the Genoese colonies in the Aegean and Black Sea, with Michel Balard's magisterial study, *La Romanie Génoise* a particularly important milestone.²⁸ Compared with the mass of studies on the East, Genoa's Western Mediterranean activities have only begun to receive sustained interest in the last few decades. A great deal of scholarly attention to Mediterranean trade, particularly that of

²⁶ Janet Abu-Lughod, *Before European hegemony: the world system A.D. 1250-1350* (Oxford: Oxford University Press, 1989).

²⁷ One major point of contention in institutional economic history is the distinction between the organization of the Jewish merchants of the Cairo Geniza and their later Italian (mainly Genoese) counterparts. Avner Greif, a Stanford economist, argued that the Genoese relied on "public-order" enforcement to establish trust: courts, litigation, etc, whereas their Geniza predecessors relied on "private-order" enforcement: consensus, reputation, family ties, etc. Greif went so far as to credit the Genoese "public order" with creating pathways to modern economic institutions; see Avner Greif, *Institutions and the Pathway to the Modern Economy: Lessons from Medieval Trade* (Cambridge: Cambridge University Press, 2006). However, Jessica Goldberg's study of the Cairo Geniza challenged this narrative by showing how thoroughly litigious the Cairo Geniza merchants were, and how deeply familiar with state power and courts alongside "private-order" mechanisms, thus reducing the differences between the Geniza merchants and medieval European; see Jessica Goldberg, *Trade and institutions in the medieval Mediterranean: the geniza merchants and their business world* (Cambridge: Cambridge University Press, 2012).

²⁸ Michel Balard, *La Romanie Génoise: (XIIe - début du XVe siècle)* 2 vols. (Rome, École Française de Rome, 1978). The study was also published in Genoa in the same year by the Società Ligure di Storia Patria, which is the edition I have consulted here. Balard's work on the Black Sea was anticipated by the work of the Romanian historian Gheorghe Brătianu, *Recherches sur le commerce génois dans la Mer Noire au 13e siècle* (PhD dissertation, University of Paris, 1929). Other important examples of the Eastern focus include Philip P. Argenti, *The occupation of Chios by the Genoese and their administration of the island, 1346-1566* (Cambridge: Cambridge University Press, 1958).

Latin Christian merchants, has been viewed through a prism of colonialism, and Genoa's colonies in the East were bigger and more important, particularly in the Later Middle Ages, than its western interests. Meanwhile, historians of inter-religious relations have naturally tended to gravitate to societies where Christians, Muslims, and Jews lived alongside each other in sizeable numbers: places like the Iberian peninsula, Norman and Hohenstaufen Sicily, and the Eastern Mediterranean.²⁹ Genoa itself was never part of the Muslim world, and although I will argue that it had its own persistent resident Muslim population throughout the thirteenth century, the scope of interactions between Christians and Muslims has appeared more limited there than elsewhere.

Any analysis of the Genoa-Maghrib relationship must also take into account the persistent legacy of colonialist scholarship on the Maghrib. Much of the early French academic interest in the Maghrib was conducted with overt colonialist intent. To take only one example, Louis de Mas-Latrie's massive 1867 edition of Latin and Arabic treaty documents was produced to show the deep history of European "commerce" in the region, and thus to present the French occupation of Algeria as a continuation of prior trends, the "spirit of good faith and tolerance that reigned on both sides."³⁰ French interest in "explaining" and thus controlling Maghribi society has also been adduced as the impetus behind scholarly editions of Ibn Khaldūn and many other medieval authors, well into the twentieth century.³¹ Even after the countries of the Maghrib gained their independence in the 1950s and 60s, earlier scholarship continued its hold over medievalists. In an influential 1970 essay, the Moroccan historian Abdallah Laroui lamented the persistent tendency to imagine the Maghrib as an object of foreign domination, a place where "civilization" was continually being imposed by outside actors, whether Roman, Arab, or French; he proposed the time of the Berber empires from the tenth to thirteenth centuries as a period in which "the Maghrib ceased to be an object when it recognized itself in an ideological, religious movement."³² Writing decades later, Ramzi Rouighi critiqued the persistence of colonial scholarship in the paradigm of the "Mediterranean of relations," whereby scholars prioritized the Maghrib's connections with external (mainly European) forces and networks at the expense of its own internal development. While he

²⁹ To take only a few recent examples from Italian history, Alex Metcalfe's recent work, *The Muslims of Medieval Italy* (Edinburgh: Edinburgh University Press, 2009) is concerned entirely with Sicily and South Italy, see also Karla Mallette, *The Kingdom of Sicily: A Literary History 1110 - 1250* (Philadelphia: University of Pennsylvania Press, 2011); and Steven A. Epstein, *Purity Lost: transgressing boundaries in the eastern Mediterranean, 1000-1400* (Baltimore: Johns Hopkins University Press, 2007).

³⁰ Mas-Latrie, *Traité de paix*, ii.

³¹ See Abdelmajid Hannoum, "Translation and the Colonial Imaginary: Ibn Khaldūn Orientalist" *History and Theory* 42 (February 2003), 61-81; and Paul M. Love, "The Colonial Pasts of Medieval Texts in Northern Africa: Useful Knowledge, Publication History, and Political Violence in Colonial and Post-Independence Algeria." 445-463.

³² Abdallah Laroui, *The history of the Maghrib: an interpretive essay*, trans. Ralph Mannheim, (Princeton: Princeton University Press 1977), 10.

acknowledged the value of historians like Robert Brunschvig and Hady Roger Idris, he noted that they tended to "Europeanize" the evidence for Maghribi history.³³ Therefore, any historical project, such as my own, that takes "relations" as its subject must reckon with the ways that this paradigm has grown, at least in part, out of colonialist scholarship. How then, have historians of Genoa and the Maghrib fit into these broader patterns in regional and transregional Mediterranean history?

Genoa and the Maghrib : Markets, Colonies, Diaspora, Empire?

Broadly speaking, scholarship on the Genoa-Maghrib relationship has depended on the abundant notarial evidence, supplemented by surviving treaty documents and Latin narrative sources. Given the nature of these sources, much early scholarship was concerned with markets, commodities, and the flow of investments and trade across the Mediterranean. The cartulary of Giovanni Scriba reveals an already well-established trade with the Maghrib in the 1150s, and together with the other twelfth-century cartularies contributed to a greater understanding of how the Maghrib fit into wider Mediterranean patterns of exchange. Hilmar Krueger was an important early exemplar of these investigations, in his 1932 dissertation and his subsequent work, which was greatly aided by the publication of most of the twelfth-century cartularies by the 1970s.³⁴ Working from these published sources and in the many unpublished cartularies at the *Archivio di Stato*, Genoese historians continued to explore aspects of the Genoa-Maghrib relationship through the lens of economic and diplomatic history, publishing a number of articles on specific events, or on particular aspects of the Maghrib trade, such as Raffaele di Tucci's examination of the *mahona* of Ceuta, Roberto Lopez's analysis of the African wool trade, and Geo Pistarino's brief synthesis of the major diplomatic relations between Genoa and the Maghrib.³⁵ By the 1980s, a consensus had emerged that the mid-twelfth century marked a turning-point in the relationship between Genoa and Islam in the West, from an aggressive, predatory phase characterized by raiding and organized violence, as against Mahdiyya in 1087 or at Almeria and Tortosa in 1146-7, to a more peaceful, commerce-driven phase after the 1150s in which stable trade relations predominated — coincidentally the decade when notarial records begin — which lasted through the end of

³³ Ramzi Roughi, "A Mediterranean of Relations for the Medieval Maghrib: Historiography in Question," *al-Masāq* 29:3 (2017), 201-220.

³⁴ Hilmar C. Krueger, *The commercial relations between Genoa and northwest Africa in the Twelfth century*, (PhD dissertation, University of Wisconsin-Madison, 1932), idem, "Wares of Exchange in Twelfth-Century Genoese-African Trade," *Speculum* 12 (1937), 57-70, idem, "The Genoese Exportation of Northern Cloths to Mediterranean Ports, Twelfth Century," *Revue belge de philologie et d'histoire* 65:4 (1987), 722-750.

³⁵ Raffaele di Tucci, "Documenti inediti sulla spedizione e sulla mahona dei Genovesi a Ceuta, 1234-1237," *Atti della Società Ligure di Storia Patria* 64 (1935), 273-342; R.S. Lopez, "L'origine della pecora merina" in *Su e giù per la storia di Genova* (Genoa: Istituto di paleografia e storia medievale, 1975), Geo Pistarino "Genova e l'Islam nel Mediterraneo Occidentale (secoli XII-XIII)," *Anuario de Estudios Medievales* 10 (1980), 189-205.

the medieval period.³⁶ The Maghrib in turn became an important Genoese market, ranking behind only the Levant in terms of volume of investments, and was particularly important as a "market of substitution": a safe destination for Genoese capital when Eastern destinations became difficult to access. However, after the Treaty of Nymphaeum in 1261, Genoese merchants increasingly turned their attention to the Aegean and Black Sea, and the Maghrib lost much of its attraction, though it never faded entirely from view.³⁷

Beyond economic and political history, scholars also grew interested in the social lives of Genoese merchants overseas, and the nature of Muslim-Christian contact in the port cities of the Maghrib. Roberto Lopez's influential 1938 *Colonie Genovesi* was the first major work to take the Genoese settlements overseas as its main theme, viewing the Genoese communities in Ceuta, Bijāya, Tunis and elsewhere as part of a coherent "colonial" system. Lopez proposed a model or blueprint for Genoese settlement, which consisted of both physical space — a merchant quarter, warehouse(s) or *fondaco*, ovens, baths — and legal rights, such as access to familiar weights and measures, reduced tariffs, and even extraterritorial jurisdiction. This model was then repeated wherever possible around the Mediterranean, to provide merchants with a stable base of operations for penetration into interior markets.³⁸ Although written to account for Genoese history, Lopez's model was also influential in work on Latin merchants in the later Middle Ages more broadly. In particular, the language of "colony" tempted some historians to make explicit comparisons with the European empires of the nineteenth or twentieth centuries, particularly in the Eastern Mediterranean.³⁹

Beginning in the 1980s, a lively debate developed about the value of the paradigm of "colony" or "colonialism" in a medieval Mediterranean context, with critics, including scholars of medieval Genoa, contending that the conceptual baggage of the term reduced its value for describing the wide range of legal and economic contexts in which Latin merchants found themselves.⁴⁰ A variety of studies on Genoese and Venetian merchant communities overseas highlighted how tightly controlled many were by local authorities,

³⁶ Bianca Gari, "Genova e i porti islamici del Mediterraneo occidentale, secoli XI- XIII" in *La Storia dei Genovesi: Atti del Convegno di Studi sui Ceti Dirigenti Nelle Istituzioni della Repubblica di Genova* Genova vol XII (Genoa: Associazione nobiliare ligure, 1992), 345-353; Giovanna Petti Balbi, "Genova e il Mediterraneo occidentale nei secoli XI -XII", in *Comuni e memoria storica: alle origini del Comune di Genova : atti del Convegno di studi, Genova, 24-26 settembre 2001* (Genoa: SLSP, 2002).

³⁷ See Dominique Valérian, "Gênes, l'Afrique et l'Orient: le Maghreb almohade dans la politique génoise en Méditerranée," in Damien Coulon, Catherine Otton-Freux, Paule Pagès, Dominique Valérian (eds.), *Chemins d'outre-mer études d'histoire sur la Méditerranée médiévale offertes à Michel Balard* (Paris: Publications de la Sorbonne, 2004), 827-837.

³⁸ Lopez, *Storie delle colonie genovesi nel Mediterraneo* (Bologna: Zanichelli, 1938).

³⁹ See for instance Nikolaos Oikonomides, *Hommes d'affaires grecs et latins a Constantinople (XIII-XVe siècles)* (Montreal: Institut d'études médiévales Albert-le-Grand: J. Vrin, 1977), Robert Bartlett, *The Making of Europe* (Princeton: Princeton University Press, 1993), 188-190.

⁴⁰ See Michel Balard and Alain Ducellier, *Coloniser au Moyen Age*, (Paris: A. Colin, 1995).

especially in Egypt and in the rest of the Muslim world, or how impermanent, dominated as they were by transient men who did not form lasting family bonds in the cities where they lived.⁴¹ In 1993 Geo Pistarino proposed a different way of understanding the Genoese settlements overseas, this time as a vast, loosely connected commonwealth, much like the branches of a multinational company.⁴²

At stake in this debate was the relationship between foreign merchants and their neighbors from host societies: the permeability of linguistic, religious, and cultural boundaries, and the question of power: did resident Latin merchants represent or enforce exploitative or one-sided trade relations? In 2004, Olivia Constable's *Housing the Stranger* made a decisive contribution to the field, by demonstrating the evolution of the institution of the *pandocheion/funduc/fondaco* in Byzantine, Islamic, and Latin Christian contexts over the entire Middle Ages. Her book showed how the challenge of welcoming and controlling foreign merchants was common to all Mediterranean societies, who borrowed and adapted institutional forms from each other over the course of the Middle Ages. Turning particularly to the European settlements in the Maghrib, Constable suggested that the *fondacos* there represented "colonies before colonialism."⁴³ The *fondaco* was designed to make foreign merchants feel at home, to minimize, in fact, their exposure to the host country and its people. Constable's work marked a major advance in another important sense, since she made extensive use of Arabic and Greek texts, and she included several observations taken from Islamic legal literature in conjunction with the more well-known European sources.⁴⁴

Recent scholarship on the Maghrib and its relationship with European merchants reflects the concerns of Constable's work, and a greater awareness of Arabic sources, many of which were newly accessible due to several scholarly initiatives in both Europe and Morocco.⁴⁵ In particular, scholars have paid additional attention to Islamic law in structuring overseas trade, part of a broader interest in legal history and religious minorities. In addition to an important study of Bougie (Bijāya) in the medieval period, Dominique Valérian published a series of articles on the social and judicial status of European merchants in the Maghrib, asking how they fit into existing Islamic legal categories for non-Muslims, and questioning the extent of their inter-cultural relations with

⁴¹ David Jacoby published extensively on the question of Latin merchant communities and their relations with host societies. See for instance D. Jacoby, "Les Italiens en Egypte aux XII et XIIIe siècles: du comptoir a la colonie?" in Balard and Ducellier, *Coloniser au Moyen Age*, 76-89.

⁴² Geo Pistarino, *La Capitale del Mediterraneo: Genova nel medioevo*, (Bordighera: Istituto Internazionale di studi liguri, 1993), 83.

⁴³ Olivia Constable, *Housing the stranger in the Mediterranean world lodging, trade, and travel in late antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2004), 103.

⁴⁴ Ibid, 72-73, 115-116.

⁴⁵ See source discussion in Chapter One.

Maghribis.⁴⁶ Tempted by a different modern comparison, Valérien suggested that the experience of Genoese and other Latin merchants was "close to the modern idea of the expat, as it is used to describe Westerners sent abroad."⁴⁷ Other recent scholarship has examined the Maghrib's ties with Europe and the place of merchants in that relationship through diplomatic correspondence, and the question of the reception of certain Christian goods in Islamic law.⁴⁸

Genoese sources, particularly notarial evidence, have proven decisive in investigations of the commercial, social, and cultural ties between the Maghrib and Europe. Yet few major works have centered the discussion around the specifically *Genoese* relationship with the Maghrib, instead deploying Genoese evidence in tandem with Pisan, Catalan, French, and Venetian sources to discuss trade relations between the region and Europe as a whole. The major exceptions have come from two French historians, Georges Jehel and Philippe Gourdin, who have approached the issue from quite different angles. In a 1993 book, Jehel took as his subject Genoa's engagement with the entire Western Mediterranean in the twelfth and thirteenth centuries, mustering an impressive amount of evidence from dozens of unpublished cartularies, as well as published diplomatic sources, narrative histories, and some Maghribi sources in translation.⁴⁹ Jehel's overarching argument was that the Genoese had indeed attempted to establish an "empire" in the West, much as they eventually succeeded in doing in the Aegean and Black Sea, characterized by outright conquest, extra-territorial rights, and enclaves like those of Chios, Pera, Caffa, and Famagusta. However, he argued, they had failed to achieve these goals due to resistance both from Maghribi rulers and competition from other European trading nations. He followed this up with several articles on similar themes, addressing the presence of Maghribi Muslims and Jews in Genoa and the linguistic influence of Arabic on Genoese

⁴⁶ Dominique Valérien, *Bougie: port maghrébin* (Rome: École Française de Rome, 2006), idem, "Les marchands latins dans les ports musulmans méditerranéens : une minorité confinée dans des espaces communautaires ?" *Revue des mondes musulmans et de la Méditerranée* 107-110 (2005), 437-458. See also Philippe Gourdin, "Les marchands étrangers ont-ils un statut de dhimmi? À propos de quelques statuts de marchands étrangers dans les pays chrétiens et musulmans de Méditerranée occidentale au XIII^e siècle", in Michel Balard and Alain Ducellier, eds., *Migrations et Diasporas Méditerranéennes (Xe-XVI^e Siècles)* (Paris: Éditions de la Sorbonne, 2015), 435-456. See also the essays collected in John Tolan and Maribel Fierro eds., *The legal status of Ḍimmī-s in the Islamic west: (second, eighth-ninth, fifteenth centuries)* (Brepols: Brill, 2013).

⁴⁷ Valérien, "Les marchands latins dans les ports musulmans," 215.

⁴⁸ Travis Bruce, "Commercial conflict resolution across the religious divide in the thirteenth-century Mediterranean," *Mediterranean Historical Review* 30: 1 (2015), 19-38; Leor Halevi, "Christian Impurity Versus Economic Necessity: A Fifteenth-Century Fatwa on European Paper" *Speculum* 83:4 (2008), 917-345.

⁴⁹ Georges Jehel, *Les Génois en Méditerranée occidentale (fin XI^e - début XIV^e siècle): ébauche d'une stratégie pour un empire* (Amiens: Centre d'histoire des sociétés, Université de Picardie, 1993).

vernacular, among many others.⁵⁰ By contrast, Philippe Gourdin has focused much of his attention on the late Middle Ages, conducting, in collaboration with Monique Longerstay, an extensive textual and archaeological study of the origins of the Genoese coral-fishing settlement on the Tunisian island of Tabarka in the fifteenth century.⁵¹ Gourdin has also engaged extensively with the "colonization" paradigm for the medieval Maghrib and, while he paid tribute to the research in European archives conducted by Jehel, Dufourcq and others, criticized their tendency to overstate the influence and domination of European trade and to view the Maghrib as a passive recipient of capitalist investment by Europeans, a place where Europeans "opened" markets and established commercial supremacy. Rather, he insists, we should recognize the agency of the Almoravids, the Almohads and their successors, who consciously chose to attract and sponsor European trade; and the extent to which European merchants and mercenaries actually strengthened Maghribi rulers' power and ability to command resources. These rulers acted following the well-established tradition in the Islamic world of employing certain ethnic and religious groups for specific, technical purposes: in this case, military aid, customs revenue, and naval resources.⁵²

Gourdin's work offers an important corrective to the temptation to see the Genoa-Maghrib trade as one of domination or colonialism. However, his analysis still favors "state" actors like the Almohad or Ḥafṣid caliphs as the major protagonists on the Maghribi side of the relationship. Left out of the analysis are other actors in Maghribi societies. Indeed, while Gourdin stresses the long pedigree of Muslim dynasties employing foreigners, he argues that this was done almost in defiance of Islamic legal discourse, specifically of Mālikī concerns about trade with non-Muslims, citing in defense of this claim the famous *fatwā* of al-Māzarī (d. 1141) against trade with Sicily.⁵³ Such a claim risks reducing a complex discourse within the Mālikī tradition about trade and commercial contact with non-Muslims to a blanket ban on travel to trade with the infidel. Yet as recent scholarship on the Mālikī discourse in the Maghrib and al-Andalus has shown, there was no such ban, and Mālikī jurists adopted a range of attitudes to travel and trade with Christians that

⁵⁰ See for instance Jehel, "Jews and Muslims in Medieval Genoa: From the Twelfth to the Fourteenth Century," *Mediterranean Historical Review* 10: 1/2 (1995), 120-132; idem, "Taride, Mahone, Torcimanus. Vocables d'origine arabe usités dans les archives génoises médiévales" in Jean-Michel Mouton and Clément Onimus (eds.), *De Bagdad à Damas: Etudes présentées en mémoire de Dominique Sourdél* (Paris: Droz, 2018), 117-126.

⁵¹ Philippe Gourdin and Monique Longerstay, *Tabarka: histoire et archéologie d'un préside espagnol et d'un comptoir génois en terre africaine (XVe-XVIIIe siècle)* (Rome: École Française de Rome, 2008)

⁵² Idem, "L'Europe méditerranéenne et le Maghreb au XIIIe siècle: des relations entre égaux ou des rapports de dépendance?" *Mésogeios. Méditerranée* 7 (2000), 113-125; idem, "Pour une réévaluation des phénomènes de colonisation en Méditerranée occidentale et au Maghreb pendant le Moyen Age et le début des temps modernes," *Chemins d'outre-mer études d'histoire sur la Méditerranée médiévale offertes à Michel Balard* (Paris, Éditions de la Sorbonne, 2004), 411-423, accessed online at <https://books.openedition.org/psorbonne/3958#ftn19>

⁵³ Gourdin, "Pour une réévaluation," <https://books.openedition.org/psorbonne/3958#ftn19>.

depended on local conditions and opportunities.⁵⁴ Leor Halevi and Jocelyn Hendrickson have drawn our attention to just how nuanced attitudes towards contact with Christians and Christian goods could be among Mālikī jurists in the fifteenth century in particular, with important examinations of several individual fatwas on Christian paper and the responsibility of Muslims to migrate, respectively.⁵⁵ A number of Spanish, Moroccan, American, and French historians have explored various themes in medieval Mālikī legal literature, producing articles on the wine trade, the rights of *dhimmis*, and the relationship between the *‘ulamā* and the state in the Almohad and post-Almohad periods, among many other topics.⁵⁶ Many of these historians, such as Maribel Fierro, have also contributed to a more positive re-evaluation of the legacy of the Almohads, previously cast as ruthless fundamentalists in some scholarship, and have shown how important were Almohad ties with Europe during the twelfth and thirteenth centuries.⁵⁷ Given the increased availability of this literature, is it not possible to read the Islamic legal literature on contact with foreigners alongside the actions of Maghribi rulers? Can we catch a glimpse, however imperfectly, of relations between the Genoese and Maghribi Muslims at a local, granular level?

In this dissertation, I have sought to build on the important work already done by historians of medieval Genoa and the Maghrib, analyzing the relationship by combining a careful study of the Genoese notarial evidence with a reading of the Mālikī legal discourse on contact and trade with non-Muslims, and with the additional aid of narrative and documentary sources in Arabic and Latin. I have chosen the thirteenth century as the time frame for several reasons. For one, it allows me to bring the greatest diversity of sources to bear on the question, corresponding as it does not only with abundant unpublished Genoese notarial cartularies, but also with several surviving Genoa-Tunis treaties and the city's annual chronicle, which ended in 1294, as well as several near-contemporary Maghribi narrative histories. Much of the scholarship on the early phase of the Genoa-Maghrib relationship still relies on the published notarial cartularies, especially those covering the period 1154–1226. Expanding the chronological focus allowed me to see the changing face of trade and investment during a critical moment in Maghribi history: the fragmentation of the Almohad empire and the rise of competing dynasties, as well as the reassertion of certain forms of Islamic legal literature: the *fatwā* compilation.

⁵⁴ See among others, Sarah Davis Secord, "Muslims in Norman Sicily: The Evidence of Imām al-Māzarī's Fatwās," *Mediterranean Studies* 16 (2007), 46–66.

⁵⁵ Leor Halevi, "Christian Impurity Versus Economic Necessity: A Fifteenth-Century Fatwa on European Paper" *Speculum* 83:4 (2008); Jocelyn Hendrickson, *The Islamic obligation to emigrate al-Wansharisi's Asna a l-matajir reconsidered* (PhD dissertation, Emory University, 2008).

⁵⁶ Many of these were collected and published by Maribel Fierro and John Tolan in the edited volume on *dhimmis* mentioned above; see Tolan and Fierro (eds.), *The legal status of ḍimmī-s*.

⁵⁷ See Maribel Fierro, Patrice Cressier, and Luis Molina (eds.), *Los almohades: problemas y perspectivas* (Madrid: Consejo superior de investigaciones científicas, 2005). See also Amira K. Bennison, "Religious Minorities under the Almohads: An Introduction" *Journal of Medieval Iberian Studies* 2 (2010), 143–154; and Allen Fromehrs, *The Almohads: Rise of an Islamic Empire* (London: Tauris, 2010).

When read in tandem, I argue, the Latin and Arabic sources reveal the breadth and scale of the encounter between two different societies. Obscured by the historical category of "merchant," Genoese and other Ligurians of vastly different backgrounds traded and traveled in the Maghrib, and Maghribi Muslims and Jews in turn were a permanent feature of life in Genoa itself. Furthermore, the Mālikī legal literature suggests how deeply relations between Christians and Muslims were structured by the concerns of religious elites — both Muslim and Christian — to preserve boundaries, both physical and conceptual, while certain commodities that changed hands between Christians and Muslims created problems for religious elites, but also provided opportunities to define and re-define what the boundaries were.

Chapter Outline

In Chapter One, I will review the diverse body of source material, in Latin and Arabic, that I have used to make my argument, from Genoese notarial evidence to Islamic legal literature. In Chapter Two, I discuss the historical framework of Genoese commercial expansion in the Western Mediterranean during the thirteenth century, its intersection with the collapse of the Almohad empire, and the variety of local solutions put in place to manage Muslim-Christian relations. Despite the density of Genoese settlement in certain Maghribi cities, and the intensity of trade, I argue that the commune had little in the way of a coherent policy for the Western Mediterranean as a whole. Instead, the commune mostly reacted to local opportunities and challenges on an ad hoc basis, with much of the important decisions driven by individuals or local clusters of Genoese merchants living in the Maghrib.

In the subsequent chapters, the discussion takes a more thematic approach to understanding Genoa-Maghrib ties. Chapter Three examines the importance of space in structuring Christian-Muslim relations both in theory and practice: how both Genoese and Maghribis created incentives to encourage business transactions to take place in sanctioned zones — the *diwān*, the *fondaco* — while discouraging them in others, like the city's marketplaces. The impulse of religious elites to contain and control Muslim-Christian interaction worked in tandem with the desire of merchants for predictable, easy-to-understand institutions and zones. In Chapter Four, I look at how people moved through these spaces, sketching a prosopography of Genoese trade, travel, and investment in the Maghrib in the thirteenth century. To do this, I review the presence and practices of different Genoese social groups in the Maghrib trade, and show how widespread investment was across all social classes, before changing perspectives to analyze the evidence for the Maghribi population in Genoa itself. These were mainly the enslaved or captives, but the population also included free laborers, educated scribes, and passing merchants, who had a range of relationships with each other and with the Genoese. Through this analysis, I show how the catch-all term "merchant" in fact obscures a great diversity of professional and social backgrounds. In Chapter Five, I review the commodities that dominated the Genoa-Maghrib trade, such as grain, textiles, wine, and oil, and look at how important the details of their production and sale were to Maghribi jurists and Genoese merchants alike, placing *fatwās* in direct conversation with Genoese notarial documents, showing how concerns about the production and sale of specific commodities

gave religious elites the chance to further define religious boundaries and the limits of acceptable exchange. Finally, I conclude with a brief reflection on the importance of religious legal discourse in structuring cross-cultural trade relationships in the medieval Mediterranean, and the necessity of reading this discourse alongside documentary evidence to get a sense of what was possible, or imagined to be possible, when Muslims traded with Christians in the medieval Mediterranean.

CHAPTER ONE: SOURCES AND METHODS

Perhaps the most significant challenge in isolating the Genoa-Maghrib relationship as a subject of historical inquiry is the framing of the question itself: medieval Genoese simply did not explicitly reflect much on their relations with the Maghrib *per se*, whether in the narrative sources or in the abundant notarial evidence. Likewise, their Maghribi counterparts rarely wrote explicitly about Genoa itself. Exceptions exist, of course: the five bilateral treaties that survive from the thirteenth century, and the occasional Maghribi or Andalusī geographer, chronicler or chancery scribe who had occasion to mention the city or its inhabitants, such as the observation by al-Zuhrī that began the last chapter. Nonetheless, in most cases, the relationship must be reconstructed indirectly, through a close reading of many different types of text, whose authors had significantly different purposes that must be properly accounted for.

This chapter introduces the sources and methodology I have used to bridge the gap between my historical project and the aims of the medieval authors whose texts I have used, beginning with the Genoese notarial evidence, and ending with the Mālikī legal literature of the late medieval period.

Latin Sources

Notarial Acts: A Brief Introduction and Typology

Genoa's notarial cartularies are a treasure-trove of information about the society and economy of a medieval Mediterranean port city. They have played and continue to play a major role in our understanding of the medieval European and Mediterranean economy, and have captured the imagination of generations of historians and economists, from the early twentieth century to the present.¹ Each cartulary consists of a series of folios on which a notary recorded his acts, each in the form of a rough draft, known as an *imbreviatura*.² Each *imbreviatura* recorded the essential information, in addition to the date, witnesses, and location. As Antonella Rovere has shown, these *imbreviature* had legal standing on their own, but the actual formal document — the fair copy or *mundum* — could be produced separately at the request of the parties involved, a fact that the notary would

¹ See, among many others, Adolf Schaube, *Handelsgeschichte der romanischen Völker des Mittelmeergebiets bis zum Ende der Kreuzzüge* (Munich: R. Oldenbourg, 1906), 283-287; R. Lopez and Irving W. Raymond, *Medieval trade in the mediterranean world: illustrative documents* (New York: Columbia University Press, 1955), 157-229; Erik Bach, *La Cité de Gênes au XIIIe siècle* (Kobenhavn: Gyldendalske boghandel, 1955), appendices (unpaginated); David Abulafia, *The Two Italies: economic relations between the Norman kingdom of Sicily and the northern communes* (Cambridge: Cambridge University Press, 1977), 217-254; Michel Balard, *La Romanie génoise: (XIIe - début du XVe siècle)*, Vol 2: 599-642 (Genoa: SLSP, 1978).

² From the Latin *inbreviare*: "to briefly describe" : INBREVIARE, du Cange, et al., *Glossarium mediae et infimae latinitatis*, éd. augm., Niort : L. Favre, 1883-1887, t. 4, col. 317c.
<http://ducange.enc.sorbonne.fr/INBREVIARE>.

subsequently record in the margin beside the *imbreviatura* itself, noting which individual had asked for it.³ Occasionally, the notary would need to return to a document to note the conclusion or voiding of a contract, usually by crossing out the act in question and writing "voided by consent of the parties" (*cassata voluntate partium*). A "cartulary" then, was an immense book of *imbreviature* produced by a notary over months or years of work, and each *imbreviatura* represented a formal legal document, bearing the notary's *publica fides*. Cartularies could consist of up to three hundred paper folios, normally with writing on each side, and each folio containing up to six different acts, depending on their length and complexity. Although some cartularies contain relatively straightforward, chronological records by a single notary over a period of time, other cartularies eventually came to include the works of several different notaries, who might have worked decades apart. Today the cartularies are classified by number instead of by notary.⁴

The Genoese *Archivio di Stato* not only preserves the earliest extant notarial cartulary in all of Europe — Cartulary No. 1, that of Giovanni Scriba (1154-1164) — but it also contains an almost continuous collection of cartularies for every year from 1179 onwards, for the rest of the Middle Ages and into the Early Modern period. There are currently 1,236 cartularies or *filze* (collections of independent folios) from 1154 to 1500, including 113 cartularies from the thirteenth century alone. These are particularly precious given the fact that no complete cartularies survive from two of the other major maritime republics—Pisa and Venice—from the thirteenth century.⁵ Although this immense source base has been known to professional historians since the nineteenth century, it was not until the twentieth century that Genoese and foreign scholars began to systematically publish the work of the earliest notaries, such as Giovanni Scriba (1154-1164), Oberto Scriba de Mercato, (1186-1190) and Lanfranco (1202-1226). At present, the work of the all of the twelfth-century notaries has been published in full.⁶ The publication process is

³ From the Latin *mundus/a/um*: "clean, pure." See Antonella Rovere, "Aspetti tecnici della professione notarile: il modello genovese," *La produzione scritta tecnica e scientifica nel medioevo: libro e document tra scuole e professioni: Atti del Convegno internazionale di studio dell'Associazione italiana dei Paleografi e Diplomatisti* (Salerno, 28-30 Settembre 2009), 301-335.

⁴ In the medieval and early modern periods, cartularies were classified by the notary to whom they were attributed, a fact still reflected on their bindings, most of which date to the late seventeenth century. However, in the twentieth century, Genoese scholars Giorgio Costamagna and Marco Bologna made an inventory of numerous fragments of acts, added them to the cartularies, and reclassified the cartularies by number instead of name, a system that prevails to this day. Currently 300 cartularies have been fully catalogued, up to 1447. See Giorgio Costamagna, *Cartolari notarili (1-149): inventario* (Rome: Ministero dell'Interno, 1956) vii-xxiii, and Marco Bologna, *Cartolari notarili genovesi (150-299)* (Rome: Ministero dell'Interno, 1990), 11-22.

⁵ Sandro Macchiavello and Antonella Rovere, "The Written Sources," *A Companion to Medieval Genoa*, 42-47.

⁶ The distinction between *cartulary* and *notary* is crucial and not always adequately made. For instance, the work of Giovanni de Guiberto (1201-1211) was published in two volumes in 1939-1940, but incorporates material taken from two cartularies, Nos. 6 and 7. See Appendix One.

ongoing, with particular interest being given in recent decades to the records of Genoese notaries overseas, with fourteen volumes in the series *Notai Genovesi in Oltremare* published by the University of Genoa in the *Collana Storia di Fonti e Studi* under the direction of Geo Pistarino and Laura Balletto.⁷ Still, at present the vast majority of the cartularies remain unpublished, to say nothing of the many fragments of cartularies and *filze*, ranging from individual folios to several dozen, that have been attributed to various notaries from the thirteenth century onward, catalogued as the *Notai Ignoti*.⁸

These unpublished notarial cartularies and fragments constitute the most important evidence for Genoa's relationship with the Maghrib. Together with the available published cartularies for Lanfranco (1202-1226) and Giovanni de Guiberto (1201-1211) they form a body of evidence covering the entirety of the thirteenth century. Given the immensity of the potential source base, an element of randomness is impossible to avoid: there is no way of knowing in advance how "representative" of Genoese society each notary's documents may be. Early in my research, I struck a balance between prioritizing the complete works of several individual notaries, and also choosing a selection of years to interrogate in full, after the model established by Roberto Lopez in his 1935 study of the records for March 1253.⁹ A full list of the notaries consulted, their years of activity, and the cartularies in which their works survive may be found in the Appendix.

Typology:

My notarial source base consists of 1,851 separate acts across 39 cartularies, produced by 16 notaries active between 1200 and 1300 in Genoa, Savona, and Tunis, all of which record trade, travel, or investment between Liguria and the Maghrib. As legal acts, most of these fall into one of several categories or types, each of which tends to use the same Latin phrases and legal language. In the following section I briefly explain the characteristics of the most common types of acts.¹⁰

⁷ Laura Balletto, "Storia Medievale" in Giovanni Assereto, ed., *Tra i palazzi di Via Balbi: Storia della Facoltà di lettere et filosofia dell'Università degli Studi di Genova* (Genoa: Società Ligure di Storia Patria, 2003), 455-522.

⁸ Marco Bologna, ed., *Notai Ignoti: frammenti notarili medioevali* (Rome: Ministero per i beni culturali e ambientali, 1988).

⁹ Roberto Lopez, "L'attività economica di Genova nel marzo 1253 secondo gli atti notarili del tempo" *ASLP* 64 (1935), 163- 270.

¹⁰ In doing so, I have primarily followed the conventions established by Giorgio Costamagna in his handbook for Genoese notarial acts; see Giorgio Costamagna and Davide Debernardi, *Corso di scritture notarili medievali genovesi*, (Genova: Società Ligure di Storia Patria, 2017).

The *commenda*, or *accomendatio*, was the most common instrument of Genoese overseas trade in the twelfth and thirteenth centuries. Known elsewhere in Europe as a *collegantia* or *compagnia*, the *commenda* has remained at the center of analyses of the Commercial Revolution since the early twentieth century.¹¹ The legal and institutional origins of the *commenda* remain unclear; the earliest surviving examples, from late eleventh-century Venice, reveal an already well-established form. In an influential 1977 article, John Pryor discussed possible influences on the *commenda*, ranging from the *societas* ("partnership") of Roman law, to Byzantine *chreokoinonia*, to the *qirād* of Islamic law and the Jewish *ʿisqā*. Pryor concluded that the late Roman *societas* was the most likely origin of the *commenda*, although there were significant differences that probably reflected the influence of the *qirād*.¹²

Whatever its origins, at Genoa the *commenda* took the form of a contract in which a stationary investor (*commendator*) or group of investors gave a specific sum of money or its equivalent value in goods to a traveling partner (*tractator*). In the so-called "unilateral *commenda*," the *tractator* promised to take the capital entrusted to him and trade with it, returning the capital and profit to the *commendator* in exchange for a share of the profit: usually, but not always, one-quarter of the eventual profit. A *commenda* was usually written out as a formal statement by the traveling partner: "I, *N*, confirm to you, *N*, that I have received from you the sum *X*," etc. The two parties would most often agree in advance on a destination for the capital, or at least a *primary* destination, and this would be included in the language of the contract. In some cases, the stationary partner gave significant leeway to the traveling partner to continue his activities after reaching the agreed-upon primary destination: for example, a traveling partner might agree to travel to Ceuta, "and from there, wherever God will best guide me" (*Septam et inde quo Deus mihi melius administraverit*).¹³ Some *commenda* dispensed even with the primary destination and gave the traveling partner complete freedom to trade wherever they saw fit once they departed Genoa (*quo Deus mihi administraverit postquam ex portu Ianue exiero*): such language became increasingly common in the late thirteenth century.¹⁴

¹¹ Literature on the *commenda* is vast. For the Genoese context, see Mario Chiaudano, *Contratti commerciali genovesi del secolo XII* (Turin: Fratelli Bocca, 1925); Hilmar C. Krueger, "Genoese Merchants, Their Associations and Investments, 1155 - 1230" in *Studi in onore di Amintore Fanfani* (Milan: Giuffrè, 1962), 413-426; and Giorgio Costamagna and Davide Debernardi, *Corso di scritture notarili medievali genovesi*, (Genova: Società Ligure di Storia Patria, 2017), 89 -90. For the broader importance of these contracts in Mediterranean commerce, Roberto Lopez and Irving Raymond's 1955 *Medieval Trade in the Mediterranean World* (New York: Columbia University Press, 1955, reprinted in 2001) is still an excellent reference point.

¹² John Pryor, "The Origins of the *Commenda* Contract" *Speculum* 52: 1 (1977), 5 - 37.

¹³ See for instance ASG *Notai Antichi* 27 (Bartolomeo de Fornari) 10v.

¹⁴ Antonio Musarra, *In partibus Ultramaris: i genovesi, la crociata, e la Terrasanta* (Rome: Istituto Storico Italiano per il Medio Evo, 2017), 518-519.

Commenda contracts did not normally include time limits, and in the case of voyages to the Maghrib or the Levant, it could be a year or several before the *commendator* received any return on his or her investment, as court cases from Savona make clear.¹⁵ Traveling merchants often spent time before their voyage collecting capital from multiple sources, and might have as many as a dozen separate *commenda* contracts with their investors. Taking this into account, individual *commenda* contracts usually specified that any capital would be "traded together with the rest of the property I carry" (*sicut ex aliis rebus quas porto...expendere debeo*).

The *commenda* was a versatile instrument, which made it possible to pool resources and spread risk, giving junior merchants a chance to trade and profit from the capital of others. Some commentators on Roman law such as Accursius and Azo viewed the *commenda* with unease, considering the unequal division of liability and profit to be usurious, but canon lawyers in the thirteenth century came to justify the instrument. Unlike the Roman *societas*, in a *commenda* liability and profit were not evenly distributed: the stationary partner retained all liability for loss. Canonists such as Alexander of Alexandria and Panormitanus eventually settled on the convention that a *commenda* really was a partnership (*societas*) mixing capital and labor, one in which the stationary partner, because they retained ultimate ownership of the capital, could bear all liability for loss, but which also justified their taking more of the profit.¹⁶

In addition to the "unilateral" *commenda* of labor and capital described above, Genoese also made use of a "bilateral" *commenda*, which was most often described as a *societas*. In this arrangement, which was much closer to the ideal Roman *societas*, both parties contributed capital to the partnership for a designated profit-making purpose — such as trade — and split the profits and losses equally, although the actual labor was entrusted to one of the parties, as in the unilateral *commenda*. Taken together, the *commenda* and *societas* contracts make up 1,180 of 1,851 separate acts in this study: almost 64% of the total.¹⁷

Loans, Sea Loans, and Exchanges

Another important instrument of overseas trade was the sea loan or exchange, the *cambium marittimum*. In the Genoese version of this contract, a borrower accepted an amount of money in Genoese *lire* or its equivalent value in commodities, for which he undertook to pay an agreed amount in a specific currency at a certain port, "upon the safe arrival" (*sana eunte*) of his ship. In the twelfth century these loans charged interest openly in the same currency that the loans were made, with the justification that the risks of seaborne trade justified it. However, after Gregory IX explicitly condemned the sea loan as usurious in the 1237 decretal *Naviganti*, merchants used currency exchange as a way to

¹⁵ See discussion below in Chapter Five, 143-4.

¹⁶ Pryor, "The Origins of the Commenda," 17-18.

¹⁷ See Appendix B.

avoid the appearance of usury.¹⁸ For trade with the Maghrib, most exchanges consisted of an initial loan in Genoese silver currency, to be repaid in either silver or gold "besants": either "besants of migliaresi" or "gold besants" (*bisantios de miiaresis/ bisantios auri*) in a Maghribi port.¹⁹ Throughout the thirteenth century, the usual rate of exchange was between four and four and one-half besants per Genoese lira. To further complicate matters, by the 1250s, the Genoese were not only minting their own gold currency, the *genovino*, but also counterfeit Maghribi besants, yet the *cambium marittimum* continued to be used to exchange the old silver *lire* with Maghribi currency.²⁰

Besides sea loans and exchanges, other smaller loans occasionally reveal trade or travel in the Maghrib. Some of these might be considered sea loans in reverse; as they were short-term loans contracted in Genoa that specified repayment in Genoa when a ship arrived in port *from* a given destination, likely representing a decision to borrow against an expected profit from property or capital en route to Genoa. Another type of loan was the so-called "loan in provisions" (*mutuum de panatica*). These were loans made explicitly to finance corsair activity by private individuals on behalf of the commune. Investors helped to outfit a ship in exchange for a share of the expected plunder, with different profit margins for different destinations, including the coast of the Maghrib.²¹ As with other financial instruments, these various types of loans often obscure as much as they reveal; nonetheless, they provide a window into the expected value of trading and raiding in the Maghrib, particularly when read alongside the *commenda* and *societates* mentioned above.

¹⁸ Costamagna and Debernardi, *Corso di scritture*, 88. Common interest-masking techniques included deliberate vagueness, such as indicating *tot* ("so much") for the loan received, or outright deceit, in which the borrower claimed to owe a higher amount than had actually been given. The literature on merchants' interaction with anti-usury laws is enormous. For a general overview, see Raymond De Roover, "The Scholastics, Usury, and Foreign Exchange" *The Business History Review* 41:3 (1967), 257-271, and J.H. Munro, *The Medieval Origins of the Financial Revolution: Usury, «Rentes» and Negotiability*, *The International History Review*, 25 (2003), 505-576. For a broader discussion see Kathryn Reyerson, "Commerce and Communications," *Cambridge Medieval History of Europe* vol 5 (Cambridge: Cambridge University Press, 1999), 50 - 70.

¹⁹ Multiple currencies were referred to as "besants" in medieval Europe, but the term mainly referred to the gold *dīnār* minted by Islamic governments in the Eastern Mediterranean, and based on the late Roman *solidus*. In Genoese sources, these gold dinars were referred to as "Saracen besants" (*bisantios sarracinales*) and mainly used in the Levant Trade. By contrast, the "migliaresi" referred to a distinctive square silver *dirham* coin minted by the Almohads in the Maghrib during the mid-twelfth century. A "besant of migliaresi" (*bisantiū miiarensium*) was a unit of account equivalent to the *dīnār darāhim* ("dīnār of dirhams"), worth ten *migliaresi* each. See Pesce and Felloni, *Le monete genovesi*, 341, and Peter Spufford, *Money and Its Use in Medieval Europe* (Cambridge: Cambridge University Press, 1988), 172-173, 400.

²⁰ Spufford, *Money and its Use*, 173-174.

²¹ Denise Bezzina, *Artigiani a Genova nei secoli XII-XIII* (Florence: University of Florence Press, 2015), 128 - 129.

Ship Rentals

All Ligurian trade to the Maghrib relied on ship ownership or rental, and several types of documents reveal details of the arrangements between merchants, ship owners, and captains. As a pillar of the medieval economy, shipping was closely regulated at Genoa. The earliest surviving regulations for ships appear in the early fourteenth century with the *Statutes of Pera* (1303-1306) and the *Liber Gazarie* (1339). Both texts reflected Genoa's growing economic interests in the Aegean and the Black Sea, but they incorporated earlier material, and have been taken by historians to represent thirteenth-century practice, or at least the norms that governed it.²² The laws covered not only the rental and purchase of ships, but also their provisioning, equipment, and personnel.

Genoese shipping has been the subject of much study over the course of the twentieth century, in particular in the Levant and Black Sea trade.²³ The *naulum*, or *naulisatio*, was the classic instrument for ship rentals, and it followed a clear set of conventions. A ship captain or owner (*princeps* or *patronus*) addressed a *consortium* of merchants, promising to provide a ship in good condition, with all its necessary equipment and crew, for a voyage to a particular destination, often specifying the ports of call on the way. The merchants, for their part, agreed to load a certain amount of goods onto the ship by the agreed-upon departure time, paying by weight or meeting an overall price for the entire voyage.

From the perspective of the Maghrib trade, such contracts are useful for several reasons. They name a wide range of ships that took part in the Maghrib trade, from swift oared galleys (*galee/ sagitte*) to capacious sailing vessels (*bucius, navis*). One contract reveals that the *Paradisus Magnus*, the massive flagship of Louis IX's 1248 crusade, carrying one hundred sailors, marines, and crossbowmen, was subsequently used in the Genoa-Tunis trade by merchants of the Doria, Spinola and Vivaldi families.²⁴ Some acts go into great detail describing the ship equipment (*sartia*): masts, spars, rigging, anchors, and so forth. Other acts are useful for their detailed description of the merchants' cargo and freight charges for cotton, cloth, wine, and other goods. The fifteen different *naulum* contracts in this study offer an important glimpse into the logistics of trade and travel to the Maghrib that other notarial sources do not often provide.

²² Vincenzo Promis, ed., *Statuti della colonia genovese di Pera* (Torino: Bocca, 1870), Giovanni Forcheri, *Navi e navigazione a Genova nel Trecento: il Liber Gazarie* (Bordighera: Istituto internazionale di studi liguri, 1974).

²³ Gheorghe Brătianu, *Recherches sur le commerce génois dans la Mer Noire au 13e siècle*, (PhD dissertation, University of Paris, 1929). Michel Balard, *La Romanie génoise*, 533-587; David Jacoby, *Byzantium, Latin Romania and the Mediterranean* (Ashgate: Variorum, 2001); Laura Balletto, *Genova, Mediterraneo, Mar Nero: (secc. XIII-XV)* (Genova: Civico Istituto Columbiano, 1976); John Pryor, *Shipping, Technology, and War: Studies in the maritime history of the Mediterranean, 649-1571* (Cambridge: Cambridge University Press, 1988).

²⁴ ASG *Notai Antichi* 27 (Bartolomeo Fornari) 208v. See also Eugene Byrne, *Genoese Shipping* (1930), 110-111.

Sales and Purchases

Alongside the acts most explicitly concerned with overseas trade mentioned above, contracts of sales and purchase (*venditio et emptio*) also preserve valuable information about the commodities and people involved in Genoa's trade with the Maghrib. Many sales of Maghribi goods, especially of wool, hides, and wax, survive, especially from the 1250s, when Genoese merchants sold Maghribi wool to a variety of local spinners, weavers, and textile merchants.²⁵ Conversely, some contracts record purchases of goods at Genoa or elsewhere and promises to pay in the Maghrib, or purchases of property and commodities held in the Maghrib. Sales of rights and financial instruments are also common in the Maghrib trade; merchants sold their shares of a ship's cargo space (*loca*) or their rights to revenues (*iura, privilegia*) deriving from Maghribi sources, such as legal claims against other Genoese merchants or local governments. The latter group has been particularly important in reconstructing the aftermath of events like the Ceuta expedition of 1234-5.²⁶

Human beings were yet another frequent object of exchange, as medieval Genoese were infamously active in the Mediterranean slave trade, though far from alone.²⁷ In the thirteenth century, many of these slaves were Muslims from the Maghrib or al-Andalus, and the several dozen acts of sale or purchase recording their origins, names, gender, and physical descriptions offer a grim but important window not only into Genoese relationships with the Maghrib, but also to the Muslim population of Genoa. Hostage-taking, captivity, and slavery were essential features of medieval Christian-Muslim relations, though slavery was not necessarily a permanent condition in Genoa or elsewhere, and some slaves could hope for ransom either by their relatives or by charitable co-religionists.²⁸ Although much less common than sales, acts of emancipation reveal complex relationships between Genoese families, Maghribi slaves, and free Maghribis who acted as redeemers and intermediaries.

Court Cases and Public Acts

Although most surviving Genoese notarial acts concern transactions between individuals or groups, the occasional act of public governance also survives bound up with these private acts, and can be highly useful for what they reveal about the assumptions and attitudes underlying trade and travel. Most public acts are records relating to court cases

²⁵ Lopez, "Le origini dell'arte della Lana," *Studi sull'economia genovese nel medio evo* (Torino: Erasmio, 1970), 65-181.

²⁶ See discussion in Chapter Two, 69.

²⁷ Hannah Barker, *Egyptian and Italian Merchants in the Black Sea Slave Trade, 1260-1500* (PhD dissertation, Columbia University, 2014).

²⁸ Camilo Gomez-Rivas, "The Ransom Industry and the Expectation of Refuge on the Western Mediterranean Muslim-Christian Frontier, 1085-1350" in *The Articulation of Power in Medieval Iberia and the Maghrib; British Academy*, ed. Amira K. Bennison (Oxford: Oxford University Press, 2014), 217-232.

and the most important collection of these was produced in Savona at the beginning of the thirteenth century by Martino, who served as official notary of the communal government (*scriba communis*). This meant that he was present at court cases (*cause*) heard by the two judges on behalf of the city's podestà between 1203 and 1206. These acts were edited and published by Dino Puncuh in 1974 in a two-volume set.²⁹

Over a period of twenty-seven months, Martino transcribed parts of over 487 different court cases, from disputes over inheritances and property rights, to criminal prosecutions. His acts include several court cases related to trade and travel in the Maghrib. Each court case consisted of several distinct phases, each of which produced a different type of public document, from the initiation of the case, to the gathering of evidence, to the granting of delays (for witnesses away on business), to depositions, and finally, to verdicts and settlements. Although not every stage of every court case survives — many of the verdicts are missing — the collection is an invaluable record of judicial procedure and social relations in a Ligurian city closely tied to Genoa and to overseas trade.³⁰ Of particular interest to the history of overseas trade are *positiones*, a form of testimony and evidence-gathering before a judge in which both parties had the chance to give their version of the events under dispute, and to respond to their adversary's narrative as it unfolded, a form of cross-interrogation usually recorded by Martino with a simple "Agreed" or "Disagreed" (*credit/ non credit*).³¹

Although Martino's cartulary preserves by far the most public acts of any cartulary included in this study, other notaries also occasionally served the courts, and such acts were included with those of a private nature. Martino's contemporary at Genoa, Giovanni di Guiberto drafted several acts belonging to various phases of *cause* heard at Genoa between October 1200 and May 1201, including two disputes over trade to the Maghrib. Pietro Battifoglio, who operated at Tunis between 1288 and 1289, was called upon to record a dispute and judgment rendered by the Genoese consul, Balianno Embrono, and his council of advisors (*consilium*).³²

Public acts by notaries, though few in number, are highly suggestive of the conventions and practices governing overseas trade, and of relationships between merchants and investors. Thus, they have an importance out of proportion to their

²⁹ Dino Puncuh, *Il cartolario di Martino di Savona, 1203 - 1206*, 2 vols, (Genoa: Società Ligure di Storia Patria, 1974).

³⁰ See discussion by Antonio Schioppa, "Giustizia civile e notariato nel primo Duecento comunale: il caso di Savona, 1203 - 1206" *Studi Medievali* series 3 V 55:1 (2014), 1-24.

³¹ Andrea Schioppa has noted that Martino's cartulary represents the earliest surviving example of this type of interrogation in Italy. Subsequently, the practice became standard, and was the subject of legal commentary and theorization by authorities like Roffredo da Benevento, Uberto da Bobbio, and Guillaume Durand. It also appears as a standard practice in the late thirteenth-century *Statutes of Pera*, which, in the absence of earlier Genoese statutes, have been understood to be indicative of legal procedure at Genoa itself in the thirteenth century. See V. Promis, *I Statuti di Pera*, 576; S. Epstein, *Genoa and the Genoese*, 68-70.

³² Geo Pistarino (ed.), *Notai Genovesi in Oltremare: Atti Rogati a Tunis da Pietro Battifoglio* (Genoa: Istituto di Medievistica, 1986), 85-6 (doc 57). (hereafter: *Battifoglio*).

frequency in the written record. Disputes over *commenda* for the Maghrib trade reveal the complex logistical arrangements that overseas travel required: the provisioning of ships, paying for crew, finding cargo and passengers, making business decisions in distant ports, and dealing with the threat of piracy and shipwreck. On a more basic level, they allow us to piece together (contested) narratives of travel, misfortune, or deceit against which to read the deceptively straightforward language of contracts. They provide a useful corrective to the temptation to read the *commenda* or *societas* contracts as simple records of travel and investment from A to B.

Other Instruments

The instruments mentioned above represent the most common notarial acts, but many other types of act are included in this study, too numerous to go through each at length. Genoese might have recourse to a notary to record a non-legal dispute or complaint, as happened on several occasions in 1289 at Tunis, where the notary Pietro Battifoglio was called upon to record a number of separate disturbances at the Genoese *fondaco*, as well as complaints by the Genoese consul of maltreatment by the Tunisian authorities; in each case the "act," although witnessed and dated like any other instrument, appears very much like a narrative of events.³³ Apprenticeship contracts for service in the Maghrib are also a valuable source of evidence, particularly about non-elites in the Maghrib trade.³⁴ Weavers, tanners, shoemakers, physicians, and domestic servants all made contracts for limited terms of service and work in the Genoese settlements of the Maghrib.

Another important but highly variable instrument was the *mandatum* or *procuratio*: the appointment of a legal proxy to perform a stated action. People could not be everywhere at once and frequently relied on trusted colleagues, family members, and professional mediators to represent their interests in their absence. Proxies could be called upon to do almost anything: from delivering or receiving money or goods to selling them, representing someone in a legal proceeding, or discharging or collecting debts. Such intermediaries performed a crucial role in medieval Mediterranean trade, whether in Genoa, the Maghrib, or elsewhere.³⁵ Almost equally variable in scope was the receipt or quittance; essentially, this was confirmation that a debt had been discharged; the creditor formally declared themselves "paid and quit" (*solutum et quietum*). Such debts varied enormously, but particularly interesting are quittances for receipt of *commenda* profits; these allow us to glimpse the (possible) conclusion of earlier contracts for overseas trade, as for example in April 1248, when Jacoba, wife of Giovanni Spinola, gave quittance to Balduino de Quarto for a *commenda* for Ceuta that she had made with his late father.

³³ See for instance *Battifoglio*, 5, 38, 99 (docs 1, 57, 68.)

³⁴ Denise Bezzina has recently made an important study of apprenticeship and service contracts for artisans and craftsmen at Genoa; see Bezzina, *Artigiani a Genova nei secoli XII-XIII* (Florence: University of Florence Press, 2015)

³⁵ See Kathryn Reyerson's study, *The Art of the Deal: Intermediaries of Trade in Medieval Montpellier* (Leiden: Brill, 2001).

Jacoba's profit for her investment amounted to £15 5s in silk and cloth (*façollis*).³⁶ Other miscellaneous documents include sworn testimonies and affidavits, promises to act as guarantor for the debts of a third party, and last wills and testaments, a genre that Steven A. Epstein has explored at some length for what it can reveal about medieval Genoese priorities and concerns at the ends of their lives.³⁷

Taken as a whole, the notarial evidence from Genoa is highly diverse. Reading the cartularies for connections to the Maghrib, one is inevitably drawn mainly to several types of acts, especially those explicitly connected with overseas trade: the *commenda*, *societas*, loan, ship rental, sales, purchases, and others. Yet signs of Genoa's relationship with the Maghrib appear in all sorts of acts, even when one might least expect them, and it is important to bear in mind the ubiquity and versatility of notaries in medieval Genoa and its settlements overseas.

Latin Narrative Sources

In addition to the notarial records, several important narrative and legal sources from Genoa and elsewhere help illuminate the patterns of the Genoa-Maghrib relationship over time. Broadly speaking, they can be divided into prescriptive and descriptive texts. Over the course of the thirteenth century, several bilateral treaties in Latin and Arabic were produced to structure and define the relationships between Genoa and various Maghribi rulers, particularly the Ḥafṣid dynasty in Tunis. Most of these treaties were identified, transcribed and printed in the nineteenth century by Michele Amari and Louis de Mas-Latrie, whose editions remain essential points of reference.³⁸ Like other medieval communes, Genoa preserved copies of its privileges, treaties, and other public documents; over the course of the thirteenth century several collections were made, beginning in 1229. Dino Puncuh and Antonella Rovere have edited and published these in a three-volume series, the *Libri Iurium della Repubblica di Genova*.³⁹ Already mentioned above, the 1303-1306 law codes known as the *Statutes of Pera* were produced for the Genoese colony there,

³⁶ ASG *Notai Antichi* 26-II (Bartolomeo de Fornari), 58v.

³⁷ Steven A. Epstein, *Wills and Wealth in Medieval Genoa* (Cambridge, Mass: Cambridge University Press, 1985)

³⁸ Michele Amari, *Diplomi Arabi*, Louis de Mas-Latrie, *Traité de paix*. Subsequent research at Genoa has identified treaty language that escaped the notice of these earlier scholars. See for example Giovanna Petti Balbi, "Il trattato del 1343 tra Genova e Tunisi," *Una città e il suo mare: Genova nel Medioevo* (Bologna: CLUEB, 1991), 200 -222. In addition, Frederic Bauden has proposed a somewhat different reading of two early Genoese treaties with the Banū Ghaniya rulers of Mallorca (in 1181 and 1188) included in Amari and Mas-Latrie. See Frédéric Bauden, "Due trattati di pace conclusi nel dodicesimo secolo tra i Banū Gāniya, Signori delle Isole Baleari, e il Comune di Genova," *Documentos y manuscritos árabes del Occidente musulmán medieval* (Madrid : Consejo Superior de Investigaciones Científicas, 2010), 33-86.

³⁹ Dino Puncuh, Antonella Rovere, et al., eds., *I Libri Iurium della Repubblica di Genova*, 3 vols. and introduction, (Genoa: Società Ligure di Storia Patria: 1992 - 2011).

but are widely understood to reproduce thirteenth-century material from Genoa itself; this too has been edited and printed by Vincenzo Promis in 1870.⁴⁰

Turning to descriptive sources, by far the most important is Genoa's urban chronicle, most commonly known as the *Annales Ianuenses*. Begun in 1099 by the nobleman Caffaro during the First Crusade, the *Annales* were updated more or less continuously until the death of the last chronicler, Jacopo Doria, in 1294, and were the earliest secular chronicle in Italian history.⁴¹ Following Caffaro's decision to present his history to the commune for approval in 1152, the *Annales* became the official record of the commune's history. Sometimes written by a single author, sometimes by a committee of scribes, they reflected the "official" city view of its external relations, disputes, and internal tumults. The chronicle is an invaluable source for many of the dramatic events that punctuated the Genoa-Maghrib relationship during the thirteenth century: the Ceuta expedition of 1234-5, various acts of piracy, the Tunis Crusade of 1270. It survives in three manuscripts, and was edited and published in five volumes between 1890 and 1926 by the Istituto Storico Italiano.⁴²

The Genoese literary and documentary evidence forms the core of my material. Nonetheless, sources produced by other Latin Christians occasionally shed light on the terms of the Genoa-Maghrib relationship, and provide valuable context for the Ligurian and Maghribi evidence. During the thirteenth century, the papacy was keen to promote Christianity within the Maghrib, and several popes corresponded with Maghribi rulers; many of these papal letters have survived in various editions.⁴³ In addition, the newly established mendicant orders were active in the Maghrib from the early 1220s, where

⁴⁰ Vincenzo Promis, ed., *I Statuti della colonia genovese di Pera* (Bocca: 1870).

⁴¹ For more on Caffaro and the tradition of Genoese civic annals, see Giovanna Petti Balbi, *Caffaro e la cronachistica genovese* (Genoa: Tilgher, 1982); John Dotson, "The Genoese Civic Annals: Caffaro and his Continuators" in Sharon Dale, Alison Williams Lewin, and Duane Osheim, eds., *Chronicling History: Chroniclers and Historians in Medieval and Renaissance Italy* (University Park: Pennsylvania State University Press, 2007), 55-85. See also discussion in Sandra Macchiavello and Antonella Rovere, "The Written Sources," in Carrie Beneš, ed., *A Companion to Medieval Genoa* (Leiden: Brill, 2018), 36-39.

⁴² See Luigi Tommaso Belgrano, Cesare Imperiale di Sant'Angelo, eds., *Annali Genovesi de Caffaro e i suoi continuatori, da MXCIX a MCCXCIII Fonti per la Storia d'Italia v 11-14bis* (Rome: Istituto Storico Italiano: 1890 - 1926). The *Annales* also appear in the *Monumenta Germaniae Historica*: MGH SS 18, 1-356. Despite their importance for Genoese, Italian, and Mediterranean history, the *Annales* have only recently begun to attract serious attention from Anglophone scholars, with Jonathan Phillips and Martin Hall having recently translated Caffaro's portion of the annals (roughly 1099 - 1160). See Jonathan Phillips and Martin Hall, eds., *Caffaro, Genoa and the twelfth-century crusades* (Farnham, Surrey: Ashgate, 2013).

