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The survival in Latin Palestine of Muslim administration

In this paper I want to draw together various pieces of research undertaken by me in the past few years.¹ I will suggest that the general belief that the instruments of government in the Latin kingdom of Jerusalem were primitive is mistaken, for in fact many of them were comparatively sophisticated and well-developed, being inherited from the earlier Muslim rule. And I will try to put forward on that basis some of the lines one could take on the history of the kingdom.

Although, owing to the work of Professors Jean Richard and Joshua Prawer,² no-one would now consider the kingdom of Jerusalem to have been an ossified feudal state, incapable of development or growth, there is still a tendency to view its institutions of government as being of the simplest type, reflecting the decentralisation in Palestine in their primitive forms. On the face of it there are grounds for doubting this orthodoxy. The Latins in Palestine were a minority governing an indigenous majority; they were dependent on a far wider market than that encompassed by the frontiers of the kingdom; and they controlled and exploited the termini of one of the great trade-routes to the East. Were they unlike any invaders before or since in that they did not make use of the governmental machinery they found on their arrival, a machinery which, in spite of the disorders in the Near East in the half-century before the First Crusade, must still have had some existence? An answer to this question can only be found by examining historical material which is far from satisfactory, searching for officials and offices the titles of which were transliterations from or translations of Arabic; or for clues to the existence of bureaux which, although called by different names, were working in the same way as counterparts in the Muslim world. The first historian to approach the question in this way was Professor Claude Cahen, especially with regard to the principality of Antioch which will not be treated by me here, and Professor Joshua Prawer has also made a significant contribution.³ I have tried merely to push a little further along the same road, but it is a dangerous one to follow, because it is sometimes all too easy to think that one has found what one is looking for when in fact

one has simply read too much into the evidence. Other factors greatly complicate the task. The evidence is distorted by the chance survival in fair numbers of certain kinds of document and the loss of most of the rest. We have one more or less complete collection of deeds concerning a lay fief, which survived because at an early stage it was incorporated into the archives of the Teutonic Knights, one incomplete list, dating from the 1180s, of fief-holders and their services, and one list of the entry and sales duties to be charged in Acre in the mid-thirteenth century, but in the main the charters, letters and inventories at our disposal are those of the religious orders and the communities of European merchants, who had houses or centres in the West to which their archives could be sent for safe-keeping. Our knowledge is therefore one-sided and we often have to approach subjects indirectly, getting, for instance, some idea of the way customs houses and markets functioned from studies of exemptions from their workings granted to merchants. And the scarcity of the documents often means arriving at conclusions on a comparison of phrases in charters separated by a long way in space and time. This is especially perilous because in the area there were regional variations: the markets in Antioch, Tyre and Acre were run in different ways; and weights and measures seem to have differed in districts as close to one another as Ramla and Ascalon. The westerners, moreover, arrived in the East with attitudes which they found impossible to eradicate. One finds the creation of feudal sergentries to provide minor offices in a country with a monetary economy where salaries could easily have been paid, although there were already in the East institutions such as the *iqṭā'* and the *ḍamān* which the Franks would have found easy to feudalise. And the Franks, coming from an area in which jurisdiction was usually linked to the raising of revenues, found it hard to cope with a machinery of government in which finance and jurisdiction functioned separately: in Palestine they seem to have incorporated many of the financial offices into the hierarchy of their courts, either by turning local *sekretas* or *dīwāns* into tribunals or by attaching them to one of their own courts. Again, in the Christian West there was a much clearer distinction made between temporal and spiritual jurisdictions than in Islam or Judaism. The Franks created special lay courts for the indigenous population, probably allowing the non-Christians to answer to their *qāḍīs* and rabbis on what they, the Franks, considered to be religious questions, and presumably often introducing a differentiation in legal cases that must have been alien and incomprehensible to the Muslims and Jews.

A glance at the Palestinian countryside under Latin rule reveals a scene which is consistent with the history of the area, apart from occasional colonial settlements organised on western lines⁴ and odd patches of demesne land, especially gardens and sugar-cane plantations down near the coast.⁵ A village, under a headman similar to the modern *mukhtār*⁶ but known to the Latins as a *rays* (*ra'īs*), acted as a community, making common decisions

on the cultivation of arable lands. Since there was very little demesne the villagers were subject to minimal labour services. The arable lands were divided among them and they also possessed gardens, olive groves and vineyards similar to the modern *ḥawākīr* lands. Many villages had *khirbas* attached to them. The villagers paid their lords *kharāj* and other dues, among them one very similar to the Egyptian *marā'ī*, and a forced gift which, at least in the principality of Antioch, was given a name that appears to be a transliteration of the Arabic *mu'na*. As in Egypt, there was a tendency for these charges in kind to be commuted for money payments. There seems to be no real evidence for the practice of *mushā'*, which is so common today,⁷ but one can conclude that we have as it were a curtain suddenly drawn back, revealing a system of agriculture subject of course to change and development, but entirely consistent with the traditions of the area and the farming practices which survive today.