⁴³ Clara Maillard, *Les papes et le Maghreb aux XIIIème et XIVème siècles: étude des lettres pontificales de 1199 à 1419* (Turnhout: Brepols, 2014).

several found martyrdom, as recorded in the late fourteenth-century Franciscan *Chronicle of the Twenty Four Generals*.⁴⁴

Another valuable and recently edited ecclesiastical source is a 1234 letter written by the Dominicans and Franciscans at Tunis, addressed to Ramon de Peñafort, the famous canonist and chaplain of Pope Gregory IX (1227-1241). In the letter, the mendicants posed forty questions relating to their ministry to the Christians of Tunis, raising issues related to the sacraments, sin and penance, and the relations between Muslims and various Christian groups, including the Genoese. The papal responses to their queries, given in January 1235, survive, and the combined text of questions and answers was subsequently re-copied in several penitential handbooks from the late thirteenth century and later. In 2012, John Tolan produced a critical edition of this letter, known as the "Responses to questions concerning relations between Christians and Saracens" (*Responsiones ad dubitabilia circa communicationem christianorum cum sarracenis*).⁴⁵

Several contemporary chronicles or histories from the Latin Christian Mediterranean contain at least passing observations or reflections on the Genoese and their relations with the Maghrib, too many to mention by name here. A few examples worth mentioning include three from Genoa's rivals in the Western Mediterranean. Ramon Muntaner's *Crònica*, composed in Valencia between 1325-1328, with its vivid if rather one-sided portrait of Genoese perfidy, provides an engaging perspective from a Catalan mercenary.⁴⁶ The anonymous *Cronaca Pisana*, a mid-fourteenth century history of Pisa to 1295, also includes some material on the Maghrib.⁴⁷ Finally, Giovanni Villani's Florentine chronicle, the *Nuova Cronica*, contains important reflections — albeit at a greater chronological distance than either the Catalan or Pisan texts — on Italian merchants operating in the Maghrib.⁴⁸ Other, briefer or less immediately pertinent sources will be cited as they become relevant at particular points in my analysis.

⁴⁴ Recently translated into English: *Chronicle of the Twenty-Four Generals of the Order of the Friars Minor*, trans. Noel Muscat OFM (Malta: Franciscan Communications, 2010).

⁴⁵ John Tolan, "Ramon de Penyafort's Responses to questions concerning relations between Christians and Saracens: critical edition and translation" HAL 2012. (Hereafter cited as Tolan, *Dubitabilia*). For more on this letter and on Dominican presence in the Maghrib, see J. Tolan, "Taking Gratian to Africa: Raymond de Penyafort's legal advice to the Dominicans and Franciscans in Tunis", in A. Husain & K. Fleming, eds., *A Faithful Sea: The Religious Cultures of the Mediterranean, 1200–1700* (Oxford: One World, 2007), 46-64.

⁴⁶ *Crònica de Ramon Muntaner*, ed. Vincent Escartí, 2 vols., (Valencia: Inst. Alfons el Magnànim, Diputació de València, 1999).

⁴⁷ This text remains unedited to this day, and I have relied instead on excerpts published by E. Cristiani, "Gli avvenimenti pisani del periodo Ugoliniano in una cronaca inedita," *Bolletino Storico Pisano* 26 (1957), 3-55; 27(1958), 56-104.

⁴⁸ Giovanni Villani, *Nuova Cronaca: edizione critica a cura di Giuseppe Porta*, 2nd edition, 3 vols. (Parma: Fondazione Pietro Bembo, 2007).

The long tradition of medieval mercantile manuals or *zibaldoni* produced in Tuscany and Florence provides a final piece of evidence for the Genoa-Maghrib relationship. Broadly speaking, these were books produced by and for merchants between the late thirteenth and fifteenth centuries, usually in the vernacular. Their contents varied enormously, but typically included information on ports, customs duties, currency exchange, travel and commodity prices, and much else. The exact characteristics of this genre are still debated, with many different texts claimed as part of this tradition: it has been proposed, for instance, that the *Devisement du Monde* (c.1300) began life as Marco Polo's personal mercantile manual, before receiving a more literary treatment at the hands of Rustichello da Pisa in a Genoese dungeon.⁴⁹ However they are defined, the manuals have become increasingly important in our understanding of medieval mercantile and banking culture.⁵⁰

Many manuals were published over the course of the twentieth century by Italian and American researchers, whose editions I have consulted here; of particular value is A. Evans' 1936 edition of Pegolotti's *Pratica della Mercatura*, and John Dotson's translation of the *Zibaldone da Canal*, both produced in the mid-fourteenth century, although they include a great deal of thirteenth-century material.⁵¹ It is worth noting that few Genoese examples of this genre have survived, despite what Steven A. Epstein referred to as the "Genoese love of system" reflected in such encyclopedic works as Jacopo da Varagine's *Legenda Aurea* or Giovanni Balbi's Latin dictionary, the *Catholicon*.⁵² Thus, the manuals are mostly useful for understanding the general expectations held by other Italian merchants operating in the Maghrib. The extent to which medieval Genoese would have agreed or disagreed with their

⁴⁹ See F. Borlandi, "alle origini del libro di Marco Polo", *Studi in onore di A. Fanfani* (Milan: Dott. Giuffrè, 1962), 108-147, and Riccardo Massano, "Marco Polo," in Vittore Branca et al., *Dizionario critico della letteratura italiana*, vol. 3 (Turin: Unione tipografica editrice torinese, 1986), 489-494.

⁵⁰ See discussion in Markus Denzel, Jean-Claude Hocquet, and Harald Witthöft, (ed), *Kaufmannsbücher und Handelspraktiken vom Spätmittelalter bis zum beginnenden 20. Jahrhundert*, (Stuttgart: Franz Steiner Verlag, 2002), particularly the contribution by Peter Spufford, "Late Medieval Merchants' Notebooks: A Project. Their Potential for the History of Banking," 47-62.

⁵¹ John E. Dotson, *Merchant Culture in Fourteenth Century Venice: the Zibaldone da Canal* (Binghamton, New York: Center for Medieval and Renaissance Studies: 1994), Francesco Balducci Pegolotti, *La Pratica della Mercatura*, ed. Allan Evans, (Cambridge: Medieval Academy of America, 1936). For a list of published editions see Joseph F. Stanley, "Negotiating Trade: Merchant Manuals and Cross-Cultural Exchange in the Medieval Mediterranean," *Frontiers: The Interdisciplinary Journal of Study Abroad* 30 (2018), 102-112.

⁵² Epstein, *Genoa and the Genoese*, 163-164. One possible explanation for this absence is the relatively late development of vernacular literature at Genoa. The earliest major Genoese-language text is the poetry collection by the *Anonimo Genovese*, compiled around 1300, while Latin continued to be overwhelming favored for both literary and notarial writing throughout the rest of the Middle Ages. As a predominantly vernacular genre, the *zibaldoni* may have held less appeal in a mercantile society that prized Latin. The *Codex Cumanicus*, an early fourteenth-century Latin-Persian-Kipchack glossary produced in Genoa, has sometimes been included in the *pratiche/zibaldone* tradition, but this seems to be stretching the definition of the genre. See Joseph F. Stanley, "Negotiating Trade: Merchant Manuals and Cross-Cultural Exchange in the Medieval Mediterranean," 104.

rivals' characterization of Maghribi ports is difficult to know for certain, although some assertions — such as the widespread use of import tax farming by the Ḥafṣids — are corroborated through Genoese notarial evidence.⁵³

Arabic Sources: Islamic Law and History-Writing in the Maghrib

Like their Genoese counterparts, Maghribi Muslims did not often write explicitly on the subject of their relationships with Christian merchants, much less the Genoese in particular. However, there are important elements of several distinct literary traditions that can shed light both on how this relationship was conceived and how it functioned in practice. The first, and relatively most accessible type of source is historical writing by Maghribi authors in the thirteenth and fourteenth centuries, usually following the fate of one or more dynasties, such as the Almoravids, Almohads, and their successors across the Maghrib.⁵⁴ Many of these have been edited and published several times in Arabic, and occasionally translated into European languages. Another source base is a limited but highly useful body of Arabic chancery documents from the thirteenth century. These survive in several collections (some of which have been published) both in the Maghrib itself and in various European archives, especially those of Pisa and the Crown of Aragon.⁵⁵ Finally, there are major compilations of *fatwās* by two late medieval Maghribi Muslim jurists of the Mālikī *madhhab* (school of legal reasoning), the Tunisian Abū-l-Qāsim al-Balawī al-Tunisī al-Burzulī (d. 1438) and the Moroccan scholar Aḥmad al-Wansharīsī (d. 1508). These contain thousands of *fatwās* from the preceding five centuries of the Mālikī tradition in al-Andalus and the Maghrib, including dozens that deal explicitly with the place of Christian merchants and their products in the Islamic society of the Maghrib. As will be shown, these sources must be approached with caution, but they remain a precious source for understanding how an evolving tradition of Islamic legal reasoning posed and answered questions about Christian merchants like the Genoese and their interactions with Maghribi Muslims.

By the thirteenth century, history-writing was a well-developed literary genre in the Maghrib. There were several distinct styles of historical writing within the broader Arab-Islamic literary tradition, including biographies — originally prophetic biography — (*sīra*),

⁵³ See discussion in Chapter Five, 162-166.

⁵⁴ See Mohammed Bencheikroun, *La vie intellectuelle sous les mérinides et les Wattāsides* (Rabat: Impr. Mohammed V culturelle et universitaire, 1974), and Maya Shatzmiller, *L'historiographie mérinide: Ibn Khaldūn et ses contemporains* (Leiden: Brill, 1982).

⁵⁵ Michele Amari published the Arabic diplomatic correspondence with Pisa and Florence in the 1863; *I Diplomi arabi del R. Archivio Fiorentino. Testo originale con la traduzione letterale e illustrazione di M. Amari* (Florence: Le Monnier, 1863). The Aragonese *Cartas Árabes* were in turn edited and published in the 1940s; Maximiliano Alarcón y Santón, *Los Documentos Árabes Diplomáticos del Archivo de la Corona de Aragón* (Madrid: E. Maestre, 1940).

accounts of military conquests (*futūh*), universal histories, and later, urban chronicles.⁵⁶ In addition to these, reflections on history and reports of events (*khavar*) were a standard feature in many other literary genres, such as travel writing of Maghribi authors like the famous Ibn Battuta (1304-1369) or al-Tijānī (fl. 1306-1309), or in the earlier geographical work of the Sabti scholar al-Idrīsī (1100-1166). Collective biographies and historical reports also presented history as a tool to commemorate the deeds of specific groups of people such as a tribal or ethnic group, as in the anonymous 1312 "Book of the Boasts of the Berbers" (*Kitāb Mafākhīr al-Barbar*), or religious scholars, as in the case of Qādī 'Iyyād's mid-twelfth-century biography of nine generations of prominent Mālikī scholars, "Organizing the faculties and revealing the methods for discovering the signs of the school of Mālik" (*Kitāb al-madārik wa taqrīb al-masālik li-ma'rifat al-'lām madhhab Mālik*).⁵⁷

However, while all of these sources should be considered part of the historiographical tradition of the medieval Maghrib, it is the late medieval dynastic histories that are most important for reconstructing Genoa-Maghrib relations, especially at the level of high politics and diplomacy. These were narratives framed around the deeds of a particular ruling dynasty or group of dynasties, with special entries for each ruler detailing their appointments to office, their major diplomatic and military initiatives, and the important events of their reigns. As a result of the political fragmentation that followed the decline of the Almohad dynasty in the 1220s, multiple successor dynasties competed with one another across the Maghrib, each one attracting its own chroniclers from the ranks of the literary elites that operated at court. Accounts tended to glorify the ruler's family and origins, but authors were not above offering criticism when they felt it warranted.⁵⁸ A full account even of these dynastic histories is beyond the scope of this dissertation, but it is useful to highlight the contribution of four authors whose works provide valuable Maghribi counterpoints to Genoese and other Latin Christian narratives of commerce and conflict in the Maghrib.

The first is Abū-l 'Abbās Aḥmad b. Muḥammad Ibn 'Idhārī al-Marrākushī, known as Ibn 'Idhārī (fl. 1310s). Possibly of Andalusian origin, Ibn 'Idhārī was born at Marrakesh and lived during the early decades of the Marīnids, who had defeated and killed the last Almohad caliph in 1269 and went on to rule Morocco until 1465. Ibn 'Idhārī eventually settled at Fez, the Marīnid capital, where he compiled a massive history, "the Book of the Amazing Story of the History of the Kings of al-Andalus and the Maghrib" (*Kitāb al-Bayān al-mughrib fī akhbār mulūk al-Andalus wa-l-Maghrib*), usually referred to as the

⁵⁶ For an introduction to Islamic history-writing, see Chase Robinson, *Islamic Historiography* (Cambridge: Cambridge University Press, 2004), as well as the survey by Tarif Khalidi, *Arabic Historical Thought in the Classical Period* (Cambridge: Cambridge University Press, 2004).

⁵⁷ Camilo Gomez-Rivas, "Qādī 'Iyyād," in Oussama Arabi, Susan Spector, and David Powers, eds., *Islamic legal thought: a compendium of Muslim jurists* (Leiden: Brill, 2013), 323-338.

⁵⁸ Maya Shatzmiller, *L'Historiographie mérinide: Ibn Khaldūn et ses contemporains* (Leiden: Brill, 1982). The dynasties that ruled in the Maghrib after the Islamic Conquest (around 700) all produced dynastic histories, though most have not survived, and much of our knowledge of the early Islamic period in the Maghrib depends on Andalusī or Eastern authors, or on later Maghribi accounts. See also Jamil Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 26-75.

Bayān al-mughrib).⁵⁹ An admirer of the Almohads, Ibn 'Idhārī did not cover the rule of their Marīnid successors, but rather divided his work into three distinct volumes. The first covered the period from the Islamic conquest of Egypt (641) to the Almohad capture of Mahdiyya in 1205; the second covered the history of al-Andalus from the Islamic conquest (711) to arrival of the Almoravids (1086). The third volume contained the history of the Almoravids and Almohads, up to the conquest of Marrakesh in 1269, with frequent digressions on regional dynasties in Andalusia and Ifrīqiya. This third volume came to light in the 1960s and has since been edited and published multiple times.⁶⁰ Despite its still fragmentary nature, it is the most valuable part of the whole work for understanding the relationship between Genoa and the Maghrib in the thirteenth century, since it includes a long account of the Genoese siege of Ceuta in 1235, purportedly taken from now-vanished Sabti sources.⁶¹

Ibn 'Idhārī's near-contemporary was the Fez scholar Abū-l-Ḥassan Alī b. Muḥammad b. Aḥmad b. 'Umar, otherwise known as Ibn Abī Zar' (fl. 1310-1320), to whom is traditionally attributed the history known as the "Entertaining Companion for the Garden of Pages on Reports of the Kings of Morocco and the History of Fez" (*Al-anīs al-muṭrib bi-rawḍ al-qirtās fī akhbār mulūk al-Maghrib wa-ta'rīkh madīnat Fās*, abbreviated to *Rawḍ al-qirtās*).⁶² As the name suggests, this is a combination of a dynastic history of the various dynasties who ruled Morocco, from the eighth century to the author's own time, and also a chronicle of the city of Fez, including abundant descriptions of its topography and inhabitants. Ibn Abī Zar' was a partisan of the Marīnids. Although his chronicle omits much of the detail provided by Ibn 'Idhārī on the later Almohads, the *Rawḍ al-qirtās* has the advantage of taking the detailed narrative into the fourteenth century and through the reigns of the first Marīnid sultans. He also records the Genoese attack on Ceuta, albeit more briefly than Ibn 'Idhārī and more importantly, he is our sole witness for the Genoese embassy to the Marīnid court at Tazūta in 1292.⁶³

⁵⁹ The exact dimensions and scope of this work are still being established, with new fragments repeatedly coming to light and being published for the first time between the 1930s and 1980s in Spain and Morocco. Juan Martos Quesada, *Ibn 'Idhārī al-Marrākushī*, *El 3* (2016), idem, "La labor historiográfica de Ibn 'Idhārī" *Anaquel de Estudios Árabes* 20 (2009), 117–30.

⁶⁰ I have cited it here in the edition by Muhammad Ibrahi Kattani (ed), *al-Bayān al-mughrib fī akhbār al-Andalus wa-al-Maghrib : qism al-Muwaḥḥidīn* (Beirut: Dār al-Gharb al-Islāmī, 1985).

⁶¹ The Ceuta episode was known already to the nineteenth-century Orientalist Michele Amari from a manuscript fragment held at Copenhagen (MS Copenhagen, Danish Royal Library 76), now known to belong to the *Bayān al-Mughrib*. Amari included a transcription in his "Nuovi Ricordi Arabici sulla storia di Genova" *Atti Società Ligure di Storia Patria V Fasc. IV* (Genoa: Tipografica del R. Istituto Sordo-Muti, 1873), 551-633.

⁶² There is some controversy over this attribution, see Ahmed Siraj, *L'image de la Tingitane. L'historiographie arabe médiévale et l'Antiquité nord-africaine* (Rome: École Française de Rome, 1995), 45-46.

⁶³ There is still no definitive critical edition of the text; I have used the 1972 Rabat edition. Ibn Abī Zar', *Al-Anīs al-Muṭrib bi-rawḍ al-qirtās* (Rabat: 1972). Ambrosio Huici-Miranda has translated the text into Spanish; see A. Huici-Miranda, *Rawḍ al-qirtās* (Valencia: Nacher, 1964).

The other major center of narrative history-writing in the late medieval Maghrib was in Ifrīqiya, under the patronage of the Ḥafṣid dynasty. Here, we face a rather more serious problem of perspective, since virtually all of our information about thirteenth-century Ifrīqiya comes from much later sources: the works of the polymath Ibn Qunfudh (d. 1407) and al-Zarkashi (fl 1472) date to roughly 150 and 200 years after the Ḥafṣids came to power, respectively.⁶⁴ However, the most important source for history in Ifrīqiya is undoubtedly Ibn Khaldūn (1332-1406), one of the greatest medieval Islamic historians, and the subject of much fascination both to scholars and to the general public from the nineteenth century to the present, who have variously portrayed him as an Arab Machiavelli, the "father of sociology," a proto-Marxist or even a libertarian precursor to the Reagan revolution in the United States.⁶⁵ Born in Tunis, Ibn Khaldūn led a highly peripatetic life, working at the courts of Fez, Granada, and Tunis before migrating to Egypt later in life. He was the author of the "Book of Lessons" (*Kitāb al-ʿIbār*), a world history with special focus on the Maghrib and its ruling dynasties, but his fame rests mainly on his lengthy introduction to this work, which circulated separately during his lifetime and afterwards as the *Muqadimma*, and has been translated into several languages.⁶⁶ Completed in 1377 during a period of self-imposed exile at the Qalaʿa ibn Salāma in modern-day Algeria, the *Muqadimma* is a general reflection on human society, and the patterns of history, which has attracted particular attention for its cyclical theory of tribal governments, and the contrast between urban and rural life and values. He criticizes earlier Muslim historians for uncritically repeating each other's texts without independently investigating their claims, although he himself did not generally take his own advice, relying heavily in his *Kitāb al-ʿIbār* on earlier histories like the *Rawd al-qirtās* despite their inaccuracies.⁶⁷ For the purposes of understanding the Genoa-Maghrib relationship, both the *Muqadimma* and the *Kitāb al-ʿIbār* are useful; the former for its in-depth reflections on

⁶⁴ Ibn Qunfudh, *al-Fārisiyya fī Mabādi' al-dawla al-ḥafṣiyya*, ed. ʿAbd al-Majīd Turkī and Muḥammad al-Shādhilī Nayfar (Tunis: Dār al-Tunisiyya li-l-Nashr, 1968); al-Zarkashi, *Tārīkh al-dawlatayn al-Muwaḥḥidiyya wa-al-Ḥafṣiyya* ed. Muhammad Mādūr, (Tūnis : al-Maktabah al-ʿAtīqah, 1966).

⁶⁵ The literature on Ibn Khaldūn and his reception is vast. For a brief introduction to how he has been interpreted over time, see Muhsin Mahdi, *Ibn Khaldūn's Philosophy of History: A Study in the Philosophic Foundation of the Science of Culture* (Chicago: University of Chicago Press, 1964); Mohammed Talbi, *Ibn Khaldūn et l'Histoire* (Tunis: Maison tunisienne de l'édition, 1973), Aziz Azmeh, *Ibn Khaldūn in modern scholarship: a study in orientalism* (London: Third World Center for Research and Publishing, 1981); Michael Brett, *Ibn Khaldūn and the Medieval Maghrib* (Aldershot: Ashgate Publishing, 1999), and Abdessalem Cheddadi, *Ibn Khaldūn : l'homme et le théoricien de la civilisation* (Paris: Gallimard, 2006). Recently, two English-language biographies of Ibn Khaldūn have re-emphasized his Sufi, mystical inclinations: Allen Fromherz's *Ibn Khaldūn: Life and Times* (Edinburgh: Edinburgh University Press, 2011), and Robert Irwin's *Ibn Khaldūn: an Intellectual History* (Princeton: Princeton University Press, 2018).

⁶⁶ The 1958 translation by Franz Rosenthal remains essential; Frans Rosenthal, *The Muqaddimah: an introduction to history*, 3 vols., (New York: Bollingen, 1958, reprinted 1967).

⁶⁷ See discussion by Mohammed Talbi, "Ibn Khaldūn," *EI2*. Consulted online on 19 April 2019.

the various administrative bodies and personnel that structured relations with foreigners — the customs office, the court, etc. — as well as the values of the elites who ran them, and the latter for the information it provides on the details of thirteenth-century Ḥafṣid rule in Tunis, although we should take into account Ibn Khaldūn's biases as a supporter of the central regime at Tunis.⁶⁸

Chancery Documents

Diplomatic and administrative documents produced by the chanceries of various Maghribi dynasties provide a vital point of comparison with the narrative evidence of the deeds of caliphs, sultans, and their officials in the dynastic histories. All medieval Muslim dynasties placed great importance on the work of their chancery scribes (*kuttāb*) who were charged with creating official correspondence in a good, literary Arabic style (*adāb*). The Almohads in particular took a close interest in their chancery, recruiting scribes from the ranks of the religious elites, and many of their letters were later preserved in the Maghrib as examples of good prose style, and have been collected and edited several times in the twentieth century.⁶⁹ The Almohads, their regional governors, and their successors across the Maghrib also carried on an active diplomatic correspondence with several European cities and monarchs and many of these letters have been collected and published. In 1863, Michele Amari edited and translated a collection of 46 Arabic letters sent to Pisa or Florence from Muslim rulers across the Mediterranean, including many from the Almohad caliphs, their governors, and the Ḥafṣids in Tunis.⁷⁰ An important collection of Maghribi diplomatic correspondence from a slightly later period (1250-1430) is preserved in the *Cartas Árabes* of the Archive of the Crown of Aragon, which was edited and published in 1940 by Maximiliano A. Alarcón y Santón and Ramón García de Linares, and is also

⁶⁸ Ramzi Rouighi has argued that Ibn Khaldūn and his contemporaries were partisans of "emirism": an ideology promoting a centralized, Tunis-based Ḥafṣid régime over and against local attempts at autonomy by Ifrīqiyan cities or rival Ḥafṣid family members in Bijāya or Constantine, and cautions us against an unproblematic reading of "regional" or "Ifrīqiyan" political identity. See discussion in R. Rouighi, *The Making of a Mediterranean Emirate: Ifrīqiya and its Andalusis, 1200-1400* (Philadelphia: University of Pennsylvania Press, 2011), 1-15.

⁶⁹ Ahmad 'Azzāwī, *Rasā'il muwaḥḥidiyya: Majmū'a Jadīda* (al-Qunaytira: Manshūrat Kulliyat al-Ādāb wa-l-'Ulūm al-insāniyya bi-l-Qunaytira, 1995).

⁷⁰ Michele Amari, *I diplomati arabi del R. archivio fiorentino testo originale con la traduzione letterale e illustrazioni* (Florence: Le Monnier, 1863). Some of his translations have been challenged more recently, see Mohammed Ouerfelli "Personnel diplomatique et modalités des négociations entre la commune de Pise et les États du Maghrib (1133–1397)" *Les relations diplomatiques au Moyen Age* (Paris: Publications de la Sorbonne, 2011), 119-132; and Travis Bruce, "Commercial Conflict Resolution across the Religious Divide in the Thirteenth Century Mediterranean," *Mediterranean Historical Review* 30:1 (2015), 19-38. However, they remain the best available treatments of the corpus of letters as a whole, and I have used Amari's edition here.

available online.⁷¹

Unfortunately, no Arabic letters from the Maghrib specifically addressed to the Genoese commune survive from the thirteenth century. Nonetheless, the collections of chancery documents are still useful for reconstructing the Genoa-Maghrib relationship, for two main reasons. First, Maghribi rulers occasionally had reason to invoke their relations with the Genoese when corresponding with their commercial and strategic rivals, and second, the documentary evidence allows us to situate the Genoese evidence within a wider framework of Mediterranean trade and diplomacy.

Islamic Legal Literature: Fatwas and the Hisba

The discourse of Islamic legal scholars in the late medieval Maghrib offers a vital counterpoint to the dynastic histories and official, "state"-sanctioned correspondence of Maghribi rulers discussed above. By the thirteenth century, several well-established traditions of legal literature existed within Islam, connected with the responsibilities of religious experts — the *fuqaha*, sg. *faqīh* — to offer guidance to the faithful. The principles of Islamic legal reasoning varied depending on the school of law (*madhhab*, pl. *madhāhib*), but most of them depended on interpretation of the Qur'an, *hadīth* (sayings and deeds of the Prophet Muhammad and his Companions), consensus (*ijma'*) and formal legal reasoning by analogy (*qiyās*).⁷² Sunni Muslims could choose between four major *madhāhib*: the Māliki, Hanafi, Shafi'i, and Hanbali, each of which took its name from an eponymous founder who lived during the formative era of Islamic law, roughly 700-950. Within the Maghrib and al-Andalus, the Mālikī school, named for the second/eighth century scholar Mālik b. Anas (d. 797) became dominant by the mid-eleventh century CE, its influence radiating outwards from major centers of scholarship at Cordoba, Fez, and Qayrawān.⁷³ It

⁷¹ Maximiliano A. Alarcón y Santón and Ramón García de Linares, ed. and trans., *Los Documentos Árabes Diplomáticos del Archivo de la Corona de Aragón* (Madrid: Imprenta de Estanislao Maestre, 1940). This edition included only documents in Arabic; however several Latin documents produced at the behest of Maghribi rulers are considered part of the *Cartas Árabes* collection, including an important act by a Genoese notary at Tunis in 1308. See discussion by Roser Salicrú i Lluç, "'Cartas árabes' en romance conservadas en el Archivo de la Corona de Aragón" *Estudios de Frontera VII : Islam y cristiandad, siglos XII-XVI : homenaje a María Jesús Viguera* (Jaén: Diputación de Jaén, Cultura y Deportes, 2010), 819-837.

⁷² For a brief introduction to the methods and development of Islamic law in the formative period, see Wael Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University, 2011); and Lena Salaymeh, *Beginnings of Islamic Law: late antique Islamicate legal traditions* (Cambridge: Cambridge University Press, 2019). For the Mālikī school in particular, see Yasīn Dutton, *Origins of Islamic Law: the Qur'an, the Muwatta' and Madinan Amal* (New York: Routledge, 2013).

⁷³ Other important traditions of Islamic law existed in the Maghrib prior to the eleventh century, notably the Ismā'īli jurisprudence of the Fatimids in early tenth-century Ifrīqiya, but by the late eleventh century they were marginalized by the dominant Mālikī school. See Shainool Jiwa, "Governance and Pluralism under the Fatimids (909-996 CE)" in *The Shi'i World: Pathways in*

was from the ranks of these legal scholars that rulers would select a judge (*qāḍī*) for each city.

Mālikī scholars learned the principles of jurisprudence through long study at the hands of established authorities, and through engagement with major texts that lay at the core of the Mālikī tradition, including the work of Mālik himself — the *Muwattaʿ* — as well as his disciples, their disciples, and later commentators on them.⁷⁴ A basic distinction arose between the "roots" and "branches" of Islamic law. Texts that addressed the principles of law and legal reasoning were considered to belong to the "roots" (*usūl al-fiqh*), whereas the "branches" (*furuʿ al-fiqh*) included texts that addressed applied or case law: legal manuals, collections of decisions, and discussions of rules. Such manuals allowed scholars to understand how the Mālikī *madhhab* functioned in practice, by collecting the cases (*nawāzil*, sg. *nāzila*) brought before the great jurists of the past, and explaining how they came to their decisions. Scholars were normally supposed to defer to precedent through conformity to the accepted teachings of recognized authorities, a practice referred to as *taqlīd*, whereas independent legal reasoning — *ijtihād* — was the province of true masters alone.⁷⁵ The compilations of *fatawā* or *nawāzil* (the terms were used almost interchangeably) helped fill this need for reliable precedent.

Technically, a *fatwā* was a "non-binding advisory opinion" issued by a religious authority, the *muftī*, in response to a query by a questioner, the *mustaftī*.⁷⁶ As conceived by the thirteenth-century Mālikī jurist al-Qarāfī, it was not in itself a judgment (*ḥukm*) but was, rather, intended to be informative (*ḵabarī*).⁷⁷ The practice of question and answer, or *istiftāʿ*, derived ultimately from precedent set in the *Qurʾān*, in which the early Muslim

Tradition and Modernity, eds. Farhad Daftary, Aryn B. Sajoo, and Shainul Jiwa (London: I.B. Tauris, 2015), 111-130.

⁷⁴ Yasin Dutton, *Origins of Islamic Law: the Qurʾan, the Muwattaʿ and Madinan ʿAmal* (Routledge, 2013); 13- 52. Wael Hallaq, *A History of Islamic legal theories* (Cambridge: Cambridge University Press, 2009), 125-161.

⁷⁵ In the past, *taqlīd* was interpreted in a pejorative sense by Orientalist scholars of Islam, to mean "unthinking adherence" to previous decisions, and was even extended to describe an entire era of Islamic legal scholarship after the formative period, the so-called "closing of the doors of *Ijtihād*," (see Joseph Schacht, *Introduction to Islamic Law*, 1964, 70-71). However, more recently, historians of Islamic law have pointed out not only the continuation of *ijtihād* in the post-classical period and up to the present, but also the considerable scope for independent reasoning that existed within the paradigm of *taqlīd*. See Wael Hallaq, "Was the Gate of *Ijtihad* Closed?" *International Journal of Middle East Studies* 16 (1984), 3-41; Mohammed Fadel, "The Social Logic of *Taqlīd* and the Rise of the *Mukhtaṣar*" *Islamic Law and Society* (1996), 193-233.

⁷⁶ Muhammad Masud, Brinkley Messick, David Powers, "Muftis, Fatwas, and Islamic Legal Interpretation," in *Islamic Legal Interpretation: Muftis and their Fatwas* (Cambridge, Mass: Harvard University Press, 1996), 3-4.

⁷⁷ See Shihāb Al-Dīn Ahmad b. Idrīs Al-Qarāfī Al-Mālikī, and Mohammad H. Fadel. *The Criterion for Distinguishing Legal Opinions from Judicial Rulings and the Administrative Acts of Judges and Rulers*. (New Haven; London: Yale University Press, 2017), 60-61.

community approached the Prophet with questions, to which God responded by revealing a verse (*āya*). After the Prophet's death, his Companions assumed his role, and on their deaths the responsibility passed to the *fuqahā*. In many ways this was a highly open social or professional class: as Aḥmad al-Wansharīsi put it, "anyone who is learned and whose religious sentiments are recognized may issue fatwas."⁷⁸ Questions could be posed by any Muslim, but were also frequently used by the state-appointed *qāḍī*, who might consult a *mufti* in a difficult case brought before them. As Muhammad Masud, Brinckley Messick, and David Powers have pointed out, this meant that the *fatwā* could be a powerful tool of political criticism. This was particularly true when the *mufti* was asked to rule on a question concerning the public sphere, such as licit and illicit currency, tax extortion, or other misbehavior by state officials.⁷⁹

Although individual fatwas survive from the Umayyad period (661-750), they began to be consciously collected beginning in the 950s, and by the end of the Middle Ages there were dozens of collections in each major *madhhab*.⁸⁰ Initially, collections focused on the legal output of a single prominent *mufti*. In the Mālikī school, these included the two Cordoban jurists Ibn Sahl (d. 1093) and Ibn Rushd al-Jadd, grandfather of the famous philosopher, (d. 1126), as well as the Sabti jurist and *qāḍī*, 'Iyyad b. Mūsa (d. 1149). This compilation movement was encouraged by the Almoravid Berbers, who presented themselves as champions of Mālikī orthodoxy and jurisprudence against Sufism, Shi'ism, and local heterodox traditions, and subsequently drew support from the Mālikī *fuqaha* in al-Andalus and Morocco.⁸¹ Compilations tended to be organized thematically, with questions divided into well-established subject areas, such as worship and ritual purity, social relations, commercial transactions, property rights, and religious obligations such as holy warfare (*jihād*), pilgrimage (*hajj*), and charity (*zakat*). Cases were typically introduced in the passive voice: "He was asked" (*su'ila*), followed by the relevant details of the case, and then the *mufti*'s response: "The answer" (*al-jawāb*).

The late Almoravid period also saw the production of several important manuals for the market-inspector, or *muḥtasib*, such as the Málaga jurist al-Ṣaḡati's "Book of the Hisba" (*Kitāb fī Ādāb al-ḥisba*) and the Seville jurist Ibn 'Abdūn's (d. 1135) "Epistle on the Office of Judge and Market Inspector."⁸² Like the *qāḍī*, this was a state-appointed official, charged with enforcing Islamic law in the marketplace, including regulating fair weights and measures and establishing the purity of food, although his duties typically extended to a more general injunction to uphold the *ḥisba*: "commanding the right and forbidding the

⁷⁸ Quoted in Masud, Brinckley, and Powers, eds., *Islamic Legal Interpretation*, 8.

⁷⁹ Ibid, 9.

⁸⁰ Ibid, 9-10.

⁸¹ See Delfina Serrano, "Judicial Pluralism under the 'Berber empires' (last quarter of the 11th century C.E.- first half of the 13th century C.E.)" *Bulletin d'études orientales* LXIII (2015), 243-274.

⁸² For a general treatment of Andalusian *muḥtasib* manuals and their connection to the broader Mālikī tradition, see A. Garcia San Juan, "La Organización de los Oficios en Al-Andalus a través de los Manuales de Hisba" *Historia, Instituciones Documentos* 24 (1997), 201-233.

wrong," including punishing public drunkenness, and ensuring that prayer was respected. Even in cities where there was no formal appointment of the *muḥtasib*, such as Tunis, the function of the *ḥisba* was carried out by other officials, including judges (*quḍḍa*, sg. *qāḍī*) and the recognized heads of professions (*umanāʾ*, sg. *amīn*) such as masons, millers, greengrocers, and so on.⁸³

The Almohads, who succeeded the Almoravids in the mid-twelfth century, had an uneasy relationship with the Mālikī *fuqaha*, since their movement rested on the infallibility of their founder, the *Mahdi* Ibn Tūmart, and their religious ideology was a blend of rationalism and Mahdism that required the active engagement of the caliph in doctrinal matters. One of their points of criticism was the Almoravid reliance on *taqlīd* and *furuʿ al-fiqh*, which they alleged had taken the place of independent, rational legal thought. Some Mālikī jurists led rebellions against the Almohads, such as ʿIyyad b. Mūsa, while others resisted more indirectly, such as by refusing to refer capital cases to Marrakesh as ordered by the caliphs. As Maribel Fierro has written, at the heart of this contest was a struggle for "caliphal authority over ideology and doctrine": whether the caliph or the jurists would have the right to say what the law was.⁸⁴ The Almohads went so far as to ban the production of new *fatwā* compilations, and the caliph ʿAbd al-Muʾmin (1130-1160) may have even contemplated burning Mālikī texts at Marrakesh.⁸⁵ Nonetheless, despite tensions, the Almohads could not and probably did not wish to entirely displace the older Mālikī *fuqaha*, and when the regime began to crumble in the 1220s, the religious scholars reasserted themselves under the successor dynasties that took power across the Maghrib and al-Andalus, and the compilation of *fatwās* continued.

Two enormous *fatwā* compilations in the fifteenth century reflect the importance and depth of this literary tradition as it developed in the Maghrib and al-Andalus, and have provided important material for my analysis of the Maghribi encounter with Genoese merchants. In the early fifteenth century, the Qayrawani jurist Abū-l Qāsim b. Aḥmad al-Burzuli (c. 1339-1438) was a well-respected *muftī* in Tunis, where he was a prolific teacher and *imām* of the Zaytuna mosque. In the early fifteenth century, al-Burzuli compiled a

⁸³ For more on the *ḥisba*, see Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2010). For the devolution of this duty to various officers in late medieval Tunis, see Mounira Chapoutot-Remadi, "Tunis," in *Grandes villes méditerranéennes du monde musulman médiéval*, ed. Jean-Claude Garcin (Rome: École Française de Rome, 2000), 250-254.

⁸⁴ Maribel Fierro, "The Legal Policies of the Almohad Caliphs and Ibn Rushd's 'Bidāyat al-Mujtahid'" *Journal of Islamic Studies*, 10: 3 (September 1999), 226 - 248.

⁸⁵ Delfina Serrano, "Judicial Pluralism," 258-259. Maribel Fierro has pointed out that the anti-Mālikī tendencies of the Almohads have been exaggerated, including by their immediate successors, as part of a program of "de-Almohadisation" and delegitimation in the late thirteenth and fourteenth centuries, which can make it difficult to take descriptions of Almohad behavior at face value. Nonetheless, the lack of existing Almohad-era *fatwā* compilations and surviving Almohad-era texts are largely consistent with an attitude of hostility or contempt for several aspects of the Mālikī tradition as it existed in the twelfth century. Fierro, "The Legal Policies of the Almohad Caliphs," 241-243.

general collection of *fatwas* issued by Mālikī jurists in Ifrīqiya, al-Andalus, and the Maghrib over the preceding six centuries, the "Collection of Questions and Judgments handed down by the Judgments of Qādīs, Muftīs, and Judges" (*Jāmi' al-masā'il li-man nazal min al-qaḍāyā bi-l-muftīn wa-l-hukkam*), which was known as the *Fatāwa al-Burzulī*.⁸⁶ This work was highly influential, circulating widely within the Maghrib, and survives in multiple manuscript copies. It was also an essential source for the work of a later jurist, Abū-l 'Abbas Aḥmad al-Wansharīsī (d. 1508).⁸⁷

Born in modern-day Algeria, al-Wansharīsī was a jurist and scholar who made his home in Fez from 1470, where he obtained a prestigious teaching position and eventually became chief *muftī* of the city. He was a prolific writer, authoring a number of treatises on specific points of law, but he is most famous for his own *fatwā* compilation, which he entitled *al-Mi'yār al-Mu'rib wa'l-jāmi' al-mughrib 'an fatāwī 'ulamā' Ifrīqiyā wa'l-Andalus wa'l-Maghrib* ("Clear Measure and the Extraordinary Collection of the Judicial Opinions of the Scholars of Ifrīqiya, al-Andalus, and the Maghrib").⁸⁸ The jurist began his work in the mid-1480s, making use of several private libraries in Fez, where he collected several old manuscripts and fragments in the courtyard of his home, sorting through them and making selections for transcription. The final result was a collection of up to 6000 *fatwās*⁸⁹ in six parts (*sifr*), which al-Wansharīsī completed in 1496 but to which he made subsequent additions until his death in 1508, inserting some of his own *fatwās* and opinions.⁹⁰ The work proved enormously influential among Mālikī legal scholars, and exists in dozens of manuscripts all over the Maghrib and in Spain. First printed as a lithograph in Fez in 1896-7, it was re-printed in 1981 by the Moroccan Ministry of Education.⁹¹

Taken together, the compilations of al-Burzulī and al-Wansharīsī represent a major monument of Mālikī jurisprudence, and preserve precious information about the society, economy, and intellectual life of the medieval Maghrib. They have been extensively "mined" by historians eager to draw conclusions about topics as varied as inheritance law, water

⁸⁶ Muḥammad al-Ḥabīb al- Hīla, ed., *Jāmi' al-masā'il li-man nazal min al-qaḍāyā bi-l-muftīn wa-l-hukkam*, 7 vols (Beirut: Dār al-Gharb al-Islāmī, 2002)

⁸⁷ Francisco Vidal-Castro, "al-Burzulī," *EI3*.

⁸⁸ David S. Powers, "Aḥmad al-Wansharīsī," in Oussama Arabi, Susan Spector, and David Powers eds., *Islamic legal thought: a compendium of Muslim jurists* (Leiden: Brill, 2013), 375-400. For a list of al-Wansharīsī's works, see Francisco Vidal-Castro, "Las obras de Aḥmad al-Wansharīsī (m. 914/1508): inventario analítico" *Anaquel de estudios arabes* 3 (1992), 73-111.

⁸⁹ The number of *fatwās* is uncertain, since Wansharīsī did not number the *fatwās* himself, and sometimes included fragments of *fatwās* inside others. David Powers estimated the total at around 5000, whereas Jocelyn Hendrickson put the figure at nearer 6000. See David S. Powers, "Aḥmad al-Wansharīsī," and Jocelyn Hendrickson, *The Islamic obligation to emigrate al-Wansharīsī's Asna l-matājir reconsidered*, PhD dissertation (Emory University, 2008), 18.

⁹⁰ Vidal-Castro, *El Mi'yar de al-Wansharīsī (m. 914/1508) II: contenido*, 220-223.

⁹¹ idem, *El-Mi'yār I: fuentes, manuscritos, ediciones, traducciones*, 336-347.

rights, and Christian-Muslim relations, and individual *fatwās* relevant to these concerns have been translated into a variety of languages.⁹² However, they are also complex sources and must be approached with care. For one thing, the compilers of these collections were mostly interested in instructing their readers in the methodology and reasoning of applied law. Consequently, the details of each case or *nāzila* were relevant only for their juridical value, and the authors transcribing them usually removed material they deemed unnecessary, such as names and places: a process known as "stripping away" (*tajrīd*). This makes it difficult to pin down individual *fatwās* with any greater precision than the lifetime of the jurist to whom they are attributed.

Another problem is one of interpretation, context, and authorial intent. Each collection reflects the editorial discretion and intellectual commitments of its compiler. Al-Wansharīsī himself tells us that he deliberately omitted "many responses of law and many judgments concerning what is not necessary for *qādī*-s or judges."⁹³ Neither al-Wansharīsī or al-Burzulī gave precise definitions of what their selection criteria were, leaving subsequent scholars to propose rationales; David Powers suggested that al-Wansharīsī was motivated to write by the impending collapse of Naṣrid rule in Granada, where Muslims faced the prospect of life under Christian domination.⁹⁴ When making their decisions, the compilers were effectively re-defining what the Mālikī tradition was for a specific purpose, raising the question of how representative of earlier opinion their works truly were. The work of editing could include altering or omitting text taken from earlier *fatwas*, sometimes without acknowledging their authors.⁹⁵ Jocelyn Hendrickson has argued that it is very difficult to separate al-Wansharīsī's presentation of Mālikī discourse on Muslims living under Christian domination from the immediate context of Morocco in 1500, where Portuguese occupation of the coast and the presence of Andalusian refugees created an atmosphere of uncertainty over the rights and responsibilities of Muslims under Christian rule.⁹⁶

Nonetheless, while we can take neither the *Mi'yār* nor the *Fatāwa* as neutral indicators of Mālikī tradition, it is possible to expand our reading of them beyond the context of late fifteenth-century Morocco and early fifteenth-century Tunis, respectively, and to draw broader conclusions about legal discourse and social life in the medieval Maghrib. For one thing, the Mālikī tradition was well-established by 1400, and both collections were highly syncretic, incorporating numerous *fatwās* by established

⁹² Vincent Lagardère has translated excerpts or summaries of several hundred *fatwās* into French; Vincent Lagardère, *Histoire et société en occident musulman au Moyen Age : analyse du Mi'yār d'al-Wansharīsī* (Madrid: Casa de Velázquez, 1999)

⁹³ "wa taraktu ajwība kathīra min al-fiqh wa-l-ahkām, mimmā lā tuḍṭura ilayhī al-quḍḍat wa-l-hukkām." Wansharīsī, *al-Mi'yār* 12: 395.

⁹⁴ Powers, "Aḥmad al-Wansharīsī", 379.

⁹⁵ Wiegers and Koningsveld, "The Islamic Statute of the Mudejars in the light of a new source," *Al-Qanṭara* 17:1 (1996), 19- 58.

⁹⁶ Hendrickson, *The Islamic Obligation to Emigrate*, 174 -175.

authorities that also existed in prior collections, dating back to the eleventh century. While both compilers introduced new *fatwās* authored by their contemporaries or by themselves, they could not simply dispense with the important decisions of earlier famous *muftīs*, any more than a modern American textbook on constitutional law could simply avoid citing *Marbury vs Madison* or *Brown v. Board of Education*, no matter the ideological commitments of its authors. It is possible to get a sense of what dozens of different Mālikī jurists thought was important or worth discussing about certain issues, including the question of Christian-Muslim interactions, or, at the very least, what generations of scholars found worthy of preservation about these discussions. As with any legal discourse, the tradition was contested: both al-Wansharīsī and al-Burzulī preserve several instances of conflicting *fatwās* issued for the same case.⁹⁷ Doubtless, too, untold thousands of *fatwās* issued by medieval Maghribi jurists have simply been lost — al-Burzulī alone was alleged by a student to have once issued one thousand in a single *day* — but a sense of the tradition as a whole has survived.⁹⁸ An individual *fatwā* on Christian-Muslim relations may be highly shaped by the exact context in which it was produced — Umayyad Seville, Ḥafṣid Tunis, etc. — but taken in their dozens, they provide a glimpse into how Christian-Muslim relations developed within the Mālikī tradition. Provided that we use the *fatwās* with this in mind, they provide a highly suggestive counterpoint to the more accessible Arabic material — the narrative histories, the chancery documents — that have most often been used to give the Maghribi perspective on Christian trade and travel in the Maghrib.

Conclusion

The scale and diversity of our source base for medieval trade in the Maghrib is imposing. As I noted above, medieval Genoese rarely wrote explicitly on the subject of their economic, social, and cultural relationship with the Maghrib, and medieval Maghribi authors in turn rarely reflected at length on medieval Genoa. Nonetheless, important points of convergence emerge when these disparate sources are consulted together. *Fatwās* on inspection procedures for liquids take on new meaning when confronted with Italian manuals warning Christian merchants about trying to import oil at the customs in the Maghrib. Ibn Khaldūn's reflections on the moral repercussions of profiting from the wine trade can be compared with evidence that the Genoese owned the wine tax farm at Tunis. It may appear easier to reconstruct likely patterns of exchange and movement from the Genoese notarial sources; they seem more transactional, straightforward than the discursive *fatwās* or the chronicle evidence. Nonetheless, as I have hinted here and as shall become clearer later, this appearance can be deceptive: the notarial acts can also reveal negotiations, planning, disputes, relationships, even contested narratives. Likewise, the Mālikī legal literature reveals the deep engagement, by the fuqaha, in the daily lives and labors of Maghribi

⁹⁷ One particularly famous example is that of the Jewish synagogue in Tuwāt, for which al-Wansharīsī collected no fewer than eight *fatwās* ruling on the permissibility of its destruction by Muslims in the 1480s (five against, three in favor). See David Powers, "Ahmad al-Wansharisi (d. 914/1509)" in *Islamic Legal Thought: A Compendium of Muslim Jurists*, ed. O. Arabi, D.S. Powers and S. A. Spector. (Leiden: Brill, 2013), 375-399.

⁹⁸ cited in M. al-Hīla, introduction to al-Burzulī, *Fatāwa*, 34.

Muslims and their neighbors. Important differences persist, of course, but they are not insurmountable. The chapters to come will take two major approaches to the Genoa-Maghrib relationship. The first of these will be to aggregate a critical mass of granular, detailed documentary sources — mainly notarial documents and diplomatic material — to get a sense of how the relationship functioned: from the specific to the general. The second approach requires beginning at a more abstract level, such as Christian-Muslim relations, or general trade regulations in place across the Maghrib, about which medieval people did write and to which we can connect the likely contours of a more specific Genoa-Maghrib relationship: from the general to the specific, as it were. In the next chapter, I will provide an overview of the major events and trends that defined this relationship over the course of the thirteenth century.

CHAPTER TWO: GENOA AND THE MAGHRIB IN THE THIRTEENTH CENTURY

Compared to its rivals among the Italian maritime republics, Genoa's early medieval history is relatively poorly documented, including its relationship with the Maghrib.¹ Prevailing winds and currents in the western Mediterranean generally made travel easier from north to south, but virtually all travel between Liguria and the Maghrib relied on indirect, coastwise navigation along the Italian peninsula and Sicily, or via Corsica and Sardinia, or via the coast of Spain and Provence.² Much of the early contacts between Genoa and the Maghrib involved violence. A Fatimid fleet based in Mahdiyya sacked Genoa in 935. Reportedly, the Fatimids carried off hundreds of slaves from the city, although later Arabic sources also mention silk and textiles among the booty, a fact that Benjamin Kedar suggested was evidence of long-distance trade and wealth accumulation in Genoa even in the mid-tenth century.³ In the eleventh century, the Genoese joined the Pisans in several joint military campaigns against Muslim targets, including repelling an attack on Sardinia (1015-1016) and raiding the city of Mahdiyya (1087).

After the formation of the commune and the beginning of the city's urban chronicle by Caffaro (c. 1080 - 1166), one can more easily identify the commune's political actions in the Western Mediterranean. As Giovanna Petti Balbi has noted, Genoese alliances and treaties with Provençal cities reveal the city's self-conception as both protector of Christendom against Muslim piracy and guarantor of trade with Muslim Africa and Spain.⁴ In 1146 and 1147, as part of the Second Crusade, the commune launched expeditions against the Muslim cities of Tortosa and Almería, in conjunction with Christian Iberian rulers. Although both cities were captured, the expedition proved crippling for the commune, and marked the last major offensive undertaken in the West until the siege of Ceuta in 1235 (on which more below.) The years after 1150 seem to reveal a shift to more peaceful relations with Muslim rulers in the Western Mediterranean, based on safe access to markets.⁵

¹ For Venice, the chronicle of John the Deacon (d. 1008) provides detailed information about tenth-century political struggles within the lagoon as well as relationships with neighbors in the Adriatic; see L. A. Berto and Antony Shugar, *The political and social vocabulary of John the Deacon's "Istoria Veneticorum"* (Turnhout: Brepols, 2013). For early medieval Amalfi, see Armand O. Citarella "The relations of Amalfi with the Arab world before the crusades" *Speculum* 42 (1967), 299-312.

² John Pryor, *Geography, Technology, and War: Studies in the maritime history of the Mediterranean, 649 - 1571* (Cambridge: Cambridge University Press, 1989), 12-24.

³ Epstein, *Genoa and the Genoese*, 14; B. Kedar, "Una nuova fonte per l'incursione musulmana del 934-935 e le sue implicazioni per la storia genovese" in *Oriente e Occidente tra medioevo ed età moderna: studi in onore di Geo Pistarino*, ed. Laura Balletto (Genoa: 1997), 605-616.

⁴ See Introduction, 6-7.

⁵ Petti Balbi, "Genova e il Mediterraneo occidentale nei secoli XI -XII," in *Comuni e memoria storica: alle origini del Comune di Genova : atti del Convegno di studi, Genova, 24-26 settembre 2001* (Genoa: SLSP, 2002), 6.

In this chapter, I offer an interpretive outline of the Genoa-Maghrib relationship in the thirteenth century, by reviewing the independent histories of both Genoa and the Maghrib, and finally integrating them together. Beginning with a survey of Maghribi history, I show how the disintegration of the Almohad caliphate created new opportunities for political action at the city or regional level, by new dynasties of rulers, even as the political ideology of the movement remained compelling into the late thirteenth century. Moving on to Genoa's internal political and economic developments, I show how the contingencies of war and Mediterranean rivalries led to significant yearly fluctuations in the fate of the city's merchant class, even as long-term trends took shape over decades. Finally, I combine the narratives to offer a survey of the Genoa-Maghrib relationship as seen through the lens of treaties and chroniclers writing in both Genoa and the Maghrib, with particular focus on the events that attracted the greatest narrative interest: the Ceuta expedition of 1234-5, and the Tunis crusade of 1270.

I. The Maghrib from 1150 – 1300

In his influential 1970 essay on Maghribi history, the Moroccan historian Abdallah Laroui entitled his chapter on the thirteenth century “the failure of the imperial idea.”⁶ This idea was, in the first instance, an Almohad idea. The Almohads were originally a coalition of Mašmūda Berber tribes adhering to the message of Ibn Tūmart, a Mašmūda holy man from the Anti-Atlas mountains in south-central Morocco. Although they built on the administrative and urban framework established in the eleventh century by a previous Berber tribal confederacy, the Sanhaja Almoravids, the Almohads not only conquered more territory than their predecessors, particularly in Ifrīqiya, but also created a unique ruling ideology with aspirations for universal rule over the community of the faithful: a caliphate.⁷

According to Almohad sources, Ibn Tūmart spent years studying in Cordoba, Syria, and Iraq, where he allegedly met the great theologian al-Ghazālī (d. 1111) in person. After his return to the Maghrib in the 1110s, Ibn Tūmart developed a unique ideology, a synthesis of many pre-existing trends in Islamic law and theology, joining Sunni rationalism and mysticism together with Shi’a-influenced millenarianism, eventually proclaiming himself to be the *Mahdi*, the “rightly-guided one.” Inspired by the example of the Prophet and his Companions, Ibn Tūmart insisted on the absolute unity of God —

⁶ Abdallah Laroui, *History of the Maghrib: An Interpretive Essay*, trans. Ralph Manheim (Princeton: Princeton University Press, 1977), 201.

⁷ The similarities between the Almoravid and Almohad movements has led some historians of the Maghrib to view them as part of a common “Berber empire” framework dominant in the Maghrib between the eleventh and thirteenth centuries: a conceptual framework established in the fourteenth century by Ibn Khaldūn. Both movements began as calls for moral reform among Berber tribal groups, before growing into armed conquest, territorial expansion, and, eventually, centralized state administration. See Jamil Abun-Nasr, *A History of the Maghrib*, 76-143; Mohammed Kably, *Histoire du Maroc: réactualisation et synthèse* (Rabat: Institut royal pour la recherche, 2012), 162-186. An excellent overview in English can be found in Amira K. Bennison, *The Almoravid and Almohad Empires* (Edinburgh: Edinburgh University Press, 2016), 62-117.

tawḥīd — and referred to his followers as *muwaḥḥidūn* (“the monotheists”/the Almohads). Furthermore, as Mahdi, Ibn Tūmart claimed the right to act as the ultimate — and infallible — interpreter of Islamic law, independently of the well-established legal schools, such as Mālikism, which in his view had become ossified and formalistic under the Almoravids, whom he also denounced for their alleged anthropomorphist tendencies and religious laxness. From his fortress at Tinmāl in the Atlas Mountains, Ibn Tūmart and his followers launched a relentless propaganda campaign against the Almoravid sultans at Marrakesh, the campaign escalating to an armed uprising that survived and even grew after Ibn Tūmart’s death in 1130.⁸

From its inception, the Almohad movement modeled itself on the example of the early Muslim community under the Prophet and his successors.⁹ Ibn Tūmart established a series of governing councils based on a careful hierarchy of Berber tribes. After his death, the Almohad sheikhs chose ‘Abd al-Mu’min (r. 1130 – 1163) as his successor (*khalifa*/"caliph") to carry on the revolution. Relying on the military effectiveness of the Maṣmuda Berbers and their allies, the Almohads conquered virtually the entirety of the Maghrib, from the Atlantic Coast to Tripoli, and by the late 1140s had expanded their dominion into al-Andalus. They expelled the Normans from Ifrīqiya, and assumed the mantle of *jihād* against the Iberian Christian kingdoms. They also came into conflict with the Mālikī *‘ulamā* of the cities, some of whom refused to accept the Mahdism of the Almohad movement.¹⁰ Nonetheless, by the mid-1150s, their regime was firmly in place across the Muslim West.

The Almohads and their legacy have been highly contested in historical scholarship across Spain and the Maghrib, especially the meaning of Almohad *tawḥīd* and its consequences for the treatment of religious minorities and dissenters. Maria Rosa Menocal blamed the “fanatic” Almohads and their Almoravid precursors for the collapse of the tolerant, urbane *convivencia* she saw expressed in eleventh-century al-Andalus.¹¹ Older accounts of the period implicitly or explicitly blamed the Berbers for imposing a puritanical, austere, and intolerant version of Islam upon the more sophisticated, intellectual version supposedly practiced in Ifrīqiya and especially in al-Andalus. However,

⁸ Maribel Fierro, "The Mahdi Ibn Tūmart and al-Andalus: the construction of Almohad legitimacy" in idem, *The Almohad revolution, Part Three* (Farnham: Variorum, 2012), 1-20; Jamil Abun-Nasr, *A History of the Maghreb in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 76 - 143; Allen Fromherz, *The Almohads: the rise of an Islamic empire* (London; New York : I.B. Tauris, 2012), 60-69; Mercedes García-Arenal, *Messianism and Puritanical Reform: Mahdīs of the Muslim West* (Leiden: Brill, 2006), 157-192.

⁹ García-Arenal, *Messianism and Puritanical Reform*, 182-192; Laroui, *History of the Maghrib*, 179.

¹⁰ One famous example of this resistance was the *qāḍī* ‘Iyyād of Ceuta, who briefly led the city’s revolt against Almohad rule in 1149 before being arrested and sent into exile at Marrakesh. See Camilo Gomez-Rivas, “Qāḍī ‘Iyād”, in Arabi, Powers, and Spectorosky, *Islamic Legal Thought: A Compendium of Muslim Jurists* (Leiden: Brill, 2013), 323- 338.

¹¹ Maria Rosa Menocal, *The Ornament of the World: How Muslims, Jews, and Christians created a culture of tolerance in medieval Spain* (Boston: Little, 2003), 49.

recent scholarship has seriously called this narrative into question. Allen Fromherz noted the highly literate, intellectual culture of Islamic learning among the Berber elite of Ibn Tūmart's day, and pointed out that Almohad sources framed the Mahdi's initial travel to the East as the result of his outrage over the burning of al-Ghazālī's master work, "The Revival of the Religious Sciences," in al-Andalus.¹²

Some thirteenth-century Arabic sources, from both the Maghrib and the East, do allege that the Almohads abrogated the *dhimma* pact by which Jews and Christians could live under Muslim protection. According to the Moroccan historian al-Marrakushi, who wrote in Egypt in the first quarter of the thirteenth century, the Almohads began their rule by requiring Jewish and Christian populations under their control to convert to Islam, flee, or face mass execution.¹³ However, as Amira Bennison has pointed out, the real targets of Almohad propaganda were mostly other Muslims: especially the Berber Almoravids, and the "un-Islamic" behaviors associated with them, such as male veiling, and supposedly "anthropomorphist" tendencies in their practice of Islam. She argues that Almohad *tawhīd* required submission and obedience to the rule of the caliph-*imām*, but this may not have extended as far as *religious* conversion of *dhimmis*: "action against non-Muslims had an important symbolic role but did not need to be enacted."¹⁴ Bennison does not deny the occasional use or threat of forced conversion, exile, and massacre by Almohad conquerors against Christians, Jews, and Almoravids, especially in cases of active resistance to Almohad conquest at Marrakesh or Tunis, but these episodes mainly reflect a rhetorical stance associated with a period of initial conquest: there is little evidence of later Almohad attempts to impose conversion, death, or exile on subject *dhimmi* populations, suggesting that the empire was in fact run in accordance with accepted Muslim precedents on protected minority populations.¹⁵

Despite their revolutionary ideology, the Almohads represented a continuation and strengthening of several prior trends in the socio-economic history of the Maghrib. These included the growing importance of pastoralism and long-distance trade, as well as the dependence of central states on an alliance between tribal confederations and urban élites. Reflecting a vast space with a highly diverse topography, the medieval Maghribi economy was based on agriculture in zones of high rainfall or good irrigation, and pastoralism in the deserts and mountains. One of the major points of contention in medieval Maghribi historiography is the effect of nomadic immigration from the East on the balance between

¹² Fromherz, "North Africa and the Twelfth-century Renaissance: Christian Europe and the Almohad Islamic Empire," *Islam and Muslim-Christian Relations* 20:1 (2010), 46.

¹³ Cited in Roger le Tourneau, *The Almohad Movement in the Twelfth and Thirteenth Centuries*, (Princeton: Princeton University Press, 1969), 57.

¹⁴ In making this argument, Bennison follows the example proposed by Fred Donner for the early Islamic community, in which the "believers" (*mu'minūn*) mentioned in Muslim sources including the Qur'ān itself did not necessarily need to refer to "Muslims," but could also be monotheists — Jews or Christians — who accepted the leadership and superiority of the Prophet. Amira K. Bennison, "Almohad *tawhīd* and its implications for religious difference," *Journal of Medieval Iberian Studies* 2 (2010), 209.

¹⁵ Bennison, "Almohad *tawhīd*," 202.

cultivation and pastoralism, especially in the eastern Maghrib. The Roman province of *Africa Proconsularis* (modern-day Tunisia and eastern Algeria) which became the Arabic Ifrīqiya was a famously productive agricultural zone, a state of affairs that continued well into the Islamic period. However, in the mid-eleventh century two Arab tribes, the Banu Hilāl and the Banu Sulaym, entered Ifrīqiya from Egypt. They were subsequently blamed, both by contemporary Maghribi authors and later French colonial historians, for the decline of agriculture in Ifrīqiya and elsewhere in the Maghrib. Subsequent scholars have challenged the assumption that the Hilalian migration was as destructive as previously thought; nonetheless, a general consensus holds that between the eleventh and thirteenth centuries, the “center of gravity” of agricultural production shifted within the Maghrib from east to west, with northern Morocco becoming more important than Ifrīqiya, while nomadic or semi-nomadic pastoralism increased in importance across the region.¹⁶

Exploiting a mixture of agricultural and pastoral resources was crucial in establishing political power in the Maghrib. However the revenue of the Maghribi ruling dynasties also depended heavily on their ability to control and tax trade. Like their Almoravid predecessors, the Almohads controlled a lucrative trans-Saharan trade, particularly in gold, salt, and slaves. With good access to West African gold, they minted a high-quality *dinār* and a distinctive square silver *dirham*, widely used in the Western Mediterranean, and presided over increasing urbanization, particularly in inland Morocco, where they expanded the cities of Marrakesh and Fez, important markets and also centers of Islamic learning.¹⁷

The Almohads were also highly active in the Mediterranean in both trade and warfare. They appointed admirals, expanding on an existing network of naval arsenals across the Maghribi coast, and also signed trade agreements with Genoa, Pisa, and other European mercantile cities. Almohad rule coincided with the growing importance of European sea power in the Western Mediterranean, but the Almohads welcomed European merchant communities into the ports of Ceuta, Bougie, and Tunis, cities which became the

¹⁶ See discussion by Ronald Messier, "Rereading medieval sources through multidisciplinary glasses," in Michel le Gall and Kenneth Perkins, eds., *The Maghrib in Question: Essays in History and Historiography* (Austin: University of Texas Press, 2010), 174-178. For discussion of the Hilalian invasions on the political and economic structure of Ifrīqiya in particular, see Julien Poncet, "Le mythe de la 'catastrophe' hilalienne," *Annales. Histoire, Sciences Sociales* 22:5 (1967), 1099-1120; Michael Brett, "The Way of the Nomad," *Bulletin of the School of Oriental and African Studies, University of London* 58:2 (1995), 251-269. Recently Matthew King has argued that much of the decline in agricultural production in Ifrīqiya, and the collapse of the Zirid dynasty in particular, can be traced to persistent droughts in the mid-twelfth century, rather than the Hilalian invasions. See Matthew King, "The Norman Kingdom of Africa and the Medieval Mediterranean" (PhD dissertation, University of Minnesota, 2018), 311-322, 344-355.

¹⁷ Amira Bennison, *The Almoravid and Almohad Empires* (Edinburgh: Edinburgh University Press, 2016), 192-226; Maya Shatzmiller, "Islam and the 'Great Divergence': The Case of the Moroccan Marīnid Empire, 1269-1465 CE," in *The Articulation of Power in Medieval Iberia and the Maghrib: Proceedings of the British Academy*, ed. Amira K. Bennison (Oxford: Oxford University Press, 2014), 25-46; Said Ennahid, *Political economy and settlement systems of medieval northern Morocco: an archaeological-historical approach* (Oxford: Archaeopress, 2002).

bases for European commercial activity in the Maghrib. Taxes and imposts on trade were a crucial financial resource for the central government, for which rural taxation remained difficult and politically contentious. Administrators and customs officials in Maghribi port cities consequently promoted seaborne trade and enjoyed close relationships with their European counterparts.¹⁸ Travis Bruce has shown how the Almohad customs officials at Tunis attempted to resolve trade disputes and limit instances of piracy, by appealing to the honor and business reputations of their Pisan colleagues, addressing them as friends and urging them to return to Tunis to trade (and to settle their debts to local merchants).¹⁹

At the height of their power and prestige in the late twelfth and early thirteenth centuries, the Almohad caliphs dominated the southwestern Mediterranean. Within the Muslim world, their claim to the caliphate represented a serious ideological challenge to the sultans who ruled in the name of the Abbasid caliphs in Baghdad. The Almohads competed with Saladin and his Ayyubid dynasty for influence within the Mediterranean basin, skirmishing with Egyptian and Turkish troops in Tripolitania in the 1180s. During the Third Crusade, Saladin even sent an embassy to Marrakesh asking for naval assistance against the Christian fleet; his letter has survived in two different versions in Egyptian and Syrian sources, in addition to an account of the embassy itself, which was apparently unsuccessful.²⁰ But Almohad prestige was not limited to the Muslim world, nor even to the Mediterranean. In his *Chronica Majora*, the English chronicler Matthew Paris (1200-1259) famously alleged that King John (c. 1199 – 1216) sent an embassy to the Almohad sultan Al-Nāsir (r. 1199 -1213) in which he offered to convert to Islam in exchange for Almohad military support against his domestic and foreign enemies. While the offer to convert was almost certainly invented — Matthew despised John and was probably trying to exaggerate his perfidy — the possibility of an English embassy to Marrakesh should not be discounted: the Almohads conducted an active diplomacy with Iberian monarchs and Italian city-states.²¹ Indeed, in the late twelfth and early thirteenth centuries, the *Miramolin* — as the

¹⁸ David Abulafia, "Christian Merchants in the Almohad cities," *Journal of Medieval Iberian Studies* 2 (2010), 251-257.

¹⁹ Travis Bruce, "Commercial conflict resolution across the religious divide in the thirteenth-century Mediterranean," *Mediterranean Historical Review* 30:1 (2015): 19-38.

²⁰ Interestingly, the two letters preserve markedly different attitudes to the Almohads. In the former, the Almohad is addressed by his caliphal title, "Commander of the Faithful", and he is praised for the size and power of his fleet – even half of his ships would suffice to block the Crusaders. In the latter, he is simply asked to help support his fellow Muslims, and no mention is made of his claims to be the caliph. See Amar S. Baadj, *Saladin, the Almohads, and the Banū Ghāniya: The Contest for North Africa (12th and 13th centuries)* (Leiden: Brill, 2015), 146-148.

²¹ See Ilan Shoval, *King John's delegation to the Almohad court (1212): medieval interreligious interactions and modern historiography* (Turnhout: Brepols, 2016); Fabio López Lázaro "The Rise and Global Significance of the First 'West': The Medieval Islamic Maghrib," *Journal of World History* 224:2 (2013), 259-307.

Almohad caliph was known in Latin — became as representative of Islam as the "Grand Turk" would be four hundred years later.²²

Decline and Fragmentation

One of the pillars of Almohad legitimacy was a commitment to *jihād*, which primarily meant campaigning against Iberian Christians to defend al-Andalus. Despite some successes, notably at the Battle of Alarcos in 1195, the Almohads suffered a catastrophic defeat at Las Navas de Tolosa in July 1212 against the combined armies of Castile, Portugal, Navarre, and Aragon. This loss was followed by the premature death of the caliph al-Nāṣir in 1213, and the accession of his ten-year-old son al-Mustanṣir (d. 1224), which ushered in a chaotic power struggle within the ruling Mu'minid family, each backed by different factions within the Almohad elite. Despite the importance of Las Navas for Al-Andalus, it was really the resulting power vacuum at Marrakesh that provoked the main crisis of Almohad rule.²³

As Almohad rule faltered, local governors and Berber tribes in the Maghrib "began to reconsider their options," as Amira Bennison put it.²⁴ The re-consideration accelerated in the late 1220s, as the lack of a clear choice for caliph coincided with a major ideological crisis. In 1229, the caliph al-Ma'mūn (1226-1232) formally denied that Ibn Tūmart was the *Mahdi*, thereby rejecting a central tenet of the original Almohad movement. This gave the governor of Ifrīqiya, Abū Zakariyā', a descendant of one of Ibn Tūmart's closest followers, Abū Ḥafṣ 'Umar al-Ḥintati, an excuse to declare his independence from Marrakesh, and his adherence to the true Almohad doctrine.²⁵ Although subsequent caliphs retracted al-Ma'mūn's denial, the damage was done, and Ifrīqiya fell away from Almohad control, becoming the base of the new Ḥafṣid dynasty. Ambitious local governors in Al-Andalus too broke free, with Ibn Hud declaring independence in Murcia in 1228. Meanwhile, Christian Iberian monarchs pushed into the Guadalquivir valley and Valencia in the 1230s and 1240s, eventually leaving only Granada in Muslim hands. Several Almohad claimants sought aid from Christian mercenaries and rulers; other claimants took refuge in Christian

²² Allen Fromherz, *The Near West: Medieval North Africa, Latin Europe and the Mediterranean in the Second Axial Age* (Edinburgh: Edinburgh University Press, 2017), 18-19.

²³ Amira K. Bennison, *The Almoravid and Almohad Empires*, 114-115.

²⁴ *Ibid*, 114.

²⁵ Al- Ma'mūn may have acted thus to attract support from more conservative Mālikī elements in al-Andalus, who had been skeptical of Almohad Mahdism. However, it is interesting to note that the same edict proclaimed that only Jesus Christ had the right to be called the *Mahdi*: the same caliph was also highly reliant on Christian mercenaries, and went as far as permitting the construction of a church for their use in Marrakesh. See Bennison, *The Almoravid and Almohad Empires*, 116.

courts in Aragon and Castille, some even choosing to embrace Christianity in exchange for military and financial support.²⁶

By the 1240s, effective Almohad authority was restricted to southern Morocco, as new dynasties consolidated power in the north (the Marīnids: Zenata Berbers based in Fez), the central Maghrib (the Zayyanids, in Tilimsān) and in Ifrīqiya to the East (the Ḥafṣids, based in Tunis). The last Almohad caliph, Abū Dabbus, was killed in battle in 1269, when the Marīnids conquered Marrakesh; their leader took the title *amīr al-muslimīn* ("commander of the Muslims") to distinguish his rule from the caliphal claims of the defeated Almohads.²⁷ Yet despite the demise of the caliphate, the Almohad ideal remained important throughout the thirteenth century, and beyond. This was especially true for the Tunisian Ḥafṣids, who defined themselves as the true successors of the Almohads, even claiming the caliphal title in 1249. In the port city of Ceuta, the Banu 'Azafi family ruled semi-autonomously from 1250 – 1320, yet the city still made a formal submission to Marrakesh even though its people claimed the right to appoint their own rulers.²⁸ Even as their ability to control regional politics waned, the later Almohad caliphs continued to make formal appointments — *taqādim* — and to address letters to regional governors, and their chancery remained a model for subsequent scribes and secretaries in Morocco, who preserved the appointment letters as good models of formal Arabic address and statecraft.²⁹

Thus, at the end of the thirteenth century the Maghrib was politically divided into three major zones whose borders roughly corresponded to the modern borders of Morocco, Algeria, and Tunisia. Three new dynasties competed for overall hegemony across this space. In addition to these states, centered on Fez, Tilimsān, and Tunis, a number of smaller cities achieved a high degree of autonomy under the rule of local elites, as in Ceuta and Bijāya, while tribal confederations remained powerful enough to resist central governments throughout the region.³⁰ Another important, though smaller, social group consisted of Andalusī *émigrés*. Many elite Andalusī families fled the Christian conquests of Seville, Valencia, Cordoba and other great Andalusian cities, seeking refuge and employment at the courts of Maghribi rulers, often with great success, as in the case of Ibn

²⁶ Hussein Fancy, "The Last Almohads: Universal Sovereignty between North Africa and the Crown of Aragon," *Medieval Encounters* 19: 1-2 (2013), 102-136; Bennis, *The Almoravid and Almohad Empires*, 115-117.

²⁷ Laroui, *The History of the Maghrib*, 205.

²⁸ Halima Ferhat, *Sabta des origines au xivème siècle* (Rabat: Ministère des affaires culturelles, 1993), 234.

²⁹ These *taqādim* exist in a manuscript — MS 4752 — dating to between the seventeenth and eighteenth century held at the Hasaniya Library in Rabat. See Pascal Buresi and Hicham el Allaoui *Gouverner l'empire: la nomination des fonctionnaires provinciaux dans l'empire almohade (Maghrib, 1224-1269)* (Madrid: Casa de Velázquez, 2013), 87-88.

³⁰ Ferhat, *Sabta des origines*, 213-214.

Khaldūn's family, or al-Qabturi, secretary of the Banū 'Azafi in the late thirteenth century.³¹ Ramzi Rouighi has argued that these Andalusis had a decisive impact on administration in the cities of Ifrīqiya, in particular. Taking advantage of these divisions, European rulers actively intervened in the internal politics of the Maghrib, signing trade treaties with individual Maghribi rulers — particularly with the Ḥafṣids in Tunis — but also occasionally launching armed expeditions against them, such as brief occupation of Rabat in 1260 by Alfonso X, and famously in Louis IX of France's Crusade against Tunis in 1270. Although Louis' Crusade ended in failure and his own death from dysentery, the subsequent treaty between his successor Philip the Bold and the Ḥafṣid caliph al-Mustansir entrenched, rather than diminished, the European presence in Ifrīqiya. Merchants from across the northern Mediterranean established communities in the port cities of the Maghrib, and thousands of mainly Catalan and Provençal mercenaries arrived to serve in the armies of Maghribi rulers. Both merchants and mercenaries were followed by representatives of the mendicant orders.³² It was not without reason, then, that the papacy viewed the Maghrib with great interest, hoping to promote the expansion of Christianity throughout the region.³³ Rare successes — the conversions of a few Almohad pretenders — did little to discourage the Christian "dream of conversion" in the thirteenth century for the region as a whole. However, the period was also notable for the resurgence of Mālikī orthodoxy among the 'ulama in the major cities of the Maghrib, who again began to compile collections of *fatwas* to further define and refine the law. Thus, while the imperial ambitions and ruling style of the Almohads continued to exert a powerful pull on their successor dynasties, their distinctive ideological background did not exercise the same attraction for the custodians of Islamic law who came after them, and who would shape Maghribi society and culture for centuries to come.

II. Genoa in the Thirteenth Century

The late thirteenth century marked the zenith of medieval Genoese prosperity and influence. When the century began, the city was already a major naval and mercantile power, but by the year 1300, Genoa had utterly defeated its main western rival Pisa and broken into several new markets in the Black Sea, the Aegean, and northern Europe. In

³¹ The importance and impact of these Andalusī émigrés is contentious: Abdallah Laroui thought that they were responsible for importing a more secular, less religious attitude to statecraft and policy. Ramzi Rouighi credited them with a centralizing influence in Ifrīqiya, where they promoted the authority of the Ḥafṣid court at Tunis against local political actors such as tribes and semi-autonomous cities. See Laroui, *The History of the Maghrib*, 210-213; and Rouighi, *The Making of a Mediterranean Emirate*, 109 -111.

³² On the phenomenon of Christian mercenaries serving in the Maghrib, see Simon Barton, "Traitors to the Faith? Christian Mercenaries in al-Andalus and the Maghreb, c.1100–1300" in *Medieval Spain: Culture, Conflict and Coexistence Studies in Honour of Angus MacKay* (London: Palgrave Macmillan, 2002), and Michael Lower, "The papacy and Christian mercenaries of thirteenth-century North Africa" *Speculum* 89 (2014), 601-631.

³³ Clara Maillard, *Les papes et le Maghreb*, 209-266.

1293, the city chronicler, Jacopo Doria interrupted his account of the year's events to present a panoramic view of Genoa's glory: "Let posterity know that in these times the city of Genoa was glittering with riches and the greatest honor."³⁴ He noted the city's territorial dominion over Liguria, from Monaco in the west to Ponte Corvo in the east, and the armed galleys — between fifty and seventy — that the city's merchants were capable of assembling in a time of almost yearly warfare. Finally, he noted the city's revenues from customs and excise duties, most of which were sold at auction (*in calega*) to its elites. In 1293, the *collecta* on imports and exports — 4 denarii per *lira* — was sold for £ 49,000, a massive sum which led Steven A. Epstein to estimate the annual value of trade at Genoa at around £2,940,000.³⁵ According to Roberto Lopez, the value of Genoese trade was even higher — closer to £4 million — ten times the revenue of the French Crown in the same year.³⁶ Regardless of the actual amount, the wealth and power of Genoa were obvious to its inhabitants and to observers, notwithstanding a century of internal discord and external warfare. The prosperity of both Genoa's merchant families and its urban working class fluctuated greatly from year to year, in accordance with the chances of war, crusade, and political unrest, but the essential strength of the Genoese mercantile and shipping economy remained well-established throughout the period.

Like many other cities in northern Italy, Genoa began the thirteenth century under an aristocratic commune, ruled by an elected *podestà* from outside the city. The 1190s had witnessed disastrous infighting between noble factions, and a foreign *podestà* was expected to provide neutral, impartial government in the best interests of the city, assisted, from 1196, by eight rectors chosen from the nobility.³⁷ In 1239, faced with external threats from Lombardy, the *podestà* appointed two "captains of the people" from among the local leading families. These offices — those of *podestà*, captains, and rectors — provided the framework for Genoa's government for much of the thirteenth century. Nonetheless, the city continued to be riven by violent feuding between noble families and their partisans, driven both by broader political commitments — Guelfs and Ghibellines — and by more prosaic rivalries and hatreds. As Steven A. Epstein suggests, the city elites were capable of

³⁴ "Cognoscat autem posteritas ventura, quod his temporibus civitas Ianue divitiis et honore maximo coruscabat." Jacopo Doria, *Annales* Vol. 5, 172.

³⁵ Epstein, *Genoa and the Genoese*, 182.

³⁶ Lopez, *Su e giù per la storia di Genova* (Genova: Università di Genova, Istituto di paleografia e storia medievale, 1975), 45.

³⁷ Epstein, *Genoa and the Genoese*, 88-89. For an excellent English overview of Genoese medieval history, see Carrie Beneš, ed., *A Companion to Medieval Genoa* (Leiden: Brill, 2018). Major surveys of medieval Genoa's political history in the medieval period have been produced by a number of Genoese historians: see for instance Teofilo De Negri *Storia di Genova* (Milan: A. Martello, 1986), see also the collection of essays by Giovanna Petti Balbi: *Una Città e il suo Mare: Genova nel Medioevo* (Bologna: CLUEB, 1991), as well as the short popular history by Antonio Musarra, *Genova e il mare nel medioevo* (Bologna: il Mulino, 2015). More period-specific studies remain useful, such as Jacques Heers' study of the late medieval city: *Gênes au XVe siècle. Activité économique et problèmes sociaux* (Paris: S.E.V.P.E.N, 1961).

collaboration when faced with serious external threats, but relative peace and prosperity abroad tended to highlight and exacerbate local grievances.³⁸

A dramatic revolution in internal Genoese politics took place in 1257 with the popular government of Guglielmo Boccanegra, one of a series of risings by the *popolo* in Italian cities during the mid-thirteenth century.³⁹ In January 1257, a riot broke out as the *podestà* was leaving the city, which rapidly grew into a popular uprising against the commune. The rebels elected the noble Guglielmo Boccanegra as captain of the people for a ten-year term. Although the popular government only lasted five years before it was overthrown, it had lasting consequences for Genoese communal life. Boccanegra launched an ambitious public works campaign, including an expansion of the harbor mole and the construction of a communal palace, the *palazzo di S. Giorgio*, to emphasize the commune's independence from the magnates, who were accustomed to hosting the city government in their private palaces. He also brought the consuls of the craft and artisan guilds into city government, securing their consent and signatures for several major acts of foreign policy, such as the fateful Treaty of Nymphaeum in 1261.⁴⁰

Jealous of their influence in city government, some of Genoa's nobles rose against Boccanegra in 1262, killed his brother in street fighting and convinced him to leave office. After further aristocratic infighting, a formal dyarchy was established in 1270, in which Oberto Doria and Oberto Spinola served as co-captains of the people, representing two of the city's most powerful noble families, while continuing to appoint a *podestà* to administer justice. This cooperation between powerful families ensured a measure of peace among the noble *alberghi* and despite sporadic resistance the system endured until 1291, when the captains resigned in favor of another foreign *podestà*. The end of the thirteenth century saw the return of civil strife, as worsening rivalries between Ghibelline and Guelf families set the stage for the terrible civil wars of the early fourteenth century.

Genoa's internal political struggles were deeply informed and influenced by external threats and opportunities, connected both with its territorial ambitions within Italy and its foreign trade. Like many other northern Italian cities, Genoa attempted to impose control over its immediate hinterland, bringing powerful rural aristocrats and smaller Ligurian port cities to heel. In addition, the city could not avoid being caught up in the great struggle between the Hohenstaufen and the papacy during the first half of the century. Despite fierce local divisions, the city largely favored the Guelf cause against Frederick II, particularly during the pontificate of the Genoese pope Innocent IV (1243-1254), born

³⁸ Epstein, *Genoa and the Genoese*, 108-110.

³⁹ For a discussion of popular risings in northern Italian cities, see Jean-Claude Maire Vigueur, *Cavaliers et citoyens: guerre, conflits et société dans l'Italie communale, XIIe-XIIIe siècles* (Paris: Éditions de l'École des hautes études en sciences sociales, 2003); and Giuliano Milani, "Contro il comune dei milites. Trent'anni di dibattiti sui regimi di Popolo" in *I comuni di Jean-Claude Maire Vigueur* ed. Maria Teresa Caciorgna, Sandro Carocci, Andrea Zorzi (Rome, 2014), 235-258. For Genoa and the rising of 1257, see Giovanna Petti Balbi, *Governare la città: pratiche sociali e linguaggi politici a Genova in età medievale* (Firenze: Firenze University Press, 2007), 107-111.

⁴⁰ Epstein, *Genoa and the Genoese*, 148-149.

Sinibaldo Fieschi.⁴¹ After the demise of the Hohenstaufen, however, the city changed course. The Spinola and Doria were both Ghibelline supporters, and under their authority Genoa opposed Charles of Anjou's rule in Sicily, although the city maintained the good relations with his brother Louis IX established in the 1240s, and contributed thousands of men and dozens of ships for his final crusade against Tunis.⁴²

Access to and control of foreign markets was also a driving force in Genoa's Mediterranean-wide policy during the thirteenth century. Leaders of a deeply mercantile society, Genoese elites were acutely sensitive to changing market conditions and new threats. While Genoese merchants could in theory operate in all Mediterranean markets, they preferred to trade where they could secure the most favorable treaty conditions and privileges; as Jeffrey Miner and Stefan Stantchev put it, "monopolistic hegemony was the ultimate goal."⁴³ Treaties and trade rights had thus to be repeatedly negotiated and re-negotiated with monarchs and city governments across the Mediterranean, as communal governments sought the most advantageous terms possible for the city's merchants. However, perhaps the most consequential aspect of this commercial mindset was the city's ferocious rivalry with Pisa and Venice, its two main trade competitors. Adding to Pisa and Genoa's mercantile rivalry was their traditional identification with the Ghibelline and Guelf causes, respectively; though this enmity continued even during the period of Ghibelline rule at Genoa. Genoa fought several destructive wars with these two cities and their allies. Despite a serious setback against Pisa and Venice in the war of St Sabas (1256-58), the century closed with two major triumphs. Genoa achieved a crushing victory over Pisa at the Battle of Meloria (1284), in which the Pisan fleet was virtually annihilated, and then seriously challenged Venice's dominance with a victory in the War of Curzola (1298).⁴⁴ Alongside communally organized and funded fleets and armies, the city also encouraged private citizens to prey on enemy shipping, and Genoa's chroniclers gleefully recorded instances of successful corsair activity by their compatriots, relishing the details of naval combat and the prizes gained.⁴⁵

While the sea and its riches—trade and plunder—overwhelmingly shaped Genoa's economy and society throughout the thirteenth century, there were several important

⁴¹ It is notable, however, that several prominent Genoese served Frederick II as admirals, including Henry, Count of Malta, Ansaldo de Mari and Niccolo Spinola. See discussion by David Abulafia, "Henry Count of Malta and his Mediterranean Activities, 1203-30" in *Medieval Malta: Studies on Malta Before the Knights*, ed. J. Luttrell (London, 1975), 104-125.

⁴² Michael Lower, *The Tunis Crusade of 1270* (Oxford: Oxford University Press, 2018), 78-79.

⁴³ Miner and Stantchev, "The Genoese Economy," *Companion to Medieval Genoa*, 408.

⁴⁴ Epstein, *Genoa and the Genoese*, 182-183; and Antonio Musarra, *1284: La battaglia della Meloria* (Roma: Laterza, 2018), 153-206.

⁴⁵ For more on state-sanctioned piracy in the medieval Mediterranean, see Enrico Basso, "Pirateria e guerra di corsa nel Mediterraneo: l'osservatorio genovese" in *Il governo dell'economia. Italia e Penisola iberica nel basso Medioevo*, ed. Lorenzo Tanzini and Sergio Tognetti (Roma: Viella, 2014), 205-288.

developments in the structure of its overseas connections. Perhaps the most important of these was Genoa's entry into the lucrative Black Sea trade and internal Byzantine markets after the Treaty of Nymphaeum of 1261, orchestrated by Guglielmo Boccanegra's popular government. Having been virtually excluded from Constantinople by their Venetian rivals during the Latin Empire (1204-1261), the Genoese offered the Byzantine emperor Michael VIII Palaeologos (r. 1261-1282) naval assistance in 1261, securing in exchange favorable trade conditions throughout the empire. Major Genoese settlements in Pera and Caffa were established soon after, and "Romania" became a favored destination of Genoese capital and merchants from the 1260s onward. Partly as a result, the Maghrib declined markedly as a destination for Genoese capital after the 1260s.

Exploiting these new opportunities, by the late thirteenth century the Genoese were highly active in the Black Sea carrying trade, especially in grain, salt, and slaves. In particular, they were notorious as the main suppliers of slaves to Mamluk Egypt.⁴⁶ The growing importance of the Black Sea trade was reflected in new city offices and regulations aimed at controlling it; the so-called *Officium Gazarie*, active from 1314-1315, and the Statutes of Pera, from around 1310.⁴⁷ A string of surviving notarial cartularies from Genoa's eastern bases in Cyprus, Cilicia, Pera, and Caffa reveal a thriving Eastern trade in the last decades of the thirteenth century. However, the city's merchants were also beginning to seek new opportunities in the West, with Genoese galleys establishing a regular convoy along the Atlantic Coast to Flanders from 1277 and England from 1278, building on the city's long-standing involvement in the northern European wool trade via the Champagne cloth fairs.⁴⁸

Like Jacopo Doria, many modern historians have tended to see this period of Genoese economic history as one of individual entrepreneurship, social mobility, and risk-taking, the "heroic age of the merchant."⁴⁹ This attitude is sometimes contrasted with a more cautious attitude among merchants in the fourteenth century and later, when trade came to be dominated by elite families, who prioritized stable returns on investment and increasingly shifted capital into finance rather than direct participation in overseas trade.⁵⁰ Much debate has centered around just how "capitalist" one can understand Genoese society to have been in the thirteenth century, and the extent to which Genoese trade was "exploitative" or even "colonial" in certain areas, such as Sicily, or simply reactive and

⁴⁶ Hannah Barker, *Egyptian and Italian Merchants in the Black Sea Slave Trade, 1260 - 1500* (PhD dissertation, Columbia: 2014), 352-414.

⁴⁷ Vito Vitale and Amedeo Giannini, *Le fonti del diritto marittimo italiano* (Genoa: Accademia di Marina Mercantile, 1951), 13-15.

⁴⁸ Miner and Stantchev, "The Genoese Economy," 408-409.

⁴⁹ Epstein, "Business Cycles and the Sense of Time in Medieval Genoa" *The Business History Review* 62:2 (1988), 260.

⁵⁰ Kedar, *Merchants in Crisis*, Van Dooselaere, *Commercial Agreements and Social Dynamics in Medieval Genoa* (Cambridge: Cambridge University Press, 2009) 7-9.

opportunistic.⁵¹ As Jeffrey Miner and Thomas Stantchev have noted, much of the disagreement is about how to interpret the facts of Genoese economic life in relation to broader narratives about the "rise of capitalism/rise of the West."⁵² Sociologists and economists, particularly those associated with the "new institutional economics," have also joined the debate, asking several related questions: did the Genoese really organize trade and investment differently from the earlier Mediterranean merchants, such as the Maghribi Jewish merchants of the eleventh century? Were they rational, profit-maximizing investors, or were their business decisions equally—or indeed mostly—informed by social needs and political aims rather than pure economic self-interest?⁵³

Given the larger stakes of the economic history of Genoa for European and Mediterranean history, it is perhaps less surprising that the quotidian lives of the Genoese themselves in this period of economic growth and political instability have received relatively less attention, particularly the non-elite.⁵⁴ Recent scholarship has begun to rectify this, with Denise Bezzina's study on the Genoese artisan class highlighting the geographical mobility and investment activity of the Genoese working class during the thirteenth century.⁵⁵ It has been noted that guilds were slower to develop at Genoa than elsewhere in northern Italy, and this has been tied to the appeal and distorting nature of overseas commerce, which may have incentivized individual trade and investment strategies and made it harder to enforce professional codes.⁵⁶ However, despite internal

⁵¹ As with most twentieth century scholarship in English on Genoa, this owes much to the work of Roberto Lopez, who viewed Genoa as essentially capitalist and exploitative, see Lopez, *Colonia genovesi* (Bologna, 1938). In the 1970s, David Abulafia also saw Genoese (and Pisan) penetration of the Sicilian internal economy as fundamentally exploitative: developed northern cities re-orienting the island's economy around primary production (of wheat) and consumption of finished goods, heavily foreshadowing the modern economic disparities between southern and northern Italy, see D. Abulafia, *The two Italies: economic relations between the Norman kingdom of Sicily and the northern communes* (Cambridge: Cambridge University Press, 1977). However, Stephan R. Epstein challenged this characterization of the late medieval Sicilian economy, see Epstein, "The textile industry and the foreign cloth trade in late medieval Sicily (1300–1500): a "colonial relationship"?" *Journal of Medieval History* 15:2 (1989), 141-183.

⁵² See their discussion in "The Genoese Economy," in Carrie Beneš, ed., *A Companion to Medieval Genoa* (Brill: 2018), 398 - 420.

⁵³ For the former, see Avner Greif, *Institutions and the Path to the Modern Economy*, (Cambridge: Cambridge University Press, 2007), but also Jessica Goldberg's critique of his argument in *Trade and Institutions in the Medieval Mediterranean* (Cambridge: Cambridge University Press, 2012). For an analysis of the social bonds and family strategies shaping overseas trade in medieval Genoa, see Quentin van Dooselaere, *Commercial Agreements and Social Dynamics in Medieval Genoa*, 208-214.

⁵⁴ For an important exception, see Steven A. Epstein's study on wills and charity; *Wills and wealth in medieval Genoa, 1150-1250* (Cambridge: Cambridge University Press, 1984).

⁵⁵ Bezzina, *Artigiani a Genova nei secoli XII-XIII* (Firenze: Firenze University Press, 2015).

⁵⁶ Bezzina, "Social Landscapes," *CMG*, 174 - 175; van Dooselaere, *Commercial Agreements*, 89- 91.

divisions, the city's *popolo* did have a sense of common identity, and their involvement in the regime of Guglielmo Boccanegra marked a watershed moment in the city's political history. Thus, Genoa's evolving relationship with the Maghrib thus took place against the backdrop of economic expansion and domestic political turmoil that was dominated, but not exclusively controlled, by a mercantile elite.

III. Genoa and the Maghrib

When the thirteenth century began, Genoa and the Maghrib had already been trading with one another for at least fifty years, and likely for considerably longer.⁵⁷ Formal treaty relations with the Almohads were established by 1154, during the reign of the first caliph, 'Abd al-Mu'min, whom the Genoese chronicler Caffaro remembered as the leader of "a barbarian people called the Masmūda" (*barbara gens quae vocabatur Mussemutorum*).⁵⁸ Treaties were renewed with succeeding caliphs in 1161, 1191, and 1208. Although the texts of these treaties do not survive, the notices given in the *Annales* suggest that the Genoese were on good terms with the caliphs; the 1161 embassy was "received with great honor in all the lands of the Almohads," and the treaty, which was to be valid for fifteen years, gave the Genoese the right to trade throughout the caliphate on the same terms — namely, payment of an eight percent tax — with the exception of Bijāya, where they would pay ten percent.⁵⁹ Furthermore, the treaties show an evolving Genoese recognition or understanding of Almohad political propaganda, with Genoa's trading partner changing from the *barbara gens* of 1154 to the "king of the Almohads" (*rex Moadimorum*) in 1161, to the *Miramolinus* of 1191 and 1208.⁶⁰

The cartulary of Giovanni Scriba (1154 - 1164) reveals a thriving Genoese commerce with the Maghrib, with 73 contracts for North African destinations, worth 6,103 lire—about 29% of the total value of all Genoese trade in the Mediterranean. Bijāya and Ceuta were the two main destinations, followed by Oran and Tunis, but the Genoese also went further west, trading in "Garbo"⁶¹ and on the Atlantic Coast of Morocco at Salé, a new city founded by the Almohads. One of the first recorded investors at Salé was Ottobuono Nuvolone, the ambassador in 1161.⁶² Genoese merchants also ventured inland on at least

⁵⁷ The Genoese had almost certainly established some kind of contact with the Almoravids prior to the 1140s, although no Genoese-Maghribi treaty has survived from the period. Treaties signed in July 1138 with the cities of Marseille, Fréjus, and Hyères reveal Genoa's plan to seek peace from the "Sarracenis regis Murrochi." See *Libri Iurium* Vol. 1, docs. 15-17.

⁵⁸ *Annales* Vol. 1, 39.

⁵⁹ "per omnes terras eorum Moadimorum cum magno honore receptus fuit" *Annales* Vol. 1, 62.

⁶⁰ *Annales* Vol. 1, 39, 62; Vol 2. 41, 110.

⁶¹ For the various uses of this geographical descriptor, see discussion in Chapter Three, 96..

⁶² Krueger, "Genoese Trade with Northwest Africa in the Twelfth Century," *Speculum* 8: 3 (1933), 381.

some occasions, reaching Tilimsān in the central Maghrib in 1179.⁶³ In general, however, the western coast of Morocco and the central Maghrib were more popular than Ifrīqiya in the mid-to-late twelfth century.⁶⁴ By the 1190s, northern European visitors noted the importance of Ceuta for the Genoese and Pisans especially.⁶⁵

Table One: “Genoese Trade from the Cartulary of Giovanni Scriba, 1155-1164”

Western Mediterranean		Italy		Eastern Mediterranean	
Number of Contracts					
North Africa	73	Sicily	84	Alexandria	58
Spain	17	Sardinia	14	Syria	34
Southern France	17	Salerno	9	Byzantine Empire	20
		Central and Northern Italy	9		
Total	107		116		112
Value of the Contracts in Genoese Lire					
North Africa	6,103	Sicily	6,689	Alexandria	9,031
				Syria	10,075
				Byzantine Empire	2,007
				Total	21,113

“Sources: S. Epstein, *Genoa and the Genoese*, p. 58; see also D. Abulafia, *The Two Italies*, p. 99, derived from Bach, *La cité de Gênes*, p. 51.

In the 1220s, with Almohad power increasingly contested across the Maghrib, signs of new relationships emerge in the chronicle evidence. A convoluted scandal in 1223 serves to highlight the changing nature of Genoese–Maghribi trade. In that year, Abū-l Alā b. Yūsuf (*Bulaula* to the Genoese), the Almohad governor of Tunis, entrusted a sizeable sum of money to a Genoese merchant, Rainaldo Archanto, who was to sail to Spain, taking a large group of Muslim passengers along with him. However, due to a leak, the ship put into Marseille for repairs, and while it was in port, certain citizens of Marseille insinuated that

⁶³ Ibid, 383.

⁶⁴ This may have been due to the precarious nature of Almohad control in Ifrīqiya from the mid-1180s, especially during the invasion by the Almoravid Banū Ghaniya of Mallorca. The Banū Ghaniya maintained an Almoravid successor state in the Balearic islands until the early thirteenth century, and made a sustained attempt to reconquer the Maghrib, conquering several cities in Ifriqiya in the 1180s. The problem with this theory is that Bijāya remained an important center for Genoese trade throughout this period, despite the fact of its conquest by the Banū Ghaniya in 1184. See discussion in Amar S. Baadj, *Saladin, the Almohads and the Banū Ghaniya*, 74-85.

⁶⁵ MGH SS Rerum Germanicarum NS 5: *Narratio Itineris Navalis ad Terram Sanctam*, 195.

Rainaldo intended to murder and rob his Muslim passengers, who, fearing for their lives, appealed to the Milanese-born *podestà*, Carlevario, for protection. Reacting to the threat, the *podestà* imprisoned Rainaldo after the latter made a rash attempt at escape. The Genoese commune protested, and opened negotiations with Marseille, offering to "hand [Rainaldo] to the *Elmiremimenim* to be punished" (*magnifico regi Elmiremimenim fideliter ducerent puniendum*).⁶⁶ When the Marseillais refused to release Rainaldo, the Genoese ambassadors returned home with the conviction that the treaty between Genoa and Marseille had been violated. Consequently, the Genoese commune granted the right to engage in anti-Marseille piracy (*licentia offendendi*) to a group of citizens of Ventimiglia, who promptly attacked and seized a ship belonging to a Marseillais ambassador in the port of Tunis itself.⁶⁷ Not to be outdone by this state-sanctioned act of piracy, Rainaldo's relatives in Genoa ambushed Carlevario as he was returning to Milan after completing his term of office as *podestà*, taking him captive.

At this point, a dispute (or rumored dispute) between a Genoese captain and his Muslim passengers was threatening to escalate into a war between Marseille and Genoa, also involving piracy in Tunis. Furthermore, Abū-l Alā was angry at the rumors of Genoese treachery in Marseille, and at the attack that had taken place in his harbor:

Both because of the accusation that the Marseillais legate had odiously made against Rainaldo and the men of Genoa, and because of the ship that the men of Ventimiglia had captured, the Genoese were being treated very poorly and unjustly by Seid Bulaula the king of Tunis.⁶⁸

Mindful of the danger, the commune's governing council prevailed on Genoa's *podestà* to resolve the situation by diplomacy. After making peace with the Marseillais, who apparently "recognized that they were at fault,"⁶⁹ the Genoese dispatched two embassies to the Maghrib. The first went to Tunis, where the ambassadors smoothed things over with the governor, arranging for the restitution of the goods plundered by the pirates from Ventimiglia, and formalizing a new treaty "with the purchase of a fondaco, bath, and oven."

⁶⁶ *Annales* Vol. 2, 190. Georges Jehel thought that the Genoese meant the "sultan of Tunis" (i.e.: Abū-l Alā/*Bulaula*) not the Almohad caliph, here. However, that interpretation doesn't account for the use of the caliphal title, especially since Abū-l Alā is earlier referred to as "lord of Tunis" (*dominus tunexis*). Georges Jehel, *Les Génois en Occident*, 64. Abū-l Alā had in fact been appointed directly by Marrakesh in 1222; his son Abū Zayd was the last non-Ḥafṣid governor of Tunis. Brunschvig, *La Berberie Orientale*, 18.

⁶⁷ *Annales* Vol. 2, 191.

⁶⁸ "Cum igitur Ianuenses tum propter accusationem quam odiose fecerat legatus Massiliensis de Rainaldo et hominibus Ianue, tum propter navem quam ceperant Victimilienses, ad Seid Bulaule rege Tunesis male et indebite tractarentur" Ibid, 191.

⁶⁹ "suum cognoscentes delictum", Ibid, 191.

The second embassy went to Marrakesh to re-establish peace (*pro reformatione pacis*) with the "king of Morocco."⁷⁰

What is striking here is not only the original (alleged) crime, but the lengths to which the Genoese commune was willing to go to resolve it. Rainaldo's mission had been to transport a cargo belonging to a high Almohad official, and the Genoese commune was at one point offering to hand him over to the caliph for punishment. Yet when the situation escalated to piracy in the harbor of Tunis and threatened the security of Genoese trade there, the commune had to deal with both the regional power — Abū-l Alā, who enjoyed a promotion from *dominus* to *rex* within the space of a single chronicle entry — and the caliphate in Marrakesh. From now on, effective negotiations and treaty agreements between Genoese and Maghribis would take place at a more local level, in the cities of Tunis, Bougie, or Ceuta. The political unity of the Maghrib under the Almohads was at an end, with important consequences for the Genoese settlements in the port cities of the region, as they became centers or satellites of new regimes.

Ceuta and the "Year of Genoa": Trade, Violence and Opportunism, 1234-1235.

In 1234 and 1235 a series of dramatic events rocked the Genoese trade diaspora in northern Morocco and the Western Mediterranean, before finally capturing the attention of the communal government itself. What began as a dispute between the Genoese of Ceuta and the masters of Ceuta led to a violent purge of the Genoese quarter, whose survivors instigated a punitive expedition of almost one hundred ships, the largest Genoese fleet for almost a century. Besieged by this imposing force, the Sabti leadership came to terms, pledging to pay a certain sum or set of sums to the Genoese merchants in compensation for their earlier losses, a financial arrangement referred to by contemporary Genoese notaries as a *mahona/madona*, probably deriving from the Arabic *ma'ūna* ("assistance.")⁷¹ This dramatic and convoluted history received sustained attention from both Genoese and Moroccan chroniclers, whose accounts differ from one another in many particulars but confirm a general narrative. The episode is worth close examination in the context of Genoese settlement and trade in the Maghrib as a whole.

At the outset of the 1230s, the political situation in northern Morocco and al-Andalus was in turmoil. As the most important port on the Mediterranean coast of Morocco, Ceuta played a pivotal role in the struggle for control over the straits of Gibraltar. The Almohads, weakened by internal discord but still commanding formidable resources in southern Morocco, faced a major revolt in al-Andalus led by Ibn Hud, who became effective ruler of Murcia in 1230. The Almohad caliph al-Ma'mūn moved to re-establish the dynasty's

⁷⁰ Ibid, 153.

⁷¹ Contemporary Arabic sources do not use this term to refer to the payment; preferring the terms "agreed-upon sum of money" (Ibn 'Idhāri: *al-Bayān al-Mughrib: Qism al-Muwaḥidīn*: 351), or simply provide the payment amount (Ibn Abī Zar', *Rawd al-Qirṭās*: 276). However, since no alternative etymology has been convincingly proposed, there is no good reason to dismiss the consensus view of the word's origins. See G.B. Pellegrini, "l'elemento arabo nelle lingue neolatine," in *L'Occidente e l'Islam* (Spoleto: Centro Italiano di Studi sull'alto medioevo: 1965), 697 - 790.

authority over Murcia, but he was betrayed by his brother, who had been left in charge of Ceuta and the northern coast. Al-Ma'mūn attempted to besiege Ceuta, but lacking a fleet, his attack was ineffective. The caliph was forced to abandon the siege, and returned to the south to put down yet another revolt at Marrakesh, led by his nephew, and died shortly thereafter, in 1232. Ibn Hud placed his own trusted subordinate, al-Gasati, in charge of Ceuta.

The Genoese were heavily involved in this drama, as the city's annals reveal. According to Bartolomeo Scriba, the year 1231 saw Ibn Hud "appoint himself as the Miramomoninus"⁷², confiscate Genoese goods and merchants in Murcia and Denia, and finally seize control of Ceuta. Seeking redress for these losses, the commune armed ten galleys and five support ships, which it sent to Ceuta in June, under the command of Carbone Malocello and Nicolino Spinola, "to punish the pride of that Saracen." The Genoese envoys were in fact welcomed to the city, "received with honor and with decorum," and a quick bout of diplomacy soothed any ruffled feathers. In concluding a "honorable peace and a praiseworthy agreement" (*pacem honorabilem et conventionem laudabilem*) with Genoa, Ibn Hud or his representative agreed to indemnify the Genoese to the value of eight thousand besants. As a further token of his esteem, Ibn Hud purchased "a most excellent horse, covered in a cloth of gold and shod in silver," and presented it as a gift to the city of Genoa, where it was led in triumph through the city.⁷³

However, the people of Ceuta were no mere passive spectators to these deliberations between external powers. The city's merchants were powerful and well-organized, and they soon took matters into their own hands. When Ibn Hud began to suffer difficulties in al-Andalus, the city revolted against him too, and this time, its people chose an official from the *diwān* or customs-house, Abū-l-'Abbās al-Yanashti, as their leader. Probably an Andalusí originally, al-Yanashti occupied a somewhat ambiguous position—Ibn 'Idhārī referred to him simply as the "master" (*ṣāhib*) of the city— but he also struck his own coinage, moved against local enemies, and persecuted the poet Ibn Talha for impiety, and behaved much like an independent ruler.⁷⁴ Halima Ferhat interpreted the rule of al-Yanashtī, which lasted from 1232-1236, as marking a period of outright independence for Ceuta, while Charles Emanuel Dufourcq made an explicit comparison between Ceuta's merchant elite and that of the Italian maritime republics, such as Genoa, where merchant elites controlled city government.⁷⁵ The Genoese sources are silent on this internal revolution at Ceuta, although they note that a separate embassy headed by Jacopo de

⁷² "fecit se Miramamoninus": this was the standard Latin rendition of the Arabic caliphal title, *amīr al-mu'minīn*. *Annales* Vol. 3, 56.

⁷³ "optimus equus...cohoptus optimo panno aureo et ferratus claponis argenteis" *Annales* Vol. 3, 57.

⁷⁴ Ibn 'Idhārī: *al-Bayān al-Mughrib: Qism al-Muwahidīn*: 350; Halima Ferhat, *Sabta des origines au XIV^{ème} siècle* (Rabat: Ministère des affaires culturelles, 1993), 214.

⁷⁵ Halima Ferhat, *Sabta des origines*, 214, Charles Emanuel Dufourcq, "La question de Ceuta au XIII^{ème} siècle," *Hespéris, Archives Berbères et Bulletin de l'Institut des Hautes Etudes Marocaines*, 42 (Paris, 1955), 87.

Marino was sent to the city in 1233, probably to come to terms with al-Yanashti's government.⁷⁶

It was during al-Yanashti's four-year reign as master of Ceuta that its relations with Genoa really broke down. However, the actual —and literal — spark was provided by an obscure group of Christian soldiers known in the Genoese sources as *Calcurini*, probably Catalan mercenaries operating out of the port of Collioure, who began to threaten Ceuta in the summer of 1234.⁷⁷ The Genoese chronicler recorded the initial disaster at the harbor of Ceuta:

In that year, around the feast of Saint Bartholomew, rumors began to spread from the region of Ceuta, that the *Calcurini* crusaders (*cruce signati*) were arriving with a great army to besiege and sack the city of Ceuta. The Genoese, however, who were in that city with many ships, and with great quantities of goods and coin, were greatly afraid. They feared the loss of their lives and property should the land be taken by the *Calcurini*, but they also feared to fight against Christians bearing the sign of the cross. But since these *Calcurini* had already seized certain ships belonging to the Genoese, and also certain people, such as Guglielmo de Negri and Balduino Spione, the Genoese who were at Ceuta prepared ten of their biggest and best ships to go out against them. But these *Calcurini* had good words with them, and returned Guglielmo and Balduino and other Genoese they had detained, and thus the Genoese stood off to one side. But in the meantime, the *Calcurini* placed themselves before the wind, and set alight a little old ship that they had captured, and set it sailing into the middle of the Genoese ships to burn them. Our men, seeing that they could not escape the flames, and abandoning all that they had in Ceuta, including the many Genoese who were still there, fled to Mallorca with their ships.⁷⁸

⁷⁶ Dufourcq speculated that Ceuta's independence in 1232 had been "bought" from the Genoese fleet, which could have protected the city from Ibn Hud. However, while possible, this assertion finds no support in the Genoese evidence, and ignores the good relations established between Ibn Hud and Genoa in 1231; Dufourcq, "La question de Ceuta," 87.

⁷⁷ The identity of these soldiers has been a subject of debate for years, with various origins — Al-Andalus, Castille, Portugal — being advanced. However, recent research firmly suggests their Catalan background. See Pierre Vincent Claverie, "Pour en finir avec les *Calcurini*" *Anuario de Estudios Medievales* 48:2 (2018), 615-638.

⁷⁸ "Eodem quippe anno in festivitate sancti Bartholomei apostoli [August 1234] insonuerunt rumores de partibus Septe; quod Calcurini cruce signati cum maximo exercitu venerunt ad obsidionem Septe causa capiendi locum ipsum et homines. Ianuenses vero qui erant in partibus ipsis cum multis navibus et cum maxima quantitate bizantium mercium atque rerum, timore commoti sunt. Timebant enim amissionem personarum et rerum, si terra ipsa caperetur per predictos Calcurinos. Item timebant pugnare contra christianos cruce signatos. Set quia ipsi Calcurini iam ceperant apud Cadesum et in strictu quasdam naves Ianuensium et quosdam ex hominibus Ianue, videlicet Willelmum de Nigrono et Balduinum Spionum, Ianuenses qui errant apud Septam munierunt 10 de maioribus et melioribus navibus causa eundi eis obviam. Set ipsi Calcurini bona verba habuerunt, et reddederunt dictum Willelmum de Nigrono et alios Ianuenses quos habebant; et sic Ianuenses stabant ab una parte; et tandem ipsi Calcurini se posuerunt supra

Having surprised and dispersed the Genoese flotilla, the *Calcurini* seized another Genoese ship and burned many others. Meanwhile, those Genoese who had fled to Mallorca formed a hasty council of war, which decided to arm two ships and six hundred men to return to Ceuta, "for the defense of that country and its possessions" (*ad defensionem ipsius terre et rerum*). From this point, events moved very swiftly. The Mallorca council dispatched another four ships to Genoa, while two more went to Tunis. At the same time, the podestà of Genoa had apparently received letters from al-Yanashti, "asking for help and promising to pay half or more of the expenses."⁷⁹ Agreeing to this request, the city hurriedly raised money by selling the salt *gabelle*, armed 18 galleys, and dispatched them to Ceuta under the command of Lanfranco Spinola and others. Again at the same time, the Genoese force of six hundred armed men had landed near Ceuta, and marched to the city on foot.⁸⁰ When the Genoese forces had assembled, the leaders "petitioned the sultan for the money he had promised, and also for restitution for the damages inflicted by the *Calcurini*."⁸¹ In that sense, the Genoese were on familiar ground: asking for compensation for losses, just as they had done in 1231 with Ibn Hud.

Up to this point, the Genoese sources provide our only account of what happened. However the early fourteenth-century Moroccan chronicler Ibn 'Idhāri takes up the story with the arrival of the Genoese forces at Ceuta, and it is instructive to compare his account with that of the Genoese. Ibn 'Idhāri was not interested in the dispute between the Genoese and the *Calcurini*. In his narrative, the Genoese aimed at outright conquest of the city:

A great number [of Genoese] gathered together at the customs house and lay in wait there, seeking and hoping to seize control of it by cunning, but God thwarted their attempt at deception, and they gave themselves away. And when its master al-Yanashti heard of it, he wrote to the neighboring tribes, those under the jurisdiction of the city, and informed them of these matters. And he ordered them to come to him, and to arrive with the whole body of their troops upon an appointed day; furthermore, he concealed his plan from the general public.⁸²

Although the Genoese annalist asserts that the purpose of the embassy was to seek redress for their losses, he too acknowledges that the sultan "feared the great power of the Genoese and sent for the Berbers."⁸³ The Berber tribes of the surrounding areas duly arrived in the

ventum, et posuerunt ignem in una parva navi veteri quam habebant et quam ceperant, et eam impellebant super navibus et lignis Ianuensium, ut eas comburerent." *Annales* Vol. 3, 72-73.

⁷⁹ "receptis litteris a soldano Septe quod mitteretur sibi succursus, et ipse faceret medietatem expensarum et etiam amplium ad voluntatem potestatis et communis Ianue," Ibid, 73.

⁸⁰ Ibid, 74.

⁸¹ Ibid, 74.

⁸² Ibn 'Idhāri: *al-Bayān al-Mughrib: Qism al-Muwaḥidīn*: 350.

⁸³ *Annales* Vol. 3, 74.

city, and both Moroccan and Genoese sources agree that a battle broke out in the streets of Ceuta and in the Genoese quarter. According the Annals, the fight erupted spontaneously:

When almost the entire city was full of these Berbers, some people from the ships came to blows (*ad rixam*) with some Saracens, and thus everyone called each other to arms. And a battle began, and the Saracens ran to the fondacos and houses, setting them ablaze, and many people died there and were slain, and a very great quantity of Genoese goods and merchandise was lost.⁸⁴

In contrast, Ibn ʿIdhāri presents the battle as more of a cleverly arranged trap, in which the Genoese inside the city were caught by the Berber troops who had arrived *en masse* at the city gates, and were then cut down where they stood:

The Christians were totally slain on that day, cut completely to pieces, and the swords and spears ruled them at every turn, and those who escaped the carnage threw themselves into the sea...and their goods were seized from their fondacos, and fire consumed their wares and their weapons. The Berbers, the common people, and the sailors and others seized all of what was in the fondacos — whatever the flames did not consume — and every hand kept what it seized, whatever it found, and every one of that nation [of the Genoese] who was on his ship realized that death had descended upon them all, so they cast off from the harbor at Ceuta, and fled, crying "flee! flee!"⁸⁵

It is noteworthy that Ibn ʿIdhāri includes several distinct groups who participated in the attack: not only the local Berber warriors, but also the "common people and the sailors" (*as-sawqa wa ghuzāt al-baḥr*), suggesting that various elements of the city's populace acted as one to throw out the Genoese, or perhaps exploited the chaos to grab what they could.⁸⁶

In the wake of the Berber attack and pillaging of the fondacos, the Moroccan and Genoese accounts again diverge. Ibn ʿIdhāri presents the most coherent narrative; in his telling, the survivors of the siege "came back to their brethren, and informed them" (*waṣalu ila ikhwānihim ʿalamahum*) of what had happened. These "brethren" then assembled a fleet of around one hundred ships, with which they returned to Ceuta to besiege it, building mangonels (*al-majānīq*) to attack the walls.⁸⁷ Despite their imposing force, the Genoese failed to take the city, and instead made peace with the people of Ceuta, who in turn agreed

⁸⁴ "et cum quasi tota civitas Septe plena esset ipsis barbaris, quidam ex galeotis galearum devenerunt ad rixam cum quibusdam Sarracenis, et sic omnes clamaverunt ad arma. Et fuit prelium inceptum, et cucurrerunt Sarraceni ad fondicos, et posuerunt ignem in ipsis fundicis et domibus, et sic quam plures hinc inde mortui sunt et interfecti, et maxima quantitas rerum lanuensium combusta est et deperdita." *Annales* Vol. 3, 74.

⁸⁵ Ibn ʿIdhāri, *al-Bayān*: 350.

⁸⁶ Ibid, 350.

⁸⁷ Ibid, 350.

to pay compensation for the losses suffered at the fondacos. Ibn 'Idhāri goes on to affirm that al-Yanashti did indeed pay them "from the money belonging to the treasury" (*min māl al-makhzan*), whereupon the Genoese sailed away. He concludes the story by noting that "the year of Genoa, was, for the people of Ceuta, very famous, and it is mentioned in their histories, and it took place in the year 633 [1235 CE.]"⁸⁸ The end of the siege was briefly noted by another early fourteenth-century chronicle from Fez, the *Rawd al-Qirtās* of Ibn Abī Zar'. Recording the important events of the year, Ibn Abī Zar' describes the end of a "terrible siege and a tight blockade, with mangonels and several other machines of war."⁸⁹ Ibn Abī Zar' is the only chronicler to provide a number for the "fixed sum" mentioned by Ibn 'Idhāri: 400,000 dinars. Some modern historians have thought this an exaggeration, although it should be noted that the chronicler does not specify whether gold or silver was paid.⁹⁰

In contrast to the Moroccan accounts, the Genoese version of events is much longer and more convoluted. The destruction of the fondacos is given under the entry for 1234, whereas the punitive expedition appears in 1235. However, the Genoese story adds another stage of abortive diplomacy before the naval blockade and siege. After beginning the entry for 1235 with the usual list of communal officers for that year, the author takes up the story again in the middle of an embassy to Ceuta, during which "the sultan detained [the Genoese ambassadors] with words, and for a long time led them on by deceptions," which led in turn to yet another embassy, headed by Carbone Malocello. The new ambassador acted decisively:

When he perceived that the sultan was unwilling to offer anything of what he had promised, by the common agreement of the admirals and captains and the other Genoese who were in Ceuta, manfully made a formal statement of defiance (*viva voce diffidavit*) to the sultan and his men, on Good Friday [April 6, 1235].⁹¹

Thus it was only after diplomacy had failed that the Genoese prepared for war. According to the annalist, this effort took place in several locations. First, Carbone Malocello was sent to Seville "to recruit and pay for soldiers for the siege of Ceuta," a mission interrupted by his death. At the same time the commune of Genoa, having heard of the plans for a siege, dispatched reinforcements. By this point, plans both at home and in the expeditionary force had shifted to outright conquest:

⁸⁸ Ibid, 351.

⁸⁹ *Rawd al-Qirtās*, 276.

⁹⁰ Mas-Latrie proposed 4,000 dinars, whereas Halima Ferhat thought that 40,000 dinars was most likely. Ferhat, *Sabta des origines*, 217.

⁹¹ "et cum videret et perciperet quod ipse soldanus nichil vel quasi nichil facere vellet de his que facere promiserat et debebat, de voluntate aliorum admiratorum et capitaneorum et consilii Ianuensium qui erant in ipsis partibus Septe, in sancto die Veneris dictum soldanum et homines suos viva voce viriliter diffidavit." *Annales* Vol. 3, 74-75.

[The commune] sent everything that was requested for the expedition, except for soldiers. But if only there had been soldiers, then the Genoese who were already there on the land would have come down with these soldiers, and besieged the city from the land [as well as the sea], and, as it seemed to all present, they would have captured it.⁹²

Lacking the requisite forces, the Genoese instead contented themselves with a blockade consisting of over 120 ships, and a continuous naval artillery barrage, until finally the Sabtis came to terms, signing a treaty "with the greatest honor to Genoa."⁹³ Finally, the expedition returned home to Genoa, arriving on December 13, 1235. The precise terms of the treaty are not recorded, but the annalist seems to have considered it a worthy conclusion to the story, since he subsequently turns his attention to events in Liguria.

Notarial evidence from Genoa for the years 1235–40 offers a glimpse into the aftermath of these events. The notary Bonvassallo de Cassino, whose acts survive from 1236–1252, was especially active in the 1230s among those who had lost property at Ceuta. Several types of acts refer back to the events of the previous two years. For one thing, merchants had to account to their investors and business partners for funds they had lost in the attack on Ceuta; such was the case with Giovanni *tornator*, who admitted to Balduino de Vindercio in April 1236 that the £16 15s he had accepted from him to take to the Levant (*Ultramare*) had in fact been lost at Ceuta "in the fight between Christians and Saracens"; thus, Giovanni formally renounced his rights over the money to Balduino, who must have hoped to recover it himself.⁹⁴ Giovanni made similar declarations to at least two other people in the next week.

Clearly, the payment made by al-Yanashti and the government of Ceuta in 1235 did not cover all of the losses incurred by Genoa's merchants. Instead, there appear to have been at least two groups of assets or funds that emerged from the expedition. There was the "debt of the sultan" (*debitum soldani*), but also the "mahona of Ceuta" (*mahona septe*). Essentially, these debts amounted to dozens of promissory notes entitling individual Genoese merchants to compensation by the government of Ceuta. Such claims then entered the lively Genoese market in futures, rights, and revenues, where they could be sold and re-sold. Thus in April 1236, Oberto de Cafaro sold his shares, worth 180 besants, in the "mahona of Ceuta, against the Saracens of Ceuta and the entirety of Ceuta, for the fight that took place between Christians and Saracens" to Nicoloso de Aldo, for £61.⁹⁵ Other merchants who had suffered losses made more determined efforts to recover their claims,

⁹² "omnia pro quibus miserunt, exceptis militibus eis de lanue per commune lanue missa fuerunt. Set si milites missi fuissent, lanuenses qui erant in exercitu in terra, viriliter cum ipsis militibus descendissent, et civitatem Septe obsedissent per terram, et eam secundum quod ab omnibus videbatur, cepissent" *Annales* Vol. 3, 75.

⁹³ Ibid, 75.

⁹⁴ ASG *Notai Antichi* 17 (Bonvassallo de Cassino): 6v.

⁹⁵ ASG *Notai Antichi* 17: 6r.

such as the wealthy merchant Ugo Fornari, who in May 1236 appointed another wealthy merchant, Enrico Bancherio, to recover "what is owed to me from the king of Ceuta, and those besants that I am to receive from the *mahona* of Ceuta."⁹⁶ The Fornari family had invested heavily in trade with Ceuta prior to the *rixa*, as the acts recorded by Bartolomeo de Fornari reveal. In September 1236, Ugo's son Guglielmo ceded several shares in both the *debitum soldani* and the *madona septe* to several different business partners, prior to his own travel to Ceuta on business.⁹⁷

Al-Yanashti's regime was not the only debtor, however. The expense of hastily raising the expeditionary fleet in 1235 seems to have led the Genoese commune to promise payment to many of its sailors and soldiers, many of whom were still waiting for their pay well over a year later. Between September 1236 and March 1237, Bartolomeo de Fornari recorded eight separate contracts in which men appointed proxies to recover the salaries owing to them for their service on the galleys that took part in the siege; almost all of them had served on ships furnished by Ligurian port towns and communities outside Genoa, such as Recco, Chiavari, Ventimiglia, Val Polcevera. These men probably wanted to return to their homes, and could not wait indefinitely at Genoa to recover their salaries in person. One man, Albaro da Moneglia, had come to Genoa to seek the salary owed to his son, who had died on the expedition.⁹⁸

Unfortunately, the sources do not reveal how successful individual Genoese were in recovering their losses, nor how the *mahona* was actually collected or managed: did it pay out in yearly installments from a common fund, or was it left to individuals to press their claims at Ceuta? Some Genoese certainly retained their shares for several years. When Adalaxia de Vergiono died in August 1241, an inventory of her estate revealed her ownership of several financial instruments, including a share in the *mahona* of Ceuta, made in 1238, for 68 besants. Had Adalaxia held on to this document because she was receiving a yearly income from her share, or because she hoped to collect a one-off payment one day? It is hard to know how valuable these claims truly were. Furthermore, in 1236 the people of Ceuta had evicted al-Yanashti and renewed their allegiance to the Almohad caliph in Marrakesh, albeit under a governor of their own choosing, who like his predecessor had been a customs official: would this new regime have honored all the debts of the previous "king of Ceuta"?

Ultimately, however, what is most striking about the whole affair is how quickly the *status quo* reasserted itself. There was a fight, a memorable siege, some lost property, and an indeterminate amount of money changed hands, but at the end of everything the Genoese simply rebuilt their quarter and continued to trade. Alongside the transfers and purchases of the *mahona* and the *debitum soldani* in May 1236 are new contracts for trading ventures in wine, cotton, and lacquer for Ceuta, as well as payment for construction of a new house by the arsenal of Ceuta, perhaps built to replace one lost in the fire in

⁹⁶ "Tota quos recipere debeo a rege septe et illos besantios quos recipere debeo et habere in madona septe" ASG *Notai Antichi* 17 (Bonvassallo de Cassino): 24r.

⁹⁷ ASG *Notai Antichi* 18/II (Bartolomeo de Fornari): 150r.

⁹⁸ ASG *Notai Antichi* 18/II (Bartolomeo de Fornari): 155v, 157v, 158v, 160v, 165r.

1234.⁹⁹ Did the Genoese who arrived in Ceuta in 1236 and the succeeding years tread more carefully, or trade more discreetly, or live alongside their Moroccan hosts more fearfully, with the knowledge of what had happened? Eventually, Ceuta would lose much of its importance for Genoa, especially after 1250, as merchants focused their attention elsewhere, but this decline cannot be attributed to the events of 1234-1235.