Turning from the villages themselves to the links between them and their usually absentee landlords, who would have had little reason to visit their estates except at harvest time when the crops were apportioned, it is not surprising to find that the origins of the two officials who represented the lord probably lay in Muslim government. The first of these was an officer usually called a dragoman. His title was a corrupt transliteration of the Arabic *turjumān*, meaning interpreter, and indeed he is sometimes to be found in the documents with the Latin title of *interpres*. The powers and status of the dragomans known to us varied. Some exercised authority throughout, and some only in a subdivision of, a lordship; some were responsible for the scattered estates of a church and some acted on behalf of the minor fiefs in the royal domain near Acre, where the right to have one's own dragoman seems to have been granted as a special privilege to the tenants. Some dragomans were knights, some lay burgesses, some sergeants, but on ~~lay fiefs the dragomanate had usually been feudalised, becoming a~~ sergeantry for the maintenance of which the holder received a proportion of the crops of the villages he supervised. Although we know that dragomans rode through the villages in their charge, presumably inspecting them on their lords' behalf, there is very little evidence on their duties. We find them acting as interpreters, as we would expect, and as intermediaries between lords and village headmen. We must assume that they were bailiffs or overseers of some kind, perhaps with powers of supervision of jurisdiction, since revenues were dealt with by the *scribae*, the lords' other intermediaries. And it should be remembered that lords would originally have needed interpreters and that such an official already existed in the Muslim world, the *mutarjim*, an assistant to the *qāḍī* in his dealings with the many people under Muslim rule. This office, or one like it, may have been the basis of the dragomanate, being taken over by the lords who were in some ways heirs to the jurisdiction of the *qāḍīs*.

The other official was known as the *scriba*, a title of course given to many different sorts of person, including those who merely

wrote out charters. But it is quite easy to pick out our *scribae* from the rest. We can identify them in quite a large number of lordships and a very high proportion of them were indigenous: 14, perhaps 16, out of 25. Some, especially the Latins among them, were quite considerable persons, the holders of sergeantries and members of local Burgess Courts. One of the native-born was himself the son of an official. Among them were a group called *scribani*, who may be differentiated from the rest because they held their offices in fief as sergeantries: here perhaps the Latins had taken over and feudalised the Muslim *ḍamān* or tax farm. Like the dragomans the holders of these sergeantries, one of whom was a knight, enjoyed rents in kind. Six examples of the *scribanage* survive. Two of them suggest that the tenants of small fiefs near Acre were given the right to have their own *scribae* as well as dragomans; but a contrasting case in southern Palestine suggests that a lord's *scribanus* could have authority even over villages in rear-fiefs if the tenants had not been given the right to possess their own *scribae*. The *scriba* was responsible for the collection of revenues, assembled the people of a district when boundary disputes were being decided and was assumed to have knowledge of the names and holdings of the peasants in his area. He was clearly a financial official and collector of taxes, perhaps combining the duties of the various Fatimid officials who collected the *kharāj* and the *jizya* tax on non-Muslims. It is clear that the title of *scriba* was merely a translation of the Arabic *kātib*, used of officials in Muslim cadastral offices.⁸

So far we have seen that most villages in Frankish Palestine functioned in a traditional way and that in the officials linking them to their new Christian lords there was continuity from the Muslim past. One finds the same sort of situation in the towns, although the clear distinction between jurisdiction and finance, which existed under Muslim rule, was broken up as the Franks turned the financial-offices, except the *amwāl* and in most towns the gates, into courts. In general terms the judicial system may be summarised as follows: the crown in the royal domain and the lords in their seigneuries inherited the powers of ordinary, and extraordinary, jurisdiction and cases relating to their vassals were decided in their seigneurial courts; *shurṭa*, criminal jurisdiction, in so far as it applied to ordinary freemen, was imposed on the lord's behalf by the viscount, who presided over the Burgess Court in each Latin settlement, assisted by officials called *placiers*, who may have been responsible for town quarters; *ḥisba*, commercial jurisdiction, was, except perhaps in Tyre, imposed by each Burgess Court and also by a subordinate market court, the *Cour de la Fonde*, while in a port the customs house was converted into another court subordinate to the Burgess Court, the *Cour de la Mer* or *de la Chaîne*; there was created the *Cour des Syriens*, a special court, also subordinate to the Burgess Court, to cope with 'secular' cases concerning non-Latins, while 'spiritual' cases were allowed to go as before to the Eastern bishops and the rabbis and presumably also the *qāḍīs*.⁹