Like their medieval counterparts, modern historians of Genoa, Morocco, and the Mediterranean have proposed strikingly different interpretations of the episode. For some Genoese historians, the *mahona* of Ceuta fits into a narrative of Genoese colonial expansion, prefiguring the later, and much better-known, *mahonas* of Chios and Cyprus, in which a number of Genoese shareholders split the profits - and expenses- of managing the Republic's overseas possessions. In 1994, Steven A. Epstein referred to the *mahona* of Ceuta as "a first fruit of empire."¹⁰⁰ Others have been more circumspect; such as Teofilo de Negri, for example, who in his 800-page *Storia di Genova* noted that the Genoese had contemplated the outright conquest or sack of Ceuta. Since they did not achieve this, he thought "the whole exercise should perhaps be considered a failure."¹⁰¹ The most recent in-depth study of the Genoese notarial sources for what happened was undertaken in the 1930s by Raffaele de Tucci, who by his own admission had expected to find evidence of an organized group of merchants — the *mahonesi* — who managed or exploited the revenues from Ceuta. Instead, he found a confused mass of notarial documents from 1236 recording a number of individuals with varying claims to the *mahona* revenue, which soon became tradeable commodities in themselves, much like the shares of the public taxes sold by the commune to raise money: the *compera*. Summarizing his findings, de Tucci observed that "the *maona* was nothing more than a mass of private creditors of foreign rulers for damages they had received from them, whom the state had backed up with an armed expedition."¹⁰²

From the Moroccan perspective, the Genoese attack was one more in a string of conflicts between invading European Christians and the Muslims of the West. Ferhat noted that the Genoese assault marked "the first time that an organized Christian force attacked the African littoral," prefiguring later Castilian raids on Rabat (1260) and the eventual Portuguese conquest of Ceuta itself in 1415.¹⁰³ At times, this assessment has escalated to a wider explanation of the differences in urban development between the Maghrib and medieval Europe, and to an indictment of the "failures" of the former. In analyzing the importance of urban mercantile elites in both the Maghrib and Western Europe, the sociologist Eric Mielants gave the Ceuta expedition a major role in explaining why

⁹⁹ ASG *Notai Antichi* 17 (Bonvassallo de Cassino): 20r.

¹⁰⁰ Epstein, *Genoa and the Genoese*, 122.

¹⁰¹ Di Negri, *Storia di Genova*, 326.

¹⁰² Raffaele di Tucci, "Documenti Inediti sulla Spedizione e sulla Mahona dei Genovesi a Ceuta (1234-1237)" *Atti Liguri di Storia Patria* 64 (1935), 320.

¹⁰³ Ferhat, *Sabta des origines*, 217.

"independent city states" did not take shape in North Africa at the same time as in Italy. Echoing Ferhat, he heralded the government of al-Yanashti as marking "outright independence" for Ceuta, but one that could not last in the face of external aggression by the Genoese: "when Genoa found its economic interests threatened, resistance against the 120 warships that were rapidly sent to Ceuta's harbor was futile." Mielants saw this pattern repeated at Tripoli in the fourteenth century, and citing earlier work by Abraham Udovitch and Maya Shatzmiller, presented it as further evidence for the disconnect between Muslim merchant elites and political power. As Shatzmiller put it:

Either by lack of power and means or by conviction, the inability of the Islamic political powers to act aggressively in the pursuit of trade, explains why Islamic states on the shores of the Mediterranean failed to develop a more vigorous and sophisticated system of maritime trade, despite the fact that they could easily have done so, and why, from the eleventh century onwards, they relinquished control and participation to the Italian cities.¹⁰⁴

Yet this interpretation is hard to square with both the chronicle and notarial evidence. After all, the Genoese failed to conquer the city, and al-Yanashti's regime survived the siege, even if it did crumble the next year — thanks to a revolt of the mercantile elite and the commoners of Ceuta, it should be noted.¹⁰⁵ Moroccan chroniclers noted the heroic resistance of the Sabtis to the blockade, whereas the Genoese sources reveal not a concerted plan of conquest, but rather a series of diplomatic missions aiming for financial compensation that only escalated to war after confused fighting between Christians and Muslims, as well as between Christians. As de Tucci's research showed in the 1930s, there was no powerful *mahona* of merchants managing the resources of a foreign dominion, as at Chios and Cyprus in the fourteenth century, only a group of creditors with claims to reimbursement that some were only too happy to be rid of.

How then, should we understand the "year of Genoa"? The Moroccan sources present the episode as one of attempted and thwarted conquest leading to a compromise, which it undoubtedly became, after a certain point. But the events of 1234-1235 do not easily fit into a simple paradigm of religious conflict or medieval "gunboat diplomacy." The initial squabble was between two groups of Christians: the Catalan mercenaries or crusaders, who aimed at plunder, and the Genoese, who wanted to defend their trading interests. Even after the pillaging of the fondacos, Genoa's ambassador Carbone Malocello decided to recruit troops for an attack on Ceuta in Seville: a Muslim city. Furthermore, the situation only reached this point after years of diplomacy. Between 1231 and 1235 at least four separate Genoese embassies are mentioned at Ceuta, and three treaties were signed, in 1231, 1233, and 1235. Clearly the Genoese were trying to negotiate and preserve their trading rights and privileges in a context of political turmoil. Another striking aspect of the conflict is how much agency and initiative were displayed by the Genoese community at

¹⁰⁴ Mielants, *The Origins of Capitalism*, 140-141, Maya Shatzmiller, *Labour in the Medieval Islamic World* (Leiden: Brill, 1994), 45.

¹⁰⁵ Ferhat, *Sabta des origines*, 219-220.

Ceuta and elsewhere in the Western Mediterranean—arming ships, holding councils of war, and launching a land expedition of six hundred men in 1234. Clearly, the Genoese settlement at Ceuta must have been quite large to have been able to support such efforts. By contrast, the communal government appears to have behaved mostly reactively, investing ships and raising money to support efforts that were already underway in the Straits of Gibraltar. Although the chronicler regrets that the expedition did not capture Ceuta in the end, the process by which the Genoese commune arrived at its final siege and blockade was anything but straightforward, and it smacks of wounded pride and indignation as much as of calculated, commercial interest. Ultimately, the story is one of opportunistic violence, claims for reimbursement, and revenge. An element of cultural or religious resentment on the part of the Sabtis against the wealthy Genoese merchant quarter does seem likely but, again, is hard to quantify, and in any case seems to have played little role in the decisions of the survivors to continue trading there as before.

Treaties and New Regimes, 1236 - 1272.

The events of 1235 did not mark the end of Genoese trade and settlement at Ceuta. Notarial evidence indicates that the community continued to thrive into the 1250s, although there does seem to have been a sharp decline after that point: from 1260 to 1300, only two contracts mention Ceuta.¹⁰⁶ Although none have not survived, treaties with Ceuta continued to be renewed. In a contract from October 1253, Federico de Predono appointed two brothers, Opizino and Jacopo Adalardo, as his proxies to recover the price of his slave, who had been taken by the Sabti government, and drew attention to the inclusion of his claim "in the treaty or pact that was made between the Genoese commune and the lordship of Ceuta."¹⁰⁷ However, from the 1230s, Genoese attention began to shift from west to east along the coast of the Maghrib, as Bijāya and especially Tunis came to attract an ever-greater share of the trade. This was especially true in the 1250s, as Michel Balard and Antonio Musarra have shown, although there were still great fluctuations on a yearly basis, as merchants responded to threats of war and piracy.

Table Two :Genoese Overseas Trade in 1251-1262 (by amount in *lire* and by percentage of total)

Destination	1251	1252	1253	1254	1255	1256	1257	1258	1259	1261	1262
Oltremare	11351 42%	17356 67%	50660 53%	13378 51%	9104 65%	594 11%	7228 28%	4333 54%	4827 40%	55 1.6%	39 0.3%
Romania	3371 12%	- -	745 1%	41 0.16%	- -	- -	- -	- -	- -	50 1.46%	119 1%
Bijāya	1404 5%	1784 7%	14095 15%	3354 13%	297 2%	390 7%	2710 11%	18 0.02%	36 0.3%	1695 49%	2993 27%

¹⁰⁶ ASG *Notai Antichi* (Bartolomeo Fornari) 30/II: 151v, and *idem*, (Guglielmo di S. Giorgio) 70: 62v. See discussion in Chapter Three, 112.

¹⁰⁷ "In tractatu sive conventionione facta vel factam inter communem Ianue et Segnorìa Septe", ASG *Notai Antichi* (Bartolomeo Fornari) 29: 241v. This could well have reflected a treaty with the Banū 'Azafi, a local family of religious scholars who ruled Ceuta from 1250, although the date of the treaty is not given. See Halima Ferhat, *Sabta des origines*, 230-234.

Ceuta	3092 11%	1285 5%	3711 4%	3234 12%	721 5%	110 2%	183 1%	- -	- -	- -	- -
Tunis	4517 17%	2405 9%	9359 10%	1176 4%	2028 15%	3305 59%	6100 24%	80 1%	2354 20%	- -	3635 32%
Provence	3081 11%	1162 10%	7488 8%	871 3%	978 7%	341 6%	1996 7%	1987 25%	2119 18%	585 17%	917 8%
Sicily	251 1%	1613 6%	7100 7%	198 1%	589 4%	800 14%	5986 24%	722 9%	2484 21%	762 22%	1602 14%
Yspania	- -	264 1%	1938 2%	3976 15%	215 2%	60 1%	1025 4%	755 10%	156 1%	286 8%	1955 17%
Total	27067	25869	95096	26288	13932	5600	25228	7895	11976	3433	11260

Source: Antonio Musarra, *In Partibus Ultramaris: I Genovesi, La Crociata e la Terrasanta*, 493-494; and Michel Balard, *Les Génois en Roumanie entre 1204 et 1261*, 489. Note that total percentages for 1257 and 1258 round down to just over 99%; all other percentages equal 100%.

It is worth noting that the year in which Maghribi destinations captured the highest share of the total (68% in 1256) was also an exceptionally low-volume year for Genoese trade as a whole: only 5600 lire. This may have reflected the danger and uncertainty facing merchants at the outbreak of the War of St. Sabas, as conflict made eastern trade much riskier: investors and sea captains may have preferred to stick to the Western Mediterranean, with the Maghrib acting as a "substitution market," as Valérien would put it.¹⁰⁸ Yet even in an exceptionally good year for trade (1253), Maghribi destinations still made up 29% of the total, and only 1258 witnessed a near-complete collapse in the Genoa-Maghrib trade.¹⁰⁹

As Genoese interest shifted to the eastern Maghrib, the political framework of trade relations changed. Both Tunis and Bijāya were united, from 1228, under the Ḥafṣid dynasty. Surviving Latin treaty evidence from Genoa highlights the importance of Genoese - Ḥafṣid relations, with Genoa-Tunis treaties formalized in 1236, 1250, 1272, and 1287.¹¹⁰ The treaties consist of multiple clauses proposing mutual respect, non-aggression, and cooperation, and also record specific obligations and rights, mostly for the Genoese merchants who trade at Tunis or Bijāya. Georges Jehel grouped these clauses into two separate aspects of the relationship: a military/strategic pact, and commercial rights. The former group included clauses on non-aggression, promises not to aid hostile third parties, and even the right of the Ḥafṣids to temporarily make use of Genoese ships during an

¹⁰⁸ Antonio Musarra, *La guerra di San Saba* (Ospedalletto: Pacini, 2009).

¹⁰⁹ Balard and Musarra's figures are taken from surveys of notarial evidence. Studies of individual notaries often reveal exceptions or complications to general trends. For instance, a study by Laura Balletto of the work of the notary Antonio de Sigestro in 1257 and 1258 found that trade to the Maghrib in 1258 was valued at £404, not £80, a number that would raise the Maghrib's total share of trade to 5% for 1258. See Laura Balletto, "Fonti notarili genovesi del secondo duecento per la storia del regno latino di Gerusalemme," in *I Comuni Italiani nel regno crociato di Gerusalemme*, ed. Gabriela Airaldi (Genoa: Università di Genova, Istituto di Medievistica, 1986), 185-187.

¹¹⁰ Mas Latrie, *Traités*, 116-127.

emergency. The latter group specified the terms of trade: customs duties, the right to export grain, and so forth.¹¹¹

Several clauses are worth highlighting. For one thing, the terms of trade were tightly controlled by the Ḥafṣid state. The Genoese were permitted to trade at Tunis, Bijāya, and wherever else "they have been accustomed to use for trade," but they were forbidden to enter other areas unless under duress (such as shipwreck).¹¹² Transactions were to take place either in the customs-house (*dugana*) itself, or else under the supervision of officially licensed translators (*torcimanos curie cognitos*), and "the officials of the court must not permit any Saracen who is not a legally recognized merchant to buy from a Genoese."¹¹³ As Jehel pointed out, this clause demonstrated the Ḥafṣid desire and ability to control the terms of trade, although it probably also reflected a Genoese preference for official guarantors of a transaction's validity.¹¹⁴

Subsequent treaties reaffirmed the language of the 1236 document, repeating several clauses verbatim. In the 1236 treaty, Genoese-Tunisian trade was conceived as taking place via auction (*in calega*), although later treaties made clear that other types of sales were possible (*in calega et extra calega*), provided a licensed translator was present. The 1250 treaty saw a new insistence that no merchant be permitted to hire a private translator, pleaded for a return to "good custom and behavior" among the city's longshoremen (*bastasi et calavi*), and provided for the duty-free sale of gold at Tunis and Bijāya.¹¹⁵ Treaties signed in 1272 and 1287 reiterated these general terms, occasionally adding new ones, such as the stipulation in 1272 that a Genoese might sell a ship to a Muslim without paying taxes.¹¹⁶

The treaties were also occasions to air particular grievances, as indeed took place in 1287, when the Genoese ambassadors demanded (and received) restitution for a ship

¹¹¹ Georges Jehel, *Les Génois en Occident*, 66.

¹¹² "In aliis vero locis de districtu suo, nisi in illis in quibus negociandi causa uti consueverunt Ianuenses, non dedit eis licenciam vendendi vel applicandi nisi necessitate urgente" Mas - Latrìe, *Traités* (Genoa - Tunis, 1236), 116.

¹¹³ "Insuper tenentur officarii curie non permittere aliquem Sarracenum emere a Ianuensi [qui] non sit cognitus pro legali negociatore." *ibid*, 117.

¹¹⁴ Dominique Valérien, "Les marchands latins dans les ports musulmans méditerranéens: une minorité dans des espace communautaires?" *Revue des mondes musulmans et de la Méditerranée* 107 (2005), 437-458.

¹¹⁵ Mas-Latrìe, (Genoa-Tunis, 1250), 119-120. See Valérien, *Bougie, port maghrébin*, 221-228.

¹¹⁶ This would appear to be an open defiance of the clear prohibition by canon law since the 1170s against Christians selling strategic materials to Muslims, which included arms, weapon, and timber for galleys, on pain of excommunication. The ban was later explicitly extended to ships and galleys in the early thirteenth century. See Stantchev, *Spiritual Rationality: Papal Embargo as Cultural Practice* (Oxford: Oxford University Press, 2014) 45-49, 58-60.

plundered in the harbor of Tunis by the Pisans, worth almost 21,000 besants.¹¹⁷ Such attacks by third parties, although not made by the Ḥafṣids themselves, still required compensation, since they represented a failure to provide security, a violation of the treaty language guaranteeing safety in Ḥafṣid territory. In return, reciprocity clauses gave Tunisian merchants who had been wronged the ability to seek redress at Genoa, as occurred in July 1251, when "Bocherius, Saracen and merchant of Tunis," received £25 in compensation for losses he had suffered due to the pirates of Portovenere.¹¹⁸

In addition to defining the normative structure of exchange, the treaties give us a sense of the personalities and bureaucracies involved in creating ties. These will be further explored in Chapter Three, but for now, one might simply point out that the surviving treaties were all negotiated in Tunis, and probably involved the extensive participation of Ḥafṣid government officials and the city's legal elite.¹¹⁹ The first two treaties in 1236 and 1250 mention only the Ḥafṣid ruler and the ambassador of Genoa, but subsequent treaties expand the cast of characters significantly. In 1272 the negotiations were undertaken on the Ḥafṣid side by "Yahya BenabdelMec, called Bolasem, head of the customs" (*chaytum dugane Tunexis*) and "Moamet Ybenali Ybenabraym, *qaḍī* of Tunis," while a list of Muslim witnesses included "al-Qasim" and "Ben Ali," with no further qualifications.¹²⁰ Fifteen years later, other officials negotiated a new treaty on the caliph's behalf. These included a new head of customs, Ben Maamet (Ibn Muḥammad?), who enjoyed a truly impressive list of flattering adjectives: "the elder, the more magnificent, the exalted, the lofty, the present, the honorable, the pure."¹²¹ Ben Maamet was assisted by a translator, Abramus Sechelus, and three other Muslims served as witnesses: "Yecha Ben Maamet Binibusaico, Yehae Bolassem Beneissem, *provisor* of the customs of Tunis, and Yecha Adoloet."¹²² All three were described as "religious scholars and judges" (*alfachini et archadini*), and likely

¹¹⁷ Mas - Latrie, (Genoa-Tunis 1287), 127-128.

¹¹⁸ ASG *Notai Antichi* (Matteo de Predono) 31/I: 154r.

¹¹⁹ There were certainly Ḥafṣid embassies to Genoa, for example in 1237, and Ḥafṣid ambassadors passed through the city in 1274 on their way to France, though no evidence survives of any treaty they negotiated. For the former embassy, see *Annales* Vol 3, 81; for the latter, see discussion in Chapter Four, 136.

¹²⁰ Mas-Latrie, (Genoa-Tunis, 1272), 122-123.

¹²¹ "senex magnificentior, magnificatus, altior, preferendus, honorabilis, purus, Ben Maamet," Mas-Latrie (Genoa-Tunis 1287) 127.

¹²² The Latin term "provisor" is somewhat obscure and ill-defined: though elsewhere in Europe it could denote an administrative or even a sacred role (bishops occasionally used the term), within Italy it most often referred to an official with a communal government, in an administrative or judicial role. See DuCange, "provisor," <http://ducange.enc.sorbonne.fr/PROVISOR>.

represented a combination of religious experts — the *qādīs* and learned men — and administrative officials in the Ḥafṣid regime.¹²³

Multiple Genoese took part in the treaty negotiations and ratification, including experienced merchants such as Opizino Adalardo, and merchant-notaries like Leonardo de Sigenbaldo, but they sometimes also involved secular clergy from Genoa, and representatives of the mendicant orders, as in 1287. The treaty of that year also saw the presence of not only Genoese but also foreign dignitaries, including two Venetians and two Catalans. Earlier sources confirm that European "nations" at Tunis kept close watch on each other's privileges and relations with the local authorities, so their presence at the actual negotiations should not surprise us.¹²⁴

The fragmentary notarial cartulary of Pietro Battifoglio (1288-1289) reveals the day-to-day interactions between the leading Tunisian authorities and their Genoese counterparts, concealed by the deferential attitudes and platitudes of the treaty language. It was a relationship that was both intimate and contentious. Of 133 surviving acts, at least seven were composed in the customs-house itself, and an additional three were drawn up in the private homes of the Ḥafṣid officials who had charge of the customs. In Tunis, the most important of these was the *faqīh* Ibn Marwan (*alfachinus Bem Maroanno*), head (*mushrif*) of the customs, but also Yusuf Racadi and another *faqīh*, "Boniaco po Racadi qui dicitur Botaer) also described as customs officials, and Boadil Ben Iacopo, known in Latin as the *cadinus*, either a judge (*qādī*) or possibly an official of the caliph's court (*qa'id*).¹²⁵ Official interpreters of the customs-house (*turcimanos in dugana*) were present at these meetings, and occasionally more senior Ḥafṣid officials made an appearance: including a man named Bun Maameto (Abū Muhammad?), "sheikh of the Almohads of Tunis" (*secha Moadinorum Tunexis*).¹²⁶

However, Pietro Battifoglio's documents also show that these Ḥafṣid officials acted as a screen between the Genoese and the caliph himself, to the chagrin of the Genoese consul, who on May 1, 1289 arrived at the palace and formally protested at his lack of access to the caliph.¹²⁷ The men of the customs-house were also fully prepared and willing to enforce their rights to tolls and to goods that had been sold. This was apparently the context of an incident on May 25, 1289, in which the *faqīh* Botaer arrived with an armed

¹²³ In the 1180s, Genoa's treaties with the Banū Ghaniya rulers of Mallorca — which survive in Arabic and Latin — refer to the Muslim amīr himself as a *faqīh*, or religious scholar. Amir Baadj argued that this reflected the Almoravid dynasty's self-conception as orthodox Sunni scholars (as opposed to the Almohads), see Amir Baadj, *Saladin, the Almohads and the Banū Ghāniya: The Contest for North Africa (12th and 13th centuries)* (Leiden: Brill, 2015), 69.

¹²⁴ Mas-Latrie, (Pisa- Tunis 1229), 31-32.

¹²⁵ Georges Jehel favored the latter interpretation. See idem, *Les Génois en Méditerranée Occidentale*, 104, n46.

¹²⁶ Battifoglio 126, (doc 87). Geo Pistarino, following R. Brunschvig, read this as "sheikh of the city (*al-medina*)" but the treaty language in Mas-Latrie suggests an Almohad derivation.

¹²⁷ Battifoglio 126, (doc 87).

band of men at one of the Genoese fondacos to claim a cargo of oil that had already been sold at the customs by Opizino Panzanno, a Genoese merchant. The Genoese consul protested vainly that the commune had not yet extracted its own tolls from the imported oil and appealed to the authority of Ibn Marwan as head of the customs-house, only to be told that it was Ibn Marwan himself who had ordered the oil to be taken "by force and against the will of the consul or other Genoese" (*per vim, ultra voluntatem dicti Balianni et aliorum Ianuensium*).¹²⁸ While this violent expropriation on behalf of the purchaser is unique in the notarial register, it is highly suggestive of the power of the customs office to enforce sales and contracts.

The Crusade of 1270

In 1267, Louis IX of France formally took the cross for the second time. Serious preparations for embarking on crusade began in 1269. The effort involved thousands of knights and foot soldiers, and relied on close cooperation with Louis' brother Charles of Anjou, who had recently made himself king of Sicily, and Prince Edward, heir to the English throne. As with his first crusade against Egypt in 1249, Louis relied heavily on Genoese ships to transport his army from the port of Aigues-Mortes: according to the city annals, over ten thousand Genoese were employed in the fleet; they elected two consuls to represent them as a body.¹²⁹ Original plans called for the army and the fleet to depart together in the spring of 1270, but the Genoese fleet arrived late; it was early July before the armada got underway. After halting at Cagliari, the leaders of the Crusade held a council of war, in which the king revealed that Tunis was their target; the fleet arrived at Carthage on July 18, and a siege began. However, the French crusaders quickly fell prey to dysentery and other diseases in the brutal summer weather, which claimed the life of the king's son Tristan. The king himself succumbed on August 25, 1270. Charles of Anjou arrived just after his brother's death. He and the surviving crusaders extracted a massive cash payment from the caliph al-Mustansir, along with his promise to allow the unrestricted practice of Christianity at Tunis, in exchange for their promise to depart.¹³⁰

Louis and Charles' decision to target Tunis in 1270 instead of Egypt or Syria has divided historians since the nineteenth century, who have tended to ascribe blame (or credit) to one or the other of the brothers. As Michael Lower has recently shown, many of the early analyses tend to isolate religious goals or financial interests as exclusive motivations for the Crusade; either pious Louis' desire to convert the Ḥafṣid ruler, or the deeply indebted Charles' need to recover the tribute that the Ḥafṣids had paid to the Hohenstaufen rulers of Sicily. Lower argues that the brothers likely collaborated from the beginning: Charles wanted to consolidate Angevin control over the central Mediterranean (and repair his finances), whereas, in a scheme of "chilling grandeur," Louis hoped to use an Angevin-controlled Sicily and Tunis *together* as a base for the ultimate attack on Mamlūk

¹²⁸ Battifoglio, 141 (doc. 97).

¹²⁹ *Annales* Vol. 4, 131-2.

¹³⁰ Lower, *The Tunis Crusade*, 134-140.

Egypt and the Holy Land. Louis may have sincerely hoped that the Ḥafṣids could be induced to convert to Christianity, but he never took his eyes off the ultimate prize: Jerusalem.¹³¹

Whatever the true motivations for the crusade, the Genoese sources reveal that the decision to target Tunis came as a shock to the city, whose people had expected the fleet to go directly to the Levant:

When it was announced in Genoa, the city was greatly distressed, and everyone was struck with amazement. For it had been the common intent of all wise men, to transport the army of the crusaders and the king of France for the defense of the Holy Land, and the recovery of the Holy Sepulcher...and this was a cause of great sorrow, for it was known not only to the wise, but to everyone, that this army could profit nothing, or almost nothing, in the area of Tunis, nor achieve anything praiseworthy, as indeed the event revealed.¹³²

Even accounting for the benefit of hindsight, there is little reason to doubt the sincerity of the chronicle's account. Certainly the arrival of the crusade, and of ten thousand of their compatriots caught the sizeable Genoese community resident at Tunis completely off guard. Al-Mustansir ordered that all the resident Genoese and their merchandise be detained under guard. However, the chronicler noted, appreciatively, that this was done for their safety, rather than in retribution:

[The merchants] were placed in a beautiful palace, and no one was to harm them. It was the king's intention not to offend but rather to preserve those Genoese who were already in the city, for he believed that it was not by their counsel, but rather by that of others, that the army had been diverted to Tunis.¹³³

Despite his disapproval, the chronicler recorded with pride the feats of arms accomplished by the Genoese sailors in Louis' army, who captured a castle at Carthage and raised the flag of the Republic atop the battlements. Nonetheless, this heroic achievement could not mask the shabbiness of the whole affair in the eyes of the annalist, particularly in the aftermath of the crusaders' departure. When a massive storm off Sicily wrecked many ships and

¹³¹ Lower, *The Tunis Crusade*, 173; William Jordan, *Louis IX and the challenge of the Crusade: a study in rulership* (Princeton: Princeton University Press, 1979), 214 - 220.

¹³² "postquam fuit in Ianua nuntiatum, doluit Ianuensis civitas vehementer, ac admiratione commoti sunt universi. Erat enim omnium sapientum comunis intentio, quod regis Francorum et cruce signatorum exercitus transfretare deberent pro subsidio terre sancte ac recuperatione dominice sepulture, quam in christianorum obprobrium, ad quos hereditario iure spectat, irreverenter detinent Sarraceni. Et hec fuit causa doloris, quia nedum sapientibus sed quasi omnibus poterat esse notum, quod in partibus Tunexim nichil vel quasi nichil proficere poterat iam dictux exercitus, nec eciam laudabilem sortiri effectum sicut eciam postea aparuit ex eventu." *Annales* Vol. 4, 133-4.

¹³³ *Annales* Vol. 4, 132.

drowned thousands of Genoese, Charles of Anjou claimed the right of salvage — *nauffragium* — in defiance of the treaty with Genoa.¹³⁴

Muslim accounts of this Crusade have not always received the attention they deserve, but they add some interesting nuance to the story of why the crusaders targeted a largely friendly Muslim city. Like their Christian counterparts, Muslim authors were split between ascribing religious and financial motives to the Crusaders, although most of them came to favor the latter. Ibn Qunfudh, writing in the fifteenth century, stressed the strategic connections and close relationship between Egypt and Tunis, and had no doubt that Louis had intended to use the latter as a base to attack the former.¹³⁵ Ibn Khaldūn, however, alleged that the French were trying to recover the value of loans they had made to a corrupt Ḥafṣid official, Abbas al-Lulyani, who had been arrested and executed by al-Mustansir in the 1260s.¹³⁶

Michael Lower's account also draws attention to a fascinating and previously neglected source for the Tunis Crusade: a Syrian author, Qutb al-dīn Mūsā b. Muḥammad al-Yunīnī, (1242 - 1326), who, like Ibn Khaldūn, alleged that a commercial dispute at the Tunisian customs was central to the crusade. According to al-Yunīnī, certain French merchants had tried to pay for goods with counterfeit currency. On discovering this crime, the caliph had asked, "Who are the richest of the Franks?" When he was told that the Genoese were the wealthiest, he had their goods and money confiscated to punish the counterfeiters. Seeking revenge, the Genoese plotted with the French to attack Tunis, and the final payment in August 1270 was nothing more or less than "the return of the Genoese money."¹³⁷

Al-Yunīnī's account cannot quite be taken at face value; for one thing, it is impossible to imagine that such a confiscation would go unmentioned and un-denounced in the Genoese annals, vigilant as they were of slights to the city's honor and profits. Nonetheless, the willingness of al-Yunīnī and others to reduce the crusade's origin to a commercial dispute is highly suggestive: it gives the Genoese a major, even determining role, in the Crusade's decision-making, and is indicative of how powerful they were felt to be at Tunis in the 1260s. Debasement of the silver currency — the *dirham*/ *besant* — was becoming a notorious problem in Ifrīqiya after the 1250s, much of it blamed on European merchants importing counterfeit besants minted at home, including Genoa, where imitation besants were being minted by 1253. The caliph, in an attempt to provide a cheap currency for everyday transactions, introduced a copper currency, the *handus*, but this too was rapidly debased, leading to riots in Tunis.¹³⁸ A Ḥafṣid concern about counterfeit currency could explain why the 1272 Genoa-Tunis treaty — which otherwise studiously avoids mention of

¹³⁴ Ibid, 136-7.

¹³⁵ Ibn Qunfudh, *Al-Fārisiyya fī mabādi' al-dawla al-ḥafṣīya*, ed. 'Abd al-Majīd al-Turki (Tunis: Dār al-Tunisiya li-l-Nashr, 1968), 110-111.

¹³⁶ Ibn Khaldūn, *Kitāb al-'Ibār* Vol 6: 655-656; 663-671.

¹³⁷ al-Yunīnī, *Dhayl mirāt al-zamān* Vol 2 (Hyderabad: Dairatu'l-Ma'arif-il-Osmania, 1955), 454-456.

¹³⁸ Lower, *The Tunis Crusade*, 168; Peter Spufford, *Money and Its Use*, 172-173.

any recent unpleasantness and repeats earlier treaty language — includes a new clause on counterfeit currency: "no Genoese shall bring money to Tunis unless it be of good fine silver, and if any shall bring it, the customs shall have license to receive and re-stamp it."¹³⁹

As with the Ceuta expedition and *mahona*, it is difficult to identify any major changes in the Genoa-Tunis relationship due to the Crusade, and the indications are that both parties sought a swift return to the *status quo*, which would hold for the rest of the century. Although Tunis would lose much of its importance for Genoese capital and merchants in the late thirteenth century, this likely had more to do with the opening of the Black Sea and Aegean than to any lingering Tunisian bitterness over the crusade.

New Horizons and Challenges

The years 1291–1292 mark a convenient end-point to this discussion of Genoa-Maghrib ties. Nearly coinciding with the end of the city's continuous chronicle tradition in 1294, these years witnessed a number of important events marking a shift in Genoa's overseas trade and commitments.¹⁴⁰ In 1291, Acre fell to the Mamlūks, marking the end of the Crusader kingdom in the Holy Land. With the city's fall, Genoa lost a major privileged trading zone in the Levant, as well as a symbolic link to the great crusades of the twelfth century, which played a critical role in the city's self-conception, even if the city went on to form a flourishing trade relationship with the Mamluks in the early fourteenth century.¹⁴¹ Famously, the same year also saw the Vivaldi expedition, probably a response to the impending fall of Acre, in which the brothers Ugolino and Vandino Vivaldi equipped two galleys and launched "a voyage that no one had ever yet attempted": to find a sea route to India by sailing around Africa. Last seen off the Atlantic coast of southern Morocco, the ships disappeared from history, though the Annalist noted hopefully that they might yet return.¹⁴²

Even before this point, the outlines of Genoese overseas trade were shifting in favor of the Black Sea trade, stronger relations with Egypt, and expansion into northern Europe.

¹³⁹ "aliquid Ianuensis non apporet monetam in Tunexi que non sit de bono argento fino; et si aliquis aportaret, vel aportabit, liceat dugana ipsam accipere et incidere, et de ipsa suam facere voluntatem." Mas-Latrie (Genoa-Tunis, 1272), 123.

¹⁴⁰ Although yearly updates ceased in 1294, Giorgio Stella (d. 1420) wrote a continuation of the *Annales* from 1298 to his own time under the title *Annales Genuenses*. See G. Petti Balbi (ed.) *Annales Genuenses* (Bologna: 1975); *idem*, "Giorgio Stella e gli *Annales Genuenses*" *Miscellanea storica ligure* 2 (1961), 123-215.

¹⁴¹ For the importance of Acre to Genoese commerce and self-image, see Antonio Musarra *Acři 1291: la caduta degli stati crociati* (Mulino, 2017); *idem*, *In partibus Ultramaris*, 649-654. For Genoa's ties to the Mamluk sultanate, see P.N. Holt, *Early Mamluk Diplomacy, 1260-1290: Treaties of Baybars and Qalawūn with Christian Rulers* (Leiden: Brill, 1995), 141-146; and Hannah Barker, *Egyptian and Italian Merchants in the Black Sea Slave Trade, 1260 - 1500* (PhD dissertation, Columbia, 2014), 352-407.

¹⁴² "facere quoddam viagium, quod aliquid usque nunc facere minime attemptavit" *Annales* Vol. 5, 124. For more on the expedition, see Jill Moore, "The Expedition of the Brothers Vivaldi: New

As a result, the Maghrib became less and less important for Genoese investment, drawn as it was to more attractive opportunities elsewhere. Recent analysis of notarial documents by Antonio Musarra has confirmed this trend for the last fifteen years of the thirteenth century, as the following two tables show:

Table Three: Genoese Investments in 1285

Destination	Investment Total (lire)	Number of Contracts	Average per Contract (lire)
Romania	3282 l 6 s	16	205 l
Constantinople	8635 l	1	8635 l
Romania and Alexandria	1151 l	3	383 l
Sicily	1026 l	1	1026 l
Mallorca	835 l 4 s	5	167 l
Corsica and Sardinia	829 l 18s 12d	3	276 l
Naples	720 l 14s	4	180 l
Oltremare	156 l	3	52 l
Bijāya and Tunis	120 l	2	60 l
Unspecified	20 l	2	10 l
Local (Liguria)	16 l	2	8 l
Provence	10 l	1	10 l

Source: Antonio Musarra, *Benedetto Zaccaria e al caduta di Tripoli (1289): le difesa di Outremer tra ragioni ideali e opportunismo*, in *Gli Annali e la Terrasanta*. Atti del Seminario di Studio (Firenze, 22 febbraio 2013), ed. A. Musarra. Reproduced in A. Musarra, *In Partibus Ultramaris*, 518.

Table Four: Genoese Investments in 1291 according to the Acts of Parentino di Quinto, Enrico Guglielmo Rosso, Manuele Niccolo "de Porta", and Rollando Belmosto di Pegli

Destination	Investment Total	Number of Contracts	Average per Contract
Sicily	3505 l 14s	28	125 l 1s
Mallorca	3262 l 13 s 11d	14	233 l
Romania	2184 l 3s 7d	20	109 l 2s
Naples	1351 l	4	337 l 7s
Sardinia	1138 l 10 s 4d	11	103 l 5s
Unspecified	897 l 11s	13	69 l
Tunis	802 l 17s 9d	5	160 l 5 s
Syria	425 l 7s 10d	4	106 l 5 s
France	228 l 4s	1	228 l 4s
Spain	217 l 4s	2	108 l 5s
Elba	29 l 10s	1	29 l 10s
Local (Riviera)	13 l	2	6 l 5s

Archival Evidence," in *Spain, Portugal and the Atlantic Frontier of Medieval Europe*, ed. José Juan Lopes-Portillo (Farnham: Ashgate Variorum, 2013), 1-18.

Source: Antonio Musarra, *In partibus ultramaris*, 521.

Trade, travel, and settlement in the Maghrib never disappeared entirely, particularly in Ifrīqiya.¹⁴³ The city signed a new treaty with the Ḥafṣids in 1343, and fragmentary notarial evidence survives from a Genoese notary active at Bijāya in 1347.¹⁴⁴ In the west, Genoa also came to terms with Marīnid control of Morocco. The *Rawd al-qirtās* records the arrival of a Genoese embassy at Tazouta in 1292, although the purpose of the embassy was of less interest to the chronicler than a description of the gift that accompanied it: a golden tree with singing birds.¹⁴⁵ Sporadic violence also continued to define Genoa's relationship with the region; Genoese ships participated in a large-scale raid on Tunis and Tripoli in 1390, in conjunction with a French fleet.¹⁴⁶ In the late fifteenth century, Genoese interest in Ifrīqiya continued and even intensified, with the establishment of a coral-fishing colony on the island of Tabarka.¹⁴⁷

Conclusion

The Maghrib was an important trading partner for Genoa throughout much of the thirteenth century. From an early focus on the western Maghrib under Almohad rule, particularly Ceuta and the Atlantic coast of Morocco, Genoese merchants increasingly came to prefer the east after the 1240s, and Ifrīqiya in particular, as the Ḥafṣids established a relatively stable regime at Tunis. However, in a political environment that could change significantly from year to year, the Maghrib remained an attractive secondary market, especially when war or piracy threatened connections with the Levant. The collapse of unified Almohad control after the 1220s offered new opportunities and dangers for Genoese merchants and their Maghribi partners, as political action and diplomacy shifted to regional power centers. For their part, the various actors within Maghribi port cities—local rulers, customs officials, Berber tribes—came to different arrangements with the Genoese, sometimes embracing them as allies and useful tax-paying merchants, sometimes resisting them as a strategic threat. Up until the third quarter of the thirteenth century, the Maghrib regularly featured as the second-most important destination for Genoese capital,

¹⁴³ For an overview of Genoa's relationship with the Maghrib in the later Middle Ages, see Giovanna Petti Balbi, "Gli insediamenti genovesi nel Nord-Africa durante le '400", in *Mediterraneo, Mezzogiorno, Medioevo: Studi in onore di Mario del Treppo* vol 1 (Naples: Liguori, 2000), 121-137.

¹⁴⁴ ASG *Notai Antichi* (Ilanotus de Berignano) 275-II, 48r - 50v.

¹⁴⁵ See discussion in Chapter Five, 142.

¹⁴⁶ Eliyahu Ashtor, *Levant Trade in the Later Middle Ages* (Princeton: Princeton University Press, 1983), 129 -130.

¹⁴⁷ Philippe Gourdin, *Tabarka: Histoire et archéologie*, 103-132; Giovanna Petti Balbi, "L'emirato hafside di Tunisi: contatti e scambi con il mondo cristiano (secc. XII-XVI)," in Cesare Alzati and Luciano Vaccaro, eds., *Africa/Ifriqiya: il Maghreb nella storia religiosa di Cristianesimo e Islam* (Vatican City: Libreria Editrice Vaticana, 2016), 335.

behind the Levant, with the 1250s an especially active decade. However, with the opening of more enticing markets after the Treaty of Nymphaeum in 1261, Genoese interests gradually moved elsewhere.

Viewed as a whole, the relationship reveals both remarkable stability and persistent uncertainty. On the one hand, dramatic and violent episodes such as the Ceuta expedition or the Tunis crusade do not seem to have negatively affected trade relations between the Genoese and their Maghribi partners. Furthermore, conditions for Genoese merchants never approached levels of domination or territorial sovereignty that they achieved in the various quarters of Levantine cities, such as Acre, Gibelet, or Caesarea in the twelfth century, or later in Caffa, Chios, and Pera in the fourteenth century and later. Maghribi rulers and their officials in the customs-house were more than capable of controlling the conditions of trade and settlement. On the other hand, conditions could and did fluctuate on a yearly basis, and Genoese merchants displayed an opportunistic streak in the Maghrib as they did elsewhere in the Mediterranean, turning pirate or taking military action on their own initiative when the chance presented itself. The next chapter examines the importance of space, both physical and conceptual, in the organization of Genoese trade in the Maghrib during the thirteenth century.

CHAPTER THREE: SITES OF EXCHANGE, SETTLEMENT, AND WORSHIP IN THE MEDIEVAL MAGHRIB

Merchants and investors thrived on predictability. Faced with certain irreducible elements of chance — bad weather, shipwreck, price fluctuations, warfare — medieval merchants tried to establish ground rules to govern trade wherever they could. Such desires find obvious expression in the many hundreds of surviving bilateral treaties: mutual security and non-aggression, access to familiar weights and measures, stipulations on currency use, and so on. However, another important aspect of this drive for predictability was spatial and institutional: merchants wanted to know where they could sell and buy, where they could rest, and so on. Genoese diplomacy itself was structured around gaining access to space; what Giovanna Petti Balbi called "the policy of the *fondaco*" (*la politica del fondaco*).¹

In this chapter, I will explore the importance of the spaces in which Genoese and Maghribi Muslims interacted. This includes both geographical space— the cities of Ceuta, Bijāya, and Tunis — and conceptual space — the institutional settings, such as the *fondaco*, customs-house (*diwān/dugana*), and market (*sūq*) that appeared in every medieval Muslim port city. Scholarship on the medieval economy has long stressed the importance of the institutions that structured trade, settlement and exchange, but a close examination of the Genoese notarial evidence reveals some surprising nuances, while the Arabic sources of the Māliki legal tradition reveals the place of these institutions in the theory and practice of Islamic law.

A Landscape of Desire: Possibilities and Limitations of Trade on the Maghribi coast

In examining the movement and activities of Genoese merchants and travelers in the Maghrib, it is important to acknowledge the size and complexity of the territory referred to here by that name: "the Maghrib" stretched from the Sahara to the Mediterranean, from the western border of Egypt to the Atlantic Ocean. Under the postal system established by the Almohads in the twelfth century, it took swift riders twenty-six days to travel from Marrakesh to Murcia (south to north), and forty days from Mahdia in Ifrīqiya to Granada (east to west).² Within this vast expanse, the places in which the Genoese moved and operated were few and relatively far between, according to evidence overwhelmingly limited to the coastlines and in particular to three large port cities: Ceuta, Bijāya, and Tunis. While individual Genoese travelers, merchants, and ambassadors did occasionally leave the coast and venture into the interior, the vast majority of the evidence is limited to these few points on the coast. Of the 1,851 notarial acts analyzed here for the years 1200-1300, only 32 mention locations in the Maghrib besides these three port cities.

¹ Petti Balbi, "Genova e il Mediterraneo occidentale nei secoli XI -XII," in *Comuni e memoria storica: alle origini del Comune di Genova : atti del Convegno di studi, Genova, 24-26 settembre 2001* (Genoa: SLSP, 2002), 6.

² Mohammed Kably, *Histoire du Maroc: réactualisation et synthèse* (Rabat: Institut royal de la recherche, 2011), 172.

That said, these cities were important nodes in a network of sea and land routes connecting the Maghrib, sub-Saharan Africa, and the Mediterranean. Each of them provided an economic focus for their hinterlands and links to cities in the interior. The North African coastline could be treacherous for ships, and sea-borne trade naturally coalesced around a relatively small number of good natural harbors, which also suited the interests of Maghribi rulers looking to tax and profit from trade.³ Furthermore, the concentration of Genoese and other merchants in this small number of port cities provides an opportunity for an in-depth examination of the topography of trade and settlement in each place. Cities were also crucial for Maghribi governments, since they tended to be easier to tax than outlying rural regions and tribal groups, and they hosted important religious institutions essential to the ruler's legitimacy.⁴ While Ceuta, Bijāya, and Tunis were all "Maghribi" in a geographical sense, and shared important cultural institutions, they each had their own political and social identity. In this chapter, I will take advantage of the detailed work that has been already been done by Maghribi and European scholars on the individual cities in this list. Additionally, based on my own analysis of the Genoese notarial evidence, I will propose a general topography of the Maghrib trade within Genoa and Liguria itself. Identifying where Genoese and other Ligurians made decisions to invest time and money in the Maghrib reveals patterns about who controlled the trade and how decisions were made.

Ceuta: A Maghribi City-State?

Ceuta (Arabic: *Sabta*) had a dramatic history in the thirteenth century, illustrating the opportunities and threats facing the port cities of the Maghrib in the aftermath of Almohad decline.⁵ By the twelfth century, the city was already prosperous: the most important port in what is now northern Morocco, with connections to the south, to al-Andalus and Christian Europe. It also boasted an illustrious Islamic pedigree, producing such individuals as Qāḍi 'Iyyād b. Mūsa (d. 1149), a prolific legal scholar and imam who briefly assumed leadership of the city in a revolt against the Almohads in the late 1140s.⁶ Another local luminary was the famous scholar Muḥammad al-Idrīsī (c. 1100 - 1165), the geographer and courtier of Roger II of Sicily (r. 1130- 1154).⁷ In the book written to accompany his universal geography, the *Kitāb nuzhat al-mushtāq fī-ikhtirāq al-āfāq*, al-Idrīsī painted a detailed picture of the city of his birth, perched on a narrow peninsula between two large

³ See discussion in John Pryor, *Geography, technology, and war: studies in the maritime history of the Mediterranean, 649-1571* (Cambridge: Cambridge University Press, 1989), 21-23.

⁴ Jamil M. Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 18-19.

⁶ David Powers, Susan Spector, and Oussama Arab, eds., *Islamic Legal Thought: A Compendium of Muslim Jurists* (Leiden: Brill, 2013), 329.

⁷ S. Maqbūl Ahmad, "Cartography of al-Sharīf al-Idrīsī," in *History of Cartography Vol 2 Book One*, ed. J.B. Harley and David Woodward (Chicago: University of Chicago Press, 1992), 156-172.

and verdant mountains, and blessed with a natural harbor, particularly known for its plentiful fishing, and a thriving industry in coral-processing for international trade.⁸ Al-Idrīsī named sub-Saharan Africa, particularly the kingdom of Ghana, as the principal importer of coral from Ceuta, but by the mid-twelfth century other trading partners were becoming important, especially across the straits of Gibraltar.⁹ In 1189, an anonymous crusader traveling to the Holy Land from Flanders described the city as a center “for all Christian merchants doing business in Africa; the Genoese and Pisans above all.”¹⁰ Sabti traders were active across the Maghrib, and many of the city’s religious scholars were drawn from its prosperous merchant class.¹¹

In the aftermath of the Almohad defeat at Las Navas de Tolosa in 1212, the Berber dynasty’s hold on the cities of al-Andalus and northern Morocco became increasingly tenuous. At Ceuta, the merchant class took advantage of chronic instability at Marrakesh in the 1220s to effectively take over the city. An urban elite of merchants and religious scholars (*fuqaha*) initially rallied under the leadership of a rich merchant of Andalusian origins named al-Yanāshtī, who had worked in the customs-house (*diwān*) under the Almohad governors. Rejecting the authority of the Almohad caliphs, al-Yanāshtī essentially acted as an autonomous emir. He minted currency in the name of Abbasid caliphs in Baghdad, describing himself on the coinage as *al-Muwaffaq* — “the Successful” — and also took military action against his local enemies. His régime played a key role in the Almohad power struggles of the late 1220s and early 1230s. However, his policy of autonomy eventually turned his local supporters against him after the Almohads succeeded in reconquering Seville and Sijilmāsa, two important destinations for the city’s merchants. Ceuta’s urban élite chased him out and formally submitted to the Almohads, requesting a governor in 1236. But the new Almohad governor quickly ceded effective power to the head of the customs, Ibn Khalaṣ, who followed his predecessor’s footsteps by managing the city’s fortunes with little oversight from Marrakesh; even transferring his allegiance to the Ḥafṣids in 1246, before dying — perhaps poisoned — on an embassy to Tunis in 1249. In the very next year, the people of Ceuta, including the dock-workers and sailors of its merchant fleet, rose against the Ḥafṣids and raised Abū-l-Qāsim al-‘Azafī, the scion of a prestigious family of religious scholars, to power.¹² Although al-‘Azafī formally recognized Almohad authority, the city was independent in all but name, and the Banū ‘Azafī would rule the city until 1320, surviving the final collapse of the Almohads in 1269 and

⁸ Idrīsī, *Opus Geographicum*, 528-529.

⁹ Ibid, 529.

¹⁰ MGH, SS Rerum Germanicum, N.S. 5, Anonymous, *Narratio Itineris navalis ad Terram Sanctam*, 1189, 195

¹¹ Halima Ferhat, *Sabta des origines*, 305.

¹² For a detailed account of this period in the city’s history, see Halima Ferhat, *Sabta des origines*, 219-234, and Zulikha Benramdane, *Ceuta du XIII^e au XIV^e: siècles des lumières d’une ville Marocaine* (Mohammédia : Université Hassan II-Mohammédia, Publications de la Faculté des Lettres et des Sciences Humaines, 2003), 86-94.

maintaining a precarious autonomy from their Moroccan successor dynasty, the Marīnids, who ruled from Fez.

The vicissitudes of political life in Ceuta in the thirteenth century are thus essential to understanding the Genoese presence there. Of all the Maghribi ports, Ceuta came closest to approaching Genoa's status as an independent city-state balancing between potentially aggressive external forces, with unstable control over its immediate hinterland, a tumultuous political life, internal class conflict and an elite whose wealth came mainly from overseas trade.¹³ As the great cities of al-Andalus fell to Christian re-conquest in the 1230s and 1240s, Ceuta was also a major destination for Andalusi refugees, including economic and religious elites, some of whom found their way into the city's government.¹⁴ The city's coinage and surviving letters from the urban government describe it as a "frontier": *thaghr*, a portal between Muslim and Christian territory.¹⁵ Partly as a result of this turbulent political climate, Ceuta was also the target of Genoa's most ambitious communal effort in the Maghrib: the 1235 expedition, siege and subsequent *maona* of Ceuta.¹⁶

As noted in Chapter Two, this confusing conflict proceeded in several discrete phases of violence, abortive diplomacy, and further violence, ending in a negotiated settlement and payment of damages. Moroccan and Genoese chroniclers remembered the events very differently, as have modern historians, who have been tempted to read the events, particularly the *maona*, as a fore-runner of future "colonial" endeavors in the Eastern Mediterranean (Chios and Cyprus). For now, it suffices to say that the violence does not seem to have greatly affected the Ceuta-Genoa trade. The notarial documents reveal no significant decrease in the Ceuta trade in the later 1230s and 1240s. Unfortunately, no separate Genoa-Ceuta treaty documents survive from this period to enable us to establish the normative parameters of trade and settlement in the period after the *maona* was created, though such treaties certainly once existed, as is made clear by a 1253 notarial act referencing "the treaty signed between the commune of Genoa and the lordship of Ceuta."¹⁷

¹³ Eric Mielants described Ceuta and other Maghribi port cities as having achieved "forms of urban independence similar to those found in Western Europe" in the thirteenth century, distinguished from European maritime republics only by their "lack of permanent militias or armed guilds." This is perhaps an exaggeration, but it does draw attention to the significant autonomy enjoyed by Ceuta's merchant aristocracy. Mielants, *The Origins of Capitalism and the "Rise of the West"* (Philadelphia: Temple University Press, 2007), 140-141.

¹⁴ This included Abū-l Qāsim Khalif al-Ghāfiqī al-Qabtūri, originally from Seville, who served as secretary for the Banū 'Azafi between 1250-1283, and was the author of the only surviving collection of letters from the Sabti chancery in the thirteenth century. See *Al-Risā'il diwāniya min sabta fī al-'ahd al-'Azafi*, ed. Muhammad al-Ḥabīb al-Hīla (Rabat: al-Maṭba'a al-Malikīya, 1979), 26-27.

¹⁵ EI2, *al-Thughūr*.

¹⁶ See discussion in Chapter Two.

¹⁷ "de quibus besantiis quadraginta miliarensis facta est mentio in tractatu sive conventionione facta vel factam inter communem Ianue et Segnoriam Septe", ASG *Notai Antichi* 29 (Bartolomeo Fornari), 241v.

The government of Ceuta referred to here was likely the regime of Abū-l-Qāsim al-‘Azafi, established in 1250: it would have been standard practice for the Genoese and other trading partners to seek confirmation of treaty privileges after each regime change.

Genoese trade at Ceuta thus took place in a turbulent political environment, especially prior to 1250 and the establishment of the Banu ‘Azafi. Unfortunately, the exact size of the city is hard to determine; as is the location of the Christian community. Evidently, European Christian merchants were confined to a quarter outside the main city walls, and may have enjoyed the use of a separate cistern for water.¹⁸ The Franciscan *Chronicle of the Twenty-four generals* explicitly mentions the *vicus lanuensium* as being outside the city walls.¹⁹ A presence outside the walls of Ceuta would have made the Genoese community more vulnerable, as may have been the case when al-Yanāshti summoned the local Berber tribes to attack them in 1235. The Genoese evidence does not specify the location of the fondacos, but it does suggest a large community of resident merchants. Describing the destruction wrought by al-Yanāshti’s Berber allies, the annalist Bartolomeo Scriba noted how they “set fire to the fondacos and houses, and thus many died and were slain.”²⁰ Earlier, Bartolomeo described the Genoese community at Ceuta as being large enough to arm ten ships on its own, and, after fleeing the attacks of the *Calcurini*, to have sent six hundred armed men to pressure the ruler of Ceuta into paying reparations — this before the commune decided to arm a fleet in their support.²¹ To have been capable of such an aggressive policy, there must have been many hundreds, perhaps thousands of Genoese and their allies in and around Ceuta in the 1230s.

Several notarial acts further attest to the large Genoese community in Ceuta and suggest the spaces it occupied. In 1253, Ricobono de Porta, a merchant-notary, leased the tailor’s shop in the “new fondaco of Ceuta, by the stairs on the left-hand side” to Giovanni Cocho, who undertook to work there as a tailor.²² In May of the same year, a consortium of elite merchants appointed Jacobo Doria as their representative to rent two shops or warehouses (*magasenas*) at Ceuta. These may have been similar to Giovanni’s tailor’s shop in the fondaco, or they could have been independent buildings.²³ The Genoese also owned houses outside the fondaco. In 1236, shortly after the Genoese siege and the creation of the

¹⁸ Halima Ferhat, *Sabta des origines*, 366. Ferhat bases this assumption on a reading of a collection of Muslim saints’ lives compiled in the late twelfth century, one of which mentions a *funduq* near Ceuta with access to a cistern. However it is not clear that this was a *Christian* funduq. See ‘Abd al-Haqq al-Badīsī, *el-Maqsad: Vies des Saints du Rif*, trans. G.S. Colin (Paris: Honoré Champion, 1926), 136.

¹⁹ See Chapter Two, 64.

²⁰ “posuerunt ignem in ipsis fundicis et domibus, et sic quam plures inde mortui sunt et interfecti,” *Annales* Vol. 3, 74.

²¹ *ibid*, 75.

²² “apothecam unam que est in fundico novo septe iuxta scalam dicti fundici a manu synistra”, ASG *Notai Antichi* (Ianuinus de Predono) 28: 124r.

²³ ASG *Notai Antichi* (Bartolomeo Fornari) 29: 112.

maona, a prominent merchant family, the Usodimare, invested 112 besants — about £33 — in the construction of a house in Ceuta, described as being “next to the gate of the arsenal at Ceuta” (*iuxta portam darsene de septa*).²⁴ In 1250, Tomasso Grasso hired Oberto de Riparolio to accompany him to Ceuta and serve in his house for a year, for a salary of 24 besants — about £8.²⁵

Given the large and apparently thriving Genoese presence in Ceuta, which the violent events of 1234–5 do not seem to have diminished, it is strange how little evidence survives from later in the thirteenth century. The Genoa-Ceuta trade would seem to have essentially collapsed after the late 1250s. Out of the 175 Maghrib-related acts in this study that were composed after 1260, only two mention Ceuta: in 1263, Nicolo de Pomario, a shipwright, formally acknowledged the receipt of his kinsman Oberto’s worldly goods — worth £15 15s — Oberto had died at Ceuta. In August 1271, a Genoese priest hired a servant to accompany him to Ceuta, and promised to intercede on his behalf with the merchants there.²⁶ This is especially puzzling because other sources indicate that the Genoese did not lose interest in the region; nor did trade cease. In 1271, a Sabti merchant died at Genoa and left an inventory of his belongings, which included hemp cable, iron wire, and tools.²⁷ Furthermore, the 1291 Genoese embassy to the Marīnid court at Fez mentioned above in the *Rāwḍ al-Qirṭās* would hardly have made sense if the Genoese community in Ceuta or “Garbo” had disappeared or dwindled into insignificance.²⁸ Finally, Ceuta was a port of call for the ill-fated expedition launched by the Vivaldi brothers, who entered the Atlantic seeking a sea route to India in May 1291.²⁹

A number of explanations for the apparent decline in Genoa-Ceuta trade after 1250 have been proposed, from changing gold caravan routes across the Sahara to rivalry between Genoa and Aragon for control of the commerce in the straits of Gibraltar.³⁰ Genoese trade and travel to central and eastern Maghribi ports such as Bijāya and Tunis continued to flourish in the 1260s and 1270s, as will be shown, so it seems likely that the trouble was specific to Ceuta. Perhaps the difficult internal politics of the semi-autonomous city, its fractious relationship with the dynasties that ruled the hinterland, and the

²⁴ ASG *Notai Antichi* (Bonvassallo de Cassino) 17: 20r.

²⁵ ASG *Notai Antichi* (Bartolomeo Fornari) 27: 89v.

²⁶ ASG *Notai Antichi* (Bartolomeo Fornari) 30/II: 151v, idem (Guglielmo de S. Giorgio) 70: 62v.

²⁷ Halima Ferhat, *Sabta des origines*, 314.

²⁸ See below, Chapter Five, and Ibn Abī Zarʿ, *Rāwḍ al-Qirṭās*, (Rabat: al-Maṭbaʿa al-Malikīya), 382.

²⁹ *Annales* Vol. 5, 124.

³⁰ Epstein, *Genoa and the Genoese*, 143. See also Philippe Gourdin, “Les pays du Maghreb et la rivalité entre Catalans et Italiens pour dominer les routes commerciales de Méditerranée occidentale (fin XIVe-début XVe siècle)” in *Relazioni economiche tra Europa e mondo islamico, secc. XIII - XVIII: Atti della “trentottesima settimana di studi” 1 - 5 maggio 2006*, Vol 2., ed. Simonetta Cavaciocchi (Firenze: Le Monnier, 2007), 595-602.

existence of more attractive investment opportunities elsewhere combined to reduce the importance of Ceuta to the Genoese in the later thirteenth century.

Bijāya: Wool, Wax and Honey

Bijāya was another major market for Genoese merchants active in the Maghrib. A city of minor importance before the mid-eleventh century, Bijāya was chosen as the capital of the local Hammadid dynasty in the 1060s, possibly in response to nomadic incursions in the hinterland near their former capital of Qalaʿa Banī Ḥammād. This made Bijāya the first Maghribi political capital to be situated on the coast; previous local dynasties after the Islamic conquest having favored inland cities such as Qayrawān and Fez. Bijāya was subsumed into the Almohad caliphate in the 1150s, and became the capital of a province, and then passed under Ḥafṣid control from the 1220s, its governors appointed by Tunis. In the late thirteenth and early fourteenth centuries, it would provide a power base for pretenders to the Ḥafṣid caliphate, and even enjoyed *de facto* autonomy during periods of civil war or contested successions at Tunis, a frequent occurrence after the late thirteenth century, as Ramzi Rouighi has shown.³¹ Nonetheless, despite periods of greater autonomy during the late thirteenth and fourteenth centuries, its inhabitants maintained a sense of loyalty to the Ḥafṣid family throughout the period.³²

Writing in the 1150s, al-Idrīsī described the city and its economic activities at considerable length. First of all, he described it as a major trading hub, a “pole (*quṭb*) for many countries,” linking sea lanes and caravan routes.³³ He mentioned merchants from the western Maghrib, the Sahara, and the East in Bijāya. However, more than a trading city, Bijāya and its hinterland were major centers of agriculture. Al-Idrīsī described the area as abundant in wheat, barley, figs, and other fruits, “enough to feed many countries” (*mā yakfī li-kathīr al-bilād*), and a place where food of all kinds was cheap and readily available.³⁴ Waxing poetic, al-Idrīsī claimed that Bijāya's prosperity was widely shared, even by its peasant farmers, who never felt hunger and were in excellent health. Crucially, for al-Idrīsī, Bijāya was also well-furnished with strategic resources such as timber, iron, and pitch in its local forests and valleys. Like Ceuta and Tunis, Bijāya hosted an important naval arsenal but also possessed large granaries to store local produce and an armory built by the Ḥammadids (*dār asliḥātihim*).³⁵

Reflecting its economic importance in the twelfth century, Bijāya was well defended, with impressive fortifications that extended onto the mountain to the city's north, the Jabal Gurāya. Although the walled city was relatively small — about one square kilometer —

³¹ Ramzi Rouighi, *The Making of a Mediterranean Emirate: Ifrīqiya and Its Andalusis, 1200-1400* (Philadelphia: University of Pennsylvania Press, 2011), 25-50.

³² Dominique Valérian, *Bougie, port maghrébin, 1067-1510* (Rome: École Française de Rome, 2006), 78-79.

³³ al-Idrīsī, *Opus Geographicum*, 260.

³⁴ *Ibid*, 260-261.

³⁵ *Ibid*, 261.

Bijāya, like many Maghribi cities, had extensive suburbs, gardens and workshops outside the city walls along a fertile river plain to its west.³⁶ Contemporary Arabic authors mention a variety of special markets including a wool market (*sūq al-sawwāfīn*) and a *sūq al-qayṣāriyya*, a term often used elsewhere in the Maghrib and al-Andalūs to denote a market dedicated to textiles and luxury commodities.³⁷ As with other medieval cities, the population of the city is difficult to know for certain but has been estimated at between 40-60,000 at its peak during the Ḥafṣid period.³⁸

During the period illuminated by Genoese notarial evidence, Bijāya was a key port for European merchants and a major clearing-house for local agricultural goods. However, there is considerable uncertainty about the extent to which European trade influenced the local economy, and the relationship between Bijāya and its hinterland, particularly the nomadic or semi-nomadic Arab tribes. At the heart of the uncertainty is the relationship between agriculture and animal husbandry in the region as a whole, and the interaction of this relationship with growing European demand for Bougiote products, as revealed above all in the notarial evidence from Genoa. From a Genoese perspective, the most important valuable commodities available in Bijāya were animal products, above all wool and hides. The grain, barley, and fruits that Idrīsī mentions in the 1150s — at the beginning of the Genoese notarial record — seemingly did not make it back to Genoa in any significant numbers.

The invasion of the Banū Hilāl and its importance in Maghribi historiography have been alluded to above.³⁹ Bijāya and its economic history complicate our understanding of the Maghribi economy during the long aftermath of these changes. As Dominique Valérian has pointed out, one need not subscribe to the colonialist imperatives of earlier French scholarship to accept that the nomadic invasions had a negative impact on agriculture.⁴⁰ Al-Idrīsī claimed that the decision by the Ḥammadids to make Bijāya their capital in the 1060s was taken due to the devastation wrought by invading nomads of their inland power base around Qalaʿa Banī Ḥammād.⁴¹ Other Arabic sources, including *fatwa* literature from Ifrīqiya from the eleventh and twelfth centuries, indicate conflict between peasant cultivators and the nomads who sought to profit from their labor, leading to uncertainty about who had the right to collect taxes.⁴² Arab travelers also complained about nomads as brigands, and worried that they were making the overland route to Mecca unsafe for

³⁶ Valérian, *Bougie*, 124-125.

³⁷ Ibid, 123. See also M. Streck, “Ḳaysāriyya,” *EI2*.