These courts collected revenues as well as making judgements. I will deal with the ports, gates and markets later, but the Burgess

Court and perhaps the *Cour des Syriens* were responsible for collecting various dues. They gathered rents on houses, a charge on burgess properties known as *tallea* which was some sort of seigniorial due, and a capitation tax which in Tyre was imposed on Jews at the rate of 1 besant a year but was also, it seems, levied on Muslims and appears to be the old *jizya* tax on *dhimmis*, now lifted from Christians of all denominations but maintained on Jews and imposed on Muslims. Retail shopkeepers, stall-holders and artisans were probably subject to a charge called *mensuragium* on weights and measures and what appears to have been Muslim *hilālī* taxes, licence fees paid monthly to the government: in Tyre Syrian dye-workers paid 2 caroubles a month for each of their vats and the Muslim origins of the tax are also suggested by the fact that in Tyre it was collected by a *muhtasib*. Probably also subject to *hilālī*, as in Muslim countries, were the owners of public baths and ovens and money-changers, whose tables certainly provided revenue for their lords. Finally there was a curious tax, to be found only in Tyre, paid by pork butchers at the rate of 4 *denarii* for every pig slaughtered. Its name, *tuazo*, may be linked to *tawaḍḍu'*, an Arabic word for ritual ablutions and this, together with the absurdity of a Christian government imposing *tuazo* taxes on meat which was not unclean to it, would suggest that *tuazo* was a survival from Fatimid times maintained by the Franks.¹⁰

If one compares the working of ports and markets like those of Acre with Muslim Alexandria or Byzantine Constantinople the parallels are so striking as to leave one in no doubt that, whatever the changes in details, the Christian commercial centres continued to be operated as they always had been. In Acre the arrival of a ship was signalled by the tolling of a bell and it was met by what seems to have been a pilot boat which probably escorted it to a berth out in the centre of the harbour. As in Egypt the cargo must then have been ferried to the land, while a port tax, known as *anchoragia*, was levied on the ship, although, unlike Egypt, this does not seem to have varied according to the vessel's size. An additional tax, the *terciaria*, was estimated on the numbers of passengers and crew. As in Egypt and the Byzantine empire the goods taken to the shore were inspected by customs officials and registered for taxation on an *ad valorem* basis, although there were always commodities like wine, oil and grain on which the duty was charged on quantity rather than on value. As in Byzantium nothing was levied at this stage on goods destined for sale in the markets, as opposed to those brought in for personal consumption or re-export, for a combined entry and sales charge was taken in the markets on most goods, although it must be admitted that here the evidence is rather ambiguous and it is possible that some goods were sold on the quayside under the supervision of the customs officials. Most, however, went to the markets, being subject there to a total *ad valorem* charge which varied according to the commodity but was generally lower than the Egyptian *khums* of 20% and often higher than the Byzantine *kommerkion* of 10%: in the middle of the thirteenth century 11 5/24% seems to have been regarded as standard. As in Egypt these dues were probably levied in two different ways, according to the method of sale prevalent

in the markets. There must have been man-to-man bargains between merchants and here probably there were official price-lists which established the theoretical value of the goods exchanged; and, since we know of auctioneers, there were possibly public auctions like the Egyptian *ḥalqas*; at them the duty must have been sliced off the proceeds by the auctioneers. It is clear that, as in Egypt and Byzantium, the charges were shared by seller and buyer. Dues on exports were levied on the quayside, as in Egypt, being imposed even on re-exports which had not been sold in the markets, and the customs house had its own weights and measures, although it is not as clear that there was a consistent method of establishing what was due - some goods seem to have been charged *ad valorem* and some according to quantity. But, as in Egypt, it seems that a charge was made on the difference in value between a merchant's imports and exports if the latter was higher than the former.