³⁸ These estimates are based mostly on sixteenth century descriptions of the city by the Ottoman admiral Piri Reis and Leo Africanus which include the number of houses or hearths, and by comparison with Tunis during the same period. See Valérian, *Bougie*, 124-125.

³⁹ See Chapter Two.

⁴⁰ Valérian, *Bougie: Port Maghrébin*, 185-6.

⁴¹ Idrīsī, *Opus Geographicum*, 261.

⁴² Vincent Lagardère, *Histoire et Société en Occident*, 26, 31, 12

pilgrims performing the *hajj*.⁴³ By the 1270s and 1280s, Valérian counted at least thirty contracts for the importation of grain from Angevin Sicily to Bijāya.⁴⁴ Could the power of nomadic tribes in the hinterland have combined with European demand to favor wool and hide exports over other the products of local agriculture, no longer “enough for many countries”? Such a phenomenon would explain why Genoese merchants seemed so uninterested in the fruits of the soil at Bijāya.

Tunis: Capital of the Caliphate

Tunis was almost certainly the largest and wealthiest of the Maghribi port cities frequented by the Genoese in the thirteenth century. Unlike Ceuta's precarious position of semi-autonomy between competing Moroccan dynasties, Tunis was the capital and largest city of an extensive territory, Ifrīqiya, and the chosen seat of the Ḥafṣid dynasty from the 1220s onwards. Tracing their descent from a Berber tribesman named Abū Ḥafṣ al-Hintātī — one of the closest companions of the Mahdi Ibn Tūmart — the Ḥafṣids played a prominent role in the Almohad conquest and government of Ifrīqiya in the 1160s. The Almohad caliph al-Nāṣir appointed one of the family members as governor in 1207, and the family managed to establish a hereditary claim to the position by the 1220s. In addition, the dynasty developed a reputation for fervent adherence to the Almohad ideal as formulated by Ibn Tūmart and his followers. Therefore, when the young Almohad caliph al-Ma'mūn (r. 1229-1232) formally repudiated the doctrine of Ibn Tūmart and denied his claim to be the Mahdi, the Ḥafṣid governor Abū Zakariyā' (r. 1228-1249), grandson of Abū Ḥafṣ, reacted with horror, declaring his *de facto* independence, renouncing his allegiance to Marrakesh and claiming the title *amīr*. His son, Muhammad al-Mustanṣir (r. 1249-1277), went a step further and claimed the caliphate itself in 1253. The Ḥafṣids viewed themselves as the legitimate successors of the Almohads, and they made several efforts, though ultimately unsuccessful, to establish suzerainty over the central and western Maghrib, even receiving the formal allegiance of several Andalusian cities under threat from Iberian Christian armies, and recognition of their possession of the caliphate by the *sharīf* of Mecca himself in 1259.⁴⁵

As a consequence of these political developments, the city of Tunis received significant attention from the Ḥafṣid rulers, as they sought to make it into the fitting seat for a dynasty with grand ambitions. Prior to the mid-eleventh century, Tunis had been one of several important urban centers in Ifrīqiya, alongisde Qayrawān and Mahdiyya, but after the political turmoil engendered by the invasions of the Banū Hilāl in the mid-eleventh century and the Normans a century later, Qayrawān lost its importance as a political and administrative center, and Tunis enjoyed a period of relative autonomy under a Berber dynasty (the Banū Khurasan), and then became the capital of the Almohad province of

⁴³ Ibid, 38.

⁴⁴ Valérian, *Bougie: port maghrébin*, 357.

⁴⁵ Robert Brunschvig, *La Berberie Orientale sous les Ḥafṣides*, (Paris: A. Maisonneuve, 1947), 12-15. See also Jamīl Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 120-121.

Ifriqiya by the late twelfth century, when the first Ḥafṣids ruled as governors. Both Abū Zakariyā' and Muhammad al-Mustanṣir greatly expanded the city, adding a new *qaṣba* built to mimic the Almohad palace at Marrakesh, new mosques, markets, fountains, gardens, and parks outside the walls. The population of Tunis increased greatly during the Ḥafṣid period; estimates of its fourteenth-century population range from 30,000 to 100,000, up from 9,000 in the late ninth century.⁴⁶ In addition to hosting periodic waves of Muslim and Jewish refugees from al-Andalus, Tunis also suffered greatly from the Black Death in 1348, the occasion on which both of Ibn Khaldūn's parents perished.⁴⁷ This would make Tunis the largest port city in the Maghrib and potentially more populous than Genoa itself in the thirteenth century.⁴⁸

Tunis' prominence within the Maghrib is further highlighted by the survival of multiple treaties signed by the Ḥafṣids and various European Christian powers from the 1220s onward. European Christian merchants had of course been active in Ifriqiya for at least a century prior to this, and Travis Bruce has recently shown how close relations were between the Almohad governors of Tunis and the commune of Pisa, in particular, around 1200, with business ties and personal friendships between customs officials and Pisan merchants.⁴⁹ Genoese merchants were visiting Ifriqiya by the 1150s, and the commune negotiated a new treaty in 1223 with one of the last pre-Ḥafṣid Almohad governors, Abū-l-ʿAlā' Idrīs b. Yūsuf.⁵⁰ Nonetheless, the establishment of an independent emirate and then caliphate at Tunis induced multiple European "nations" to confirm or strengthen their ties with the new regime; with Genoa, Pisa, Venice, Marseilles and Sicily all signing new treaties with Abū Zakariyā' in the 1230s.⁵¹ These treaties, usually drawn up in Tunis by representatives of the European powers, were produced in both Arabic and Latin; the Latin copy was to be kept by the Europeans, and the Arabic version maintained by the Ḥafṣid chancery.

⁴⁶ As with Bijāya, estimates generally depend on extrapolating from contemporary observations of the number of houses, hearths, or mosques. The 30,000 figure is an outlier; most other historians estimate the population at between 70 and 100,000 inhabitants. See discussion by Mounira Chapoutot-Remadi, "Tunis," in *Grandes villes méditerranéennes du monde musulman médiéval*, ed. Jean-Claude Garcin (Rome: École Française de Rome, 2015), 237-8; Brunschvig, *La Berberie Orientale*, 356-357.

⁴⁸ Steven A. Epstein estimated the population of Genoa at around 80,000 at its peak in the 1290s; other estimates range between 50,000 and 100,000 in the same pre-plague period. See Epstein, *Genoa and the Genoese*, 213.

⁴⁹ Travis Bruce, "Commercial conflict resolution across the religious divide in the thirteenth-century Mediterranean," *Mediterranean Historical Review* (2015), 19-38; Russell Hopley, "Aspects of Trade in the Western Mediterranean During the Eleventh and Twelfth Centuries: Perspectives From Islamic Fatwas and State Correspondence," *Mediaevalia* 32:1 (2011), 5-42.

⁵⁰ *Annales* Vol. 2, 192; and Brunschvig, *La Berberie Orientale*, 18.

⁵¹ Mas-Latrie, 34, 97, 116-118.

The Genoa-Tunis treaties reflect an evolving Genoese understanding of Ḥafṣid rule, in particular the ever-greater claims to authority made by the dynasty. In the 1236 treaty the Genoese recognized "Busacharinus, lord of Africa", whose realm extended "from Tripoli to the end of the kingdom of Bijāya." The subjects of Busacharinus were referred to mainly as *Moadi*, "Almohads," a term that appears almost interchangeably with *Sarraceni*: "Saracens."⁵² In 1250, by contrast, the Genoese claimed to be dealing with "mir Boabdil, king of Tunis," whose subjects were still either *Moadini* or *Saraceni*, and in the 1272 treaty they referred to their counterpart as *dominum Miramamolinum, regem Tunexis*, a direct Latin rendering of the Arabic *amīr al-mu'minīn*, "commander of the faithful," the title historically employed by Muslim rulers making a claim to the caliphate.⁵³ In 1287, another treaty was signed between Abū Ḥafṣ 'Umar (r. 1284-1295) and the Genoese. This treaty, although again only the Latin survives, gives the strong impression of having been originally composed in Arabic. The introduction refers to the caliph as "our ruler and lord, the caliph, the imam, the Victorious-through-God," and a slew of other titles, including "commander of the faithful."⁵⁴ Intriguingly, however, the term *Moadini*/Almohad is now entirely missing: the only references made to Abū Ḥafṣ' subjects describe them as *Sarraceni*. It is tempting to see in this gradual abandonment of the term a conscious distancing from the Almohad movement by the later Ḥafṣid rulers.

The Genoese and other foreign nations shared similar quarters within the capital of the Ḥafṣid caliphate, located outside the old city walls and in an eastern suburb of the city, between the *Bāb al-Baḥr*, or Sea Gate, and the arsenal and customs houses on the Lake of Tunis. This arrangement presumably allowed the Tunisian authorities to keep all of the foreign merchants together – and thus easier to surveil – and outside the walled city. The plan did not suit everyone, of course: the Pisan community in Tunis petitioned the Ḥafṣid authorities to erect a wall between their *fondaco* and that of the Genoese, a telling indication both of the two groups' proximity to and enmity towards each other.⁵⁵ Further evidence of the European merchants' inter-connected lives in Tunis may be found in the register of Pietro Battifoglio for 1288-1289, who plied his trade not only in the two Genoese *fondacos*, but also in those of the Sicilians and Catalans, as well as at the port itself and in the customs house.⁵⁶ It was not the finest neighborhood in Tunis — already by the fourteenth century the lake was notorious for its smell and periodic flooding — but it was a

⁵² Mas-Latrie, 116-118.

⁵³ *ibid*, 118-125. The title was not entirely exclusive to caliphs-- the Almoravids occasionally employed it, despite maintaining a nominal loyalty to the Abbasid caliphs - but neither was it in common use among Muslim rulers. The Marīnids of Morocco, contemporaries of the Ḥafṣids, more often used "commander of the Muslims" instead. See Max van Berchem, *Titres califiennes d'Occident à propos de quelques monnaies Mérinides et Zīyanides* (Paris: Imprimerie Nationale, 1907), 245–335.

⁵⁴ "dominatoris nostri, et domini nostri el-Calife, el-Imem, el-Mostenser Bille, el-Moaier, Binnesserille, Miramamorini, Ebo-Afs Ebini Lomara Rassidi" Mas-Latrie, 125-126.

⁵⁵ See Mas-Latrie, (Pisa – Tunis: 1229), 32, (Pisa-Tunis: 1264) 45.

⁵⁶ Geo Pistarino, introduction to Battifoglio, xxxii - xxxiii.

dynamic and growing suburb. In 1283, one of the caliphs demolished a fondaco where wine was sold near the *Bab al-Baḥr* to build a new congregational mosque, the *Jama'a al-Zaytūna al-Barrāni*: this was the very neighborhood of European settlement, and the fondaco in question may well have belonged to a European Christian owner, though the sources do not specify.⁵⁷

With its political importance, and its strategic location less than three days' sail from Sicily, Ḥafṣid Tunis played a pivotal role in both the internal politics of the Maghrib and of competing European powers. Specifically, the city was a point of contention in the decades-long struggle for Sicily between the Angevins and the Aragonese, first hosting Hohenstaufen loyalists in 1266, then targeted by Charles' brother Louis IX in the Crusade of 1270, and finally serving as a rallying point for Peter II's conquest of Sicily in 1282.⁵⁸ As the political capital of a powerful dynasty, unlike Bijāya and Ceuta, it hosted a large contingent of European mercenaries and their families: representing another tempting market for Genoese merchants.⁵⁹ It also drew the sustained interest and attention of the Latin Church. The mendicants had arrived by the 1220s, a school of Arabic was established not long afterwards, and several popes carried on a long correspondence with the Ḥafṣid rulers, hoping to convert them to Christianity.⁶⁰ In other words, Tunis was a strategically important and contested space, and Genoa was merely one of several interested foreign parties. This is important to remember, given that Tunis is also by far the best-documented Maghribi port in this period, and the source of the only Genoese notarial documents to survive in any significant numbers: the cartulary fragment of Pietro Battifoglio, active at Tunis from 1288-1289.⁶¹

⁵⁷ Brunschvig, *La Berberie Orientale*, 349.

⁵⁸ See discussion in Hussein Fancy, *The Mercenary Mediterranean: Sovereignty, Religion and Violence in the Medieval Crown of Aragon* (Chicago: University of Chicago Press, 2016), 76-78.

⁵⁹ Michael Lower, "The papacy and Christian mercenaries of thirteenth-century North Africa," *Speculum* 89:3 (2014), 601-631.

⁶⁰ Clara Maillard, *Les papes et le Maghreb aux XIIIème et XIVème siècles: étude des lettres pontificales de 1199 à 1419* (Turnhout: Brepols, 2014), 20-22.

⁶¹ See Chapter Two.

"In tota Barbaria": Travel off the beaten path in the Maghrib

Over 98% of the Genoese and Savonese notarial evidence for the Maghrib trade reviewed in this study concerns travel to the three major trade ports analyzed above, each with their own distinct socio-economic and political backgrounds. The remaining acts, however, offer a useful perspective on how the Genoese thought of the Maghrib as a space for trade and travel, and are worth examining in some detail. In the thirteenth century, Genoese notaries and merchants used several terms to refer to North Africa or parts of it. The Ḥafṣid ruler Abū Zakariyā' was referred to as "lord of Africa", and products imported from the territory under his control were variously labeled *Africana*, or "of Tunis" or "of Bijāya."

However, other Genoese also employed the term *Barbaria*, "Barbary", to refer to the eastern and central Maghrib, roughly the area between Constantine and Tunis.⁶² In five contracts, *Barbaria* is described as the destination or possible destination of merchants, their representatives, and also of Genoese pirates. In 1245, the notary Bartolomeo de Fornari spent some time at Bonifacio, in Corsica, and while there he drew up a number of corsairs' contracts. These were acts in which enterprising adventurers typically sought to raise funds to equip fast galleys (*sagitte*) for profitable raiding against "the enemies of the commune" or sometimes "the enemies of the holy church" (*in cursum causa lucrandi contra inimicos comunis/sancte ecclesie*); such loans were usually described as being made *in panatica*: in provisions, supplies, and armaments for a raiding voyage.⁶³ In exchange, the investor could expect a payout based on the expected profits of a raid in a given area. Thus, in February 1245, Gerardo Piacentino accepted a loan *in panatica* of £8 to equip his galley, the *Meliorata*, for a voyage. Gerardo pledged to repay his creditor, Arcoco of Genoa, at a rate of 3-to-2 if he traveled to the *Principatus*⁶⁴ and to pay 2-to-1 if he traveled to *Barbaria* instead.⁶⁵ Seven other loans with the same varying rates of return were drawn up in February 1245 at Bonifacio.

Although Girardo did not specify that this was a raiding voyage, later acts involving the *Meliorata* strongly suggest that this was the case. Five years later, in 1250, three contracts were made in Genoa involving the same galley, which this time was unequivocally described as embarking on a raiding voyage. In this case, the destination of the raid was not made clear, but two contracts specified a payout of 2-to-1: the ratio associated with *Barbaria* in the Corsican contracts.⁶⁶ The third contract involved the

⁶² Cf MGH SS18 (*Annales Ianuenses*), 129, 311, 313. Intriguingly, a German source from 1189 referred to a city on the African shore of the straits of Gibraltar, (almost certainly Ceuta) as the *opulentissimam civitatem Barbarie*. However, this appears to be an anomaly and I have been unable to find any other use of this name to describe northern Morocco. *MGH Rerum Germanicum N.S. 5*, "Narratio Itineris navalis ad Terram Sanctam," 189.

⁶³ "panatica." in Apro시오, *Vocabulario Ligure* II: M-X: 145.

⁶⁴ Likely a reference to the mainland part of the Kingdom of Sicily, the area once referred to as the Principality of Salerno.

⁶⁵ ASG *Notai Antichi* 21/I (Bartolomeo de Fornari), 132v.

⁶⁶ Ibid, 21/I 154r, 182r.

employment on the *Meliorata* of Jacopo de Pelio, who was to receive a share of £40 of the first prize taken by the galley (*de primo lucro sive acquisto et cursu*) in return for an unspecified service.⁶⁷ This individual is likely to have been the same Jacopo de Pelio who was later active as a notary in Tunis in 1260. Taken altogether, the acts may suggest that piracy in *Barbaria* was expected to be more profitable than piracy in the *Principatus*- or perhaps correspondingly more dangerous. In such cases, the term likely referred in a wide sense to the coast of Ifrīqiya and the central Maghrib, a zone where privateers hoped to seize a rich prize. The distinction between "privateer" and merchant of course, is somewhat artificial: although some acts specified investments in corsair voyages, Genoese captains could turn privateer if the opportunity presented itself. This is clear from a court case in 1200, in which Rolando de Caneto accused Villano Assassino of turning to piracy (*intravit in cursum*) on a voyage back from Oran to Genoa, against the terms (*ultra mandatum*) of their original *commenda*. Villano readily admitted to turning pirate, but protested that he had first faithfully discharged his duty as the traveling partner in the *commenda* by selling Rolando's goods in port and sending him his profits beforehand.⁶⁸

Barbaria was also a destination for more peaceful economic activity in the thirteenth century. Alongside Bartolomeo de Fornari's corsair clients in Bonifacio were merchants trading in Tunis, who recorded six contracts in *commenda* or exchange for trading voyages to Tunis in February 1245.⁶⁹ Furthermore, Pietro Battifoglio's 1288-89 Tunis register gives two examples of merchants entrusting others to act as their procurators in *tota Barbaria et in Tunexis*, a phrasing that implies a scope of action not limited to Tunis or Bijāya.⁷⁰

If *Barbaria* referred to the Eastern Maghrib, especially the coastal area, the Genoese employed the term *Garbum*/*Garbo* to denote the western Maghrib, including the Mediterranean and Atlantic coast of modern-day Morocco.⁷¹ Writing in 1291, the Genoese chronicler Jacopo Doria recorded the invasion of Iberia by the Marīnid sultan Abu Ya'qūb Yūsuf, who prepared for the invasion by "[preparing] twenty galleys and eight other oared vessels in Garbo to secure the sea and transport the necessary supplies and provisions into Spain."⁷² Similarly, notarial evidence from Genoa and Savona suggested that "Garbo" was understood to mean a broad area of the western Maghribi coastline, possibly extending

⁶⁷ Ibid, 177v.

⁶⁸ Giovanni de Guiberto I, 49, (doc.94).

⁶⁹ ASG *Notai Antichi* 21/I (Bartolomeo de Fornari), 127r-128v.

⁷⁰ *Battifoglio* 154-5, 127 (docs. 107, 127).

⁷¹ The term, which derives from the Arabic *al-gharb*, ("the west"), was also occasionally employed to denote the western part of al-Andalus in the Iberian peninsula, as in the 1256 treaty between Alfonso X of Castille and Pisa, in which the Castilian monarch pledged to grant concessions to the Pisans "if he should make any conquests in Garbo or Africa" (*si contingerit eum conquistam facere in Garbo vel Africa*), MGH *Constitutiones* II, *Alfonsi Regis Constitutiones*, 495.

⁷² "ac in Garbo galeas 20 et alia ligna 8 de remis paraverat pro mare securando et victualia et alia necessaria in Ispaniam deportare." *Annales* Vol. 5, 136.

from Oran to the west, as in a 1210 contract written by Lanfranco, in which Vassallo Claravento di Noli accepted £50 and promised to exchange four besants and four *migliaresi* “in Oran or wherever you wish in Garbo.”⁷³ On occasion, particular measures of weight were associated with Garbo, as in a 1213 contract from Savona referencing a shipment weighing “not less than 300 *cantari* of Garbo.”⁷⁴ In January 1204, a Savonese court summoned witnesses to appear to give testimony in a lawsuit; allowing a delay of six months’ for individuals “in Garbo, that is to say, Ceuta.”⁷⁵

In all, there are nine mentions of Garbo in the notarial evidence or court records examined here, and they raise interesting questions about the definition of Maghribi space at Genoa. Should other mentions of “Garbo” be read to indicate either Ceuta or Oran, or could they embrace travel to points in between or even into the hinterland? Oran (*Auguranum*) appears, albeit rarely, as a destination in its own right in the thirteenth-century evidence; it was the destination of five different voyages from Savona or Genoa between 1202 and 1213, the last of which was a currency exchange backed by a cargo of ten *meçarolias* of wine.⁷⁶ References to Garbo seem to disappear after this early period, although the Ceuta trade remained vigorous into the 1250s. Would the members of the 1291 Genoese embassy to Tazūta have thought they were passing through “Garbo”? To further complicate the issue, Genoese ambassadors were using the word *Murrocho* (Morocco) to refer to the western Maghrib as early as 1138, in a series of treaties with Provençal cities, and the *Annales* refer three times to embassies sent to the Almohad “king of Morocco” (*regem Murrochi*), in 1191, 1209, and 1223.⁷⁷ Yet the term *Murrocho* appears only once in the notarial evidence I have collected for the period. In 1243, Macuço de Levacio and Mainerio de Cagaroto de Chiavari, acting together, accepted a loan and pledged to repay in besants “coined in Morocco” (*de connio Murrochi*).⁷⁸ It seems that *Murrocho* had more resonance as a political label — a destination for embassies, an official currency — than *Garbo*, which had more of a geographical or possibly commercial meaning; in the later Middle Ages, “Garbo wool” became a common term denoting Iberian or North African origins in the Florentine *Arte di Lana*.⁷⁹

Finally, Genoese merchants and travelers occasionally made it as far as Safi, on the Atlantic coast of Morocco, during the thirteenth century. On April 29-30, 1253, Bartolomeo Fornari drew up eight acts for travel to Safi, with capital amounting to over £1,168: chiefly

⁷³ Lanfranco Vol 1., 322 (doc. 719).

⁷⁴ Uberto I, 143-4 (doc. 181).

⁷⁵ Martino, 263 (doc. 664), 269 (doc. 693).

⁷⁶ Uberto I, 38 (doc. 47).

⁷⁷ *I Libri Iurium* Vol 1: 23-29, and *Annales* Vol. 2, 41, 110, 192.

⁷⁸ *ASG Notai Antichi* 18/II (Matteo de Predono), 315v.

⁷⁹ See Chapter Five, 145-6.

in one massive *commenda* of £900 given by Symone de Gualterio to Nicoloso de Carlo.⁸⁰ Although these are the only acts for Safi in the notarial evidence here, such a large investment suggests at least a Genoese presence and probably a treaty in place at Safi, which may have been one of the last ports under firm Almohad control in the 1250s.

While the three major Maghribi port cities — Ceuta, Bijāya and Tunis — attracted most of the investments and attention of the Genoese during the thirteenth century, the evidence cited above shows that their interest was not limited to these points. Furthermore, it is difficult to know how often the simple *commenda* destined to one of the three major cities in fact concealed plans to take goods into the hinterland, or to engage in coastal *cabotage* taking advantage of smaller markets.

Commercial space and the Maghrib trade in Liguria: Where did the Genoese make their investments?

Many of the Genoese acts recording trade and travel to the Maghrib were drawn up in a small number of central locations where merchants gathered near the port. For notaries who had strong family and business links to the great merchant families, such as Bartolomeo de Fornari, these were good places to set up shop: the business would come to them. The homes of certain merchants seem to have functioned as clearing-houses for other traders interested in the Maghrib. In the spring of 1248 Bartolomeo de Fornari worked often at or outside the house of Aymerio the spicer, drawing up at least fourteen acts involving the Maghrib there. These were mostly *commenda* contracts but also included the sale of a Valencian Muslim slave and two formal quittances as well.⁸¹ Another important merchant with strong ties to the Maghrib was Ugo de Fornari, who was active between the years 1236 and 1255, bought and sold shares in the *maona* of Ceuta after 1237, and who appeared as witness or investor in at least 21 acts drawn up both by his kinsman Bartolomeo and other notaries like Matteo de Predono. It was in his home, in July 1251, that the Saracen merchant Bocherius of Tunis was reimbursed £25 for the theft of his wares by the men of Portovenere, an act witnessed by *magister* Abu Faihli Lesedi, *sarracenus*.⁸² The importance of Ugo's home as a reference point for the Maghrib trade continued after his death in the mid-1250s. In 1259, a sea loan for £11 for Ultramar and the Maghrib was made in the "house of the late Ugo Fornari", and in 1262 a payment was made to the holder of the *scribania* of Tunis in the same location.⁸³

However, there is also evidence that investment in the Maghrib trade escaped these relatively well-established zones, and some acts reveal a strikingly opportunistic, almost casual, engagement by Ligurians in the trade. In the next chapter, I will discuss an investment made by a Savonese woman, Anneta Lingosa, at her tavern, pressing her clients into service as witnesses. This investment—made without a notary—survived thanks to the

⁸⁰ ASG *Notai Antichi* (Bartolomeo Fornari) 29, 66v.

⁸¹ ASG *Notai Antichi* 26/II (Bartolomeo Fornari), 88v, 94r, 163v.

⁸² ASG *Notai Antichi* 31/I (Matteo de Predono), 154r.

⁸³ ASG *Notai Antichi* 32 (Matteo de Predono), 32v, 73r.

court case that arose from it, which suggests that much of the small-scale investment in the Maghrib trade by people like Anna may have been based on simple verbal agreements made in casually in homes, taverns and on the street. There is little reason to doubt that investment in the Maghrib trade followed a similar pattern; extending beyond the great merchant houses and port centers of commerce into ordinary homes and places of business. Trading voyages often depended on raising capital from many different sources, and Anneta's story suggests that traveling merchants might actively seek out investors in many different urban spaces.

Places of Exchange in the Maghrib: Fondaco, Dugana, and Sūq

The *fondaco* was the heart of Genoese life in the Maghribi port cities. Typically a very large building playing several distinct roles and uniting them under one roof, the *fondaco* was part warehouse, part living quarters, part workshop, and often included a church or chapel. It had deep roots in Late Antiquity and in the first centuries after the Islamic conquests. In the twelfth century, as Latin Christian merchants like the Genoese, Pisans and Venetians found their way in ever-greater numbers into the Islamic world, the institution of the *fondaco* played a crucial role in giving these foreign merchants access to new economic space. They served to both protect and control the foreign presence, making it easier to guard and tax trade goods, and thus were convenient to both host governments and to the visiting merchants themselves, providing a safe space for the “law, religion and food-ways” of the foreign merchants.⁸⁴ Elsewhere in the Islamic world, particularly in Fatimid and Ayyubid Egypt, the *fondaco* was subject to strict control by the local authorities, but in the Maghrib there seems to have been considerably more freedom of movement for the Europeans who lodged there.⁸⁵ In addition, the expansion of Genoese settlements in the Maghrib led to the construction of new fondacos to accommodate the burgeoning population of merchants, artisans and their households; a fact reflected in both the treaty documents and in notarial evidence, which sometimes differentiates between different fondacos; “the new fondaco at Ceuta,” “the great fondaco of Bijāya,” “the old fondaco at Tunis,” and so on.⁸⁶ The details of their construction and the amenities included with them were negotiated in Genoese treaties and boasted of by the city’s chroniclers, as in 1223, when the chronicler Marchisio Scriba took time out of his narrative of the city’s history to note proudly that a Genoese embassy to Tunis of that year (in which he had taken part) secured, “in a praiseworthy way,” (*laudabiliter*) a new treaty granting the Genoese “a fondaco, a bath, and an oven.”⁸⁷

⁸⁴ Olivia Constable, *Housing the Stranger*, 110-112, 275.

⁸⁵ David Jacoby, “Les Italiens en Égypte au XI^e et XIII^e siècles: du comptoir à la colonie?” in *Coloniser au Moyen Âge*, eds. M. Balard and A. Ducellier (Paris: A. Colin, 1995), 76-89.

⁸⁶ See Mas-Latrie (Genoa-Tunis 1287), 125-127, and ASG *Notai Antichi* (Giannino de Predono) 28:124r, 18/II: 49r, Battifoglio 3-4 (doc. 1).

⁸⁷ “federa cum acquisitione fundici, balnei et furni,” *Annales* Vol. 2, 192.

Befitting its multiple functions, the *fondaco* was a complex economic space used to store some goods and to finish others in a variety of workshops, and to sell them to local merchants. As Olivia Constable showed, the transactions taking place in the *fondaco* differed across the medieval Mediterranean world; in southern Italy, many *fondacos* were essentially warehouses or storage facilities, often owned by the Crown, some were dedicated to particular commodities to the exclusion of others, and some *fondaco* administrators actually forbade small-scale retail purchases, permitting only large-scale purchases of commodities stored within the *fondaco*, as in Pisa in 1305.⁸⁸ There is no evidence that similar restrictions were applied in the Maghrib, either by the Maghribi authorities or by their European trading partners. Nonetheless, it was clear to observers that the *fondaco* was somewhat anomalous: not a market, but not a private home either. In the ninth century, this had led to some unease, on the part of Mālikī jurists, about the economic transactions taking place there; the Tunisian mufti Yaḥya b. ‘Umar (d. 901) observed that prices could be higher in the *funduq* than in an open market.⁸⁹ Furthermore, Genoese notarial evidence in the thirteenth century strongly suggests some form of textile production taking place at the *fondaco*, in addition to economic activity geared towards supporting the everyday needs of the community: such as blacksmithing, baking, shoe-making. Traveling to Ceuta in 1252, Lanfranco Adorno hired two men to come and work for him there, one of whom was to be a weaver (in addition to serving at table).⁹⁰ Other wealthy merchants at Ceuta and elsewhere hired out rooms in the *fondaco* to tailors, tanners and drapers, and the presence at the Tunisian *fondaco* in 1289 of individuals described as shearers (*accimatores*), cloth-cutters (*taliatores*), and dyers (*tinctores*) suggests that, at the very least, the expertise needed to produce finished cloth existed in the *fondaco*.⁹¹

Given the importance of the *fondaco* to the economic strategies of the merchant communities who used it, it is little surprise that the space was organized, in Valérian’s phrase, “in the image of the metropole.”⁹² By contrast with the Genoese colonies at Pera, Caffa, and Chios, comparatively little has survived of the normative sources governing the

⁸⁸ Cited in O. Constable, *Housing the Stranger*, 331.

⁸⁹ Ibid, 72.

⁹⁰ “et ego enrico debeo incidere et suere pannos et tuam voluntatem,” ASG *Notai Antichi* 34 (Ianuino de Predono), 54r.

⁹¹ Of course, the mere presence of certain artisans does not guarantee the presence of the economic activity associated with them, but it does raise the question of why these occupations, so closely related to textile production, are strongly represented in the notarial evidence.

⁹² Valérian, “Marchands latins et sociétés portuaires dans le Maghrib médiéval : le rôle central des intermédiaires,” in *Identités confessionnelles et espace urbain en terre d’islam: Revue des mondes musulmans et de la Méditerranée*, ed. M. Anastassiadou-Dumont (Aix-en-Provence: Edisud, 2005), 437-458.

Genoese settlements in Ceuta, Bijāya, and Tunis for the same period.⁹³ Nonetheless, evidence from the notarial cartularies reveals a broadly similar structure for the Genoese merchant communities in these Maghribi cities, for which the *fondaco* was the headquarters of Genoese settlement. In Tunis, the *fondaco* housed the consul, appointed at Genoa to serve a term of one or two years. The consul was the spokesman for the Genoese at Tunis, representing their interests to the Tunisian authorities, and also served as a judge and arbiter in disputes that arose between the Genoese themselves. He was assisted by a council (*consilium*) of twelve prominent merchants, who sometimes met in the chapel of the *fondaco* to hear cases and render decisions.⁹⁴

However, despite his importance, the consul did not have complete control over the *fondaco* and its inhabitants. He also had to contend with the holder of the *scribania* of the *fondaco*. This meant, broadly speaking, administrative control of the *fondaco*: the right to control appointments of official notaries, to rent shops and warehouses, and even to open a tavern. As with many Genoese public offices, the *scribania* could be purchased at Genoa by individuals or groups, as in June 1253, when Lanfranco Usodimare gave quittance to two merchants for the *introitus scribanie* at Tunis, “and of the taverns and *fondaco* merchants” (*et de tabernis et de fondegariis*).⁹⁵ There appear to have been separate small rooms within the *fondaco* building dedicated to particular purposes: shops or storerooms for individual merchants or artisans, the tavern, storehouses, and living quarters, too. In 1252, for instance, Ogerio de Fontana used his purchase of the *scribania* of Bijāya to rent two shops in the *fondaco* to a tanner and a draper.⁹⁶ In addition, the language used to describe the *fondaco* could be ambiguous; suggesting a compound or group of buildings, perhaps even a kind of neighborhood in some contexts, rather than a large single building. While Ricobono de Porta seems to have understood the Ceuta *fondaco* as a single large building, other acts referred to the *fondaco* as containing multiple houses (*domus*) and, of course, a church building *inside* the *fondaco*. In 1281, Contessina, widow of Lanfranco Camagenia, accepted two years of rental payments for two houses owned by her and a relative “in the *fondaco* of Tunis” (*quas habimus in fondico Tunexi*).⁹⁷ In 1287, in a somewhat ambiguous clause near the end of the treaty he was negotiating, the Genoese ambassador to Tunis seems to have asked the Ḥafṣids for financial assistance to build new houses in the *fondaco*, “that those houses which [the Genoese] say are their property in the *fondaco* of the Genoese should be purchased by the *dugana* for them to live in...and that they should be enlarged in the *fondaco*.”⁹⁸ The *fondaco*, then, was both a central headquarters and a compound or area,

⁹³ Balletto, “l’amministrazione della giustizia negli stabilimentamente genovesi d’Oltremare” *Nuova Rivista Storia* 76 (1992), 709 – 728.

⁹⁴ Battifoglio 85-6 (doc. 57).

⁹⁵ ASG *Notai Antichi* 29 (Bartolomeo de Fornari): 130r.

⁹⁶ ASG *Notai Antichi* 18/II (Ianuino de Predono), 49r-49v.

⁹⁷ ASG *Notai Antichi* 75/II (Guglielmo de S. Giorgio), 72r.

⁹⁸ “Et petiit quod ematur de pecunia dugane domos quas dixerunt que sunt de possessionibus eorum in fundico Ianuensium pro habitando eorum, et fiat gratiam de preciis earum communi, et

comprising houses, shops, taverns, and a church, each potentially with different owners or tenants.

Of course, this could lead to tension within the *fondaco*, as wealthy merchants purchased different pieces of the community's administration. In June 1289, Leonardo de Sigenbaldo, a powerful merchant and notary, brandishing a letter proving his purchase of the *scribania* of Tunis for a five-year period, successfully deposed the consul's preferred notary from his post, and installed his own man.⁹⁹

Despite their internal disagreements, the Genoese could agree that the *fondaco* was both a *Genoese* and a Christian space, and they guarded their privileges carefully. Other European trading nations insisted on this point explicitly; in 1251 the Venetians required that they have total control over who stayed at their *fondacos* throughout the Ḥafṣid realm: "no one shall dare to enter any *fondaco* in the whole kingdom...without their consent."¹⁰⁰ The Genoese did not go so far as to explicitly ask for this privilege, but Pietro Battifoglio's register for 1288-89 reveals how upsetting it was when this principle was violated. Bertramino Ferrario, who held the "great wine gabelle" for the port of Tunis, lodged a formal protest when agents of the Tunisian customs invaded his shop (*gabellotto*) at the Genoese *fondaco* in order to inspect it in December 1288.¹⁰¹ Later, in May 1289, a "mob of Saracens holding clubs and stones" forcibly expropriated a cargo of oil that had already been sold, despite the furious protests of the consul Baliano Embrono, who stood in the doorway and told them that they had no right to take the oil before the consulate and *curia regis* levied the import tax.¹⁰² Not only did the Genoese expect to be allowed to determine who entered the *fondaco*, they expected to be able to sell wine, to build and expand their chapel, and even to be buried inside. In other parts of the Mediterranean, European merchants went to rather extreme lengths to make a point of defining their own space; like the Venetians in Mamlūk Alexandria who, according to the fifteenth-century Swiss pilgrim Felix Fabri, brought a "huge pig" into their *fondaco*; something that the Ḥafṣids, at least, were keen to expressly forbid in their treaties with Christian merchants.¹⁰³ Still, while the Genoese may not have had pigs in their *fondacos*, they did on occasion import pork lard (*axoncia*) into the Maghrib, as in a *commenda* contract made for Ceuta in 1250.¹⁰⁴ Like a modern embassy compound, the *fondaco* was a small piece of home.

quod elargetur eis in fundico eorum, et quod incipiatur in hoc." Mas-Latrie (Genoa-Tunis, 1287), 126.

⁹⁹ Ibid, 129.

¹⁰⁰ "Nemo ausus sit intrare in ipsa fundiga ubicumque fuerint per totum suum regnum, nisi cum sua voluntate ad habitandum." Mas-Latrie, (Venice-Tunis 1251), 200.

¹⁰¹ Battifoglio, 3-4 (doc. 1).

¹⁰² Ibid, 97.

¹⁰³ Cited in Olivia Constable, *Housing the Stranger*, 275. See also Brunschvig, *La Berberie orientale*, 225.

¹⁰⁴ ASG *Notai Antichi* 27 (Bartolomeo de Fornari): 10v.

That said — also like an embassy — the *fondaco* was the command center, not the whole, of the Genoese communities overseas. Many individuals owned or rented houses and shops outside the *fondaco* in Ceuta, Bijāya, and Tunis, and these private residences could also be sites of economic exchange or sources of profit for their owners. As noted above, some Genoese paid to build homes at Ceuta, such as Balduino Usodimare in 1236, who paid to raise half a house by the arsenal; this probably represented a rebuilding project after the destructive events of 1234-5.¹⁰⁵ Ansaldino de Negro and his brothers owned houses in Tunis and leased them out while staying in Genoa in 1253.¹⁰⁶ The Genoese community existed in several spaces: one can imagine the *fondaco* itself as a notionally Genoese, Christian space, and then private merchants' homes and shops outside as more liminal spaces: still Genoese by virtue of their owners or tenants, but perhaps more fully part of the rest of the city's urban fabric.

Modern historians have tended to mirror the general, even imprecise use by medieval authors of *fondaco* as a catch-all term for European merchant settlements in the Maghrib and elsewhere, despite noting, as Olivia Constable and David Jacoby did, the important distinctions between how *fondacos* functioned in the Maghrib, in Egypt, in the Levant, and in Christian Europe.¹⁰⁷ Yet as the notarial evidence shows, the *fondaco* was the core of Genoese communities in Maghribi cities: a complex space to facilitate storage, artisanal production, living space, and access to religious services. It was a physical building or buildings, a neighborhood, and, perhaps above all, a conceptual space: a piece of the homeland to be jealously protected not only from locals but from other European rivals.

The sūq: an Islamic economic space?

By contrast to the *fondaco*, the *sūq* or market was primarily, though not exclusively, defined as a Muslim space. It was, in theory, a space governed by *shari'a* and the behavior of merchants there was subject to intense theorization and debate by Islamic jurists from the earliest period of Islamic law onward.¹⁰⁸ Manuals of the *hisba* from al-Andalus and Egypt proposed governing principles for the *muhtasib* or market inspector, and every collection of *fatwas* from the Maghrib included entire volumes on "purchases and sales" (*al-buyū'a*) and the behavior of merchants and groups of merchants operating in the market. Of course, Muslim jurists accepted the presence and activities of Jews and Christians within this space,

¹⁰⁵ ASG *Notai Antichi* 17 (Bonvassallo de Cassino), 20r.

¹⁰⁶ ASG *Notai Anitichi* 28 (Matteo de Predono), 139v.

¹⁰⁷ David Jacoby, "Les Italiens en Egypte aux XIIe et XIIIe siècle: du comptoir à la colonie?" in Alain Ducellier and Michel Balard, eds., *Coloniser au Moyen Âge* (Paris; 1995), 76-88; O. Constable, *Housing the Stranger*, 107-157, 266-267.

¹⁰⁸ For more on the *muhtasib*, see Abbas Hamdani, "The Muhtasib as Guardian of Public Morality in the Medieval Islamic City" *Digest of Middle East Studies* 17:1 (2008), 92-104; and Jonathan Berkey, "The muhtasibs of Cairo under the Mamluks: toward an understanding of an Islamic institution" in *The Mamluks in Egyptian and Syrian Politics and Society*, edited by Michael Winter and Amalia Levanoni (Leiden : Brill, 2004), 245-276.

but their interactions with Muslims — sales, business partnerships, etc. — had in theory to be governed by Islamic law.

There is limited evidence from the notarial records that the Genoese and other Latin Christians in the Maghrib left their fondacos and made it into these Muslim economic spaces. In April 1236, Ogerio de Mari invested a sum of money with Oberto Pedicula, to be “taken into the market” at Tunis (*portare in sucham*).¹⁰⁹ In 1263, another Genoese merchant accepted reimbursement from the representative of a Tunisian Muslim trader *in zucho*.¹¹⁰ But these cases appear exceptional. Dominique Valérian has suggested that the combination of linguistic, juridical and religious barriers combined to create a powerful “psychological barrier” between Latin merchants operating at the fondaco and customs on the one hand, and the Muslim merchants operating in the *sūq* on the other. If much of one’s merchandise could be sold at the customs or in the port, through the mediation of a trusted *tarjuman* who understood both Latin and Arabic, there might be no need for a visiting Genoese merchant to venture into the market.¹¹¹

However, there is also evidence that Maghribi jurists, at least, frowned on the intrusion by foreign Christians into Muslim economic space. Al-Burzulī (d. 1438), working in Tunis, was approached with a question about the economic activities of Christians in the market; “Are [Christians] forbidden from baking bread and selling it, and selling oil and vinegar and other liquids in the markets? And are they forbidden from washing clothes?” The questioner then provided two quotations from Mālikī tradition which seemed to call for contradictory interpretations. On the one hand, Mālik b. Anas himself had declared “Do not perform your ablutions (*lā yatawaḍa’a*) with [water] that the Christian has left, or with what his hand has entered,” whereas his ninth-century follower Sahnun (d. 854) had written “There is no harm in it if one is certain that [the Christian] hasn’t drunk wine or eaten pork.”¹¹² In other words, the questioner was expanding a debate on ritual purity to encompass certain economic activities of Christians in Muslim space.

In answering the question, al-Burzulī began simply: “they are forbidden from this” (*yumna’ūnu ‘anhā*), referring to another famous saying by Mālik: “I think that they are to be removed from all of our markets, because they do not uphold the regulations on liquids (*li-’adm taḥafuẓihim fī al-umūr al-’āma al-māi’a*).¹¹³ However, Burzuli then qualified his decision by invoking his personal experience of a different solution in place in contemporary Mamlūk Egypt:

I have seen in Alexandria Jewish doctors who sell elixirs, and the people may have need of them for this production, as indeed there is a need for them in Tunis in the

¹⁰⁹ ASG *Notai Ignoti* 3.45 (Bonvassallo de Cassino), 03_666.

¹¹⁰ ASG *Notai Antichi* 30/II (Bartolomeo de Fornari), 2v.

¹¹¹ Valérian, *Les marchand latins*, 215.

¹¹² “la bas bihi idha amana min shurb al-khamr wa ’akl al-khanzir,” al-Burzulī, III: 222.

¹¹³ Ibid III: 222.

market of the goldsmiths (*sūq al-ṣiyāgha*). And therefore — and God knows best — the judges (*al-quḍāt*) did not prevent them [from doing this].¹¹⁴

Here, al-Burzuli was employing a well-known qualifying principle for the interpretation of *shariʿa*: that of “necessity” (*ḍarūra/hāja*), which allowed for some deviation from strict observance of the law in case of individual or collective need, variously defined.¹¹⁵ There was significant leeway for both Muslim jurists and rulers to permit less-than-desirable economic activity if it were deemed beneficial. Al-Burzulī went on, however, to quote the Tunisian mufti Muhammad b. ʿAbd al-Nūr al-Hamayri (fl. 1320), who had ruled that Muslims could not have business interactions with Christians *who sold wine to Muslims*.

It is forbidden to have dealings with Christians who sell wine to Muslims. And it was asked: Are they not allowed to sell wine? And he answered: Only to each other, and [the right to] sell it to Muslims is not found in the Book or in the *sunna*, and it is a violation of the treaty, unless we have permitted them to sell wine to Muslims. And *jizya* is not taken from them from the price [of wine], for they must pay it from something else, either from what is good or what is bad, and if they cannot pay except by what derives this [i.e. from wine] then we should refrain from taking it.¹¹⁶

By ending his analysis with this citation, al-Burzuli affirmed the desirability of avoiding interactions with certain Christians in the marketplace because of bad behavior: their habit of selling wine to Muslims, and their refusal to respect purity laws, especially those concerning liquids. Ultimately, while he acknowledged the potential of “necessity” to override these concerns (as in the case of the Jewish gold merchants of Tunis and the Jewish doctors of Alexandria), he preferred to remove Christian bakers, launderers and sellers of oil and vinegar from the markets of Tunis. In the next chapter, I will discuss the peculiar significance of these commodities in greater detail, but for now it is important to note that powerful norms existed in Tunis and elsewhere in the Maghrib to discourage the Genoese from intruding into Muslim economic space.

Of course, the mere existence of such norms does not indicate how closely they were observed in the markets. The mere fact that al-Burzulī was approached with the question at

¹¹⁴ “wa qad raʿituh bi-l-iskandariya yahūdān aṭbaʿa ʿandahum al-ashriba yabayʿūnu-ha wa-laʿala al-nās iḥtāju ilayhim fī hadhihi al-ṣanaʿa, kama iḥtāju fī sūq al-ṣiyāgha bi-tūnus ilayhim. Fa-li-dhalik — wa Allahu aʿalim — lam yataʿarid la-hum al-quḍāt” Ibid, 222.

¹¹⁵ Cf. Y. Linant de Bellefonds, “Ḍarūra”, in: *Encyclopaedia of Islam, Second Edition*, ed. P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, and W.P. Heinrichs. Consulted online on 19 May 2018 <http://dx.doi.org/10.1163/1573-3912_islam_SIM_1730>

¹¹⁶ “lā yajūz muʿamalāt al-naṣāra al-bāʿaʿin al-khamr min al-muslimīn. Qīla: aw laysa bayʿa al-khamr jāʿiz ʿandahum? Qāla: min baʿadahum li-baʿaḍ, wa bayʿuhu li-l-muslimīn lam yūjad fī kitāb wa lā sunna wa huwa naqḍ li-l-ʿahd idha lam naʿahadahum ʿala bayʿa al-khamr min al-muslimīn. Qāla: wa lā tuʾakhadh minhum al-jizya min hadha al-thaman, wa yakilifūnu an yaʿtū bi-hā min ghayrihi ʿala mā ahabbū aw karahū, wa law lam yajadū ʿila an yarhanū bihi hadha al-shayʿ, l-amtanaʿna min akhadahu” al-Burzuli III: 223.

all might suggest that Christian merchants were in fact selling oil and vinegar, baking bread, and washing clothes in the markets of Tunis. But we should also resist the temptation to read these discussions in isolation from documents of commercial practice. Officials of the Tunisian customs-house almost certainly had training in the Mālikī legal tradition, and were described as *faqīh* ("alfachinus") in Genoese documents. The Ḥafṣid sultan Muḥammad I (r. 1295-1309) himself cited Islamic law when he wrote to the Aragonese in 1308, explaining why the ovens in Christian *fondacos* could not be used by Muslims, even though he almost immediately followed this observation with a request that any Tunisian Muslim who rented an oven from a Christian *fondaco* should pay the court, not the *fondaco* owner.¹¹⁷ Given the persistence of these norms on top of linguistic and social barriers to entry into the markets, it was far easier to stay in the *fondaco*. For an individual Genoese merchant, selling cloth or grain at customs-house or through the *fondaco* was well enough, but to venture into the *sūq* was to risk just this kind of negative scrutiny.

The diwān/ dugana: favored site of exchange

Discouraged from entry into the *suq*, many Christian merchants appear to have bought and sold their merchandise at the customs-house, or *dugana*. In the Maghrib, this term, which derived from the Arabic *diwān*, or office, typically referred to a large building or set of buildings in which incoming merchandise was inspected, weighed, and taxed.¹¹⁸ Pegolotti's *Pratica della Mercatura* suggests that the *dugana* of Tunis was the site of a careful inspection of oil, in particular, in which the local authorities insisted on pouring the oil into new and clean jars, to ensure its purity and fitness for consumption.¹¹⁹ After being inspected and taxed, goods could be sold at auction to local buyers, by means of an interpreter or *tarjumān*. This was convenient for both customs officials and merchants; the former because they got to control access to foreign goods and ensure that taxes were collected, and the latter because it limited the number of times they needed to move their merchandise: bulk items such as grain or cloth could be off-loaded from the ships, taken to the customs and sold there, without needing to move them again to the *fondaco* or to the market.¹²⁰

Furthermore, the Genoa-Tunis treaties of 1236 and 1250 stipulated that all sales and purchases made at the *dugana* (and those made outside it, if made through the

¹¹⁷ O. Constable, *Housing the Stranger*, 121-122.

¹¹⁸ *Diwān* had a very wide range of associations in classical Arabic texts, mostly relating to various government offices tracking revenue, expenditures, and departments such as the military, public buildings, justice, etc, although regional usages differed. See H.L. Gottschalk et al., "Dīwān", *EI2*.

¹¹⁹ Pegolotti, *La pratica della mercatura*, trans. Allan Evans (Cambridge: The Medieval Academy of America, 1936), 130-131. See discussion in Chapter Five.

¹²⁰ Dominique Valérian, "Les marchands latins dans les ports musulmans méditerranéens: une minorité dans des espace communautaires?" *Revue des mondes musulmans et de la Méditerranée* 107 (2005), 445-446.

mediation of an official translator) would be guaranteed by the Ḥafṣid ruler and his officials, a clause also insisted upon by the Venetians in their treaty of 1251. Thus, in the event of a failure by a local buyer to pay the agreed price for goods, the Ḥafṣid authorities were bound to reimburse the Genoese seller.¹²¹ In effect, using the *dugana* was the safest and most reliable way to unload one's goods in thirteenth-century Tunis and Bijāya. This importance was further highlighted by the pivotal role that *dugana* staff played in negotiating the treaties that structured trade, such as in 1272, when the Ḥafṣid caliph al-Munstaṣṣir was represented by "Bolasem the *chaytus*" (*sa'īd*) of the customs, and Moamet Ibn Ybenali Ybenabraym, the "chadi" (qāḍi) of Tunis.¹²² Notarial evidence from Pietro Battifoglio's register confirms the tight relationship between Tunisian customs officials and their Genoese partners. The notary drew up seven acts in the customs house of Tunis (*dugana domini regis Tunexis*) between February and April 1288, including *commenda* contracts for Sousse, for Sicily and Alexandria in Egypt.¹²³

However, the *dugana* was more than just a clearing-house or marketplace. It also played a critical role as a site of diplomacy between Maghribi rulers and European merchants and ambassadors. The Archive of the Crown of Aragon preserves several documents that shed light on how central the *dugana* was as a meeting-place for all foreign merchants and their representatives. This centrality is particularly well demonstrated by a series of events that took place in the Tunisian *dugana* in 1308-9. In 1308, the Ḥafṣid caliph Muḥammad I (r. 1295 - 1309), acting in concert with James II of Aragon (r. 1291-1327), attempted to sign a new peace treaty with James' younger brother Frederick III of Sicily (r. 1295 - 1337). An Aragonese delegation headed by James' admiral (*admiratus*), Bernat de Sarria, arrived in the *dugana* of Tunis from Sicily late in 1308, with a proposed treaty between Sicily and Tunis.¹²⁴ The Ḥafṣids summoned all the consuls of Christian nations to the *dugana*, where they inspected the treaty, confirmed that it was valid, and bore witness as the seal of the Kingdom of Sicily was affixed to the document. Later that year, a prominent Genoese merchant resident at Tunis, Guglielmo Cibo, left for Sicily as ambassador of the Ḥafṣid caliph, to inform Frederick III of the treaty's acceptance by Tunis. However, when Guglielmo arrived in Sicily, he found that Frederick refused to recognize the treaty signed in his name by the Aragonese ambassadors, and he was unable to change

¹²¹"Quidquid autem vendiderint in calega, cum testibus dugane, et extra calegam per torcimanos curie cognitos, sit supra duganam." Mas-Latrie, (Genoa-Tunis 1236), 116-118; and idem, "de toto eo quod lanuenses vendent in duganna, in calega et extra calegam, per manum de turcimannis dugannae, in presentia testium dugannae, teneatur duganna respondere ipsis lanuensibus," (Genoa-Tunis 1250), 119; idem, (Venice-Tunis 1251), 200.

¹²² Mas-Latrie, (Genoa-Tunis 1272), 122-123.

¹²³ Battifoglio, 21-27, 105-107 (docs. 13-16, 72-73).

¹²⁴ This embassy took place in the context of a complex series of maneuvers between Aragon and Sicily, and Bernat likely came to Tunis directly after heading an Aragonese embassy to Sicily earlier in 1308. See discussion in Clifford Backman, *The decline and fall of medieval Sicily: politics, religion, and economy in the reign of Frederick III, 1296-1337* (Cambridge: Cambridge University Press, 1995), 274-276.

the king's mind. Guglielmo returned to Sicily in January 1309 and informed the Tunisians of Frederick's repudiation of the treaty. Angered by what he regarded as the perfidy of the Sicilians, the *mushrif* or overseer of the *dugana* summoned Latin notaries from the Genoese, Pisan, Venetian, and Aragonese *fondacos* to record what had happened. They obliged, leading to the creation of four nearly identical notarized and sealed Latin documents, which the Ḥafṣid chancery labelled separately in Arabic, *al-janawiyūn* ("The Genoese"), *al-arakaniyūn* ("The Aragonese"), and so on before sending all four of them to James II along with a complaint in Arabic about the failure of the Sicily-Tunis treaty.¹²⁵

These events reveal the importance of the *dugana* beyond its commercial function. The memorials drafted by the Christian notaries in 1309 suggest that much of the diplomacy and treaty negotiations at Tunis took place there, with the formal treaty document and royal seal "brought to the *dugana* and displayed there" (*perducta fuit et hostensa in dugana*.) The Ḥafṣids deliberately involved as many of the Christian representatives at Tunis in the process as possible, as the Genoese notary Pietro de Casella noted: "I was present [at the *dugana*] and so were the consuls of all of the Christians of Tunis and many merchants, and thus the letter was seen, read, and examined, and pronounced to be in good order and sufficient for a peace or treaty."¹²⁶ The public nature of this diplomatic effort is worth noting: while many surviving treaties between Tunis and European nations were ratified "in the royal court" (*curia regis*) or "in the palace" (*palacio regis*), the *dugana* was also a potential venue for diplomacy, particularly when the participants wanted to make their negotiations widely known: "Thus, in that year it was said publicly by Christians and Saracens that peace had been made between the king of Sicily and the king of Tunis."¹²⁷ The public performance of diplomacy in the *dugana* continued even after the failure of this initiative, when the *mushrif* summoned the notaries to make a record of what had happened. Despite the existence of multiple bilateral treaties and individual *fondacos* for every separate Christian trading nation, the *dugana* was to a large extent the most meaningful public forum between Christian merchants *as a body* and their Muslim Ḥafṣid hosts. It was a place to sell and buy, but also a place to hear news and interact with local officials.

Of course, merchants could by-pass the official sales at the *dugana* if they wished; taking their goods to their city's *fondaco* in hopes of finding a buyer (presumably after paying the import tax). This may have been more appealing for small-scale merchants, traders in luxury goods, or for merchants with a specific local contact or buyer in mind: such individuals might be less concerned about the cost of moving their goods or having

¹²⁵ "Acta del notario del consulado de Génova en Túnez sobre la embajada de Bernat de Sarrià en nombre del rey de Sicilia, a petición del moxerif de la aduana de Túnez," *Archivo de la Corona de Aragon, Cartas árabes, Suplemento 2*.

¹²⁶ "Et vidi in dicta dugana {millesimo?} predicto me presente et presentibus Consulibus omnibus christianos tunesis et pluribus mercatoribus, sicut dicta littera visa lecta et examinata fuit. Et dicta et sententiata pro bona legali et sufficienti ad pacem sive treugam firmandam." ACA *Cartas Árabes, Suplemento 2*.

¹²⁷ "et sic publice dicebatur et dictum fuit dicto anno inter christianos et sarracenos que pax erat firmata per dictum Bernardum inter Regem Tunesis et Regem Scicilie", *Ibid*.

their transactions guaranteed by the authorities. In 1200, when Rolando de Canneto sued Villano Assassino for misuse of *commenda* funds, Villano produced witnesses to attest that he had, in good faith, sold or tried to sell Rolando's goods — two bolts of cloth, one green and one yellow — at auction at the Genoese *fondaco* of Bijāya, and had received an offer of 3 1/4 besants per *canna*.¹²⁸ Perhaps such a small sum of money and cloth made the *fondaco* more appealing as a place of sale than the crowded customs-house.

Treaties concluded with other European trading nations suggest that the functions of the *dugana* could be performed in several other places: the Venice-Tunis treaties, for instance, require that the Venetian *fondaco* have its own *dugana* “whenever possible” (*quotiens fuerit oportunum*).¹²⁹ Furthermore, as noted above, agents from the *dugana*, such as the translators/*tarjumān*, could easily operate outside the customs, including in their own private homes. As with the *fondaco* itself, the *dugana* represented an ideal space for trade; designed to make life easier for visiting merchants and the state who taxed them; but it could be avoided.

Places for Worship: Christian churches in the medieval Maghrib

Access to religious services was considered essential by Europeans trading in the Islamic world, and the Genoese who lived and worked in the Maghrib were no exception. The presence of a church and its attendant clergy meant access to the sacraments, but it also provided a meeting-place and a focal point for communal identity, even a burial-place for those Genoese and others who died far from home.¹³⁰ Yet, like the *fondaco* itself, the presence of Christian churches in Islamic space could lead to tensions between the visiting Christians and their Muslim host community. The details of worship and church architecture mattered a great deal to both Christian merchants and Muslim communities, whose members drew on a long tradition of commentary on the rights of Christians or Jews within Islam to debate the appropriateness of church bells, towers, and ornamentation: to say nothing of the activity of the clerics affiliated with the buildings. Finally, Genoese priests serving in the overseas churches helped to define the communities that depended on them; guaranteeing and executing wills, acting as intermediaries between local merchants, and providing a direct link with home churches within Genoa itself.¹³¹

The right of non-Muslims to religious space within the *Dār al-Islam* was a well-worn topic in Islamic law. Most discussion centered on the rights and responsibilities of the *Ahl*

¹²⁸ *Giovanni de Guiberto* I, 55, (doc. 98).

¹²⁹ Mas-Latrie, (Venice-Tunis: 1251), 200.

¹³⁰ For the role of churches as organizing centers of foreign merchant communities in medieval Europe, see V. Slessarev, “Ecclesiae Mercatorum and the Rise of Merchant Colonies” *Business History Review* 41: 2, (1967), 177-197.

¹³¹ See John Benjamin Yousey-Hindes, “Living the Middle Life: Secular Priests and their Communities in Thirteenth-Century Genoa,” (PhD dissertation, Stanford University: 2010), 176-177.

al-dhimma: Jews and Christians who had formally submitted to Muslim rule over them. By the eleventh century, Mālikī jurisprudence established a set of principles about the rights of *dhimmi* populations to religious space: while they were generally forbidden — in theory — from building new churches or synagogues, *dhimmis* could repair existing buildings and continue to use them. They must also refrain from beautifying the exteriors of their places of worship, and avoid public calls to worship such as bells or wooden clappers (*naqūs*).¹³² These restrictions had the explicit purpose of reinforcing the subordinate status of non-Muslims and removing them, as far as possible, from Muslim public space. The ninth-century Mālikī jurist Ibn al-Māʾishūn had argued that *dhimmis* who had peacefully surrendered to Muslims and who then removed themselves from close contact with them should be treated more leniently — allowed to re-build their churches, even use the *naqūs* in public — than those *dhimmis* who chose to live side-by-side with Muslims.¹³³

At the same time, the jurists realized and accepted the fact that these rules were not always enforced, and could be dispensed with if it were in the “public interest” (*maṣlahā*).¹³⁴ The thirteenth-century jurist Abū-l Ḥaṣan al-Maghribī noted that the Almoravid rulers had deported many Christians from al-Andalus to the Maghrib, in the late eleventh and twelfth centuries, and granted them the right to build new churches there. Christians might hold valuable expertise in crafts such as architecture and carpentry, in which case having them in Muslim space and allowing them their churches would be a benefit to Islam and a detriment to the *Dār al-ḥarb*: the “Abode of War.” Muslim rulers could deploy this logic to grant privileges to Christians or Jews, “if the public interest of it is greater than its detriment/corruption” (*in kānat maṣlahatuhu aʿaẓamu min mafsadatihī*).¹³⁵

Of course, the Genoese, Pisans, and other European traders who sought to build churches in the Maghrib were not *dhimmis* but rather *mustaʾaminūn*, “protected foreigners.”¹³⁶ This meant that, while technically members of the *Dār al-ḥarb* — nominally at war with Islam — they were granted safe passage and protection (*amān*) for their persons and goods within Muslim territory, along with other enumerated rights, such as access to a church. Rights to a church are included in the earliest surviving Genoese treaties

¹³² According to some jurists, there was a technical distinction between *dhimmis* whose ancestors had peacefully surrendered to Muslim conquerors by treaty (*al-ṣulh*), and those whose ancestors had resisted and been conquered by force (*al-ʿanwa*), who had fewer rights. See Christian Müller, “Non-Muslims as part of Islamic law: Juridical Casuistry in a Fifth/Eleventh Century Law Manual,” in J. Tolan and M. Fierro (eds), *The legal status of Ḍimmī-s in the Islamic west: (second, eighth-ninth, fifteenth centuries)* (Turnhout: Brepols, 2013), 21-63, 35.

¹³³ *Al-Miʾyār* II: 241.

¹³⁴ For an analysis of this term in classical and contemporary Islamic law, see F. Opwis, *Maṣlahā and the purpose of the law: Islamic discourse on legal change from the 4th/10th to 8th/14th century* (Leiden: Brill, 2010).

¹³⁵ *Al-Miʾyār* II, 241. See also Vincent Lagardère, *Histoire et Société* I:130.

¹³⁶ See Christian Müller, “Non-Muslims as part of Islamic law”, 30; and O. Constable, *Housing the Stranger*, 115.

with Muslim rulers in the western Mediterranean, including the 1188 treaty with Mallorca, which promised the Genoese “a fondaco, free use of a bath, and a church in which they must pray and perform the divine mystery,” and the 1223 mission to Tunis secured similar privileges.¹³⁷ Despite their status as protected foreigners and their explicit rights to build churches, the Genoese and other Europeans still operated in Muslim space, which they transgressed at their peril. How they built their churches mattered greatly, for while Mālikī jurists were willing to concede a degree of latitude to their rulers in the interpretation of public interest, they still tried to uphold norms of Christian subjugation to and separation from Muslims envisaged in the Mālikī legal tradition.

Two fourteenth-century fatwas reported by al-Wansharīsī make this clear. Ibn al-Ḥājj (d. 1347) recorded a request from Christians “entering from the land of the enemy” (*an-naṣāra al-dākhilūn min al-‘adūwa*) asking permission to build houses and churches “in the place of their settlement” (*fī mawḍi‘ istiqrārihim*). He responded by arguing that visiting Christians should be considered in the same category as those *dhimmis* whose ancestors had signed formal treaties with the Muslims, “and every group of them is entitled to build a house [of worship] for the performance of their law.”¹³⁸ They were, however, to be prevented from publicly announcing their worship with the *naqūs*. The second *fatwa*, issued in Tunis, concerned a group of foreign Christians who had “renovated” (*aḥdathū*) a church in their fondaco and then expanded it to include “something like a tower” (*shay’an yashbah al-ṣawma*). On being challenged about this new construction, the Christians produced a written treaty in which “it was found that they should not be prevented from building a house for worship, and they gave as their excuse for raising [the tower] that it was for light, and the qāḍī, on investigating this, found it to be the case.”¹³⁹ Although both groups of Christians were visiting, and both had the right to build “houses” of worship for their use, they still had to confront a degree of reluctance to view them as any different from local *dhimmis*, justifying their “renovations” and their intrusion into Muslim public space by deploying specific, written concessions, and framing their construction as serving a practical need: repairs, not embellishments for the sake of external beauty.

Once their right to access their own religious space was guaranteed, the treaties signed by the Genoese placed several churches in the Maghrib under the authority of the Genoese archbishop. In turn, the archbishop seems to have appointed clerics to the *fondaco* churches, and several notarial documents survive in which the priests prepared to take up their new posts. These appointments seem to have been for a limited amount of time; suggesting perhaps a type of “rotation” of clerics in and out of the Maghrib. In May 1244, *presbyter* Giovanni, chaplain of S. Donato, preparing to embark for Bijāya borrowed an epistolary from a Templar, and promised to return it (or 12s) when he returned to

¹³⁷ “fundicum...furnum, balneum...et ecclesiam unam in qua orare debeant Ianuenses et facere ministerium Dei.” Mas-Latrie (Genoa-Mallorca: 1188), 114.

¹³⁸ “mubāh li-kul ṭā’ifat minhum bay‘at wāḥidat-un li-aqāmat-in sharī‘atihim”, cited in *al-Mi‘yār* II: 215.

¹³⁹ “fa-wujida fīhi annahu la yuḥālu baynahum wa-bayna an yabnū bayt-an li-ta‘bbudātihim, wa-a‘atadharū ‘amā rafa‘auhu bi-annahu li-l-ḍaw’, fa-ba‘athu al-qāḍī fa-wajaduhu li-dhalik” Ibid, 215.

Genoa.¹⁴⁰ In August 1271, Enrico, a canon of S. Martino in Pegli, hired a young man, Pagano, as a servant to accompany him to Ceuta for a two-year period.¹⁴¹

Beyond a place for the celebration of the mass and sacraments, the fondaco church was also a communal meeting-place and burial ground. In March 1289, the Genoese consul at Tunis called a meeting of his twelve-man council — which included the priest, Tealdo — in the church of St. Mary at the Genoese fondaco to advise him on a dispute between two merchants.¹⁴² Earlier that year, Giovanna Zenogia, a woman in the Marseillais fondaco, made her will, in which she asked to be buried in the same church.¹⁴³ For merchants and travelers who faced their final illnesses in the port cities of the Maghrib, it must have been a comfort to know that they could be buried in hallowed ground.

Although evidence is limited, control of the fondaco churches seems to have been considered a valuable prize, particularly the church at Tunis. The Order of the Holy Cross of Mortara, a congregation of regular canons, made at least one attempt to purchase the appointment of the *capellania* in Tunis. The order, which originally specialized in assisting pilgrims in Lombardy and Piedmont, soon expanded into the Latin East, and grew rapidly in Genoa during the first half of the thirteenth century, controlling six churches in the city.¹⁴⁴ On May 29, 1251, a group of eight Mortaran canons appointed a proxy, Jacopo Macellaio di Molo, to recover £25 from the archbishop of Genoa, which the archbishop had in turn received from the priest Ysnardo “for the chaplaincy of Tunis” (*pro capellania de Tunexis*) on June 10, 1248. Clearly, something went wrong, since the same group appointed a different proxy on June 12, 1251, to recover the same sum from the archbishop on behalf of Ysnardo.¹⁴⁵ Exactly what was going on here remains a mystery, but presumably the order was seeking the restitution of its original investment: perhaps Ysnardo had been unable to take charge of the chaplaincy? Obtaining control of the Genoese church in Tunis must have seemed like a good investment in 1248, even if it later proved difficult to exploit.

As suggested in the previous chapter, the Genoese church in the Maghrib did not have a strong relationship with the mendicant orders who rapidly expanded their activity there after the 1220s.¹⁴⁶ Genoese priests were there to serve the Genoese community and

¹⁴⁰ Cited in Yousey-Hindes, “Living the Middle Life”, 179.

¹⁴¹ ASG *Notai Antichi* 70 (Guglielmo di S. Giorgio), 62v.

¹⁴² Battifoglio, 85 (doc. 57).

¹⁴³ Battifoglio, 11-13 (doc. 6).

¹⁴⁴ Yousey-Hindes, “Living the Middle Life,” 55. For more on the Mortaran canons, who merged with the Lateran canons in 1449, see C. Andenna, *Mortariensis Ecclesia: Una congregazione di canonici regolari in Italia settentrionale tra XI e XII secolo* (Münster: Lit Verlag, 2007).

¹⁴⁵ ASG *Notai Antichi* 31/I (Matteo de Predono), 140v, 145r.

¹⁴⁶ For more on the efforts of mendicants in the Maghrib and al-Andalus, see R.I. Burns, “Christian-Islamic confrontation in the West: the thirteenth-century dream of conversion” *The American Historical Review* 76 (1971); and Robin Vose, *Converting the faithful: Dominican mission in the medieval crown of Aragon (ca. 1220-1320)* (PhD diss., University of Notre Dame, 2004).

to maintain their own churches, while the mendicants were interested both in converting Muslims and in ministering to captive Christians. In the 1234 letter to Ramon de Peñafort, the mendicants of Tunis complained about the laxity and outright wickedness of Christian merchants like the Genoese, who sold food and strategic goods like wood and iron to the Saracens, “saying that this was not prohibited to them by their prelates.”¹⁴⁷ The mendicants also complained of their inability to celebrate the mass and other sacraments with proper solemnity, suggesting perhaps that they lacked access to the churches of the merchant communities. They asked for permission to celebrate mass before dawn, “on account of the fear of those whose care we have,” and also for permission to use “unblessed vestments and vessels when necessary.”¹⁴⁸ The Genoese churches, and presumably those of other trading nations, were not easily accessible to the mendicants, possibly because their explicit mission of conversion may well have endangered relations between the merchants and their Muslim hosts.

Conclusion

The Genoese who lived and traded in the Maghrib operated in a wide range of physical and conceptual spaces. Their movements within the Maghrib were limited by treaty language and geography to a few important port cities: overwhelmingly to Ceuta, Bijāya, and Tunis. While all three of these cities had similar legal and cultural institutions, their varying political and economic realities were just as important for determining patterns of foreign settlement and commercial activity. Furthermore, within each city there were a number of separate zones and spaces, from the *fondaco* to the market to the *dugana*, each of which had separate functions both in Islamic law and in the accepted practice of European merchants like the Genoese. Foreign Christian economic activity was strongly directed towards the *fondaco* and the *dugana*, while the market was a nominally Muslim space in which Genoese and other foreign Christian merchants faced significant normative barriers, if not quite outright exclusion. Nonetheless, enterprising Genoese could enter these spaces and leave the well-established “expat” zones created by local officials both for their convenience and to better control them. Clashing expectations and tensions around the acceptable use of space, whether for trade, worship or settlement, might cause us to re-evaluate the oft-quoted assertion by the *Anonymous* of Genoa around 1300 that “wherever the Genoese go, they make another Genoa.”¹⁴⁹

¹⁴⁷ “dicentes hoc sibi non fuisse prohibitum a prelatibus suis.” Tolan, “Ramon de Penyafort”, 10.

¹⁴⁸ “propter timorem in quo sunt isti quorum curam gerimus,” *idem*, 14.

¹⁴⁹ “und’eli van o stan/ un atra Zenoa ge fan” *Anonimo Genovese*, cited in Epstein, *Genoa and the Genoese*, 116.

CHAPTER FOUR: "PEOPLE": THE DEMOGRAPHICS OF TRADE AND TRAVEL BETWEEN GENOA AND THE MAGHRIB

In 1204, a court case was underway in Savona, regarding the fate of a small investment — £4 18d — that had been taken to Bijāya by a man named Villano Scalia. As part of the depositions, the judge summoned three witnesses from the Vexoso family; Raimundo, Bertolotto, and Ansaldo, to give their accounts of how one creditor, Anneta Lingosa, had invested her share of the commenda : forty *soldi* (two *lire*). Raimundo gave the following version of events:

I was present in Anna's house, because I had come there to buy bread and wine to eat, and there I bought a penny's worth of bread and one *assata* of wine, and while I was eating there, the aforementioned Villano came saying to Anna, "Anna, you've got money, I ask you to lend me some in *commenda* and I will give you one quarter of the profit that God will give me." And she responded "I will give you 40 soldi in *commenda*" and thus she gave him 40 soldi and counted them out and said to me and to Raimundo and Bertoloto Vexoso, who were all there, that we were witnesses.¹

This testimony suggests a number of important points about the people who took part in the Maghrib trade in thirteenth-century Liguria. It shows how even men and women of modest means could invest, since Anneta appears to be a shop- or tavern-keeper of some kind. Moreover, it demonstrates the casual ways in which investment could take place: a man enters a tavern and solicits money from an acquaintance, who then counts out the coins in person and calls her patrons to act as witnesses. Indeed, no mention at all is made of a notary in recording the trade, a sobering point given how central notarial acts are to our understanding of medieval Mediterranean trade. This verbal contract has come down to us thanks to the legal dispute that arose from it: it is taken from the work of a Savonese notary, Martino, who served as an official scribe of the commune, including its law court, between 1203 and 1206.² It is impossible to know how many similar, small-scale contracts were made verbally and without a notary, thereby leaving no trace in the written record.

Nonetheless, the notarial evidence permits us to reconstruct much of the demographic structure of Ligurian investment and travel in the Maghrib. The present

¹ "Ego aderam in domo ipsius Anne, quia veneram ibi pro emere panem et vinum pro comedere et sic emi denariatam panis et assatam vini et cum comedebam ibi, et dictus Villanus venit dicens ipsi Anne – Anna tu habes denarios; rogo te ut abundes michi de tuis denariis in accomandatione et ego dabo tibi quartum denarium lucri quod Deus michi dederit – et ipsa respondit – Ego acomandabo vobis solidos XL – et sic dedit eos solidos XL sibi et numeravit et dicit michi et Raimundo Vexoso et Bertoloto Vexoso, qui eramus ibi tunc, quod eramus inde testes." Martino, 302 (doc. 781).

² Dino Puncuh, *Il Cartolario di Martino di Savona: 1203-1206* (Genoa: Società Ligure di Storia Patria, 1974) 16. See analysis by A. P. Schioppa, "Giustizia civile e notariato nel primo Duecento comunale: il caso di Savona, 1203 - 1206" *Studi Medievali* series 3 V 55:1 (2014) -24, and discussion in Chapter One, 40-41.

chapter does this in several ways. First, by reading many different notaries active over the period 1203 – 1300, we can understand the city’s economic activity as a whole. While individual notaries developed specializations and clienteles over their careers, these biases can be mitigated by reading as many of their contemporaries as possible. Furthermore, while the notarial evidence remains the core of my analysis, I have also consulted Latin legal and narrative sources, where appropriate. Through this approach, a picture emerges of the activity of various sub-groups within Genoese and Ligurian society. The chapter addresses the activities of each of these groups in some detail; interrogating their investment and travel practices and suggesting their relative importance within the Genoa-Maghrib trade as a whole. It ends by discussing the limited but important evidence for Maghribi Muslim and Jewish residence in Genoa. While the presence of Muslims and Jews in twelfth- and thirteenth-century Genoa has been recognized in the past, their socioeconomic diversity and their permanence within Genoese society has not, with most attention being given to passing merchants and slaves.³

Notaries and their Networks

First of all: who were the notaries, and how did they fit into Genoese or Ligurian society as a whole? Far from being passive and neutral observers of Genoese economic life, notaries were both highly mobile and deeply involved in trade as well as landowning. Many notaries were wealthy merchants and investors in their own right, including several with extensive personal involvement in the Maghrib trade. They were also frequently each other’s clients. The notary Bartolomeo Fornari formed two *commenda* partnerships for Ceuta and Bijāya in 1252 and 1253, according to his fellow notary Giannino de Predono, worth a total of £38 10s, in addition to other investments in ship shares and merchandise (including a Corsican falcon) between 1245 and 1274.⁴ Bartolomeo’s family, the wealthy Fornari, was highly active in the trade between Genoa and the Maghrib during the thirteenth century and was also close to the center of power in communal politics, especially during the years between 1230 and 1260. Ugo Fornari, a very wealthy man and one of the eight *nobiles* in charge of municipal imposts and taxes in 1237, was not only a major investor in Ceuta and Bijāya, but his house served as a meeting point for other Maghrib traders and notaries.⁵ Ugo’s association with the Maghrib continued after his death sometime before 1254, when

³ Eugene Byrne identified several “Eastern” or “Syrian” merchants in the notarial registers of Giovanni Scriba (1154-1165), but thought that they “disappeared” from the record after the 1190s. Eugene Byrne, “Easterners in Genoa,” *Journal of the American Oriental Society* 38 (1918): 176-187. Vsevolod Slessarev, writing in 1967, concurred, noting that that it was “vain” to look for Muslims in any number in the later thirteenth century. Vsevolod Slessarev, “I Cosiddetti Orientali nella Genova del medioevo” *ASLP NS VII/1* (1967), 39- 85. Georges Jehel offered an important corrective to this narrative in the 1990s, but his analysis focused mainly on the provenance of Muslim slaves in Genoese markets. See Georges Jehel, “Muslims and Jews in Medieval Genoa: From the Twelfth to the Fourteenth Century” *Mediterranean History Review* 10:1 (1995), 120 -132.

⁴ ASG *Notai Antichi* 34 (Ianuino de Predono) 63r and 90r, and 34 (Nicolo de Porta) 10v.

⁵ *Annales* Vol. 3, 80.

notaries began to record investments for Ceuta, Bijāya and Tunis made *in domo quondam Ugonis Fornarii*.⁶ Genoa's podestà in 1236, Jacobo de Tertiago of Milan, seems to have held court in the family's urban palace, as indicated by one of Bartolomeo's earliest acts in September 1236, in which Ugo's son Guglielmo Fornari invested money in a commenda for Ceuta: the act was compiled "in the palace of the Fornari, where the podestà holds court" (*in palacio fornariorum quo potestas tenet curia*).⁷ In this era of Genoese communal politics, the city's government met in the private homes of the urban elite: Guglielmo's Ceuta investment was made at the very center of power.

The notary Bonvassallo de Cassino also had a close working relationship with the Fornari clan: between 1236 and 1240, he recorded at least ninety-seven acts for trade with the Maghrib (just under one-third of his total) at the family's warehouse or commercial depot (*volta Fornariorum*).⁸ He also invested some of his own capital in trade, during the 1250s, although it is not clear from the surviving acts where he saw fit to send his money.⁹

Another family or group of notaries, the de Predono, also had trading interests in the Maghrib. Giannino de Predono invested in Bijāya and Ceuta in 1254, including a large sum — £165 — that he entrusted to his brother Guglielmo, also a notary, for a voyage to Ceuta. Guglielmo was both a traveling merchant and an investor in other enterprises, and seems to have specialized in cloth for sale in the Maghrib; the cargoes he took charge of included "fustians of Cremona" (*fustaneos cremonenses*) and other cloth (*tela crispie*).¹⁰ Although Giannino's own acts survive only from a short period between March 1251 and June 1254, he also appears in acts produced by his kinsman Matteo de Predono, as both witness and an investor. In fact, a likely explanation for the limited range of Giannino's surviving acts is the fact that he himself left Genoa to trade personally in the Maghrib at some point after 1255. In May of that year, he accepted two separate cargoes of cotton (twenty-seven *pecias*) from his brother Guglielmo amounting to £14 17s, which he promised to take to Bijāya in trade. He may have still been there four years later; in February 1259 his wife Symona collected rent on his behalf for a house they owned in Genoa.¹¹ Matteo's relationship to Giannino is unclear, but like Bonvassallo de Cassino, he seems to have worked in the orbit of the Fornari, recording at least 41 Maghrib-related trade acts between 1244 and 1256 in the home of Ugo Fornari.

As with any profession, there was a measure of variety within the ranks of the Genoese notariate: individual notaries had particular clients, areas of specialization and

⁶ See for instance *Notai Antichi* 31-I (Matteo de Predono): 28v.

⁷ ASG *Notai Antichi* 18 (Bartolomeo de Fornari): 147v.

⁸ The location of many acts is uncertain due to damage, and the frequent practice of notarial shorthand: when multiple acts were prepared at the same place, notaries might simply indicate it with *eodem die loco et hora*.

⁹ ASG *Notai Antichi* 31/II (Matteo de Predono): 50v-51v.

¹⁰ ASG *Notai Antichi* 30-I (Giannino de Predono): 83v, 126v.

¹¹ ASG *Notai Antichi* (Matteo de Predono) 31/II: 92v; *Ibid*, 32: 51v.

work habits. However, as a whole, Genoese notaries were highly mobile and many were deeply engaged in trade around Liguria and throughout the Mediterranean, including the Maghrib. Genoese ships were expected to carry notaries to record transactions made during voyages, further adding to the profession's mobility.¹² In addition to the notaries whose acts are included in this study, many merchants or investors characterized as *notarius* or *scriba* appear in the notarial evidence. These include Ricobono de Porta *scriba*, a merchant-notary who invested heavily in Ceuta in 1253, especially in wine, and several other members of the Predono family, such as Bertolino and Guglielmo de Predono, both *notarii*, who formed a partnership for Bijāya in 1254.¹³ Some of these men took up residence in foreign ports, including in the Maghrib. This may have been the case with Pietro Ruffo, "notary of Bijāya" (*notarius bugie*), who at some point before 1215 drew up a contract between Vitale, a Jew, and Giordano Bellorando: the contract, originally executed in Bijāya, was copied in Savona in 1215 and witnessed by Lamberto Lecara, *scriptor bugie*.¹⁴

Merchant-notaries also exerted important influence on the very terms of trade with the Maghrib: both the 1272 and 1287 Genoa-Tunis treaties were composed by members of the Sigenbaldo family; Francesco and Leonardo, respectively.¹⁵ Although none of his actual notarial acts appear to have survived, Leonardo de Sigenbaldo was a merchant-notary in Tunis during the 1280s, who made several huge trade investments in Tunis and Bijāya. Instrumental in crafting the treaty under which his fellow Genoese operated, familiar with the Ḥafṣid authorities, and having purchased the right to the *scribania* of the Genoese fondaco, Leonardo seems to have held just as much actual power within the Genoese community at Tunis as its official representative, the consul Balianno Embrono. It is tempting to interpret Leonardo — and others like him — as "part-time" notaries, perhaps benefiting from a notary's training and able to compose complex legal documents, but predominantly active as traders alongside the great merchant capitalists of thirteenth-century Genoa.¹⁶ Mobile and opportunistic, with ties to great merchant families and

¹² Antonio Musarra, "Scrivere sulle galie, Notai e scribi di bordo a Genova tra XIII e XIV secolo," in *Itineraria* 11 (2012), 101-125.

¹³ ASG *Notai Antichi* (Giannino de Predono) 30-I: 85v.

¹⁴ *Uberto* II, 56 (doc. 202).

¹⁵ Mas-Latrie, 125-127.

¹⁶ Here I employ the term "capitalist" in a limited sense to refer to those Genoese who invested a capital in trade or lending, with a view to generating profit. The question of whether or not medieval Genoa or Venice can be understood as "capitalist" or "proto-capitalist" in a macrohistorical sense has a long and vexed history. See for instance S.R Epstein, "Rodney Hilton, Marxism, and the Transition from Feudalism to Capitalism" in C. Dyer, P. Cross, C. Wickham, eds., *Rodney Hilton's Middle Ages, 400-1600* (Oxford: Oxford University Press, 2007), 248-269; E. Mielants, *The Origins of Capitalism*, 1-46; Martha Howell, *Commerce before capitalism in Europe, 1300-1600* (Cambridge: Cambridge University Press, 2010), 1-48.

frequently making personal investments themselves, notaries were instrumental in setting the conditions of trade between Liguria and the Maghrib.

The Great Families in the Maghrib Trade

Genoese of all socioeconomic classes invested in the Maghrib trade during the thirteenth century. Many of the most prominent noble families in the city, such as the Doria, Spinola, and Embriaco, are well represented in the notarial evidence. The table below provides the fifteen most frequently occurring family names in this study: entries with an asterisk represent families who do *not* appear to be members of the magnate class.¹⁷

Table 5: Genoese Families Active in the Maghrib Trade, 1203 - 1289¹⁸

Family	Number of Acts	Number of Mentions
Di Mare	77	81
Guercio	65	72
Lomellini	63	82
Doria	58	91
de Levanto*	51	51
Cibo	50	89
Embriaco	47	67
Fornari	47	72
Lecavelo	45	54
Usodimare	44	52
Pinelli	42	46
Ferrari	37	47
Adalardo*	35	44
Lercari	29	43
Spinola	26	31
De Negri	25	34

¹⁷ As elsewhere in Italy, the Genoese magnates represented less a formal caste and more a broad social group comprising several different types of people: old Ligurian feudal nobility, elite merchants who subsequently purchased lands and privileges, and so on. In identifying “magnates,” I have relied on Angelo M.G. Scorza’s *Le famiglie nobili genovesi* (Genova: Giugno, 1924).

¹⁸ Table Five: “Number of Acts” refers to the number of individual notarial acts in which one or more representatives of the family appears as principal or as a witness, whereas “Number of Mentions” refers to the number of times a family member is mentioned. Often, multiple family members can be involved in the same act.

There are several points worth highlighting here. For one thing, several prominent Genoese families are under-represented in the Maghrib trade. In particular, the Fieschi and Grimaldi clans feature infrequently (they appear in five acts and nine acts, respectively) while the Doria and Spinola appear much more often. These families, the so-called *quatuor gentes*, dominated Genoese communal politics in the mid-thirteenth century, overshadowing several older families such as the della Volta, Embriaco, and Castro. Political rivalries may have been involved: the Fieschi and Grimaldi were allies and Guelf supporters, whereas the Doria and Spinola, who cooperated to rule Genoa in a twenty-year diarchy from 1270 – 1290, were Ghibellines. Perhaps the two clans preferred to use different notaries in the city, or perhaps they avoided making investments and voyages in the Maghrib, where their rivals predominated.¹⁹

With the important exception of the Doria, the *quatuor gentes* were less active in the Maghrib than some of the second-tier nobility who had dominated politics in an earlier era, such as the Guercio and Usodimare. The case of the Usodimare provides a good example of the possibilities for elite investment. The Usodimare were one of Genoa's oldest noble families, deriving ultimately from Ligurian landed aristocracy in the eleventh century. Alongside other Genoese families of vice-comital origins, they were active in the Genoese expeditions and settlements in the Levant during the twelfth century.²⁰ They were also deeply engaged in communal government, providing 14 consuls between 1131 and 1209, and were noted among the members of the communal *consilium* in October 1256, the eve of Guglielmo Boccanegra's popular government.²¹ Finally, the family left its mark on Genoa's official written history, through the pens of Marino and Buonvassallo Usodimare, who were among the authors of the city chronicle between 1264-1269.²²

Alongside these domestic political and literary activities, the Usodimare both invested in and traveled to the Maghrib throughout the thirteenth century. Between 1236 and 1289, members of the family appear in forty-four different notarial instruments involving the Maghrib as both principals and witnesses, and they seem to have been particularly active between 1236 and 1254, during which period they made or accepted fifteen different *commenda* contracts for Ceuta, Bijāya, or Tunis. Individuals involved in the trade included Giacomo Usodimare, member of the podesta's *consilium*, and the chronicler

¹⁹ Giovanna Petti Balbi, *Governare la città: pratiche sociali et linguaggi politici a Genova in età medievale* (Firenze: Firenze University Press, 2017), 105-106.

²⁰ Scorza, *Famiglie nobili genovesi*, 449. For more on the Usodimare, see Luca Filangieri, *Famiglie e gruppi dirigenti a Genova (secoli XII- metà XIII)*, PhD dissertation, University of Florence (2010), 41-42, Michel Balard, "Per una storia dell'insediamento genovese nel Mediterraneo medievale" in P. Stringa, *Genova e la Liguria nel Mediterraneo: Insediamento e culture urbane* (Genova, 1982).

²¹ Filangieri, *Famiglie e gruppi*, 32.

²² *Annales* Vol. 4, 57-126. For more on the composition of the *Annales Ianuenses*, see John Dotson, "The Genoese Civic Annals: Caffaro and his Continuators" in Sharon Dale, A. Williams Lewin, and D.J. Osheim, eds., *Chronicling History: Chroniclers and Historians in Medieval and Renaissance Italy* (University Park, Pennsylvania State University Press: 2007), 61.

Marino Usodimare, who sent three *cantari* of pepper to Ceuta in 1251.²³ The family exported textiles, pepper and lacquer (*lacca*) from Genoa to the Maghrib, and imported leather and other goods. Family members also invested in the carrying trade within the Maghrib. In 1236, Bonvassallo Usodimare accepted a huge investment — 2000 besants, around £500 — related to a shipment of Tunisian grain for Ceuta. In this case, something went wrong: for unknown reasons, Bonvassallo's investors eventually sued him before the Genoese consuls at Ceuta, obtaining a settlement that took at least twelve years to resolve.²⁴

Not content to trade in commodities, the family also invested in real estate and financial instruments in the Genoese settlements of the Maghrib. In 1236, shortly after the Genoese attack on the city, Balduino Usodimare invested thirty-three *lire* in the construction of a house near the arsenal at Ceuta.²⁵ Likewise, the family invested in the legal and financial infrastructure of Genoese overseas settlement: in June 1253, Lanfranco Usodimare received the rents he was owed for the *scribania* of the Genoese fondaco at Tunis, which he and his associates purchased from the commune in a public auction (*quem incantavimus in publica calega*).²⁶ Later, in the 1280s, a ship owned by Pasquale Usodimare and associates was plundered by Pisans in the harbor at Tunis: he claimed damages of 20,393 besants — around £5000 — and his complaint made it into the 1287 Genoa-Tunis treaty: Pietro Battifoglio's register for 1288-89 reveals the extent to which other elite Genoese merchants at Tunis had invested with Pasquale in the plundered cargo.²⁷

While the scale of the Usodimare's interest in the Maghrib is suggested by the documents, it is difficult to tell how important the Usodimare's interests in the Maghrib were as part of the family's overall "Mediterranean strategy."²⁸ A full interrogation of all Usodimare investments in the Mediterranean trade is beyond the scope of this dissertation; nonetheless, it seems clear that the Maghrib trade was an important part of what one might call the family's "investment portfolio" during the thirteenth century.

Individual Strategies and Possibilities:

In addition to the travels and investments of the Usodimare, the notarial records illuminate the Maghrib-related careers of several other prominent individuals in the trade. These

²³ ASG *Notai Antichi* (Bartolomeo Fornari), 27: 193v.

²⁴ ASG *Notai Antichi* (Bartolomeo de Fornari), 26-II:163r.

²⁵ Ibid (Bonvassallo de Cassino), 17:20r

²⁶ Ibid (Bartolomeo de Fornari), 29: 130r.

²⁷ Battifoglio, 39-40, 59-60 (docs. 25, 39).

²⁸ See discussion by Dominique Valérian, "Gênes, l'Afrique et l'Orient : le Maghrib almohade dans la politique génoise en Méditerranée" in Valérian, Coulon, Otton-Froux, eds., *Chemins d'outre-mer études d'histoire sur la Méditerranée médiévale offertes à Michel Balard* (Paris: Publications de la Sorbonne, 2004), 827-837.

included a spice trader with a connection to medicine, and four brothers active in both commerce and diplomacy. The first of these, Oberto de Levanto, was a spice merchant (*spetiarius*) who was highly active in the Maghrib trade between 1251 and 1254. Having established himself by the chapter-house of S. Lorenzo, in the heart of Genoa, Oberto invested in a wide range of goods for Tunis, Bijāya, and Ceuta. He was exclusively a stationary investor, probably an older man by the 1250s (his son Giovannino appears associated with him in some later investments), who relied on the labor and travel of others. Although Oberto seems to have specialized in spices, he also sent wine, lacquer, aloe, linen, and fine Antiochene silk to the Maghrib. On one occasion, he even sent weapons (*arma*) to Tunis, a highly controversial decision in view of the papal embargo on trading strategic materials with the enemy.²⁹

Like the Usodimare, Oberto did not limit himself to investing in material goods: he also formed a partnership, or *societas*, with a medical doctor, master Gerardo de Longo, with whom he invested twelve *lire* in May 1252. For his part, Gerardo undertook to travel to Tunis and share with Oberto any profits he received there “in practicing medicine, or whatever I should receive from the merchants for the commune of Genoa.”³⁰ This contract may in fact reflect something of a family interest in medicine: two other members of the Levanto family, Ranuccio and Federico, are attested as doctors in Genoa and Pera between 1267 and 1281, and it seems highly likely that the “Galvanus Ianuensis de Levanto,” (d. c. 1340) physician to Pope Benedict XII (1334- 1342) and author of several medical treatises, belonged to the same clan. Oberto’s experience as a spice merchant and his access to rare eastern goods would have made him an attractive business partner for a medical doctor: in Genoa, as elsewhere in medieval Europe, spices were known to have a range of medicinal uses, and there was considerable overlap between the wares stocked by spice merchants and apothecaries.³¹

Like Oberto de Levanto, Opizino and Marino Adalardo were active investors in the Maghrib; however, they combined their investments with frequent travel there. The Adalardo were not one of Genoa’s elite families. In the thirteenth century, they combined an entrepreneurial streak with an aptitude for naval warfare and corsair activity. On both occasions that the exploits of the Adalardo made it into the city annals, it was for successful piracy: against Pisa in 1245, and against a Sardinian judge in 1285.³² Otto Adalardo appears as a witnesses to several acts involving the *maona* of Ceuta in the 1230s, but his sons Opizino and Marino first came into their own as merchants in the 1250s. Beginning in 1251, Opizino accepted several moderate- sized *commenda* investments from members of

²⁹ Presumably Oberto could have specified that the weapons were not to be sold to Muslims, but if he did so it does not appear in this act. ASG *Nota Antichi* (Bartolomeo Fornari) 27:188r.

³⁰ “occasione medicandi, sive de eo quod pro communi Ianue a mercatoribus habere debeo.” ASG *Notai Antichi* (Giannino de Predono) 34: 74v.

³¹ See discussion in Paul Freedman, *Out of the East: Spices and the Medieval Imagination* (New Haven: Yale University Press, 2008), 117-121.

³² *Annales* Vol. 3, 161, Vol. 5, 61.

prominent families such as the Doria and Lercari, undertaking to trade in Tunis. He and his brother Guglielmo worked in tandem with a third brother, Obertino, who was based in Sicily.³³ For three successive years, Opizino accepted at least one *commenda* for travel to Tunis every spring. By the late 1250s, however, he appears as a seller of Tunisian wool on the Genoese market; selling over £154 worth of Tunisian wool to local buyers in late November 1259. After this point, Opizino continued to invest in trade with Tunis, but he entrusted the actual task of travel to other members of his family. His fourth brother, Marino, began handling large sums of money invested by other elite families, exchanging 920 gold *doppie di miro* in 1266 and 3,750 besants in 1267. In 1267, Opizino's nephew Giovanni acted as his procurator at the Tunisian royal court (*curia regis*).³⁴ In 1269 Opizino formed a business partnership with the Doria, who entrusted at least £400 with him to send to Tunis.³⁵ The family also forged business ties outside Genoa; taking a loan in Tunis from the procurator of Henry, *Infante* of Castille during that prince's exile there, at some point before 1267.³⁶ Perhaps as a mark of status and to flaunt his African connections, Marino purchased a "black female slave" from Murcia named Axia in 1267, for whom he paid £12.³⁷

It was likely in recognition of his success and experience in the Tunis trade that Opizino was chosen as the official envoy of the Genoese commune in 1272, returning to Tunis to negotiate a new ten-year trade agreement with the caliph al-Mustanşir. This was a delicate mission, taking place a mere two years after Louis IX's siege of Tunis in 1270, an expedition carried in large part in Genoese ships, to the consternation of the Genoese merchants resident at Tunis.³⁸ Opizino's embassy went unmentioned by the Genoese annalist, but the treaty itself survives in its Latin version. Negotiations took place in the caliph's palace, in the presence of several Ḥafşid officials, possibly in Arabic or perhaps with the aid of a translator, Michele de Viale, who rendered it from Arabic into Latin for the Genoese. The treaty was ratified in the presence of the Genoese consul Bonanato de Facio on November 6, 1272. While it is mostly a repetition of the 1250 treaty, one interesting innovation occurs in Article Eleven: "If a Genoese shall sell a ship or vessel to a Saracen, he shall not be required to pay a fee."³⁹ Two years after the Tunis Crusade, some Genoese

³³ ASG *Notai Antichi* (Bartolomeo Fornari) 29: 57v

³⁴ This could have meant the actual caliphal court, or perhaps the administration of the *dugana*/customs. See Chapter Three. ASG *Notai Antichi* (Guglielmo de S. Giorgio) 70:251v.

³⁵ Ibid (Guglielmo de S. Giorgio) 70: 31v.

³⁶ Ibid (Guglielmo de S. Giorgio) 70: 246r

³⁷ See discussion of skin color and slavery below, 122..

³⁸ *Annales* Vol. 4, 132. Considering the fact that Marino Adalardo accepted a *commenda* for Tunis in November 1269, it is quite possible that he was still in Tunis when the crusaders arrived in the summer of 1270.

³⁹ "Si Ianuensis vendet lignum seu navem alicui Saraceno, non teneatur solvere drictum" Mas-Latrie, 124.

clearly felt no compunctions about selling strategic materiel to Muslims, in defiance of explicit papal prohibitions, though in keeping with Genoese practice earlier in the thirteenth century.⁴⁰

How much of the treaty reflected strict instructions by the communal government and how much was Opizino's own initiative is impossible to know. After negotiating the treaty, Opizino almost disappears from the notarial records. However, he seems to have maintained close ties with Tunisians, for in 1274 he hosted Asmetus, "scribe of the commune for Saracen letters" (*scriba communis litterarum sarracenice*) in his house, and agreed to act as the scribe's procurator for an unspecified purpose. Ultimately, Opizino's activities, and those of his brothers, indicate a potential career path for Genoese merchants and investors interested in the Maghrib. Having begun as a traveling merchant, taking modest sums to trade in Tunis, Opizino eventually became a stationary investor, working with major capitalists from the elite and entrusting the physical task of travel to his family members. However, his extensive background in Tunis made him an ideal candidate to negotiate a new treaty with the Ḥafṣids, and he seems to have been trusted by the Maghribi Muslims resident at Tunis in the 1270s.

Wealthy merchants like Opizino and Oberto de Levanto were indispensable to the Maghrib trade for their fellow citizens: they raised and invested large amounts of capital, and formed partnerships that linked the heights of the Genoese aristocracy – families like the Doria – with merchants and professionals of more modest means. It is to the latter group that the discussion now turns.

Professionals, Artisans, and Craftsmen in the Trade

Investment and travel in the Maghrib was accessible to a very wide range of Genoese society, including representatives of the learned professions, artisans, and craftsmen. These men and their families invested capital with traveling merchants, or sent their own wares to Tunis, Bijāya or Ceuta. Often, they undertook to travel and trade in the Maghrib themselves, and many found work serving the needs of the Genoese fondacos.

We have already encountered notary-merchants who invested in or traveled to the Maghrib to trade. A survey of the individuals mentioned in Pietro Battifoglio's 1288-1289 register reveals at least seven Genoese notaries in Tunis alone, out of a total Genoese population of around three or four hundred. Intriguingly, we also find several Genoese and foreign doctors — *medici/physici* — who invested in the Maghrib, and even travelled there.⁴¹ In September 1259, master Rollando di Vignolo *medicus* accepted a commenda of £20 13s 4d for trade in Tunis.⁴² In 1244 and 1245 another doctor, master Otto di Cremona,

⁴⁰ See below, 129.

⁴¹ It should be noted that *medicus/medico* could also be used as a *cognomen*, therefore it is sometimes difficult to tell when the term indicates an actual medical doctor, as opposed to a family name. In general, however, it seems safe to assume that the honorific "magister" attached to *medicus* indicates some kind of professional status.

⁴² ASG *Notai Antichi* (Conrado de Capriata) 34: 208v.

made a series of small loans — one a mere 23s — to individuals and families payable on the return from Tunis of a particular ship.⁴³ As noted above, the commune seems to have arranged for a Genoese doctor to be present at its *fondaco* in Tunis, and in 1254 this charge fell to master Gerardo de Longo *fixicus*. Gerardo accepted a small loan — with a 9 besant payout — from Girardino de Predono, and formed a *societas* with the wealthy spice merchant Oberto de Levanto, as mentioned above. However, he also took an apprentice with him to Tunis: Gabriele de Covo de Cremona agreed to serve Gerardo for three years, in exchange for Gerardo's promise to provide food, clothing, medical care, and "to teach you my knowledge in good faith" (*docere te de scientia mea bona fide*).⁴⁴ Given the terms of Gerardo's *societas* with Oberto, Gabriele likely had his hands full assisting in the care of the Genoese merchants resident at Tunis. However, the geographical and intellectual setting of Gabriele's medical apprenticeship at Tunis should not be ignored: Gerardo and Gabriele may have planned to consult or interact with Tunisian medical experts, even to locate Arabic manuscripts. Other contemporary Genoese doctors, such as the encyclopedist Simon of Genoa (fl. 1280-1290) had access to Arabic medical texts in translation and also consulted native speakers of Arabic to assist with obscure medical vocabulary.⁴⁵

As with doctors, there are several problems in attempting to identify artisans and craftsmen in the notarial evidence. Individuals are frequently identified by their trade, but, as happened elsewhere in medieval Europe, some Genoese eventually came to use these descriptors as family names. This can lead to confusion, especially since two of the great families of medieval Genoa were the "Bakers" (*Fornari/fornarii*) and "Smiths" (*Ferrari/ferrarii*): how can one tell the difference between an individual belonging to one of these two clans and an actual baker or smith?⁴⁶ Fortunately, other cases are more clear-cut, as for instance in May 1236, when Pietro de Casalegio, a lathe-worker or potter (*tornator*) invested 20s worth of *vernigatos* (a type of glazed wooden or ceramic plate) in a commenda for Tunis: here, the combination of Pietro's identification as a *tornator*, in addition to his loconym "de Casalegio", and his access to the products of the potter's craft make it almost certain that he was, in fact, a potter himself.⁴⁷ When trying to come up with

⁴³ Ibid (Matteo de Predono) 18/II:312v.

⁴⁴ ASG *Notai Antichi* (Giannino de Predono) 34: 77r.

⁴⁵ Siam Bhayro, "Simon of Genoa as an Arabist," in Barbar Zipser, ed., *Simon of Genoa's Lexicon* (London: Versita Ltd, 2013), 62. Zipser thought that Simon acquired his knowledge of Arabic medicine through Spain, rather than the Maghrib, based on his collaboration with Abraham of Tortosa. Idem, *Simon of Genoa's Lexicon*, 12.

⁴⁶ Denise Bezzina, in her important study of the thirteenth-century artisan class, proposed a system for classifying Genoese artisans into six different naming styles: 1) by trade, 2) by patronymic and trade, 3) by a special *sobriquet* and by trade, 4) by place of birth/origins and by trade, 5) by a "double designation" of trade, and 6) by a last name unrelated to trade, with artisan status determined by a brief descriptive phrase, e.g. "who makes shoes" (*qui facit caligas*). Denise Bezzina, *Artigiani a Genova nei secoli XII- XIII* (Florence: Florence University Press, 2015), 22.

⁴⁷ ASG *Notai Antichi* (Bonvassallo de Cassino) 17:19v

a statistical analysis of artisan activity, some amount of inference is inevitable, but there are still clear patterns to be drawn from the evidence.

The most obvious of these patterns is the fact that artisans and craftsmen frequently used their own hand-made products in the Maghrib trade, making relatively small investments of goods with traveling merchants. In 1248, Alberto de Stubiis, a potter, invested £7 10s worth of “plates, vessels and other products of the potter’s craft” (*tefaniis, scudellis et alia opera tornarie*), in a commenda with Ambrogio de Vedereto, who undertook to sell them in Bijāya.⁴⁸ Some lathe-workers or potters also embarked for the Maghrib themselves, including two men both named Giovanni in the 1230s who traveled to Ceuta. One of them subsequently died there, and his father Donato *tornator* eventually received his son’s effects from Giovanni’s former housemate after his return from Ceuta; namely a “chest of iron tools” : likely those of his profession.

This pattern repeats itself across a wide range of artisanal production. In 1274, Ventura, a chest-maker (*capsciarius*) gave Guglielmo di Chiavari a “big new chest” (*capsa magna nova*) worth 35s, to be sold or traded in Bijāya.⁴⁹ In 1255, Salvo the dyer (*tinctor*) sent £3 18s worth of the dyestuff madder (*roça*) with Pasqualino de Carignano to Bijāya.⁵⁰ In November 1244 Giovanni Antico, a nail-maker (*clavonerius*) entrusted Opizino the smith (*ferrarius*) with 40s of iron tools (*ferramenta*) to take to Tunis.⁵¹

Other, more controversial shipments included efforts by swordsmiths, armorers, and cutlers to send weapons in trade to the Maghrib. On May 10 and 11, 1252, Vexino the swordsmith (*spatarius*) sent two different shipments of swords — each worth £4 — to Tunis. A few weeks later, Oberto di Lavagna, a smith (*faber*) sent £13 worth of knives and “crystal pommels” (*cultellets et pomelos cristalli*) to Ceuta. In 1206, a shield-maker (*scudarius*) sent five shields worth 5s each to Ceuta in a *commenda*, perhaps an example of the famous *janawiyah*-type shields mentioned by Arab chroniclers in the Eastern Mediterranean.⁵²

Similar small shipments of weapons and armor were sent by individuals not explicitly described as sword-smiths or armorers, including more swords, crossbows and quarrels, and several sets of hauberks.⁵³ In 1253, Jacopo Pinelli, one of a family of wealthy bankers, even sent iron barding for a warhorse (*cohoperta una ferri pro destrario*), worth

⁴⁸ Ibid (Bartolomeo Fornari) 26-II:74v

⁴⁹ Ibid (Leonardo de Negrino) 79: 159r

⁵⁰ Immediately after this act, Pasqualino accepted another £5 worth of madder from Anselmo Cervignico, who may also have been a dyer, although he is not described as such. ASG *Notai Antichi* (Matteo de Predono) 31/II: 93v.

⁵¹ Ibid (Matteo de Predono) 18/II: 366r.

⁵² David Abulafia, *The Great Sea*, 297, Claude Cahen, *Orient et Occident au temps des croisades* (Paris, 1983), 132-3.

⁵³ Ibid (Matteo de Predono) 34:49v, (Bartolomeo Fornari) 29:108v.

£11, to Ceuta.⁵⁴ Almost all galleys carried soldiers or crossbowmen, and there were large European mercenary populations resident in Tunis and Marrakesh. There was nothing to suggest that these small-scale shipments of weapons would necessarily be sold to Muslims in defiance of the papal ban against such sales, but clearly some were. The mendicant orders active at Tunis in the 1230s described the process by which individual European sailors and merchants might sell “little knives or nails” to Muslims, or engage directly in bartering with local Muslims, “exchanging a bow for a sword or vice-versa”: the friars wanted to know whether such minor infractions of the ban merited excommunication.⁵⁵

These and other, similar acts represented modest investments of everyday goods. Genoa’s small- and medium-scale artisans looked for opportunities to sell their wares in other markets, and relied on merchants or travelers with links to the Maghrib to facilitate their access to them. In addition to sending their goods, they could themselves find work as oarsmen on the galleys and in the ports and fondacos of the Maghrib, and many likely took advantage of this travel to trade, even if on a very limited scale: two or three *lire* at a time. Custom allowed every sailor or oarsman aboard a galley to take a small bag of personal goods, and this would have made small-scale investments possible for a very wide range of Genoese society.⁵⁶

Servants and the Poor in the Maghrib Trade

Even laborers and domestic servants could invest their small capital in the Maghrib trade. Women working as domestic servants in the households of wealthy merchants sometimes chose to entrust their money with their employers. In May 1237, Caracosa, mother of Jacopo Usodimare, appeared with her son before a notary and recorded her investment of £11 in *commenda* for Tunis. Caracosa was accompanied by her servant Cotesa, who in turn gave Jacopo 40s of her own money in *commenda*.⁵⁷ In 1239, Giovanni de Serrino accepted a capital of £12 10s from Pietro de Vedereto, “from the money of your servant Maria Grega” (*de pecunia servicialis tue Maria Grega*).⁵⁸ In April 1253, as Jacopo de Alpanis prepared to embark on a long voyage to Safi, on the Atlantic coast of Morocco, he accepted a number of small- and medium-sized investments from family members: his brother-in-law Daniele de Noli, his mother Symona, his sister Giulietta, and his wife Jacobina. Both Symona and Jacobina’s capital included small investments by their domestic servants, Alaxina and Guisla: the former sent £3 3s 3d, while the latter sent £4 10s 3d.⁵⁹ Considering that Jacopo

⁵⁴ ASG *Notai Antichi* (Bartolomeo Fornari) 29:219v.

⁵⁵ (They did.) Tolan, *Dubitabilia*, 15-16.

⁵⁶ See Steven A. Epstein, “Labour in Thirteenth Century Genoa,” *Mediterranean Historical Review* 3:1 (1988), 114-140.

⁵⁷ ASG *Notai Antichi* (Simon de Flacono) 20-II: 197r.

⁵⁸ Ibid (Bonvassallo de Cassino) 21-I: 86v

⁵⁹ Ibid (Bartolomeo Fornari) 29:67r.

took over £284 to Safi, these were minuscule investments, but they must have been significant amounts of money to the women who sent them, hoping for a good return and trusting the good business sense of their employers. That said, like the wealthy of Genoa, some of these women attempted to diversify their investments; five months after she sent her capital to Safi, Guisla invested another £4 through her employer, Jacobina, with a merchant departing for Ceuta.⁶⁰

The great merchants who embarked for the Maghrib frequently traveled with servants, a fact that could give these subordinates a chance to engage in trade themselves. Ship rental contracts usually specified that merchants would be transported “with your people and servants and companions” (*cum personis et serviciales et companas vestras*). On April 8, 1253, Symone Doria was one of a consortium of merchants who rented the ship *Leopard* for a voyage to Tunis. Two weeks later, his servant (*servicialis*) Guglielmo de Bonacossa, a Piacentine, accepted an investment of £10 from Martino d’ Alessandria to trade to Tunis.⁶¹ Just as economic activity in the fondaco required the presence of skilled artisans such as shoe-makers, tailors, and tanners, domestic servants also made agreements to serve overseas. In April 1237, Bergamino da Bergamo pledged to accompany Bonaventura da Brescia to Tunis and elsewhere in exchange for a yearly salary of £5, whereas Giovanni Rubeo was promised a salary of £6 and board for two years’ labor in the household of Lanfranco Adorno at Ceuta.⁶² Compared with the typical annual salary of a servant in mid-thirteenth century Genoa — £1.5 — these were highly attractive wages. In some cases these men may not have been low-status domestic servants, but rather apprentice merchants, although in most cases the terms used for them (*serviciales*) and for their labor (*facere omnia servitia tua*) are ambiguous and certainly include the possibility of domestic service.⁶³

In addition to their salaries, some servants looked forward to the ability to trade on their own initiative: this apparently included the lay servants of clerics. In August 1271, a young man named Pagano, son of Marchisio de Folo de Lunigiana, promised to accompany Enrico, canon of S. Martino di Pegli, to Ceuta for a period of two years. Enrico promised to provide room and board, and in addition, “to ensure that the merchants take up a collection on your behalf, and I will dismiss any purchases you will make without profit.”⁶⁴ The precise meaning of this promise remains unclear: perhaps Enrico was promising not to

⁶⁰ Ibid (Bartolomeo Fornari) 29: 216v.

⁶¹ It is interesting to note that both men here were outsiders: a Piacentine and an Alexandrian. Presumably Martino could have chosen to invest with Symone Doria directly, but he chose to trust Symone’s servant instead with his money: did the two have a pre-existing partnership? ASG *Notai Antichi* (Bartolomeo Fornari) 29:51v.

⁶² ASG *Notai Antichi* (Bartolomeo Fornari) 18/II:177r, and ibid (Giannino de Predono) 34:54r.

⁶³ Steven A. Epstein, *Wage Labor and Guilds in Medieval Europe* (Chapel Hill: University of North Carolina Press, 1991), 147-148.

⁶⁴ “operam prestabo quod mercatores pro te collectam faciant et alia acquisita sine lucro quod tu feceris dimittere” ASG *Notai Antichi* (Guglielmo de S. Giorgio) 70: 62v.

take any profit himself from what his servant managed to trade? Nonetheless, the point remains: even low-paid servants traveling to the Maghrib looked forward to the opportunity to do a little trading themselves.

Churchmen in the Maghrib: Between Pastoral Care and “the Dream of Conversion”

Spiritual and material motives alike promoted the Church’s interest in the Maghrib. On an immediate, practical level, the many Latin Christians living in the Maghrib demanded pastoral care and access to the sacraments. Multiple Christian-Muslim treaties signed with Maghribi rulers stipulated the right of visiting merchants to religious space in the form of churches.⁶⁵ Crucially, this was a right that was generally interpreted as specific to each “nation”: the Genoese, Venetians, Pisans and Sicilians all had their own churches, and, consequently, their own clerics in Tunis. These men generally considered themselves subject to their home dioceses, despite the interest showed by the thirteenth-century papacy in re-establishing an African church, with a bishop at Marrakesh.⁶⁶

Several notarial sources shed light on the activities of Genoese clerics in the overseas settlements. Like many of their fellow citizens, Genoese priests seem to have anticipated a period of two or three years’ “service” overseas. Several contracts exist in which clerics prepared to go to the Maghrib but also planned for their return. Often, the clerics already had benefices in Genoa prior to their departures. In 1244 Giovanni, chaplain at S. Donato, borrowed an epistolary (*librum qui vocatur pistolarius*) from a Templar, brother Rogerio, and pledged to return it or 12s within 15 days of his return from Bijāya.⁶⁷ Likewise, in the act already mentioned above, Enrico the canon of S. Martino expected his stay in Ceuta to last two years, from 1271 to 1273. Tealdo, chaplain of the church of St. Mary in the Genoese fondaco at Tunis, was present there from at least 1287 until 1289, and possibly longer.⁶⁸

Appointments to benefices overseas were in the control of the archbishop of Genoa, who actively named clerics to a number of overseas churches, much in the manner of parish churches within the archdiocese.⁶⁹ Some of these appointments were more attractive than others: in 1251, a group of regular canons of the Holy Cross of Mortara appointed two different proxies to recover a payment of £25 that one of their fellows had made to the archbishop for the chaplaincy of Tunis (*pro capellania Tunexis*.) An order especially devoted to caring for Christian pilgrims, the Mortarans’ interest in the chaplaincy of Tunis is striking: Tunis was not on any of the main pilgrimage routes to the Holy Land in the thirteenth century. In this case, the Mortarans may have been interpreting their charge

⁶⁵ See Mas – Latrie: (Pisa – Tunis 1229), 32; (France – Tunis 1270), 93.

⁶⁶ Clara Maillard, *les Papes et le Maghreb*, 104-105.

⁶⁷ ASG *Notai Antichi* (Matteo de Predono) 31-I: 50v.

⁶⁸ Battifoglio, 99-100, 184-185 (docs. 68, 131).

⁶⁹ Benjamin Yousey-Hindes, “Living the Middle Life,” 176-179.

to care for pilgrims to mean "travelers" in a broader sense, in which case a ministry in Tunis would be in keeping with their founding principles.⁷⁰

Whatever their personal or institutional motives for clerical travel to the Maghrib, priests played crucial roles in the overseas colonies. This is especially evident in Tunis, where Pietro Battifoglio's 1288-1289 register reveals the chaplain Tealdo to be a pillar of the Genoese community. Benjamin Yousey-Hindes' study of clerical activities overseas makes this point succinctly: Tealdo was a crucial mediator and a trusted figure within the community. He acted as an executor for three different estates in the first six months of 1289 alone, and served as a proxy agent for merchants, handling considerable sums of money in the process.⁷¹ When Bertramino Ferrari wished to protest a Tunisian mob's invasion of his shop in December 1288, he rather theatrically handed the keys to Tealdo for safe-keeping.⁷² Tealdo was also a member of the community's *consilium*, a group of citizens who advised the consul and heard complaints from within the community. Tealdo also physically accompanied the consul when he conducted important business with the Ḥafṣid authorities. It is highly likely that Enrico in Ceuta and Giovanni at Bijāya were called upon to fill similar roles for the Genoese communities resident there.

However, these secular clergy shared space — often uneasily — with the new mendicant orders, who began arriving in the Maghrib by the 1220s on a mission both to convert Muslims to Christianity and to minister to the Christian population in the Maghrib. Both of these goals could cause trouble for Latin Christian merchants and their clergy, and jurisdictional and pastoral issues arose quickly. In 1234, the Dominicans and Franciscans at Tunis sent a letter to the Dominican and papal *penitentiarius* Ramon de Penyafort, posing forty questions about their ministry to the Christians resident at Tunis: these ranged from difficulties they faced in properly celebrating mass to many questions about penance and absolution for merchants who violated papal bans on trade with the infidel.

Several questions involved critiques of the secular clergy attached to European Christian communities. The mendicants found fault with these clerics on a number of fronts especially for their ignorance or selective interpretation of canon law on trade with the infidel, and for their engaging in trade themselves. The very first complaint of the mendicants involved the Genoese in Tunis who claimed the right to sell strategic materials such as ships and naval stores to the Muslims, with the excuse that their own clergy had permitted them to do so. Ramon's response was firm: any merchants trading "ships, arms and iron" (*naves vel lignamina...arma vel ferrum*) were to be excommunicated.⁷³ Evidently,

⁷⁰ ASG *Notai Antichi* (Matteo de Predono) 31-I: 140v, 145r. See discussion in Chapter Four, 39-40. For more on the Mortarans in Genoa, see Yousey-Hindes, "Living the Middle Life," 55, and C. Andenna, *Mortariensis Ecclesia: Una congregazione di canonici regolari in Italia settentrionale tra XI e XII secolo* (Berlin, 2007). Alternatively, they could simply have viewed the chaplaincy as a financial investment. See Diana Webb, *Medieval European Pilgrimage, c. 700 – 1500*, (New York: Pagrave, 2002).

⁷¹ Yousey-Hindes, "Living the Middle Life," 180-181.

⁷² Battifoglio, 3 (doc. 1).

⁷³ "Quid est quod lanuenses uendunt naues et maxime ueteres sarracenis, dicentes hoc sibi non fuisse prohibitum a prelatiis suis?" Tolan, *Dubitabilia*, 10.

some of Tealdo's predecessors held a different interpretation of the standing papal embargo on the arms trade with Muslims, in effect since the Third Lateran Council of 1179.⁷⁴ In the fourteenth century and later, the papacy would come to institutionalize the practice of granting exemptions, or dispensations, from the embargo, based on the principle that necessity demanded some trade with Muslims. However, in 1234 the mendicants in Tunis were not dealing with formal requests for exemptions so much as a frank statement by the Genoese of their behavior, with their clerics' blessing.⁷⁵

But the mendicants' complaints against the secular clerics in the Maghrib did not end there: the same letter also asked "what is to be done with clerics who are also merchants, since they cause great scandal?"⁷⁶ Ramon's response: "they are to be punished by their own prelates through ecclesiastical censure, and other canonical penalties."⁷⁷ Considering how active Tealdo was in the Genoese community in the 1280s, and how deeply he was trusted by his fellow merchants with their money and estates, the temptation to trade or make a little profit must have been strong. In 1240, the Pisan priest at Tunis was granted the right to operate a shop (*apotheca*) adjacent to that nation's fondaco.⁷⁸

According to the mendicants, such temptations went beyond trade: one final question addressed the problem of "thieving clerics" (*clericos latrones*) who were caught and physically beaten by Latin Christian laymen: were the perpetrators of such violence to be excommunicated, and if so, how could they be absolved? At stake here was not only a typical mendicant critique of the secular clergy, but also the question of the church's dignity and independence from civil law. As before, Ramon gave a careful answer: anyone violating a cleric's person was to be excommunicated, "unless they did so at the order of their own clergy" (*nisi de mandato prelatorum hoc faciant*).⁷⁹ Clearly, there was a great deal of confusion among the mendicants about the proper clerical hierarchy to be followed in the Latin church in the Maghrib: whether mendicants were permitted to absolve certain sins, or whether the offenders were required to have recourse to "their own clerics" (*prelatis suis*), or whether only the pope himself could absolve them.⁸⁰ In their roles as

⁷⁴ III Conc. Lat., c. 24: *Conciliorum oecumenicorum decreta*, 223.

⁷⁵ For a discussion of these exemptions and the practice of granting trading licenses, see Stephan Stantchev, *Spiritual Rationality: Papal Embargo as Cultural Practice* (Oxford: Oxford University Press, 2014), 55-58; and Mike Carr, "Crossing boundaries in the Mediterranean: papal trade licences from the *Registra supplicationum* of Pope Clement VI (1342-52)" *Journal of Medieval History* (2014), 107-129.

⁷⁶ "Quid facendum sit de clericis negotiatoribus, cum scandalum generent." Tolan, *Dubitabilia*, 16.

⁷⁷ "compescantur a prelatis suis per censuram ecclesiasticam, vel aliam penam canonicam." Ibid, 16.

⁷⁸ Mas – Latrie, 35. See also Constable, *Housing the Stranger*, 138-139.

⁷⁹ Tolan, *Dubitabilia*, 15.

⁸⁰ ibid, 21.

confessors and rivals of the secular clergy in the care of souls, the mendicants confronted a different — and from their point of view, impermissibly lax — attitude towards trade and religious accommodation with Muslims prevalent among the Genoese and other Christian secular clerics.

Of course, the primary distinction between mendicants and secular clerics in the Maghrib was the missionary cause: the mendicants were mainly there to convert Muslims to Christianity. This mission that began already during the lifetimes of St Francis and St. Dominic, when the first five Franciscans were martyred in Marrakesh in 1220 after publicly denouncing Islam. Ceuta in particular was a major center of missionary activity in the 1220s and 1230s, witnessing the deaths of seven Franciscans in 1227, later commemorated as “Saint Daniel and Companions.” As Christopher MacEvitt has pointed out, Franciscan sources commemorating these martyrs stressed not only the heroism of their protagonists, but also their disruptive Christian zeal within the Christian communities already existing in the Maghrib.⁸¹ The authors of such accounts laid particular stress on the timidity of the resident merchants or mercenaries in contrast with the bold preaching of the Franciscans.

In fact, according to the *Chronicle of the Twenty-four Generals*, composed around 1370, the Christians of Marrakesh — mostly Catalan and Castilian mercenaries — tried to restrain the Franciscans from preaching in public. The same source describes the Ceuta martyrs as arriving first of all in the Christian merchants’ settlement outside the walls of Ceuta, where they began their ministry by preaching to the merchants, until, “burning with the flame of martyrdom” (*martyrii flamma accensi*), they found a secret way to enter the city itself. After they too were martyred, local Christians discreetly buried the bodies in the Genoese merchant quarter (*in vico Ianuensium mercatorum*).⁸² The friars were still causing trouble in Ceuta in 1250, when Abū-l-Qāsim al-‘Azafī took power in the city. In a letter to the new amīr, the Almohad caliph al-Murtaḍa (d. 1266) acknowledged the disruption caused by Christian missionary activity:

As for what you have related about the two friars who have come to your country – may God protect it!- from Seville – may God deliver it!- to join the Christians who are already among you...how can this hideous and blameworthy lie reach the ears of Muslims as reasonable as yourselves? What a marvel it is to hear the suggestions of infidel enemies who "will not spare you any ruin, they wish hardship for you; hatred has already appeared in their mouths, but their hearts conceal what is worse" [Quran 3:118].⁸³

⁸¹ Accounts of these early martyrs depend mostly on late thirteenth-century *passiones* and especially on a late -fourteenth century chronicle, the *Chronica XXIV generalium ministrorum ordinis fratrum minorum*. Christopher MacEvitt, “Martyrdom and the Muslim world through Franciscan Eyes” *Catholic Historical Review* 97:1 (January 2011), 1-23.

⁸² *Chronica XXIV generalium ministrorum ordinis fratrum minorum* (Quaracchi: Typographia Collegii S. Bonaventurae), 33.

⁸³ “wa amā mā dhakar-tum mim mā šarraḥa bihi al-ifrayriyyān alladhān dhakartum annahumā qadamā ‘ala dhalikum al-qaṭar ḥamahu allah min ishbiliyya a‘ādaha allah min kawnihuma wa šalā li-l-ijtimā‘ bi-l-našāra aladhīn hanālakum...fa-kayfa yaliju fī asmā‘ amthalikum min al-muslimīn al-‘uqalā‘ hadha az-zawr ash-shanī‘ al-munkar wa yā ‘ajaban min al-aṣghā’ li-aqwāl kufra al-a‘adā’

As with the Franciscan sources, al-Murtaḍa notes the importance of the “Christians who are already among you” as a base for the mendicants. The caliph makes no mention of martyrdom, but merely warns the Ceuta authorities against listening to the friars, and reminds them of the virtue of the Almohads, whose faith had been preserved by God “from the calumny of the polytheists” (*‘amā yafūh bihi ahl al-shirk*).⁸⁴

Despite their lack of missionary success — not even the Franciscan sources allege that the Ceuta or Marrakesh martyrs won any converts to Christianity — the mendicants succeeded in inserting themselves into the lives of the Christian communities in the Maghrib. Later arrivals avoided seeking martyrdom and sought to win Muslim converts in other ways: many learned Arabic in pursuit of their mission, a feat which required intimate contact and collaboration with Arabic-speaking Muslims or Christians. One remarkable example of this is a manuscript, currently held by the British Library, which contains an Arabic psalter — a modified Mozarabic version — and various Christian prayers, completed in Ceuta in 1239. It was produced by at least two different scribes, named Muslim and Abdallah al-Rūmi (“the Christian”), but was owned or perhaps translated by “Martin *al-Farkhani*, monk of the monastery of St. Mary.” In other words, this Christian prayer-book was likely a collaboration between Muslim scribes and Christian mendicant sponsors, and may have been created to aid in the task of proselytization.⁸⁵ Eventually, the mendicants came to focus their efforts more on sustaining the faith of Christian captives in the Maghrib, whom they viewed as being at constant risk of apostasy from Christianity.⁸⁶ This too had the potential to disturb relations between European Christians and their Muslim hosts. In Cairo in the 1340s, a friar named Giovanni da Montepulciano persuaded a

alladhina la yālūnukum khabāl-an waddu mā ‘andatum qadd badat al-baghḍā’ min afwāmihim wa-mā tukhfī šudūruhum akbar.” Pascal Buresi and Hicham el Allaoui, *Gouverner l’empire: la nomination des fonctionnaires provinciaux dans l’empire almohade (Maghrib, 1224 – 1269): manuscript 4752 de la Ḥasaniya de Rabat contenant 77 taqḍīm-s* (Madrid: Casa de Velazquez, 2013), 267.

⁸⁴ Ibid, 269.

⁸⁵ “Martīn al-Farkhāni, rāhib min ‘abīd maryam al-muqaddasa.” BL MS Add 9060, 207v. As Catherine Alder noted, there was a Franciscan convent dedicated to St. Mary in Marrakesh in the 1220s, and a Franciscan named Martin was among the mendicants dispatched there during the pontificate of Honorius III (1216-1227): she suggests that this could be the same person as the owner of the manuscript. Catherine Alder, “Arabic Versions of the Psalter in Use in Muslim Spain” PhD dissertation (University of St Andrew’s, 1953).

⁸⁶ Tolan, *Dubitalia*, 19-20. Robin Vose has argued that this was a shift that took place across the Western Mediterranean in the late thirteenth and fourteenth centuries, as the Dominicans in particular came to despair of converting Muslims and Jews to Christianity, and concentrated instead of ensuring the orthodoxy of Catholic populations living in proximity to them; Robin Vose, “The Limits of Dominican Mission in the Western Mediterranean” in *Christlicher Norden - Muslimischer Süden: Ansprüche und Wirklichkeiten von Christen, Juden und Muslimen auf der Iberischen Halbinsel im Hoch- und Spätmittelalter*, eds., M. Tischler and A. Fidora (Munster: Aschendorff Verlag, 2011), 469-488.

Genoese man who had converted to Islam "out of confusion" (*ex turbatione*) to return to Christianity. However, he also induced the man to proclaim his return to Christianity aloud in a mosque, "firmly confessing the Catholic faith and declaring the Saracen law to be fatal" (*in mesquita clamando coram Saracenorum fidem catholicam confiteretur constanter et legem Saracenorum mortiferam asseretur.*) The Mamluk authorities reacted to this provocative act by arresting both the Genoese man and Giovanni, and after they refused to convert to Islam to save themselves, executed them.⁸⁷ Here, the Franciscan sources do not tell us how this episode was received by the other Genoese in Cairo, but the potential for conflict is obvious.

Relations between the mendicants and Genoese were not necessarily antagonistic, however. Some Franciscans acted in concert with communal or private diplomacy: the 1287 Genoa-Tunis treaty was signed in the presence of two friars, Pelegrino and Bernardo, while another two friars accompanied the ill-fated voyage of the Vivaldi brothers in 1291, seeking a sea route to India beyond the straits of Gibraltar.⁸⁸

Muslims in Genoa: Merchants, Officials, Slaves

In July 1271, a slave woman named Fatima received her freedom in Genoa. She had been born in Murcia to a mother also named Fatima, but at some point afterwards she was sold into slavery and taken to Genoa, where she was given the name "Sibilla" and may also have been baptized. Eventually, she came to be the property of Jacobino de Castro, who at his death left her to his two minor children, under the care of his brother Conrado. However, Fatima's mother had not forgotten her daughter, and somehow she got word to Aḥmad b. 'Abd-al-Raḥman, (known in Latin as "Asmetus Benaderamen"), "scribe of Saracen letters of the Genoese commune" (*scriba littere sarracenice comunis Ianue*). Aḥmad interceded with Conrado and purchased Fatima's freedom from him for the sum of £24; half of which he had to borrow from Conrado himself, promising to re-pay his debt in installments over the next nine months.⁸⁹

Fatima's emancipation provides vivid testimony both of the presence of Andalusian and Maghribi Muslims in thirteenth-century Genoa, and of the many roles they played within Genoese society. The question of Muslims within medieval Genoese society has most often been approached through the lens of slavery, particularly the slave trade in the Eastern Mediterranean. This is understandable: most of the Muslims who appear in the notarial evidence are described as slaves, like Fatima, and the Genoese were highly active

⁸⁷ *Chronica XXIV generalium*, 543.

⁸⁸ Mas-Latrie, 127, and *Annales* Vol. 5, 124.

⁸⁹ The act of emancipation does not state outright that Fatima had been baptized. However, despite referring to her throughout as "Fatima", there is a marginal note by the notary next to the act, remarking that the woman "is now known as Sibilla" (*nunc dicitur Sibilla*): ASG *Notai Antichi* 70 (Guglielmo di S. Giorgio): 8v-9r.

in the international slave trade, particularly from the mid-thirteenth century onward.⁹⁰ Georges Jehel, in his 1995 study of the Muslim and Jewish population of Genoa, focused most of his attention on Muslim captives of various Western Mediterranean origins. However, as he also pointed out, alongside these captives was a small but persistent community of interpreters and merchants, some of whom accepted employment by the Genoese commune. These scribes often served as liaisons between their co-religionists, often enslaved, and their Genoese hosts.⁹¹ Yet even Jehel's more nuanced picture neglects the variety of Muslim experience in thirteenth-century Genoa. In addition to Muslim men of letters, other Maghribi Muslims traded, settled, and invested in Genoa despite the apparent lack of a *fondaco* or living quarter designated for their use: proof, if it were needed, that many Maghribi Muslim entrepreneurs and laborers were not dissuaded by Māliki legal discourse discouraging voluntary travel to Christian Europe for business.⁹²

The great majority of Muslims who appear in the notarial evidence at Genoa were slaves: of the approximately fifty-three named individuals in this study who can be securely identified as Muslims, forty are described as slaves, appearing in forty-four slave sales and manumission documents produced between 1236 and 1289. Slavery had deep roots in Liguria, as it did throughout the medieval Mediterranean, but over the course of the thirteenth century, there was a notable shift in the demographics of the slave population of the city. While Maghribi and Andalusian Muslim slaves predominated in the early thirteenth century, by 1300 most slaves came from the Caucasus, Crimea and "Romania."⁹³ Slave sales and manumissions contain varying amounts of information about the slave, including his or her place of birth, age, and a description; nonetheless, the data allows us a glimpse at the demographics. Genoese slavery was highly gendered, with young women the most frequently targeted by slave traders. Evidence from later in the Middle Ages suggests that their main economic role was in domestic service for the elite, where they were coerced into a wide range of roles, including sexual labor for Genoese men.⁹⁴

⁹⁰ For the Genoese in the eastern slave trade, see Hannah Barker, "Egyptian and Italian merchants in the Black Sea Slave Trade," PhD Dissertation, Columbia University (2014). For a general overview of slavery in Genoese society, see Luigi Tria, *La Schiavitù in Liguria: ricerche e documenti* (Genoa: Società Ligure di Storia Patria, 1947), 25-54.

⁹¹ Georges Jehel, "Jews and Muslims in Medieval Genoa: From the Twelfth to the Fourteenth Century" *Mediterranean Historical Review* 10:1-2 (1995), 120-132.

⁹² See discussion in Chapter Five.

⁹³ Epstein, *Genoa and the Genoese*, 266 – 267. Georges Jehel identified about 100 individuals as Maghribi or Andalusian slaves in Genoa between 1159 and 1280. While this current study does not extend earlier than 1200, in its broad conclusions it generally tracks with his analysis of the demography of the slave population. See Georges Jehel, "Jews and Muslims in Medieval Genoa," 124-125.

⁹⁴ Jacques Heers, *Esclaves et domestiques au Moyen Age dans le monde méditerranéen* (Paris: Fayard, 1981), 144-163; and Sally McKee, "Slavery," in Judith Bennett and Ruth Karras, *The Oxford Handbook of Women and Gender in the Middle Ages* (Oxford: Oxford University Press, 2016), 281-294. See also Debra Blumenthal, *Enemies and Familiars: Slavery and Mastery in Fifteenth-Century*

Slave sales and manumissions contain varying amounts of information about the slave, including his or her place of birth, age, and a description; nonetheless, the data allows us a glimpse at the demographics. Female slaves appear more than twice as frequently as male slaves (thirty-one versus twelve), and while most slaves' place of origin was not included in their acts of sale, those acts that did report this information reveal a preponderance of Andalusia; with Valencia, Murcia, Granada and other *partes Yspanie* accounting for 25% of the total, and only two slaves from the Maghrib: Tunis and Ceuta. Slaves were more commonly described by gender, name and often by appearance or skin color: sales mention white (*blanca*), "brown or olive" (*bruna vel olivegna*), and black (*nigra*) slaves. In general slaves were described as *sarracena/us*, "Saracen," although some of them bore Latin names that suggested they may have been baptized or at least given a Christian name by their owners; in addition to Fatima/*Sibilla* mentioned above, a "white Saracen slave named Jacobina" was sold in October 1241, and another "white Saracen named Jacobeto" appeared in 1288.⁹⁵

As elsewhere in the Mediterranean, many slaves were born in freedom and became enslaved through warfare or piracy. Some, at least, could hope for their freedom either through payment of ransom, as with Fatima above, or through voluntary emancipation by their owners. One woman named "Asia" (likely a Latinized form of *Aīsha*) successfully gained her freedom through a combination of ransom paid by others and her own efforts. On August 30, 1259, Asia's owner, Nicolo de Madio, formally emancipated her, invoking a pragmatic combination of spiritual and material motives: "for the health of my soul and for ten *lire* which I have received."⁹⁶ Nicolo's wife Aidelina confirmed the emancipation in a separate act. Asia's redeemers were two men acting together; "Bonbocherius de Maometo, Saracen of Tunis," and Bergognono Embriaco, a scion of one of Genoa's elite families. Bonbocherius was described in the act as staying at the house of Conrado de Castro, possibly the same individual who later accepted a ransom for Fatima in 1271. However, the total ransom price was £13, not £10: and Asia pledged to make up the difference herself within six months of her release, a feat that she managed just over two months later, for on November 5, 1259, Nicolo confirmed his receipt of the outstanding £3 from Asia herself.⁹⁷

Valencia (Ithaca: Cornell University Press, 2009), 180-153; Hannah Barker, *Egyptian and Italian Merchants in the Black Sea Slave Trade, 1260-1500* (PhD dissertation: Columbia University, 2014), 409-416.

⁹⁵ ASG *Notai Antichi* 26/I (Bonvassallo de Cassino): 206v; and 75 (Guglielmo de S. Giorgio): 135v. These could have been simply names of convenience given to the slaves by their owners, and not indicative of actual baptism. However, other individuals, such as "Aldeta who has been baptized" (*que est baptizata*) suggest that some slaves did in fact convert, willingly or unwillingly. ASG *Notai Antichi* 29 (Bartolomeo Fornari): 55r.

⁹⁶ "pro remedio anime mee et pro libris decem Ianue quas proinde recepi" ASG *Notai Antichi* 34 (Conrado de Capriata): 195r.

⁹⁷ *Ibid*, 124v.

Exactly how Asia managed to collect the remaining ransom is unclear, however, she may have relied on donations from other Muslims residing in or passing through Genoa.⁹⁸

In addition to their own efforts to gain freedom, both Asia and Fatima benefited from the presence of intermediary figures who acted on their behalf to redeem them. In both cases, these involved Muslim men (Asmetus/Aḥmad b. ‘Abd-al-Raḥman and “Bonbocherius de Maometo,”) who worked together with local Genoese Christians to secure the release of their co-religionists; in the former case borrowing the ransom money, and in the latter apparently pooling resources with a Genoese Christian colleague. In this, both men may have acted in the role of an official redeemer, or *fakkāk*, charged with traveling to infidel territory to redeem Muslim captives. This position was well-established in Islamic law, particularly in the Māliki jurisprudence of al-Andalus and the Maghrib, where formal rules of compensation and payment for their services were codified in books of notarial practice.⁹⁹ Genoese and Tunisian merchants alike participated in what Camilo Gómez-Rivas termed a “ransom industry” in the Western Mediterranean, in which informal rules of redeeming captives developed between Christians and Muslims keen to keep alive the possibility of future exchange and communication.¹⁰⁰

Redeeming a Muslim captive was a meritorious act in Islamic law, and was considered a duty of pious rulers. In July 1274, a Ḥafṣid embassy passed through Genoa on its way to France. While there, Fadal, the ambassador’s representative, negotiated the ransom of a woman named Fatima for £15 paid to her owner. At the outset, Fadal established his authority by stating that he was acting “in the name of Shaykh Abu Sa‘īd, Saracen of Tunis, the *faqīh*” and two other men, “ambassadors of the king of Tunis to the lord king of France.”¹⁰¹ After settling the terms of the ransom, Fadal promised that Abu Sa‘īd would “liberate and make free the aforementioned Fatima in the city of Tunis at her request” (*dictam Fatimam liberabit et francham faciet in civitate Tunexis ad voluntatem*

⁹⁸ For an example of how ransoms were collected, see Wansharīsī, *al-Mi‘yār* II: 211.

⁹⁹ See P. van Koningsveld, “Muslim Slaves and Captives in Western Europe during the Late Middle Ages,” *Islam and Christian-Muslim Relations* 6:1, 5-23, see also Kathryn Miller, *Guardians of Islam: Religious Authority and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008); idem, “Reflections on Reciprocity: A Late Medieval Islamic Perspective on Christian-Muslim Commitment to Captive Exchange,” *Religion and Trade: Cross-Cultural Exchanges in World History, 1000-1900* ed. Francesca Trivellato, Leor Halevi, and Cátia Antunes (Oxford: Oxford University Press, 2014), 131-149.

¹⁰⁰ Camilo Gomez-Rivas, “The ransom industry and the expectation of refuge on the Western Mediterranean Muslim-Christian frontier, 1085-1350,” *The Articulation of Power in Medieval Iberia and the Maghrib, Proceedings of the British Academy* Vol 195 ed. Amira K. Bennison (Oxford: Oxford University Press, 2014), 217-232. See also Russell Hopley, “The Ransoming of Prisoners in Medieval North Africa and Andalusia: An Analysis of the Legal Framework” *Al-Andalus, Sepharad and Medieval Iberia : Cultural Contact and Diffusion* (Leiden: Brill, 2009), 179 -198.

¹⁰¹ “nomine Scecha Bosait Saraceni tunexis Alfachini et Boadbile et Bonbesise [Ros de mei?miri? emomenin?] nuntii regis tunexis euntis ad dominum regem Francie,” ASG *Notai Antichi* 79 (Leonardo de Negrini), 168r.

dicte Fatime).¹⁰² The act was witnessed by a large group of people including two other Muslims and several Genoese, one of whom was “George, banker of Tunis, who was a slave.” (*Georgius bancarius de Tunexis qui fuit sclavus*).¹⁰³ Unlike the ransoms of Fatima and Asia above, this act appears to have been the design of the Tunisian ambassador himself; perhaps taking advantage of his travels in Christian lands to perform a work of charity. Notably, there is no mention of the *scriba comunis lanue* for Arabic language here.

These “scribes of Arabic letters” have been the subject of some scholarly confusion. In his 1995 article, Georges Jehel posited the existence of a “professor of Arabic” active at Genoa from 1267 onwards. However, an examination of the notarial records fails to substantiate this claim, which in fact derives from two eighteenth-century histories of medieval Genoa, whose authors took the appearance of individuals described as *scriba comunis lanue in littera sarracena* to indicate an official teaching role.¹⁰⁴ In fact, the acts in which these scribes appear give no positive indication of any teaching or language instruction by the two individuals mentioned, beyond their mere qualification as *scriba comunis lanue*. While this does not preclude altogether the possibility that some Genoese learned Arabic at the hands of these scribes, it is more likely that they were simply professional notaries retained by the commune to read and write in Arabic.

Aḥmad b. ‘Abd-al-Raḥman presents a particularly interesting example of this type of scribe, and he seems to have occupied at least two roles at once. On the one hand, he was a crucial mediator in securing Fatima’s release, trusted enough by his Genoese peers to allow him to borrow money from them in order to secure the emancipation. On the other hand, his description as the “scribe of Saracen letters for the Genoese commune” indicates his permanent, or long-term employment, at Genoa, by the Genoese themselves. In other words, he was neither a passing merchant nor an envoy on a special mission to free captives; but was almost certainly resident at Genoa. Others filled this role before him. In 1244, a Tunisian Jew named Moses appeared in a notarial act, where he was described as having once occupied the same office; (*olim scriba communis lanue littere sarracenis*).¹⁰⁵ Three years later, Moses appears again, this time as the purchaser of a Muslim slave named Axia/‘Āisha; there is no evidence that he chose to liberate her. The act was composed in the palace of the podestà himself (*palacio potestatis lanue quo ipse tenet curiam*).¹⁰⁶

¹⁰² Ibid, 168r.

¹⁰³ It is unclear whether this individual was a Genoese resident at Tunis who had been enslaved there, or perhaps a freed slave of Tunisian origin.

¹⁰⁴ Georges Jehel, “Jews and Muslims in Medieval Genoa: from the twelfth to the fourteenth century” *Mediterranean Historical Review* 10: 1-2 (1995), 123. Jehel’s manuscript source, Biblioteca Universitaria MS BIX.17, was a memorandum composed during the short-lived Ligurian Republic (1797-1805), which itself made reference to an earlier eighteenth-century index known as the *Pandette Richeriane* (ASG Manoscritti 540), 122r and 153v. This index, which contains references to actual medieval material, led me to the original notarial cartulary ASG *Notai Antichi* 79 (Leonardo de Negrini) in which the “scriba comunis lanue” appears.

¹⁰⁵ ASG *Notai Antichi* 31/I: 18r.

¹⁰⁶ ASG *Notai Antichi* 34 (Nicolo de Porta): 27v.

The need for Arabic notaries likely came from several directions. As indicated in the introduction, the Genoese commune carried on diplomatic correspondence with several Muslim rulers in the twelfth and thirteenth centuries. However, there would likely also have been demand from Arabic-speaking merchants and sailors trading at Genoa; although they do not often appear in the notarial records, they are present. Muslim investors based in the Maghrib formed partnerships with trusted Genoese or other Ligurian merchants, as at Savona in November 1213, where Guasco Gloria delivered £18 13s to an associate; funds that Guasco had received, originally as 80 besants *migliaresi*, from “Bonus Musa de Tunexis.”¹⁰⁷ Treaties between Genoa and the Ḥafṣids stipulated that Muslim merchants should be safe and secure in their goods when traveling to Genoa, and such provisions were indeed enforced. In 1251, “Bocherius, Saracen and merchant of Tunis” was in Genoa, where he successfully claimed £25 in damages for cargo he had lost to pirates from Portovenere. The act of quittance took place “in the presence, by the consent and with the confirmation of *magister* Abu Faihli Lesedi, Saracen.”¹⁰⁸ Abu Faihli’s qualification as *magister* and his intervention in the act suggest some kind of official function, or at least his importance in resolving disputes between his co-religionists and the locals. In 1271, a Sabti merchant died at Genoa, leaving an inventory of his goods behind him, which included a range of ship’s stores and merchant supplies such as an abacus, knives, cables and iron wire.¹⁰⁹ There was even a Muslim woman in Genoa, Marieme “Saracen of Malicha” (perhaps Málaga or Mallorca?), who in April 1274 invested 95 white besants in a sea loan for Tunis with a Genoese merchant, Delomeda de Salvo, who had been active in the Maghrib trade for over twenty years.

As was the case with their Genoese counterparts, the Arabic notaries also acted as merchants or investors in their own right, forming partnerships with locals in a number of contexts. In April 1274 Asmetus made a two-month loan of 8s to Giovanni de Valle Viridis, whose debt was guaranteed by another individual, Giovanni de Romania.¹¹⁰ In another obscure case, Asmetus seems to have formed a partnership with a cleric, Guglielmo de Brugnacello, canon of the church at Ottone. On April 13, 1274, a local couple, Ambrogio de Baxano and his wife Sophia, formally promised to give Asmetus and Guglielmo the rights to “one-third of everything that shall be found in a certain hole/cave...on our property...and

¹⁰⁷ *Uberto I*, 290-291 (doc. 378).

¹⁰⁸ “in presencia et voluntate et confirmante magistro Abul Faihli Lesedi sarraceno” ASG *Notai Antichi* 31/I (Matteo de Predono): 154r.

¹⁰⁹ Dufourcq, *Aperçu*, 733, and Halima Ferhat, *Sabta des origines*, 341.

¹¹⁰ ASG *Notai Antichi* 79 (Leonardo de Negrini) 104r. Intriguingly, both men named Giovanni are described as having been originally from Tunis (*qui fui de Tunexis*). This raises a number of possibilities: the men might have been Muslim converts from Tunisia, or perhaps Christian natives of Tunis, either from a Genoese background or perhaps even Tunisian Arab-speaking background—the *Aromes* described by the Dominicans in their letter to Ramon de Peñafort; see Tolan, *Dubitalia*, 13.

we will not extract anything unless in your presence and that of lord Opizino Adalardo.”¹¹¹ A month later, Asmetus appointed Opizino as his procurator for an unknown purpose.¹¹² How exactly an Arab Muslim scribe and a Christian cleric came to have rights over this mine or excavation remains unclear; however it shows that Asmetus did not limit his activities to the port and the merchants who worked there.

Unlike their Christian peers in the Maghrib, Muslim merchants who traded at Genoa do not seem to have benefited from any kind of formal space dedicated to their use, such as a *fondaco*. The Genoa-Tunis treaties guaranteed that Muslim merchants would be “kept safe and guarded” (*salventur et custodientur*) while in Genoa, but stopped short of offering any kind of institutional support for them; this may reflect the relatively small number of Muslim merchants who traveled to Genoa, at least by comparison with the Genoese in Tunis.¹¹³ As a result of this, the range of acts in which Muslim merchants appear were composed in a number of different settings, particularly in the houses of prominent Genoese: Ugo de Fornari hosted Bocherius in 1251, while Bonbocherius de Maometo stayed at the house of Conrado de Castro in 1259.¹¹⁴ In the absence of formal institutions to welcome them, Muslim merchants relied on their relationships with individual Genoese who could be trusted to shelter them and their cargo, such as Opizino de Adalardo (for Asmetus) or the Fornari and Castro families. The Genoese notary Leonardo de Negrini had dealings with several Muslim clients, drawing up five acts on their behalf between April and May 1274.

Travel to Genoa was not limited to merchants and interpreters. One Tunisian Muslim appears to have been a dock-worker or longshoreman. On September 18, 1238, a man named “Resaomar, Saracen of Tunis” loaded nineteen *pondera* of ceramics onto a ship owned by a Genoese, whereupon he swore that none of the goods belonged to him, and accepted payment of 4s per *pondus*, for a total of £3 16s, a sum of money that suggests Resaomar’s position was something more than a common laborer, even if he was not qualified as a *negotiator* in the act in question.¹¹⁵ In April 1274, a Muslim man from Bijāya, Cabi *sarracenus*, entered into a service contract with Giannino de Molo, a butcher (*macellarius*). Cabi pledged to serve Giannino for twenty years, “in your house and outside,

¹¹¹ “tertiam partem de omni eo quod invenietur in quidam cava que est in terra nostra... non extrahemus...de cava predicta absque presencia vestra et domini Opicini Adalardi” ASG *Notai Antichi* 79 (Leonardo de Negrini), 100r.

¹¹² Ibid 143r. The act is left blank in the middle, so it cannot be said for certain what task Asmetus intended Opizino to perform.

¹¹³ Mas-Latrie (Genoa-Tunis, 1250), 120.

¹¹⁴ This was also true of Christian merchants at Genoa and other northern Italian cities in the thirteenth century, who tended to own or rent property in the city itself and did not typically stay together in a *fondaco*. See Olivia Constable, *Housing the Stranger*, 311-313.

¹¹⁵ ASG *Notai Ignoti* 3.46 (Bonvassallo de Cassino), 11v

on land and sea, in the city of Genoa and in the country.”¹¹⁶ No salary was mentioned as part of the deal, and the extremely long duration of the contract is highly unusual (most labor contracts lasted only a few years), but Cabi was not a slave, nor was he described as a former slave.¹¹⁷ The exact nature of the relationship remains unclear, but Cabi’s presence is further evidence of the presence of non-elite, non-slave Maghribi Muslims in Genoa.

Another interesting case is that of “Paolo the Saracen”, an oar-maker (*remularius*) from Mallorca, “who used to be called Abdi Alacis, son of Ali,” who in January 1241 sold his claims to £3 4s 6d owed him by three individuals in Murcia to Moses of Tunis, the former scribe of the commune.¹¹⁸ Paolo seems to have been a Muslim convert to Christianity, who like many converts maintained links with his former co-religionists, and whom the notary still described as a “Saracen” despite his new, Christian name. Paolo could well have been an emancipated slave: conversion to Christianity might not guarantee one’s liberty, but would certainly have aided a slave’s integration into Genoese society, and the temptation to convert was an ever-present fear for Muslim and Christian theologians contemplating the fate of their co-religionists in enemy hands.¹¹⁹

Overall, the notarial evidence indicates the continuous presence of Muslim merchants and other travelers in thirteenth-century Genoa. The Māliki discourse discouraging Muslim travel to Christian territory for trade did not dissuade these individuals from making the journey, although they did not benefit from the institutional and logistical advantages of Genoese merchants in the Maghrib and al-Andalus. Nonetheless, Muslim merchants—particularly Tunisians—found ways to travel to Genoa on business, establishing relationships with individual Genoese, trading, working in the port, and even accepting employment from the commune on occasion. They co-existed with a much larger slave population, with whom they occasionally interacted as intermediaries between them, their owners, and their relatives. While the demographics of the Muslim merchant community are impossible to reconstruct from such limited evidence, its sustained existence in Genoa throughout the period cannot seriously remain in doubt.

Conclusion:

In the wider Mediterranean world, to be Genoese was to be a merchant: as expressed by the famous dictum of the *Anonimo Genovese*: “Ianuensis ergo Mercator.” Looking at the Genoese and other Ligurians who traded or traveled in the Maghrib, it is clear that elite merchants dominated and structured the Maghrib trade, as they did all others. However, it is also obvious that many other Genoese from across the social spectrum found ways to invest money and time in the Maghrib; from domestic servants and artisans to medical

¹¹⁶ “omnia servicia tua in domo et extra terra et mari in civitate Ianue et in rure, tam in absencia quam in presencia” ASG *Notai Antichi* 79 (Leonardo de Negrini), 100v.

¹¹⁷ Denise Bezzina, *Artigiani a Genova*, 50-51.

¹¹⁸ ASG *Notai Antichi* 31/I (Matteo de Predono) 18r.

¹¹⁹ P. van Koningsveld, “Muslim Slaves and Captives in Western Europe during the Late Middle Ages,” *Islam and Christian-Muslim Relations* 6:1 (1995), 5-23; and Tolan, *Dubitalia*, 4-5.

doctors and clergy. Many of these people were opportunistic or part-time merchants, trading in their spare time while they pursued other callings in the fondacos and settlements of the Genoese communities in the Maghrib. This conclusion suggests that the Genoese experience of the Maghrib, of the Arabic language, and of Islam extended far beyond the mercantile elites. Steven A. Epstein described the sea, and Genoa's overseas settlements as offering a "safety valve releasing local tensions": an outlet for the underemployed, the indigent or the restless among Liguria's population.¹²⁰ It is worth bearing that observation in mind when we are tempted to read Genoese-Maghribi trade and exchange as taking place between wealthy merchants and intellectuals: for every ambassador or nobleman or wealthy merchant who traded in Tunis or Ceuta, there would be dozens of carpenters, potters, and servants who made similar voyages in person or through their small investments.

Finally, although the evidence is much more limited, it is clear that a small but diverse group of Maghribi Muslims found their way to Genoa in the thirteenth century. Although most were slaves taken to the city against their will, some were educated men: scribes or translators who sought employment with the communal government, while others were merchants, tradespeople or visiting ambassadors. Unlike the Christians who traded in the Maghrib, there seems to be no trace of any formal institution to recognize or welcome (or control) Muslims in Genoa, and the Maghribis who spent time in Genoa seem to have been dependent on personal ties with local Genoese. This raises the likely possibility that contacts or even friendships between free Maghribi visitors and local inhabitants were less restricted in Genoa than in the Maghrib itself. Having established the scale and complexity of Genoese society's engagement with the Maghrib, the next chapter will foreground commodities: the objects involved in the Genoese-Maghrib trade, and how objects defined relationships between people.

¹²⁰ Epstein, *Genoa and the Genoese*, 101.

CHAPTER FIVE: MAJOR ITEMS OF GENOESE COMMERCE AND THEIR RECEPTION IN ISLAMIC LAW

In the autumn of 691 A.H./1292 CE, the Marīnid sultan of Morocco, Abū Ya‘qūb Yūsuf an-Nāṣr (r. 1286 – 1307) received an embassy at the fortress of Tāzuṭa, in the foothills of the Middle Atlas mountains near Fez. According to the chronicler Ibn Abī Zar‘ al-Fāsi, writing about twenty years later, “There came to [the sultan] some Christians (*rūmā*) of Genoa, sent by the lord of Genoa, bearing a magnificent present: a tree covered in gold, on which birds sang by means of a special mechanism, like that which was made for [the caliph] al-Mutawakkil the Abbasid.”¹ The tree of al-Mutawakkil (r. 847-861) was a particularly famous example of the *automata* — trees, thrones, and animal sculptures — constructed for a number of caliphs and Byzantine emperors in the eighth century and afterward. Recalling the legendary splendor of Solomon, these machines served to highlight the magnificence of the ruler’s court on special occasions, particularly during the reception of ambassadors.² Thus, the arrival of an artifact linking the upstart Marīnids, a Berber dynasty still consolidating its control over Morocco in the 1280s, with the mighty caliphs of ninth-century Baghdad made a great impression on the dynasty’s official chronicler. Yet what Ibn Abī Zar‘ failed to record is equally significant: namely, precisely why the Genoese bothered to drag a golden mechanical tree over the mountains from the Mediterranean in the first place. What was the point of their embassy to Morocco? What did they hope to achieve, and did the sultan favor their request? This omission is all the more frustrating since Jacopo Doria, the Genoese annalist, does not mention this embassy at all in his otherwise comprehensive account for 1292.³ The Genoese were certainly interested in establishing good ties with the Marīnids, perhaps especially in the wake of the Castilian siege and capture of Muslim-held Tarifa, an endeavor aided and abetted by Genoese and Catalan galleys under the command of Benedetto Zaccaria.⁴ Could the embassy have been aimed at smoothing over relations across the straits of Gibraltar after this episode?

Ultimately, the Genoese embassy and its golden tree represent a striking, if frustratingly truncated example of the power of objects in cross-cultural exchange in the medieval Maghrib. In this case, it was a powerfully symbolic gift, an object recalling a fabled history in service of an unknown aim. Fortunately, the general shape of the Genoa-Maghrib trade is much clearer in the notarial evidence for the thirteenth century. Most commodities

¹ “fī hādhahi al-sana qadama ‘alā amīr al-muslimīn wa huwa bi-tāzuṭa rūmā janawī min ṣāhib janawa bi-hadīya jalīla, fīha shajara mumawwaha bi-l-dhahab ‘alayha aṭīyār taṣawatu bi-ḥarakāt handasīya mithl-a alati ṣunī‘at li-l-mutawwakil al-‘abāsī.” Ibn Abī Zar‘, *Al-Anīs al-Muṭrib bi-Rawḍ al-Qirṭās fī Akhbār Mulūk al-Maghrib wa tārīkh madinat Fās* (Rabat, Dār al-Manṣūr, 1972), 382.

² For more on the *automata* in their Islamic and Byzantine contexts, see discussion in T.M.P. Duggan, “Diplomatic Shock and Awe: Moving, Sometimes Speaking Islamic Sculptures” *Al-Masaq: Islam and the Medieval Mediterranean* 21:3 (2009), 229-267, and G. Brett, “The Automata in the Byzantine “Throne of Solomon”” *Speculum* 29 (1954), 477-487.

³ *Annales* Vol. 5, 137-152.

⁴ *Ibid*, 344.

in the trade were of course far more mundane than the golden tree of the ambassadors. Yet even the humbler items that made up the bulk of the trade, from grain to wool to wine, could be rich with cultural or religious significance, or fraught with peril for local Muslims and for the Genoese and other Ligurians who traded with them. In this chapter, I examine the nature of the Genoa - Maghrib trade through the commodities that changed hands in it, and the meaning of these commodities for the people who thought about them and physically handled, purchased, and used them.

Over the course of the thirteenth century, Genoese merchants carried a wide range of goods between Liguria and the Maghrib, from luxury items like spices, pearls, and gems, to bulk commodities such as wool, leather and hides. As noted in Chapter Two, one must be careful about drawing firm conclusions about statistics from medieval trade.⁵ For one thing, not all trade-related documents preserve the same amount of information. Many notarial acts relating to foreign trade simply record the amount of money to be used in a trading voyage; this could refer to physical currency, or sometimes to the equivalent value in unspecified goods, as in September 1225, when Giovanni Cecuna entrusted £12 invested (*implicitas*) "in the ship and in other goods" to Oberto *bancherius* to trade at Ceuta.⁶ In a *commenda* or *societas*, the traveling merchant often had authority to invest the capital in specific goods as he saw fit, according to his understanding of market conditions both in Genoa and at his intended destination.⁷ This could mean that the stationary partner had little or no involvement in how his or her money was used; merely hoping for a profit at the end of what could be a long process of buying, selling, and re-selling goods.

In exceptional circumstances — as when something went wrong — we can catch a glimpse of how bare-bones *commenda* investments corresponded to an actual trading voyage. One crucial point of contention was the use to which a stationary partner's capital had been made: was it effectively invested or not? Litigation on this issue required both plaintiff and defendant to provide a narrative of the trading voyage. In a 1204 court case in Savona, Balduino Scorzuto complained about the use of the money he and his wife Richelda had invested with a relative, Oberto Scorzuto. The couple's initial investment of £105 and three *loca* (shares of a ship's cargo space) in a merchant ship was eventually used by Oberto to carry grain from Oran, Bijāya, and Tunis to Sicily, wine to Alexandria, and unspecified "baskets" or bales of goods (*sportas*) to Ceuta, and the *loca* were rented out or sold to other merchants, including "Saracens," over the course of a series of voyages lasting almost three years. In addition, numerous repairs had to be made to the masts and sails, the funds for which may have come out of the *commenda* investment. Balduino did not complain about the variety of uses to which his and his wife's capital had been put; rather he contested, in meticulous detail, the price of a *mina* of grain in various ports, and also complained that Oberto had padded his expenses by overpaying for wine, meat, onions, cheese and other shipboard provisions. Oberto defended himself by reminding the judge

⁵ See Chapter Two, 116-117.

⁶ *Lanfranco* Vol. 2, 267 (doc. 1553)..

⁷ For more on the *commenda* contract in Genoa, see Giorgio Costamagna, *Corso di scritture notarili genovesi*, ed. D. Debernardi and A. Rovere (Genoa: Società Ligure di Storia Patria, 2017), 89-90. See also John H. Pryor, "The Origins of the Commenda Contract" *Speculum* 52:1 (1977), 5-37.

and Balduino that "the custom at Savona is such that full faith is given to whoever takes someone's goods in *commenda* for a quarter of the profit, or in a *societas*, with regard to the expenses which he incurs as part of the *commenda* or the *societas*, and with regard to what he says he did."⁸

The Savona dispute serves to remind us that each seemingly straightforward *commenda* contract could represent merely the starting-point for a complex series of trades and voyages. This is important, given the vagueness and brevity of many of the documents. For instance, of the 1,180 *commenda* in the notarial acts analyzed here, 940 — 79% of the total — refer simply to a money investment in Genoese *lire* or other currency for trade in the Maghrib: the exact disposition of that money is left up to the traveling partner. Our sense of the details of the Maghrib trade, therefore, relies on the twenty-one percent of the *commenda* contracts that do specify the commodity to be traded, in addition to contracts containing receipts, quittances, and sales of goods or services that clearly indicate trade and travel in the Maghrib. Nonetheless, it is possible to reach some conclusions about the distribution and relative importance of certain goods in the Maghrib trade. Furthermore, there is no reason to suppose that the twenty-two percent of *commenda* contracts that have preserved the specific details of commodities to be traded are unrepresentative of general trends in trade goods across all *commenda* contracts.

Major Commodities in the Genoa – Maghrib Trade

a. Textiles and Textile Production

Already a major engine of economic growth across Latin Europe, the commerce in textiles and related products dominated the Maghrib trade in the thirteenth century. Broadly speaking, Genoese merchants purchased raw materials, especially wool, pelts, and hides, in Ceuta, Bijāya and Tunis, and imported them into Genoa, where they were re-sold to other local and foreign merchants, or worked into finished cloth or leather in the city itself. They exported finished cloth from both Genoa and elsewhere in Europe, including Lombardy, Flanders and England, back into the Maghrib to sell in local markets. Of the variety of products that typically fall under the category of "textiles," the most important were wool-based cloths and cotton-linen "fustian" cloth, both of which made it to the Maghrib in considerable quantities.

However, this rough scheme obscures several important nuances in the notarial acts for the textile trade.⁹ As noted above, relatively few of the *commenda* or *societates*

⁸ "Consuetudo est in Saona quod fides datur illi qui portat res alias in acommandatione ad quantum lucri vel in societate de expensis quas facit de acomendatione illa vel societate et quas dicit se fecisse" Martino, 91 (doc. 446).

⁹ For a detailed discussion of the mechanics of the wool trade, including a description of the technical procedures of woollen cloth production, see John H. Munro, "The Rise, Expansion, and Decline of the Italian Wool-Based Cloth Industries, 1100–1730: A Study in International Competition, Transaction Costs, and Comparative Advantage," *Studies in Medieval and Renaissance History* 3: 9 (2012), 46–207.

composed at Genoa specify what was exported to the Maghrib, or imported from it. However, numerous sales or disputes involving Maghribi merchandise in Genoa and Savona give a good indication of what was purchased there. In general, while people of all classes and incomes invested in the Maghrib trade, the *sale* of most Maghribi merchandise seems to have been in the hands of comparatively few prominent merchants, who purchased in bulk in the ports of the Maghrib and re-sold their goods to smaller-scale merchants and textile workers in Genoa. The notary Giannino de Predono seems to have had a particularly close relationship with some of these wholesale merchants. Between July and September 1252 he recorded 15 contracts in which Pietro Lecavelo and other members of his family sold wool, *boldrones* (sheepskins) and alum, most of which they had purchased in Bijāya, to a range of woolworkers and dyers; amounting to a total of £264 15d. In 1253 and 1254, Giannino recorded 19 contracts in which five merchants, sometimes acting together, sold Maghribi wool to a variety of clients, usually on credit. On November 18, 1253, Pasquale de Mari sold a total of £109 13s 6d worth of "wool from Tunis" to three different individuals in rapid succession (as indicated by the same set of witnesses, location, and time for all three acts), all of whom promised to pay him by Candlemas, just over three months later.¹⁰

Probably some of the purchasers of the Tunisian wool — one of whom is described as a *tabernarius*, or shop-keeper — intended simply to re-sell it to other merchants, perhaps to Lombard or Tuscan merchants intent on supplying their own local cloth industries, but other evidence indicates that Maghribi wool was worked in Genoa itself, or nearby. At the same time as Pasquale de Mari's sale, two merchants, Suçobono de S. Donato and Giovanni Piloso, acting in concert, made 14 sales of "wool from Bijāya" to several individuals in the wool trade, mostly in the parish of S. Stefano, which already by the thirteenth century had become the most important wool-working district in Genoa.¹¹ Eight purchasers there are described as *lanerii*, a term that could refer either to wool merchants or wool workers,¹² but the pair also sold to dyers (*tinctores*), and several wool beaters (*batatores lane*) and a weaver (*textor*) appear in the acts as witnesses, strongly suggesting that the wool was destined to be spun into cloth, dyed and woven in Genoa itself.¹³

In a highly variegated and complex industry such as textile production, the origin of the raw wools mattered a great deal. The Lecavelo family described their wool as *lana africana* or *lana matalafa*.¹⁴ At the conclusion of their acts of sale, the partners Suçobono

¹⁰ ASG *Notai Antichi* 28, 133v. Two of the three acts were cassated in February 1254 *voluntate partium*, indicating that the payments were indeed made around Candlemas (February 2).

¹¹ Giovanna Petti Balbi, "Apprendisti e artigiani a Genova nel 1257," *Atti della Società Ligure di Storia Patria* XX/2 (1980), 137-170.

¹² Cf Du Cange, *Glossarium*: <http://ducange.enc.sorbonne.fr/LANARII>.

¹³ *Notai Antichi* 28: 138r, 153r.

¹⁴ *Notai Antichi* 24: 150r, 151r. The Genoese term "matalafa", which derived from the Arabic *matrāf*, most likely referred to a type of raw wool used as stuffing in mattresses and other household items. It is possible, then, that this variety of Maghribi wool was intended not for textile production, but for bedding. See Apro시오 Vol 1, pt 2, 73.

and Giovanni swore that the wool came "from our common undertaking, which we carried from Bijāya."¹⁵ Over a period of three weeks the two merchants sold wool worth a total of £470 5s 5d: a very large sum of money. Unfortunately, the acts do not record the exact amount of wool by weight, so it is hard to get a sense for how much the Maghribi wool was worth at the time. In January 1289 in Tunis, Leonardo de Sigenbaldo was paid 800 besants *migliaresi*—around £200 Genoese—for the delivery of 50 *cantari* of wool: about 2, 377 kg, while the Genoese consul at Tunis, Balianno Embrono, paid 825 besants for the same amount, which would give a price — in Tunis, at least — of about £4 per *cantaro*, or just under 2 *soldi* per kilo of wool.¹⁶ Even allowing for a hefty markup at the point of sale in Genoa, Giannino's clients were buying and selling a huge amount of wool: hundreds of kilograms. Evidence from the late fourteenth and early fifteenth centuries, in particular from the Florentine *Arte di Lana*, suggests that wool from Mediterranean countries like Spain and Mallorca, broadly characterized as *Garbo*, was cheaper and considered of lower quality than English or Flemish wool, though that doesn't necessarily mean that Maghribi wool was considered low-quality in a mid-thirteenth century Genoese context.¹⁷ Still, it can be safely deduced that wool from the Maghrib was a major import in thirteenth-century Genoa.

Other animal product imports from the Maghrib included both hides and finished leather, particularly from goats and sheep. The notaries and their clients deployed a range of terms to describe the trade, distinguishing between hides (*coria*), lambskins (*agninas*) and finished leather (*becunas*). Prices seem to have been relatively stable; in 1216, Deusdedit paid £32 for 101 hides from Ceuta, whereas in 1240, Guglielmo de Bargalio paid £38 for 117. According to the 1240 act, hides were worth about £23 per *cantaro*; which meant that Guglielmo bought about 1.6 *cantari* of hides.¹⁸ As with the wool trade, the trade in hides and leather was carried on in bulk: acts from Pietro Battifoglio's Tunisian register indicate huge quantities of hides purchased at Tunis and elsewhere, often used as surety for large loans; Leonardo de Sigenbaldo offered a cargo of 8 *pondi* of hides as surety for an exchange of 200 gold *doppie* he hoped to make in Genoa; this amounted to 8, 366 individual hides.¹⁹ The same merchants often traded in both wool and leather; this was true particularly of the wealthy and influential Cibo family: in March 1289 Cibo de Cibo

¹⁵ "confitemur quod sunt de nostri communi rat[i]one] quod detulimus de buçea." *Notai Antichi* 28: 138v.

¹⁶ Battifoglio, 19 (doc. 8). The Genoese *cantarium sottile* was equal to 47.55 kg. See F.C. Lane, "Tonnages, Medieval and Modern," *Economic History Review* 17: 2 (1964), 221.

¹⁷ J.H. Munro, "The Rise, Expansion and Decline of the Italian Wool-Based Cloth Industries, 1100-1700: A Study in International Competition, Transaction Costs, and Comparative Advantage", *Studies in Medieval and Renaissance History* 3: 9 (2012), 103-104. As noted in Chapter Three, *Garbum/Garbo* appears in the twelfth and thirteenth-century sources as a geographical term to describe western North Africa.

¹⁸ Lanfranco Vol. 2, 29 (doc. 976); *ASG Notai Ignoti* (Bonvassallo de Cassino) 3.47: (03_0733)

¹⁹ Battifoglio, 51 (doc. 34).

entrusted a Florentine merchant, Falchino Alioto, as his proxy to recover 660 *cantari* of goods at Tunis: 400 *cantari* of wool, 200 of *boldrones*, and 60 of hides.²⁰

Genoese exports of textiles to the Maghrib are somewhat easier to trace than its imports, as they are enumerated in many more acts. In general, the Genoese exported a wide variety of finished cloth to the ports of the Maghrib; however, they also exported raw materials or semi-finished cloths to be finished or dyed in Ceuta, Tunis or Bijāya, including by the Genoese tailors and textile-workers resident in the fondacos there. By the early thirteenth century, Genoa was a major entrepôt for the cloth trade of Lombardy and France; Genoese merchants were active in the Champagne cloth fairs by the late twelfth century and many of these Northern textiles found their way to the Maghrib.²¹ Textiles destined for the Maghrib ran the gamut from cheap worsteds, serges and fustians to expensive dyed woolens. A 1245 *commenda* for Tunis consisted of £11 invested in hemp and two pieces of "cloth of the Humiliati," the lay religious movement active in weaving in northern Italy, whereas in 1250, Iddo Lercario the elder promised to take two pieces of dyed blue cloth of Châlons worth over £106 to Ceuta to trade: a vast difference in price.²² Other *commenda* mention dyed fustian cloth (*fustaneos tinctos*) for Ceuta, as well as several undifferentiated "*panni medie lane*"; or finished woolen cloth.²³

Furthermore, by the thirteenth century, the Genoese and other Italians dominated the carrying trade between the Maghrib and the Eastern Mediterranean: this meant that Egyptian or Syrian cotton, linen and silk often travelled to the Maghrib in Genoese hulls along with other Eastern products such as spices.²⁴ An example of how this could work appears in a Savonese court case in 1205, in which the ever-litigious Balduino Scorzuto raised complaints about a long trading voyage undertaken by Salvo Mascono. Salvo's strategy was to take cotton to Ceuta, purchase wax there for sale in Egypt, and to buy pepper in Egypt for re-sale in Savona.²⁵ Such re-exported Eastern goods usually only

²⁰ Ibid, 35:43.

²¹ See R. L. Reynolds, "The Market for Northern Textiles in Genoa, 1179-1200," *Revue Belge de philologie et d'histoire* 8 (1929), 831-852, and Hilmar Krueger, "The Genoese Exportation of Northern Cloths to Mediterranean Ports, Twelfth Century" *Revue Belge de philologie et d'histoire* 65 (1987), 722-750.

²² ASG *Notai Antichi* 21/II (Bartolomeo de Fornari): 128r, and *Notai Antichi* 27 (Bonvassallo de Cassino): 28r.

²³ ASG *Notai Antichi* 27 (Bonvassallo de Cassino): 26v; and 18/II (Giannino de Predono): 49r.

²⁴ Linen cloth was produced in France and Italy, but cotton came overwhelmingly from Syria and Egypt. David Abulafia, "Industrial Products: The Middle Ages," in idem, *Mediterranean Encounters: Economic, Religious and Political* (Aldershot: Variorum, 2000). 333-358, and A.L. Udovitch, "International Trade and the Medieval Egyptian Countryside," in *Proceeding of the British Academy* 96: *Agriculture in Egypt from Pharaonic to Modern Times*, eds. A.K. Bowman and Eugene Rogan, (Oxford: Oxford University Press, 1999), 267 - 285.

²⁵ Martino, 339 (doc. 812), idem, 343 (doc. 816).

appear in our sources when the merchant brought them to Genoa, as in 1216 when Gandulfo di Forno took possession of 17 Byzantine coats or jackets (*zupis de Romania*) from Alberto de Montanaro, worth over £24. Gandulfo promised to trade these jackets in Ceuta or Bijāya and, if he could not sell them there, to take them to Syria.²⁶ These were finished, luxury items, although there were also several *commenda* for bulk exports of linen and cotton.

The Genoese were not content to merely import finished cloth or clothing to the Maghrib. Indeed, there is considerable evidence that they brought tailors, dyers and other artisans connected with textile production to the Maghrib, and that they brought the materials they needed to carry on their trade. These smaller-scale artisans and craftsmen often rented shops in the fondaco from wealthy Genoese merchants who had purchased the *scribania*—the right to collect revenues and control leases within the Genoese communities overseas — from the commune of Genoa, which had developed a habit of selling communal revenue rights as a quick way to raise cash.²⁷ In 1252, Ogerio de Fontana purchased the *scribania* of the Genoese fondaco at Bijāya, and subsequently leased two shops there (*duas apothece*) to a leatherworker and a draper for a period of two years; the leather worker's shop rented for 7.5 besants a month (a little under two lire), and the draper's shop for 9.5 besants.²⁸ In October 1253 Ricobono de Porta, merchant and notary, purchased the *scribania* of the Ceuta fondaco from the commune and leased the tailor's shop "in the new fondaco, by the staircase on the left-hand side" to Giovanni Cocho, a tailor or cloth-cutter (*taliator*).²⁹ Interestingly, Giovanni was also Ricobono's business partner: Ricobono invested 300 besants in a *societas* with Giovanni, and on top of that gave him a loan, for an eventual payout of 25 besants. This again suggests something of a patron-client relationship: Ricobono, the rich merchant and notary, advanced the capital and shop space for a skilled tailor to ply his trade on the ground in Ceuta. But Ricobono was not necessarily content to let his capital work for him in Ceuta while he remained at Genoa; he himself undertook to travel to Ceuta and trade a variety of goods there in person.³⁰

What kind of work were these men doing in the fondacos? Pietro Battifoglio's register for 1288-1289 mentions eight tanners or leather merchants (*peliparii*), seven tailors or cloth-cutters (*taliatores*), one master-tailor (*magister sartor*), a shearer (*accimator*), a dyer (*pulperius*) and a draper (*draperius*) all resident in the Genoese fondacos at Tunis. Fifty years prior, in 1236, Nicoloso de Recho, a shoemaker (*calegarius*), promised to accompany Oberto de Gandulfo, another shoemaker, to Tunis and to serve him "in [my] capacity as a shoemaker, and in all other services from the day we depart Genoa

²⁶ Lanfranco Vol. 2, 114 (doc. 1182).

²⁷ During the thirteenth century, multiple attempts were made to correct this practice and to forbid future governments from alienating communal revenues, although they were almost never effective. See discussion in Steven A. Epstein, *Genoa and the Genoese*, 147.

²⁸ ASG *Notai Antichi 18/II* (Giannino de Predono): 49r, 49v.

²⁹ "apothecam unam que est in fundico novo septe iuxta scalam dicti fundici a manu synistra", ASG *Notai Antichi 28* (Giannino de Predono): 124r.

³⁰ See above, 117.

for Tunis." In exchange, he was to receive a salary of £3, as well as room and board.³¹ While the really dirty, labor-intensive activities such as tanning and fulling almost certainly did not take place in fondacos themselves, it is hard to avoid the conclusion that these and other workers were there to produce tailored clothes at the point of sale; the dyeing, cutting and sewing of finished or semi-finished cloth. This activity would probably have served the daily needs of the Genoese community by itself, but it would also have made sense for major Genoese cloth merchants and importers to have textile-workers resident in Maghribi ports: they would be able to tailor their offerings to suit local market conditions, rather than hoping that Maghribi buyers were interested in "Byzantine jackets" or whatever other finished clothing arrived in port to be sold. This aspect of life and economic exchange in the fondaco has not been sufficiently emphasized in earlier scholarship.³²

The arrival of a variety of goods used in the textile and leather trade further supports this claim. Chief among them were dyestuffs — ranging from expensive luxury dyes like indigo to humbler items like madder and gall — as well as alum, an important fixative. These could have been intended for sale to Maghribi textile producers: although cloth production in places like Ceuta declined over the thirteenth century in the face of foreign competition, it remained an important part of the economy, and the same was true of Bijāya and Tunis, which had been major centers of exportation prior to the thirteenth century.³³ Ceuta in particular was famous for leather craftsmanship, and its saddlers bought imported gold thread to use in decorating saddles.³⁴ However, the numerous instances of Genoese tailors, leather workers, and dyers mentioned in the documents as renting property in the fondacos or present as the clients of wealthy wholesale merchants strongly suggests that they too were engaged in clothing production in the Maghrib. Some Genoese cargoes included woolen thread or yarn (*staminibus* or *canonos*), and in 1252, Lanfranco Adorno hired two men to accompany him to Ceuta for a two year period: one of whom pledged to work for Lanfranco, "cutting and sewing cloth" (*incidere et suere pannos*) in exchange for a salary of £22.³⁵ It seems impossible to avoid the conclusion that some kind of textile manufacture – probably the very last stages of finishing cloth – was taking place in the Genoese settlements of the Maghrib.

³¹ "de officio calegarie et omnibus aliis serviciis a die quo exierimus de portu Ianue pro eundo Tunesim", ASG *Notai Antichi* 17: 27r.

³² See for instance Olivia Constable, *Housing the Stranger: Lodging, Trade and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press: 2003), 107-157.

³³ See discussion in Dominique Valérian, *Bougie: port Maghribin, 1067-1510* (Rome: École Française de Rome, 2006), 175-242.

³⁴ Halima Ferhat, *Sabta des origines au XIVe siècle* (Rabat: Ministère des affaires culturelles, 1993), 322. I was unable to find any instance of gold thread being exported to Ceuta, but Bartolomeo Fornari recorded at least two acts exporting gold thread to Tunis in 1237 and 1245: ASG *Notai Antichi* 18/II, 171r and 21/II 120v. Perhaps the 1234 dispute and accompanying loss of property at Ceuta had made the Moroccan market for gold thread less appealing by the mid-thirteenth century?

³⁵ ASG *Notai Antichi* 34 (Giannino de Predono): 54r.

Some pious Muslims in the late medieval Maghrib indeed worried about the details of the Christian textile industry. Did the Christians use wine to dye cloth? Did they use pork lard at any of the stages in cloth production? Would this not make the clothing they produced impure? Even if they didn't engage in these practices using obviously forbidden substances, should a Muslim who purchased Christian-made clothing in the market wash it before wearing it to pray even if that washing diminished its value? At stake in these detailed questions was the issue of the ritual purity, or *ṭahāra*, of clothing produced and even worn by non-Muslims but subsequently purchased and worn by Muslims. There was clearly concern about whether such objects conferred impurity (*najāsa*) which might invalidate formal prayer. There was also a question of how far personal religious scrupulosity (*waraʿ*) should go in determining which products or services were morally suspect. All of these questions were addressed by the Moroccan Sufi and legal scholar Ibn Marzūq al-Ḥafīd (d. 1438) in the course of his lengthy fatwa on the use of Rūmi paper preserved by al-Wansharīsī. Ibn Marzūq, citing the overwhelming preponderance of opinion in the Mālikī school, argued that Muslims should presume the permissibility and purity of Christian-woven and dyed cloth (and, by analogy, paper as well) "until or unless an obvious impurity is confirmed."³⁶ Ibn Marzūq pointed out that the founder of the Mālikī madhhab, Mālik b. Anas (711-795) himself, had ruled that even Christian cloth produced using wine (allegedly used both to dye the cloth and to prepare it for weaving) was permissible, due to its widespread use by Muslims: the line was drawn only at second-hand shoes.³⁷ Nonetheless, the numerous objections and counter-arguments Ibn Marzūq took pains to address in his fatwa suggest that these were live concerns among Muslims who had access to imported Christian clothing, for whom the details of cloth preparation and production were important.

This discussion is particularly interesting in light of some of the Genoese merchandise almost certainly intended for cloth production that made it to the Maghrib. One such item was cream of tartar, or *fegia* in the Genoese dialect. This substance, produced by scraping the residue of wine barrels after fermentation, was used alongside alum as a fixative in dyeing cotton and woolen fabric.³⁸ In June 1203, Tommasso, *peliparius*, accepted £103 in cotton and *fegia* to trade at Ceuta. Over twenty years later, in October 1225, Nicoloso Musserica took another investment in besants and *fegia*, worth £85, also to Ceuta.³⁹

³⁶"hata tūqīnu najāsatuḥu", cited in Aḥmad al-Wansharīsī, *al-Miʿyār* I: 81.

³⁷ "fa-innahum yablunu al-khamr wa yaḥikūnaha bi-aydīhim wa yasqūnu biḥā ath-thiyāb qabl an tunasij...wa lā bās bi-labas ath-thiyāb alati yasqūnuha li-l ḥāwk al-khamr, wa in balu-hu bi-aydīhim li-anna an-nāss lam yuzālu yalbisunuha," *ibid*, 81.

³⁸ see *Aprosio*, Vol. 1, 375.

³⁹ Lanfranco Vol. 1, 151-2, (doc. 327), and Vol. 2, 297-8 (doc. 1634).

Much of the medieval Islamic (and Christian and Jewish) discourse on the purity and impurity of religious others has been described as essentially speculative; a means to test and define the conceptual boundaries of a religious community and its laws by imagining the practices of a "hermeneutical other."⁴⁰ Other Muslim jurists worried, for instance, about the alleged practice, by Christian butchers, of dedicating slaughtered animals to Christ as God: would this render the meat forbidden (*harām*) to Muslims? As David Freidenreich has pointed out, other cases in classical and post-classical Islamic legal discourse appear to be hypothetical: one case discussed by the Zaydi imam and scholar al-Nātiq (d. 1033) involved a non-Muslim who went hunting and sent his dog after a game animal, but converted to Islam while the dog was in mid-pursuit, before it caught and killed its prey: was the meat *halāl* or not?⁴¹ However in the case of Ibn Marzūq's late fourteenth- or early fifteenth-century interlocutors, it appears that the use of wine and wine products in Christian cloth production was not a hypothetical question.

In fact, Maghribi Muslims had been well aware of the production and use of cream of tartar almost three centuries before Ibn Marzūq. The permissibility of using this product was the subject of a *fatwa* by the twelfth-century Ifrīqiyan jurist al-Māzarī (d. 1141). Addressing the problem, al-Māzarī noted that the issue was well-known to jurists (*al-shayākh*) and had resulted in a controversy (*tanāzaʿa*): "the discussion of the issue has two components: the first of these is [the question of] the purity or impurity of the cream of tartar, and the second of these is the permissibility of selling it if indeed it is impure."⁴²

As with Christian clothing, the production process for cream of tartar was important to understanding its purity or impurity. In order to answer the question, Al-Māzarī felt it necessary to describe in detail how juice was pressed from grapes, mixed, fermented and aged in containers, which caused "a distinction between the finer and the coarser substances; indeed the finer substance floats, and the coarser one sinks. That is why whatever ages a wine increases its fineness."⁴³ Cream of tartar, al-Māzarī noted, was this coarser sinking substance that solidified against the sides of the container and could be scraped off. However, not all cream of tartar was the same: "either it sank and solidified *after* [the juice] became wine, or it did so *before* the juice became wine."⁴⁴ The purity or

⁴⁰ See for instance Jeremy Cohen's notion of the "hermeneutical Jew" in Christian anti-Semitic discourse; Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), and discussion by David Freidenreich, *Foreigners and their Food: Constructing Otherness in Jewish, Christian and Islamic Law* (Berkeley: University of California Press, 2011), 114-122.

⁴¹ David Freidenreich, *Foreigners and their Food*, 125-126.

⁴² "wa al-kalām fiha min wajhayn: ahaduhuma najasat at-ṭartār wa ṭahāratuhu wa al-thāni ijāzatu bayʿihi wa law kāna nājis." *al-Miʿyār* VI: 314.

⁴³ "fa-innahu yatamayizu al-jawhar al-ghalīz min al-raqīq, fayatiʿfu al-raqīq wa yarsibu al-ghalīz. Wa li-hadha kulumā ʿataqat al-khamr raqat." *ibid*, 314.

⁴⁴ "amma an yakunu rasibat wa takāthifat baʿada an ṣārat khamran, wa-imma an takunu rasabat qabl an taṣayru khamr-an." *Ibid*, 314.

impurity of cream of tartar, al-Māzarī reasoned, depended on precisely when during the wine-making process the product had been removed from the barrel: before or after fermentation. The key to understanding whether fermentation had occurred, of course, was whether drinking the substance made one intoxicated, because the reason (*illa*) for the prohibition of wine was its intoxicating nature (as opposed to its color, sweetness, or other characteristics.) Once the reason or source (*ʿayn*) of intoxication had been removed, the substance was licit to consume. As al-Māzarī pointed out, this was also the well-known reasoning for the permissibility of vinegar, which had passed from a forbidden substance (wine) to a licit substance through the disappearance of the intoxicating factor.⁴⁵ So cream of tartar that could be shown to have been derived from an as-yet unfermented wine container was perfectly lawful.

So far, so good: but what if the cream of tartar was, in fact, impure, being taken from a container that *had* been fermented? Even then, al-Māzarī noted judiciously, it was not necessarily illicit to use; according to the precedent for unclean goods established by Sahnun (d. 854) in the *Mudawanna*. Unclean goods, such as excrement or carrion, could still be legally bought and sold if there was a clear need for them (*ḥāja* or *ḍarūra*); for instance, human waste could be needed to help fertilize fields.⁴⁶ Al-Māzarī did not specify what need, exactly, could make the sale of impure cream of tartar licit, but he clearly intended it to be considered according to this earlier precedent. In doing so, he established a significant degree of freedom for his listeners to choose to use this product. Especially for cream of tartar produced in Genoa and exported to Ceuta or Tunis, it is unlikely that Muslim buyers could have established its purity *or* impurity, and in either case, there existed a rationale permitting its use.⁴⁷

b. Foodstuffs: Grain, Spices, and Oil

Another important component of the Genoa-Maghrib trade was a wide range of foodstuffs and food-related products, from staples like grain, barley and olive oil to dried fruits, nuts and spices, to a considerable trade in wine. In 1234, the Dominicans and Franciscans resident at Tunis wrote to Ramon de Peñafort, the prominent Dominican canonist and *penitentiarius* of Gregory IX, to ask about the punishments for Christians selling a variety of merchandise to Muslims in the port at Tunis. Many of these were obviously contraband, such as weapons and ships, but the letter also gives a list of types of food sold to Muslims, and specifies which Christian merchants were selling it. According to the friars, "the Spaniards sell goats and sheep, etc., the Pisans and Genoese sell grain, wine, beans,

⁴⁵ Ibid, 314.

⁴⁶ Ibid, 315.

⁴⁷ Intriguingly, the editors of Wansharīsi' *Mi'yār* note the existence of a popular Moroccan proverb "Alum and tartar joined together and Indian dyeing came out" (*talāqa ash-shab m'a al-ṭarṭār wa kharajat aṣ-ṣabāgha al-hindīya*). Although it cannot be dated to the time period of al-Māzarī, this indicates a general awareness in the Maghrib of the use of cream of tartar in dyeing. *Al-Mi'yār* VI, 314 n1.

chestnuts, hazelnuts, etc. to the Saracens."⁴⁸ The notarial evidence from Genoa indeed bears out the complaints of the mendicants, with a number of these food products appearing in *commenda* and *societates* for the Maghrib trade.

As with the textile trade, it is sometimes difficult to determine which food products destined for the Maghrib originated in Genoa or Liguria, and which merely passed through Genoa's port on their way from the East. Obviously exotic merchandise such as pepper, ginger, and most spices came to Genoa and subsequently to the Maghrib from Egypt or the Levant, but other food products could derive from closer to home. Several acts indicate the export of both fresh and dried fruit and nuts to Ceuta from Savona and Genoa, often transported together with spices, sugar, and wine by individuals referred to as *spetiarii*: spicers. In 1225, Oberto *spetiarius* sent a small cargo (100s or £5) of ginger and cloves to Ceuta, whereas in 1254, another Oberto *spetiarius* (possibly the same individual) sent a much larger cargo worth over £32 in nutmeg and over £36 in wine to Ceuta.⁴⁹ In Corsica in 1245, Nicoloso de Damiata, *spetiarius*, accepted a cargo worth over £57 consisting of "one hundred baskets of figs, 25 *mina* of nuts, and two reams of paper."⁵⁰ Five years later another *spetiarius*, Giovanni di Piacenza, invested a cargo of sugar, ginger, cloth, and cloves worth £24 in a voyage to Bijāya.⁵¹ The overall impression one receives is of a relatively high-value but low-volume trade in non-staple foods; investments in small amounts of a wide range of fruits, nuts and spices. The rocky, wooded Ligurian hinterland of Genoa was notoriously poor in most agricultural products besides a limited arboriculture and viticulture, and it is significant that in the earliest surviving treaty between Genoa and Ḥafṣid Tunis drawn up in 1236, the Genoese specifically asked for permission to export five ship-loads of grain and other foodstuffs from Tunis duty-free in the case of famine at Genoa. This article of the treaty would be repeated with only minor changes in the treaties of 1250 and 1272.⁵²

Despite the stated interest by the Genoese ambassadors in the right to export grain from the Maghrib, there is only limited evidence of grain being purchased in any large quantities in the Maghrib, and even when it was, it usually did not go to Genoa. In fact, the preponderance of evidence suggests that the opposite was true: the Maghrib, and particularly Ifrīqiya, was a net importer of grain, above all from Sicily. Tunis in particular appears to have been an importer rather than an exporter of grain; already by the mid-twelfth century, al-Māzarī famously ruled against the practice of Ifrīqiyan merchants

⁴⁸ "Yspani vendunt arietes et oves et huius, pisani et ianuenses frumentum, vinum et legumina, castaneas, avellanas et huius sarracenis," *Dubitabilia*, 10.

⁴⁹ Lanfranco Vol. 2, 260 (doc. 1537), *Notai Ignoti* 7.9, 07_303.

⁵⁰ "sportis centum ficuum et minis viginti quinque nucum et duabus ressenis/rossenis papiri cum naulo," ASG *Notai Antichi* 21/I: 128v.

⁵¹ ASG *Notai Antichi* 27: 13.

⁵² "si vero caristia communis victualis esset in Ianua, possint licenter extrahere Ianuenses naves quinque honeratas victualibus," in de Mas-Latrie (Genoa-Tunis, 1236), 118, 120.

buying grain in Sicily; a suggestion that this was common.⁵³ In 1245 the Genoese merchant Iddo Lercario purchased grain in Corsica and pledged to pay for it—167 besants—once it was unloaded and sold in Tunis.⁵⁴ Forty years later in 1289, a Florentine merchant confirmed his debt of over 13,120 besants for grain he had imported into Tunis on a ship owned by the Genoese Bernardo de Anfussis.⁵⁵ In the thirteenth century, there were much more accessible, obvious suppliers of grain to the Genoese market than the Maghrib, particularly Corsica and Sicily.⁵⁶ As noted above, several Savonese merchants in the first two decades of the thirteenth century had purchased grain in Ceuta and Oran with an eye to selling it in Sicily and elsewhere in the Maghrib; in fact during his two year trading voyage from 1202-1204 Oberto Scorzuto had rented space to Muslim merchants intent on selling their barley and wheat in Messina and in Bijāya. Genoese and other Latin Christian merchants purchasing grain in the Maghrib, and the Maghribi traders who used Latin ships to transport their goods, were practicing a local, coastal trade or *cabotage*: moving along the Maghribi coast to take advantage of regional scarcities.

Food, Trade and Transgression: Christian and Muslim responses

The opportunistic buying and selling of grain to supply regional deficiencies in the Maghrib provoked disapproval not only from Muslim jurists, but also from the thirteenth-century papacy, which, as noted above, took an increasing interest in controlling trade with the Muslim world during the pontificates of Gregory IX (1227-1241) and Innocent IV (1243-1254). Like al-Māzarī, the papacy was concerned with the impact of the trade upon the relative balance of power between Muslims and Christians in the Mediterranean. In theory, commerce in foodstuffs with Muslims was only punishable by excommunication in time of actual armed conflict between Christians and Muslims, but certain members of the clergy advocated a stronger stance, even in peacetime. Among the questions put to Ramon de Peñafort by his Dominican brothers at Tunis in 1234 was a detailed explanation of the business practices of grain merchants like Oberto Scorzuto or Bernardo de Anfussis.

Certain Christian merchants charge their ships with grain and other food in Saracen regions which are fertile, and take them to other regions of Saracens who are at war with Christians. These Saracens would perhaps in the end be defeated, either through lack of rations or through war, if these merchants did not aid them in this way by bringing them food. Since this supplying of food is of great aid to the

⁵³ See above, 151.

⁵⁴ ASG *Notai Antichi* (Bartolomeo Fornari) 21/II, 127v.

⁵⁵ Battifoglio, 167-8 (doc 118).

⁵⁶ See David Abulafia, *The Two Italies: Economic Relations between the Norman kingdom of Sicily and the northern communes* (Cambridge: Cambridge University Press, 1977), 31-56.

Saracens, *whether or not they are at war*, we ask whether such merchants are excommunicated.⁵⁷

The pope reiterated that such merchants were, in fact, only excommunicated *if they traded during wartime*; leaving open at least the possibility of trade in foodstuffs during peacetime; though exactly what "peace" meant was not precisely defined. Nonetheless, a comparison of the Dominican letter and the Genoese notarial evidence confirms that the carrying trade in grain between Maghribi ports was a standard practice in the mid-thirteenth century.

Both Muslim and Christian jurists objected to the sale of grain and other foodstuffs across religious boundaries, albeit for somewhat different reasons and in different circumstances. Christian canon law, and its zealous interpreters like the Tunisian mendicants, aimed at an embargo: preventing vital foodstuffs and strategic resources such as iron and timber from reaching Muslim hands: the goal was to weaken Islamic societies and rulers who were actively or notionally at war with Christendom; a goal that became all the more urgent after the loss of Jerusalem in 1187. Subsequent "crusade theorists" in the thirteenth and early fourteenth century often blamed the cupidity of Christian merchants for strengthening the capacity of Muslim rulers to resist crusader armies. William Adam, writing in the early fourteenth century, denounced Latin Christian commerce with the Mamlūks as the most important reason for the continued failure of Christian re-conquest in the East: "First of all, the Saracens are given the necessary materials by means of Catalan, Pisan, and Venetian, but above all by Genoese merchants."⁵⁸ Although Adam's invective was aimed at Genoese trade with the Mamlūk sultanate of Egypt, the complaints of the Tunisian mendicants indicate that this line of attack was not limited to the Eastern Mediterranean and the Holy Land.⁵⁹

By contrast, certain Muslim jurists in the Maghrib also disapproved of aspects of the trade in foodstuffs with Christians, but the concern here was more closely related to the purity and religious observance of the Muslim community, writ large, and mostly concerned Muslims traveling to Christian territory, not the purchase of Christian produce *per se*. Much has been written about the supposed interdiction against Muslims traveling to the *Dar al-Ḥarb* for any reason other than the ransoming of Muslim captives: a corollary of

⁵⁷ "Item, quidam christiani mercatores honerant naves suas anonas et aliis victualibus in quibusdam partibus sarracenorum ubi est fertilitas, et portant in alias partes sarracenorum facientium guerram cum christianis. Qui umquam sarraceni fuissent forsitan destructi, tum ex caristiam tum esset guerra, nisi per huius mercatores eis fuisset subventum in victualibus. Cum igitur huius deportatio victualium maximum sit auxilium sarracenis, sive sit guerra sive non, querimus utrum sint excommunicati tales." Tolan, *Dubitabilia*, 11.

⁵⁸ "Primo igitur ministrantur necessaria Sarracenis per mercatores Catalanos, Pisanos, Venetos et alios maritimos mercatores, et maxime Ianuenses" William Adam, "De Modo Sarracenis Extirpandi", in *Recueil des Historiens des Croisades, Documents Arméniens* II (Paris: Académie des Inscriptions et Belle-Lettres, 1906), 523.

⁵⁹ See discussion in Stefan K. Stantchev, *Spiritual Rationality: Papal Embargo as Cultural Practice* (Oxford: Oxford University Press, 2014), 19-20.

which was the duty of Muslims living in the *Dar al-Ḥarb* to emigrate to Muslim-controlled territory.⁶⁰ It is relatively easy to find examples from a range of different Muslim authors; from the declaration by the Andalusian traveler Ibn Jubayr (1145-1217) that there could be no excuse for a Muslim to stay in Christian lands when he could return to Islamic territory, to al-Māzarī's refusal to permit Ifrīqiyan merchants to travel to Sicily to buy grain, even in case of a dire shortage at home.⁶¹ The latter case is particularly instructive, as it was recopied and included by both al-Burzulī and al-Wansharīsī in their compilations of *fatwas*. Nonetheless, it is significantly more nuanced an opinion than it might at first appear.

Al-Māzarī, resident in Mahdiyya during a period of turmoil in the twelfth century, had been approached by a group of Ifrīqiyan merchants who had pooled their money in a joint venture (*sharika*) to purchase grain in Sicily, an undertaking which required them to pay a tax to the Christian authorities and have their gold currency re-minted. The merchants' question had several components, relating to the equitable division of the grain among the parties, and the permissibility of re-minting (and thus de-basing) coins in the transaction. Al-Māzarī duly answered these questions, but he began his response by answering a question that was *not* posed:

First of all, is travel to Sicily permissible or not? My answer was that if the infidels had authority over Muslims who enter [the island], travel is not permitted. Indeed, there was, previously, an order of the sultan to all of us people of the *fatwa* [i.e.: *muftis*] in which he asked us about going there, for there was great unrest due to the people's urgent need for provisions. And I told all the *muftis* I saw -- God rest them-- that travel there, if the Christians currently held authority over who could enter, was not permitted, and that the people's need for provisions offered no justification for it.⁶²

⁶⁰ For a useful overview of the theory behind this injunction, see Mohammed Khaled Masud, "The Obligation to Migrate: The Doctrine of Hijra in Islamic Law," in *Muslim Travellers: Pilgrimage, Migration, and the Religious Imagination*, ed. Dale F. Eickelman and James Piscatori (Berkeley: University of California Press, 1990), 45, and Khaled Abou el Fadl, "Islamic Law and Muslim Minorities: the Juristic Discourse on Muslim minorities from the Second/Eighth to the Eleventh/Seventeenth Centuries" *Islamic Law and Society* 1:2 (1994), 164. For a discussion specific to the Mālikī school of Islamic law which prevailed in the Maghrib and al-Andalus, see Jocelyn Hendrickson, "The Islamic Obligation to Emigrate: al-Wansharīsī's *Asnā al-matājir* Reconsidered" (PhD dissertation, Emory University, 2008), 184-196.

⁶¹ "There can be no excuse in the eyes of God for a Muslim to stay in any infidel country, save when passing through it, while the way lies clear in Muslim lands." *The Travels of Ibn Jubayr*, trans. R.J.C. Broadhurst, (London: J. Cape, 1952), 322, and *Fatāwa al-Burzulī*, Vol I: 597.

⁶² "āwalan hal yajūzu as-safr ila šiqilliya am la? wa aladhi taqadamat ajwibati bihi annahu idha kānat ahkām ahl al-kufr 'ala man yadkhuluhā min al-muslimīn fa-inna as-safr la yajūz. Wa qad kāna qadīmān amru aš-šultān bi-jami' ahl al-fatwa 'andana wa sa'ālna 'an as-sayr ilayha, wa waqa'a fī dhalik aḍṭarāb l-ājlī ḍarurat an-nās ila al-aqwāt. faqultu li-l-jamā'a al-muftīn -rahmahum Allah- aladhi arāhu anna as-safar ilayha idha kānat ahkām ar-rūm jāriya 'ala man yadkhulu ilayha la yajūz wa la adhra fī al-hāja ila al-qawat." al- Burzulī, *Fatāwa* I: 596.

The ultimate justification for this opinion was taken from a verse of the Qur'an; 9:28, *Surat at-Tawba*:

O ye who believe! Indeed the polytheists are unclean, so let them not come near the *Masjid al-Haram* after this, their final year, and if you fear poverty, then soon God will enrich you from his Bounty, if he wills. Indeed, God is the All-Knowing, the All-Wise.⁶³

Al-Māzarī went on to explain that he interpreted this verse to mean that infidels were impure, and that even "poverty" — a scarcity of grain or other provisions—did not permit Muslims to buy from them. However, his subsequent reasoning clarified that buying grain from or selling it to Christians or other infidels who came to the lands of Islam to trade was perfectly permissible: the real problem with Muslim travel to Sicily was Christian jurisdiction (*aḥkām*) over the trade: Sicilian taxes or imposts levied on Muslim merchants would swell the coffers of Christian monarchs determined to wage war against Islam. In the case of al-Māzarī's merchants, this would likely have been Roger II (1130-1154), who indeed occupied much of Ifrīqiya after al-Māzarī's death.⁶⁴ Another concern of al-Māzarī was the re-minting of gold currency mentioned earlier; not only for the possibility of usury (*ribā*) in adulterating the coinage, but out of fear of Christian symbols such as crosses being imposed on coins used by Muslims.⁶⁵ This was another reason for Muslim merchants to avoid trade with Christians under conditions of Christian control.

Yet, as Jocelyn Hendrickson has pointed out; al-Māzarī's seemingly strict concerns about impurity and contact with Christians did not extend to Sicilian Muslims living under Christian rule.⁶⁶ In a separate ruling, al-Māzarī upheld the validity of legal opinions issued by Sicilian Muslim *qādis*, even those appointed by Christian authorities, justifying their continued residence in infidel-controlled territory by the need to provide guidance to the Muslim community, the hope of converting the Christian infidels, or restraining them from even worse heresies. In other words, al-Māzarī's thought on *impurity* was much more

⁶³ *Qur'an* 9: 28 (Sahih International). The *Masjid al-Harām*, or Great Mosque of Mecca, was declared off-limits to polytheists after the Muslim victory at Hunayn in 630. The Andalusian Mālikī jurist al-Qurtubī also cited this *āya* as a reason to forbid non-Muslims to enter mosques in general, although he noted some disagreement on this among jurists of other schools. Al-Qurtubī, *al-Jām'ī li-Ahkām al-Qur'an wa-al-mubayyin li-mā taḍammanahu min al-sunnah wa-āy al-Furqān*, Vol. 9, edited by Abdallah b. Abd al-Muhsin al-Turki and Muhammad Ridwan Iq̄susi (Beirut: Dar al-Risalah al-Alamiyah, 2012), 152.

⁶⁴ See Michael Brett, "Muslim justice under infidel rule: the Normans in Ifrīqiya, 517-555 H, 1123-1160 AD," *Cahiers de Tunisie* 43 (1991), and David Abulafia, "The Norman Kingdom of Africa and the Norman Expeditions to Majorca and the Muslim Mediterranean," *Anglo-Norman Studies* 7 (1985): 26-49.

⁶⁵ al-Māzarī, cited in al-Burzulī, *Fatāwa*, Vol I: 597.

⁶⁶ Hendrickson, "The Islamic Obligation to Emigrate," 206-207.

complicated than a distaste for contact and trade with Christians. A concern for impurity emerged more from contact that arose from baser, commercial motives — fear of "poverty" — rather than from religious or spiritual goals, and was closely tied to contemporary politics: in twelfth-century Ifrīqiya, this meant fear of an aggressive Norman Sicily. Furthermore, despite his reception by later Mālikī scholars, it is not certain that al-Māzarī's skepticism of travel to Christian lands to purchase food was representative of learned opinion in all the other port cities of the Maghrib, such as Ceuta or Bijāya, places where, as Halima Ferhat points out, the merchant class and the *‘ulamā* overlapped significantly.⁶⁷

Yet even if al-Māzarī's unease with Christian impurity in foreign trade may not have been representative of the Mālikī school, a concern with the safety and purity of food, and in particular of liquids such as oil and water, was characteristic of Islamic jurisprudence in general, and of trade in the Maghrib in particular. The *muḥtasib*, or market inspector, was a formal position who, like the *qāḍi* or judge, was charged with the *ḥisba*: "enjoining the right and forbidding the wrong": among other responsibilities, this meant investigating the cleanliness and purity of produce sold at market, as well as the validity of contracts and sales made there.⁶⁸ In addition to a number of *ḥisba* manuals compiled for the *muḥtasib* in both the East and West of the Islamic world, many manuals of *fiqh*, and the fatwa collections of al-Wansharīsī and al-Burzuli in particular, begin with rulings on the purity and impurity of food and water. One concern was the possible contamination of food, especially liquids, by dead animals such as mice or insects. As carrion, (*mayta*), these animals were impure both in themselves, and could render impure the substance in which they were found.

A basic distinction was made between dry and liquid foods: the latter were far more susceptible to impurity. According to al-Wansharīsī, grain in which a mouse or even a pig had died could still be legally sold provided the animal had not bled into the grain, whereas a container of olive oil contaminated by a dead mouse ought to be thrown away in its entirety.⁶⁹ This was no mere theoretical stance: striking confirmation of the practice in the ports of the Maghrib appears in contemporary Christian sources. Pegolotti's mid-fourteenth century *Pratica della Mercatura* warns Christian merchants intending to trade olive oil at Tunis against transporting it in old barrels, in particular those which might have previously held wine or fat; alleging that those found to have done so would be liable to arrest and expulsion by the authorities. Furthermore, Pegolotti mentions an inspection process insisted upon by the Tunisian customs, in which olive oil was poured from barrels into new jars and examined for signs of contamination before being approved for sale.

And if when being poured, there are found any small bones of pigs or rats, or a dead mouse, the court may refuse it altogether, as is advised in this chapter, and anyone

⁶⁷ Halima Ferhat, *Sabta des origines*, 342.

⁶⁸ Cahen, Cl., Talbi, M., Mantran, R., Lambton, A.K.S. and Bazmee Ansari, A.S., "Ḥisba", in *EI2*. For more on the history of the *ḥisba* in Islamic theology, see M.A. Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2001).

⁶⁹ *al-Mi'yār* I: 18.

who transports [oil] to Tunis or to any other Saracen land, let him take good care lest any of these aforementioned defects be found.⁷⁰

None of the Genoese sources explicitly mention the inspections by a *muḥtasib* in the ports of the Maghrib, nonetheless, the evidence from Islamic legal discourse and the Italian sources indicates that such careful scrutiny of foodstuffs such as oil could be expected.

c. Wine: A Special Case?

The notarial evidence is clear: wine was a major Genoese export into the Maghrib in the thirteenth century. Genoese and Savonese merchants not only imported significant quantities of wine into Maghribi ports, they sold it both to their fellow Christians and to local Muslims, and they sought to profit from the taxes imposed on the trade by Muslim rulers. As an explicitly forbidden substance in Islam, wine was not only *harām* for Muslims, but anything it touched bore the risk of physical and moral contamination, from clothing to storage vessels to income derived from its sale or use. The fact that it was nonetheless widely consumed by Maghribi Muslims did not detract from its controversial nature either in the thirteenth century or today.

Between 1200 and 1300, I have identified at least 26 contracts for the exportation of wine from Genoa and Savona to the port cities of the Maghrib.⁷¹ Whether it was sent as the major item of trade in a given transaction, included as surety for a loan payable in the Maghrib (indicating that it was indeed physically taken there), or alluded to as part of a cargo under dispute, wine worth over £570 was exported to the Maghrib from Liguria in the thirteenth century alone, amounting to over 1084 *meçarolias*, the standard Genoese measurement for liquids like wine.⁷² The price per *meçarolia* varied significantly, probably in accordance with the wine's quality and origins.⁷³ In 1216 Guglielmo de Gregorio

⁷⁰ "e se ingiarrandolo vi si trovasse entro osso di porco o ratto, cioè topo morto, si ne terrebbe la corte il modo di rifiutarlo come in questo capitolo è divisato; però a chi'l porta a Tunizi o in tutte terre di saracini, si vi vuole avere buona guardia perche niuna delle dette difalte gli possa essere apposta." Francesco Pegolotti, *La Pratica della Mercatura*, ed. Allan Evans, (Cambridge: Medieval Academy of America, 1936), 131.

⁷¹ Although I have come to a significantly different conclusion about the amount of wine transported to the Maghrib, in this analysis I am indebted to the work of Georges Jehel, who addressed this question in some detail in his analysis of Genoese trade to the Maghrib, in Jehel, *Les Génois en Méditerranée Occidentale (fin XIe - début XIVe siècle): ébauche d'une stratégie pour un empire*, (Amiens, 1993). 344, 465.

⁷² Deriving originally from the Greek *metreta*, one *meçarolia* was equal to two *barriles*. In 1300, the value of a *meçarolia* was approximately 91.48 litres. 1084 *meçarolias* would amount to around 99,164 litres. The true amount was certainly much more than this, of course, since many acts merely indicate the money value of the wine. See Pietro Rocca, *Pesi e misure antiche di Genova e del Genovesato* (Genova: 1871), 67, 108.

accepted 33.5 *meçarolias* of wine from Maria, wife of Bernardo de Portofino, to take to Bijāya, worth a total of £7, or about 5s per *meçarolia*, whereas in 1253 Ricobono de Porto accepted a cargo for Ceuta of 80 *meçarolias* for £53 6s 1d, or around 13s per *meçarolia*.⁷⁴ In one exchange made in 1213 by two Savonese merchants, Guasco Gloria and Pietro Tebaldo, the pair pledged an enormous quantity of wine — 300 *meçarolias* — as surety for a loan worth £107 payable in Bijāya or Mallorca. However, the pledge also included an unspecified amount of "fruit" and thus the price of the wine per *meçarolia* cannot be determined.⁷⁵

The most popular destination for Genoese and Savonese wine exports was Ceuta, followed by Bijāya, Tunis and Oran. Wine appears in individual acts in both small and large quantities, ranging from 10 to 300 *meçarolias*, and was sometimes traded together with other products such as cream of tartar, spices, and fruit. Spice merchants seem to have been prominent in the trade, either as suppliers of wine or traders in their own right. Ricobono de Porta was actually a notary, and has already been mentioned as a major investor in the Ceuta trade, having purchased the *scribania* of the Genoese fondaco and hired a tailor to work for him in one of its shops.⁷⁶ In addition to his investment in the rights of the *scribania*, Ricobono was also a major importer of wine. In November 1253, he made three separate contracts to carry wine to Ceuta, totaling 339.5 *meçarolias*, worth £187 12s 1d. His investors included a representative of the Spinola family, and a prominent spice merchant named Oberto de Levanto. Interestingly, two of Ricobono's contracts specified that the price of the wine included the barrels in which it was carried (*cum butibus*). This may have meant that the barrels were considered separate items in trade, able to be sold or traded along with the wine they contained, but it raises the question of why this provision did not exist in other *commenda*: was wine normally carried in barrels or in other containers?

As with other commodities, the wine *commenda* leave only vague, tantalizing hints about how and where the wine was sold once it had arrived in the Maghrib — who purchased it, who consumed it — but other sources allow us a glimpse into how the trade functioned. In particular, Savonese records indicate that wine was considered a necessity for a ship's crew during a trading voyage. During the lengthy court case launched by Balduino Scorzuto against his former partner Oberto, one bone of contention was the price of wine: how much wine Oberto had sold at Alexandria, and whether he had overpaid for the ship's supply. Balduino alleged that Oberto had sold 40 besants (around £10) worth of the "wine of the ship's company" (*vinum de compagna predictarum accomendationum*) at Alexandria, Oberto countered that he had only sold 20 besants' worth. Later, attempting to

⁷³ Given the variation in the price, George Jehel's contention that the wine was probably "of a middling quality" is suggestive but ultimately speculation. George Jehel, *Les Génois en Méditerranée Occidentale*, 344.

⁷⁴ Lanfranco Vol. 2, 58 (doc. 1041); ASG *Notai Antichi* 28 (Giannino de Predono), 143r.

⁷⁵ Uberto I, 310-311 (doc. 404).

⁷⁶ see above, 148.

justify the money he had spent on the ship's supplies (as opposed to in trade), Oberto claimed that he had purchased wine at Genoa for his crew's consumption, paying 10 *soldi* per *meçarolia*. Balduino, however argued that this was an inflated price, "common wine, such as is used by sailors, is worth only 5 *soldi* per *meçarolia*."⁷⁷ Oberto further alleged that each sailor on a year-long trading voyage was entitled to 12 *quartinalia* of wine; Balduino again countered this, limiting it to 4 *meçarolias*: still a surprisingly large amount.⁷⁸ Finally, Oberto claimed that after making urgent repairs to the ship, he had purchased yet more wine and other supplies in Bijāya and again in Sicily; though Balduino contested the alleged wine purchase in Bijāya.⁷⁹

Balduino and Oberto's court case suggests a number of possibilities for the wine trade to the Maghrib. Most important of these is the fact that ships' crews themselves provided a demand for wine: it could thus be a canny investment to export wine to the Maghrib with the intention of selling it to other merchants — Genoese or otherwise — looking to re-provision their ships. At least some of the wine going to the Maghrib was likely intended for sale to other traveling merchants; not for local consumption. Further evidence of this practice appears in another 1204 Savona court case, in which Girardo Coganigra and Rodolfo Carbavem disputed with one another the amount of money they had lost in an ill-fated voyage to Tunis. The two had made several joint purchases in Marseilles, including 50-56 *meçarolias* of wine, of which some was sold in Tunis and some reportedly lost to either a shipwreck or a Muslim raid. The wine had been sold to another merchant, Saono Busello, for 2.8 besants (around 15s) per *meçarolia*, and the share of the proceeds was a matter of some controversy.⁸⁰ Bijāya, Ceuta, and Tunis were sites of major wine importation, but some of that wine effectively never left the port: like hemp, canvas and other ship's stores, it was intended to profit from the demands of an active merchant community in constant need of re-supply.

⁷⁷ "de vino communalis quod portat marinarii de solidis v" Martino, 184 (docs. 445-446). Michel Balard has argued that the crews of thirteenth-century Mediterranean galleys were quite egalitarian in their division of ships' provisions, including wine, with special fare for wealthy merchants or travelers becoming increasingly prominent in the fourteenth and fifteenth centuries. In this context, it is interesting that Balduino makes a claim that "communal wine" should be cheaper than what Oberto paid. See Michel Balard, "Biscotto, vino e topi: dalla vita di bordo nel Mediterraneo medievale," *L'uomo e il mare nella civiltà occidentale da Ulisse a Cristoforo Colombo: Atti del Convegno, Genova 1-4 giugno 1992* (Genoa: Atti della Società Ligure di Storia Patria, 1993), 241-254.

⁷⁸ I have been unable thus far to find a precise definition or measurement for *quartinalia*. It may be a variant of *quartinum*, which referred usually to a dry measurement equaling half a *mina*: that is, around 41 kg. But this seems far too large a quantity for an individual sailor's ration. Alternatively, it could be related to the modern Italian *quartino*, or quarter-liter of wine, but this seems far too small for a yearly supply. See discussion of Genoese weights and measures in *The Jews in Genoa, 507-1681*, ed. Rossana Urbani, Guido Nathan Zazzu, clxxxiv.

⁷⁹ Martino, 179-91 (docs. 445, 446).

⁸⁰ Martino, 166 (doc. 426).

Another major target market for the consumption of wine would have been the Christian population resident in the fondacos of the port cities of Ceuta, Bijāya, and Tunis. In addition to the merchants, artisans, and their families, the decades after the 1220s saw a great increase in the number of Christian mercenaries - mostly Castilians and Catalans - serving the Almohads or their successor dynasties, and the number of mendicants, especially of Dominicans. This was particularly true of Tunis, where, as Michael Lower has shown, several thousand mercenaries and their families occupied a distinct quarter of the city, and a Dominican school of Arabic had been established by the 1230s.⁸¹ Genoese documents indicate that the mercenaries enjoyed a close relationship with the inhabitants of the fondacos; in 1289, the Genoese tanner or leather-worker Manuele di Alba received a payment of 38.5 besants for an unspecified debt from Enrico the Provençal, "mercenary of the king of Tunis" (*soldanarius regis Tunexis*).⁸² A sizeable body of Christian mercenaries also established themselves at Marrakesh from the 1220s onward; propping up the faltering regimes of the last Almohad caliphs, who, plagued by civil wars and fighting separatist movements in Morocco, Algeria and Ifrīqiya, offered generous concessions to Christian worship and religious practice, including the right to ring church bells in the Almohad capital.⁸³ It is likely that some of the wine imported into Ceuta was destined for this inland market, although this is difficult to prove; Salé or Safi may have represented more convenient points of access to south-central Morocco, especially given the endemic warfare between the Marīnids, who controlled most of the north after the 1230s, and the Almohads in Marrakesh.⁸⁴ Indeed, as Hussein Fancy has shown, some Maghribi princes made explicit commitments to purchase wine for the use of their Christian mercenaries, such as the Almohad pretender ‘Abd al-Wāḥid, who in 1287 promised to provide a barrel of wine *every five days* for each Christian knight in his service.⁸⁵

Despite the demand created by Christians resident in the Maghrib, it is clear that another target market for wine sales was made up of Maghribi Muslims. The Dominican letter of 1234 lists wine as one of several commodities sold by the Genoese and Pisans to the Muslims in Tunis. There are several statutes from mid-thirteenth century Marseilles that indicate wine from Provence was sold in several smaller fondacos intended precisely

⁸¹ Michael Lower, "Tunis in 1270: A Case Study of Interfaith Relations in the Late Thirteenth Century," *The International History Review* 28:3 (2006), 504-514, and idem, "The Papacy and Christian Mercenaries of Thirteenth Century North Africa," *Speculum*, (2014), 601-631.

⁸² Battifoglio, 129-130 (doc. 90).

⁸³ Lower, "The Papacy and Christian Mercenaries," 609-610.

⁸⁴ Halima Ferhat, *Sabta des origines*, 219-234.

⁸⁵ Fancy notes that this promise was extracted by the Aragonese from ‘Abd al-Wāḥid at a vulnerable moment: when the prince was attempting to raise troops to retake Tunis from the Ḥafṣids. Still, for the promise to have meant anything, it must have at least seemed possible to fulfil. Hussein Fancy, "The Last Almohads: Universal Sovereignty between North Africa and the Crown of Aragon" *Medieval Encounters* 19 (2013), 121.

for that purpose, including to Muslims.⁸⁶ Although no such statutes survive from Genoa from the same period, Pietro Battifoglio's register suggests that a similar arrangement may have existed among the Genoese. In June 1289, Leonardo de Sigenbaldo, one of the most prominent Genoese merchants resident at Tunis (and, incidentally, the scribe who had recorded the terms of the most recent Genoa-Tunis treaty in 1287), asserted his rights to the *scribania* of the Genoese fondaco. In addition to dismissing the scribe who had been placed there by the consul Balianno Embrono, Leonardo argued that his purchase gave him the right to open a wine shop in the fondaco, provided he agree only to sell to Christians.⁸⁷ That this condition needed to be applied to control of a wine shop suggests that the opposite was equally possible. Indeed, no such restrictions on selling wine were mentioned in the wine tax farm, or *gabella*, that another Genoese, Bertramino Ferrario, had purchased from the Tunisian customs for 18,000 besants.⁸⁸

Muslim authorities reacted in several ways to the presence of an active wine trade in the ports of the Maghrib. Several moral and political imperatives influenced their response. Wine was, first of all, a substance prohibited to Muslims by a long-standing and uncontroversial interpretation of several *ayāt* in the Qur'an across all the major schools of law, most importantly, Sura V (al-Mā'ida): 92:

O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone altars [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful.⁸⁹

There also exist many *hadīth* reports in which the Prophet Muhammad and his Companions warned of the evils of intoxicants.⁹⁰ In addition to being forbidden (*harām*) to consume, the substance of wine was considered ritually impure (*najis*), and thus could not be legally purchased or sold between Muslims; contracts of sale in which wine was involved were considered void. In theory, deliberate wine-drinking by a Muslim was punishable by either 40 or 80 lashes.⁹¹

Nonetheless, other *hadīth* and legal literature make clear that this punishment was targeted overwhelmingly at *public* offenders. Islamic law sought to punish public drunkards, but it also placed a high value on privacy and especially on the inviolability of the home. The Egyptian Ibn 'Ukhuwwah, (d. 1329), author of the *Ma'alim al-Qurba*, a manual for the market-inspector (*muḥtasib*), made this point explicitly in his chapter on intoxicants: "One of the conditions of the *muḥtasib*'s condemnation is that [the wine-

⁸⁶ Constable, *Housing the Stranger*, 140.

⁸⁷ Battifoglio, 183 (doc. 128.)

⁸⁸ *ibid* 65 - 66 (doc. 44).

⁸⁹ Quran V: 92 (Sahih International).

⁹⁰ See also A.J. Wensinck and J. Sadan, "Khamr", *EI2*.

⁹¹ *Ibid*, "Khamr."

drinking] is public, and for anyone who covers up his sin in his home and closes the door, it is not permitted to the *muhtasib* to spy on him."⁹² Several *hadīth* reinforced this point, placing the right to privacy over the prohibition against wine. One *hadīth* about 'Umar, the second caliph (r. 634-644), related his attempt to catch a group of wine-drinkers in the act. Suspecting that wine was being drunk in someone's home, the caliph climbed a wall to confront the offenders. He reproached them for their sin, but when they rebuked him in turn for having spied on them and entered a house without permission, he was forced to concede their point and did not punish them.⁹³ Another famous example involved 'Abd Allāh b. Mas'ūd, a companion of the Prophet, who refused to punish a man brought to him with wine still on his beard, on the grounds that this didn't constitute "obvious" (*ẓahir*) proof the man had actually consumed wine.⁹⁴

Furthermore, despite the condemnation of wine-drinking, Islamic law recognized that wine remained licit for the *Ahl al-dhimma*, Jews and Christians, and generally did not interfere with the private consumption of wine by protected minorities in Islamic lands, provided that this consumption remained discreet and did not involve Muslims. Complications arose mostly when wine-drinking and drunkenness invaded Muslim public space, or when Jews and Christians were incautious about selling wine to their Muslim neighbors. Within the Mālikī school, there was a wide spectrum of opinion on how *dhimmis* ought to be punished for violating these laws. In ninth-century Cordoba, Yahya ibn Yahya ruled that Christian wine merchants who sold to Muslims should have their homes burned down, although this may have had as much to do with a recent rebellion in which Christians had been involved as with the principles of the *dhimma* pact. Other jurists, including Ibn Rushd al-Jadd (d. 1126) thought this went too far and favored a more lenient approach- a fine or confiscation of the wine.⁹⁵ Commerce with Christians that involved wine-making or the possibility of wine-making also raised a potential problem; Ibn Rushd also ruled that it was reprehensible (*makrūh*) but not forbidden (*harām*) to sell grape vines to Christians who were likely to use them to produce wine.⁹⁶

⁹² "Wa min shart al-munkar aladhi yankaruhu al-muhtasib an yakuna ẓāhir-an fa-kullu man satara m'aṣiya fi dārihi wa akhlaqa bābahu lā yajūzu la-hu an yatajasisa 'alayhi." The only exception to this rule were if the *muhtasib* suspected imminent danger of loss of life, or of adultery. Ibn al-'Ukhuwwah, *Ma'alim al-Qurba*, 38.

⁹³ The *hadīth* appears in this form in al-Mawārdi's *al-Ahkām al-Sultāniyah*, 366, and in the *Ma'alim al-Qurba*, 39.

⁹⁴ *Sunan Abū Dawūd* 4890.

⁹⁵ *al-Mi'yār* II: 409. For a discussion of the reception of Ibn Yahya's opinion and a more general analysis of Mālikī thought on wine in al-Andalus and the Maghrib, see Adday Hernández López, "La compraventa de vino entre musulmanos y cristianos *dhimmīs* a través de textos jurídicos mālīkīes del Occidente islámico medieval," in *The Legal Status of Dimmis in the Islamic West*, ed. Maribel Fierro and John Tolan (Turnhout: Brepols, 2013), 271.

⁹⁶ *al-Mi'yār* VI: 69.

Many wine-related fatwas involved complaints brought against an individual- whether *dhimmi* or Muslim- by a community or neighborhood, and sometimes combined accusations of public drunkenness with those of other crimes, such as extortion or sexual crimes. Thus, the mufti had to take other factors into consideration when ruling on the consequences of wine-drinking. A case from eleventh-century Qayrawān is instructive; the jurist al-Suyūri (d. 1067) was approached by a group of people who complained that a Jew had moved into their previously all-Muslim neighborhood, and "annoyed the neighbors by drinking wine and doing what is forbidden" and also by drinking from a common water fountain, which the neighbors began to avoid on principle.⁹⁷ However, the specific questions posed by the angry neighbors were larger than a complaint about wine-drinking: they wanted to know whether the Jew could even live in their neighborhood in the first place, and if so, whether he was allowed to use the same fountain. The jurist's response was simple but nuanced: the Jew should not be permitted to annoy the neighbors through his public wine-drinking, but if he refrained, there was no reason he could not purchase a house, and the question of the use of the fountain was of little concern (*khafif*: literally, "light").⁹⁸

Questions about the moral effects of wine-drinking, drunkenness, and the wine trade became especially fraught when they coincided with power relationships between Muslims, especially between ordinary citizens and powerful officials or representatives of the state: wine-drinking and the abuse of power often appeared together. The Moroccan jurist Abū al-Faḍl Rashid b. Abī Rasid al-Walili (d. 1279), operating in Tilimsān, confronted the dilemma facing Muslims who were asked to pay taxes or tribute in wine to local tribes (*qabā'il*): should they pay an impure tax or flee? al-Walili's response was to recommend that Muslim tax-payers so oppressed should offer to pay double the tax rather than pay in wine, and that they should flee the country if possible. He based this on the example of a Muslim prisoner of war whose Christian captors demanded a payment in wine for his release.⁹⁹ In the late eleventh century, the Tunisian jurist al-Lakhmi was confronted by an accusation against an official in the customs or revenue office of the sultan (*jabāya al-ṣultān fī al-dīwān*) at Qayrawān, who was "openly oppressing the people and also a notorious wine-drinker."¹⁰⁰ Al-Lakhmi ruled that the offender should be imprisoned, beaten, and have his goods confiscated and distributed in alms to the poor.

Responses to wine-drinking and the wine trade thus reflected a wide range of local conditions and other considerations across the Maghrib and al-Andalus. In general, Mālikī jurists sought to strike a balance between punishing public infractions and violations of the *dhimma*, while preserving a right to privacy and attempting to mitigate the exposure of Muslims to wine, the wine trade, and the money associated with it. They did so in a religious environment in which extra-legal agitation against wine-drinkers and wine shops

⁹⁷ "wa ādhā al-jīrān bi- shirb al-khamr wa fa'al mā lā yajūz", *al-Mi'yār* VIII: 437.

⁹⁸ *ibid*, 437.

⁹⁹ *al-Mi'yār* XI: 214-218.

¹⁰⁰ "huwa ma' dhalik mujahar bi-l-jawr wa shurb al-khamr" *ibid*, IX: 559-560.

was an ever-present possibility: the open consumption or sale of wine, especially by officials or by non-Muslims, was a potential rallying cry for movements against "oppression." Ibn Tūmart, founder of the Almohad movement, had personally attacked wine shops and broken wine jars in Ifrīqiya during his return from the East in the 1110s, reportedly landing him in some trouble with the authorities.¹⁰¹ It was in this complex legal and moral environment that Genoese merchants imported almost one thousand *meçarolias* of wine into the Maghrib, sold it to each other and to Muslims, and purchased the right to profit from the tax upon it from the Ḥafṣid authorities in the 1280s. In the thirteenth and fourteenth centuries, Muslim religious elites and state officials alike seem to have accepted the inevitability of the wine trade in some form, and limited themselves to trying to police it and to avoid scandal. Ibn Khaldūn remembered with admiration a story told by his teacher al-Abīlī (1281 - 1356) about a *qāḍī* in Fez. The Marīnid sultan Abū Saʿīd (r. 1310-1331) offered to assign the *qāḍī* the revenues from any tax he would like, to make up his official salary. The *qāḍī* chose the tax on wine, and when his friends reacted with confusion, he explained that all taxes were forbidden anyway, but that at least the duty on wine was a luxury tax, and it did not oppress those who paid it, unlike taxes on staple foods.¹⁰² The Ḥafṣids tried to avoid the moral opprobrium of the wine trade by reserving the revenue from the wine tax farm to their Christian mercenaries, as an act from March 1289 suggests, in which Bertramino Ferrario's 18,000 besant purchase was earmarked "for the Christian soldiers of the king of Tunis" (*militibus clistiannis regis tunexis*).¹⁰³ The availability of wine and the revenues associated with it was a necessary evil, but one that could be useful indeed.

Conclusion

The wide range and high quantity of goods imported to the Maghrib by Genoese merchants reflects the strength and diversity of this commerce in the thirteenth century, and the important role played by the Maghribi market within the wider world of Mediterranean trade. Though large cargoes of textiles and related products dominated commerce, the Maghrib was an attractive destination for both luxury items and bulk commodities, and represented an investment possibility for small and medium-scale capital raised from Genoese merchants and artisans, as well as for the opportunistic carrying trade between Maghribi ports. Gold thread, indigo, alum and cream of tartar accompanied Genoese dyers, tailors and tanners on their way to the textile-finishing workshops of the *fondacos* in Tunis, Ceuta, Bijāya and Oran, while large quantities of wine and foodstuffs served the needs of both the transient merchant communities themselves and those of the local Muslim population.

Yet not all of these products were morally neutral objects within Christian and Muslim discourses on trade, purity, and religious identity. Some objects carried powerful positive associations, such as the golden mechanical tree which so impressed the Marīnid

¹⁰¹ Emmanuel Lévi-Provencal, *Documents inédits d'histoire almohade* (Paris: P. Geuthner 1928), 20.

¹⁰² *Muqadimmah*, 499.

¹⁰³ Battifoglio, 65-66 (doc. 44).

court, while other objects created problems for their buyers and sellers that could only be addressed with special cultural knowledge. Christian clothing in Maghribi markets gave rise to Muslim concerns about purity, and the grain trade between Christians and Muslims bothered religious authorities on both sides of the Mediterranean keen to deprive the enemy of sustenance and tax revenue. Finally, wine was a contentious product within Islamic law not only in itself, but also for how it could affect other commercial transactions between Muslims, or between Muslims and Christians or Jews. Genoese importation of wine and wine-related products may have represented only a part of the Maghribi market in these commodities, but the sheer scale of the trade revealed by analysis of the notarial evidence provides an important background to our understanding of the normative discourse on commodities crossing religious boundaries. Clearly, Genoese merchants and their Maghribi Muslim counterparts were willing to transgress normative barriers between them in order to make a profit, but the boundary-marking discourse survived its own frequent violation, and concern over the moral consequences of objects in Christian-Muslim trade persisted throughout the later Middle Ages.

CONCLUSION: PRAGMATISM AND BOUNDARIES

The relationship between Genoa and the Maghrib was defined by laws, whether formal or informal, and by people. Put another way, the question of how medieval Genoese encountered Maghribis can be seen as yet another example of the debate within history between structure and agency; between legal and normative constraints on behavior and individual human choices. Over the past few decades, social scientists, particularly economists, have been drawn to medieval merchants for what they think their lives can reveal about the development of institutions held to be essential to a market economy. These institutions — property rights and forms of association like guilds or corporations, to name only two — can then be deployed in service of grand narratives about the "rise of capitalism" or "the great divergence" between Europe and the rest of Eurasia, usually in contrast with alternative, more or less well-imagined socio-economic models: the Middle East, pre-modern China, and so on.¹

Within an institutional economic history, "non-economic" factors such as religious beliefs, social bonds, even politics, can of course have important influences on rational behavior, but are ultimately either inhibitive or constitutive of pure, market relations. Medieval Genoese have been characterized since the mid-twentieth century as pragmatic, entrepreneurial proto-capitalists, more "individualist" than their Venetian rivals. Taken a step further, they seem compelling candidates to be the heralds of economic modernity in Europe.² Within this framework, the fact of trade and exchange taking place between members of different religious groups is either irrelevant (the abstracted *homo economicus* having no religious identity) or a challenge to be overcome by rational self-interest, as in the famous maxim of Genoa's great rivals: "We are Venetians first, then Christians" (*Siamo Veneziani e poi Christiani*).³ The limitations of this theory are clear to historians of religion,

¹ See for instance Avner Greif, "On the Political Foundations of the Late Medieval Commercial Revolution: Genoa During the Twelfth and Thirteenth Centuries" *The Journal of Economic History* 54:2 (1994). A number of historians have criticized Greif's model, in particular his characterization of the Maghribi traders' allegedly "collectivist" impulses. See among others, Jeremy Edwards and Sheilagh Ogilvie, "Contract enforcement, institutions, and social capital: the Maghribi traders reappraised," *The Economic History Review* 65:2 (2012): 421-444, and Jessica Goldberg's *Trade and Institutions* (see discussion and note on page 93). However, some historians continue to be persuaded by the theory of institutional economics in making sense of medieval and early modern Genoese society. See for instance Matteo Salonia, *Genoa's Freedom: Entrepreneurship, Republicanism, and the Spanish Atlantic* (Lanham: Lexington Books, 2017), 1-34.

² See Roberto Lopez, "Market Expansion: the Case of Genoa" *The Journal of Economic History* 4 (1964), 445-64; idem, "Venise et Gênes: deux styles, une réussite," in Lopez, *Su e giù per la storia di Genova* (Genoa: Istituto di paleografia e storia medievale, 1975), 35-42; and Matteo Salonia, *Genoa's Freedom*, xi-xv.

³ For an excellent critique of institutional economic approaches to medieval trade and religion, see Leor Halevi, "Religion and Cross-Cultural Trade: A Framework for Interdisciplinary Inquiry" in *Religion and Cross-Cultural Trade*, ed. Francesca Trivellato (Oxford: Oxford University Press, 2014), 24-61.

who have pointed out not only the coexistence, but the codependence of the profit motive and religious convictions establishing alterity in a variety of medieval (and modern) contexts. Yet even as historians state, forcefully, that trade and crusade flourished together, the temptation to oppose them has proven persistent. In a Genoese context, this takes the form of asserting that Genoese activity in the Western Mediterranean transitioned from an early phase of conquest and raiding to a more peaceful one of trade and investment after the mid-twelfth century. In one period, religious impulses to fight the infidel were dominant; in subsequent eras, they were subordinated to the desire for steady profit.

How does the relationship between Genoa and the Maghrib in the thirteenth century fit into or complicate these narratives? First of all, the scale and breadth of Genoese engagement with the Maghrib is important. Obscured by the treaty and chronicle language, with its references to *mercatores* and *negotiatores*, a wide range of Genoese from all walks of life invested their time, labor, and money in the Maghrib trade. Tavern keepers from Savona, rural clerics, shield-makers, potters, physicians, men and women: large numbers of Genoese had reason to follow and fret over developments in the Maghrib and must have had some notion or guess at what would be a profitable investment in a given year. Not only that, but a similarly wide selection of Genoese — albeit mostly men — actually traveled there in person. Alongside the great merchants from the Doria, Spinola, Cibo, and Usodimare families, untold hundreds of oarsmen and sailors, tailors, sewers, shoemakers, and the representatives of other professions passed through Ceuta, Bijāya, Tunis, and other Maghribi ports. Likewise, though they appear but rarely, Maghribi Muslims and Jews maintained a continuous presence in Genoa over the thirteenth century, and not only as slaves or wealthy merchants. All of this contact, over generations, suggests that the most important Genoese experience of Islam, at least in the twelfth and thirteenth centuries, was not in the Levant or Egypt, but in the Maghrib and al-Andalus. The drive to liberate, defend, and then recover the Holy Land may have been an obsession of the medieval Genoese from Caffaro to Columbus, but on a more prosaic level, they were far more likely to encounter a Maghribi Muslim or Jew than an Egyptian or Palestinian.

Medieval Genoa was not a multi-confessional society in the same way that Sicily, the Crown of Aragon or Mallorca were; places where indigenous Muslim and Jewish populations came under Christian rule, living alongside Christian neighbors for generations, and coping with imposed legal and economic disabilities. When we speak of Genoa's contact with Islam or the Maghrib in the thirteenth century, our attention is dominated by questions of investment, travel, and commercial exchange; less by questions of cohabitation, intermarriage, conversion, and so on, although all of those took place, particularly in the "micro-societies" of the Genoese settlements in Maghribi cities.

These settlements, in turn, consisted of several distinct conceptual spaces and institutions that reinforced boundaries between Christians and Muslims. Trade did not take place just anywhere: local religious elites and visiting merchants alike favored the creation of special zones to serve the needs of traveling merchants. For Christian merchants like the Genoese, the *fondaco* compound developed into a home-away-from-home designed to minimize their contact with the rest of Maghribi society and make them easier to monitor. The *dugana* or customs-house, by contrast, served as a favored site of exchange and diplomacy, and a valuable interstitial space between Muslims and Christians. Mālikī discourse on the marketplace, while it did not ban Christians outright, viewed their practice of certain trades in a dim light given their assumed violation of regulations on the purity of

food and liquids. Jurists attempted to assimilate foreign Christian merchants into pre-existing *dhimmi* categories wherever they could, particularly when it came to access to sacred space. Put another way, the entrepreneurial, individualist Genoese celebrated by earlier authors depended on their adherence to collective identities and strict boundaries within Islamic conceptual and legal space.

Individual Genoese or Maghribis did cross these boundaries on occasion. Some Genoese purchased and built houses in Ceuta, Bijāya, and Tunis outside the *fondaco*, and formed professional relationships that took them into the homes of customs officials or local Maghribi merchants. Christian sailors, oarsmen, and others carrying small amounts of trade goods could strike individual deals with Muslims in port cities outside the *dugana* and *fondaco*, as the denunciations of the mendicant friars in 1234 make clear, selling their wares or bartering them with their counterparts.⁴ The lack of formal institutions for Maghribi merchants and travelers visiting Genoa, in turn, suggests that the Maghribi Muslims and Jews who operated there did so in far less structured settings than did Christians in the Maghrib. They lodged in private homes, made contracts with Genoese of all social classes, and seem to have had no provisions for collective religious observance beyond private prayer. This disparity between structured, sanctioned exchange awaiting Genoese in the Maghrib and the lack of corresponding organization for Maghribis in thirteenth-century Genoa is one of the most striking differences between the two societies, and deserves closer scrutiny by scholars, suggesting as it does a radically divergent experience of cross-cultural trade in Muslim and Latin Christian contexts.⁵

Finally, while people and spaces both defined and defied boundaries, commodities also played an important role in shaping them. The mere presence and economic activity of Christians in Muslim ports and vice versa cannot be understood without grasping the significance of the specific objects that changed hands. Muslim and Christian religious elites took different approaches to defining licit and illicit trade, based on a moral categorization of commodities and those who used them. Mālikī jurists of the Maghrib sought to limit contact with Christians who sold wine to Muslims, but they also established rationales permitting the use of Christian cloth and paper whose purity could not be decisively determined. In doing so, they attempted to find a balance between potentially competing imperatives: the need to observe Islamic legal prescriptions on the purity of food and drink, and the condemnation of wine and drunkenness, but also the overall social utility (*maṣlaha*) of certain products and services for their fellow Muslims. *Maṣlaha* was a malleable concept, but not infinitely so. The utility of certain commodities — grain in famine-struck Ifrīqiya, for instance — needed to be weighed against other considerations, such as the danger of strengthening the customs revenues of hostile Christian rulers. Not all trade was problematic in the same way, but depended on the nature of what was sold, how it was produced, and the character of the seller and buyer.

⁴ Tolan, *Dubitalia*, 15.

⁵ For a general discussion of medieval Genoese norms regarding foreign (mainly other Latin Christian) merchants, see Giovanna Petti Balbi, "Presenze straniere a Genova nei secoli XII -XIV: letteratura, fonti, temi di ricerca" in *Dentro la città. Stranieri e realtà urbane* (1989), 121-135.

Conversely, for Christians — especially the mendicant orders and the papacy — what mattered was not what Christians bought from Muslims, but what they sold to them, especially "strategic materials" such as arms, naval stores, iron, and timber. Anxiety over illicit trade was linked to a desire to militarily weaken Muslim rulers, especially in the Levant, as part of the crusade. Christians who violated the multiple embargoes (*deveta*) were threatened with excommunication and required to seek absolution from the pope or apply for limited exceptions to the ban. In time of open war between Muslims and Christians, foodstuffs too became "strategic" and were included in the ban. However, concern did not extend to a ban on purchasing goods from Muslim sellers, or to selling them commodities deemed non-strategic.

It has become common, even banal, to note that medieval religious restrictions on trade and consumption did not stop merchants and consumers both from violating them or finding ways around them.⁶ The impact of such laws and legal principles on banking, credit, and trade remains contentious. Recently, however, historians have begun to shift their focus away from the real-world *effectiveness* of prohibitions on usury, trade with the infidel, and so on, in favor of understanding how the discourse, among Christians and Muslims, served primarily to define and control the scope of action available to believers. In this dissertation, I have attempted to answer both questions together: how did Genoese trade with the Maghrib function in practice, and how was it conceived by religious legal experts?

We ought not to deny the radical differences between the hundreds of thousands of Latin notarial acts produced in medieval Genoa and an Islamic legal discourse revealed in the highly-curated *fatwa* compilations of the later Middle Ages. The possibility of alternative solutions to identical legal or moral questions — Christian wine-sellers in Muslim space, Genoese merchants who sold weapons to Muslims, to take just two examples — cannot be ruled out merely because only one solution has come down to us. However, what reading these very different sources together does provide is a sense of *what was possible*, or imagined to be possible, by participants in Christian-Muslim trade in the Maghrib during the thirteenth century. The foreign wine trade could exacerbate existing tensions within Maghribi society, but it could also be profitably taxed by Maghribi rulers eager to raise capital. Foreign Christian merchants arriving in Tunis under treaties might be legally distinct from native *dhimmi* populations, but jurists could elide these distinctions in discourse to limit their access to Muslim markets. Genoese merchants selling Jewish or Muslim slaves in Tunis might pretend they were Christian to fetch a higher price, but they were still sinning in the eyes of the Church. In other words, boundaries could be crossed, but each crossing, in the hands of both Muslim and Christian religious elites, provided further opportunities to define what the boundaries were, and to keep trade and exchange functioning in terms that both societies could accept. The development of the laws, customs, and expectations that governed cross-cultural exchange can best be understood by keeping human actions and choices, made year after year, within our historical purview.

⁶ Dominique Valérian, "Les marchands musulmans dans les ports chrétiens au Moyen Âge," in John Tolan and Stéphane Boissellier, eds., *Religious cohabitation in European towns (10th-15th centuries): La cohabitation religieuse dans les villes Européennes, Xe - XVe siècles* (Brepols, 2015), 109-120.

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120: "Respuestas que da el Sultán de Túnez a ciertas reclamaciones formuladas por Pere Busot, Embajador del Rey de Aragón"

Suplemento 2: "Acta del notario del consulado de Génova en Túnez sobre la embajada de Bernat de Sarrià en nombre del rey de Sicilia, a petición del moxerif de la aduana de Túnez."

British Library

BL MS Add 9060

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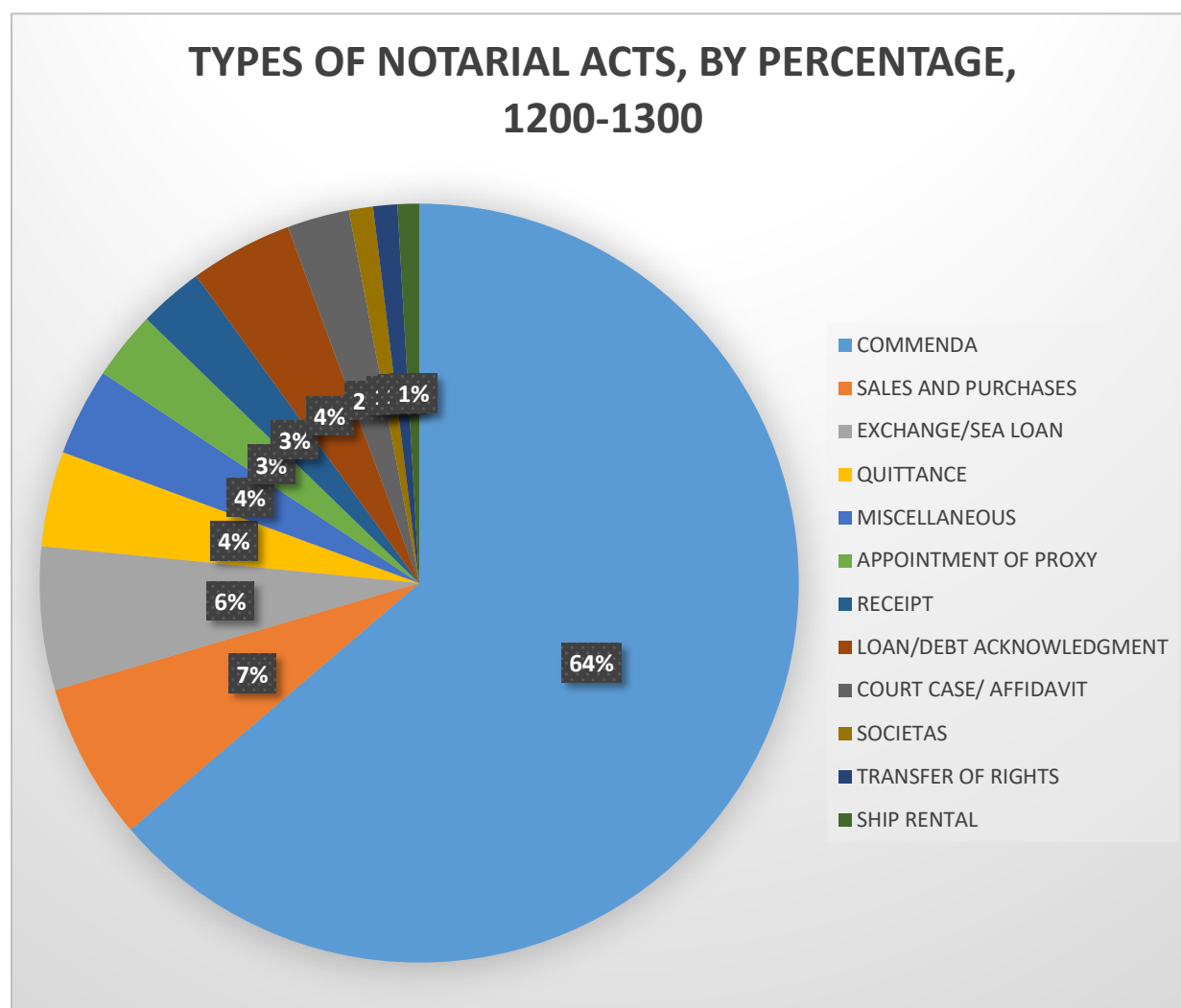
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Appendix A: Notaries and Cartularies Used in this Study

Notary Name	Years Active	Cartularies Consulted (by ASG Number)	Print Edition?
Giovanni de Guiberto	1200-1211	6, 7	M.W. Hall-Cole, 1939
Lanfranco	1203-1226	3/I, 3/II, 58	Krueger and Reynolds, 1951
Martino di Savona	1203-1206	-	Puncuh, 1974
Giovanni di Savona	1213-1215	-	Rovere, 2013
Guglielmo di Savona	1214-1215	-	Rovere, 2010
Bonvassallo de Cassino	1236-1252	17, 21/I, 24, 26/I,	-
Bartolomeo Fornari	1236-1263	18/II, 21/I, 27, 28, 29, 30/II, 55/II, 71	-
Palodino de Sexto	1237	34	-
Simone de Flacono	1237	17, 20-II	-
Matteo de Predono	1244-1268	18/II, 31/1, 31/II, 32, 129	-
Nicolo de Porta	1246-1247	34, 20/I, 68/I	-
Giannino de Predono	1251-1254	18/I, 18/II, 28, 30/I, 34	-
Conrado de Capriata	1259	34	-
Jacopo de Pelio	1260	<i>Notai Ignoti</i> 22.30	-
Guglielmo di S. Giorgio	1261-1300	36, 70, 71, 72, 74, 75/II, 118	-
Ricobono de Savignone	1273	109	-
Leonardo de Negrini	1274	73, 79, 80, 96, 97	-
Davide de S. Ambrogio	1288	68/I	-
Pietro Battifoglio	1288-1289	<i>Notai Ignoti</i> 14.129	Pistarino, 1986

Appendix B: Genoese Notarial Documents for the Maghrib Trade by Type



Appendix C: *Commenda* Contracts by Named Commodity, 1200-1300.

Commodity	Number of Contracts Involved
Clothing and Textiles	116
cotton, linen, silk, gold cloth, wool, "cloth" (<i>panni</i>), shirts, jackets	
Spices and Ointments	26
saffron, ginger, galangal, cloves, nutmeg, pepper, aloe, ointments	
Wine	17
wine, wine in barrels	
Foodstuffs	16
olive oil, olives, fruits, nuts, salted meat, pork lard (<i>axoncia</i>)	
Industrial Goods and Tools	16
lacquer, tow, iron tools (<i>ferramenta</i>), glass, steel wire, orpiment	
Arms and Armor	11
swords, shields, armor, crossbows, quarrels, knives, barding	
Jewelry	10
pearls, ruby, silver goblets, gold rings	
Dyestuffs	7
gall, madder, indigo	
Miscellaneous/ Unknown	7
great chest (<i>capsa magna</i>), leather purses, etc.	
Ceramics and Woodwork	3
glazed ceramics, wooden bowls	
Metals	2
silver, copper	