Close inspection reveals that a port like Acre worked very much in accord with East Mediterranean practice. Three bureaux, two of which were also courts, oversaw commerce. First there was on the portside the *Chaine* or *Cathena*, which took its name from the chain stretched across the harbour entrance. The office, in Acre a *khān*-like building on the port side, was, at least from the mid-twelfth century, a maritime court concerning itself with the law of the sea and maritime contracts, although any matter involving more than 1 silver mark went to the Burgess Court, in which case the *bailli* and jurors of the *Cour de la Chaine* conducted a preliminary enquiry. It was also the body responsible for the running and upkeep of the port; a department accounting revenues and paying out rents; and a customs house, staffed by *baillis* or *custodes* and employing *scribae*.

Secondly the gates of the towns, and certainly those of Jerusalem, Tyre, Beirut, Tripoli and Ascalon, were usually administered by their own offices. The gate officials, like those on the quayside, laid a charge on imports and exports, though, as in the port, imports for sale in the markets were probably not taxed until the sale had taken place. The gate officials could demand from a man an oath that he was bringing in a commodity for his own use, in which case he merely paid a passage tax. There is a puzzling absence of references in the documents to the revenues from the gates of Acre, although officials certainly levied dues at them. It may have been that the gates of Acre came under the *Cour de la Fonde*, the market court which in that city also carried out the functions of a local *Cour des Syriens*, but the Muslim traveller Ibn Jubayr reported of his arrival in Acre in 1184 that the Christian scribes, who in a *khān* inspected and registered baggage and made out their accounts in Arabic, were employed in a *dīwān* held in farm by a man honoured with the title of *ṣāḥib*.¹¹ It is therefore probable that the silence of the documents on the revenues from the gates of Acre was because they were held in farm.

Thirdly there were the markets, the goal of any merchant who had entered the town through the port or the land gates. In Acre and in some other towns the more important markets seem to have been

run by officials of the *fonde* or *funda*. These words, and the related *fonticum/fondicum*, were corruptions of the Arabic *funduq*, itself a transliteration of the Greek *pandokeia*, and were to be found in many countries bordering on the Mediterranean. In Latin Syria the word *fonde* could mean first a *khān*-like building; secondly a market in a *khān*-like building which could belong to an individual owner or, as in Egypt, could be devoted to the sale of a particular commodity; thirdly, not one but a group of markets under a single administration - in Acre, for instance, the royal *fonde* was a group of open squares and markets in the vicinity of the *funda regis*, presumably the building from which they were run, while the word *fonde* seems also to have been applied to the Italian markets down near the harbour; and fourthly not the markets themselves but their administration, the *bailli* and jurors of the *Cour de la Fonde* who concerned themselves with minor court cases on commerce, debts and the like. In Acre the *Cour de la Fonde* also acted as a court of the first instance for the indigenous population, and in most towns it controlled the office staffed by sergeants, auctioneers, *scribae* (*kātibs*) and measurers which oversaw the work of the *coretiers* who ran the individual markets, levied tolls, accounted revenues and paid out money-fiefs and rents. It must be stressed that in the cities there were always some markets administered separately from the *fondes* and that it is possible that in Tyre, the second city of the kingdom, all markets were semi-independent: there the markets may have been under the general supervision of a *muhtasib* - it is noteworthy that the only reference to this official in Latin Palestine is to be found with regard to Tyre between 1210 and 1243 and that he was functioning there very much like the judge he was in Muslim centres.

The various offices in the cities seem to have been quite sophisticated. They not only collected tolls and market charges, probably rendering accounts to the *secrete*, but also paid out ~~money-fiefs and rents granted on the proceeds from commerce by the~~ kings and great lords to vassals and churches. These payments of money-fiefs and rents were made at fixed times in the year, most commonly quarterly; we know that in Tyre the financial year began on 1 November. It was even possible for a man who held a money-fief to create out of it a rear-fief or make an eleemosynary grant to a religious order, the resulting payment being made not by him but by the office involved. This suggests fairly good bureaucratic procedures, presumably inherited from the Muslim *diwāns* out of which the offices must have grown.¹²

So far we have seen that a lord's means of exploiting the countryside and towns were very similar to those of the Muslim rulers before him. Since we have come across references to *scribae* or *kātibs* in ports and markets as well as villages it is worth asking whether the cadastral offices had survived. We know quite a lot about the *Grant Secrete*, the chief financial office in the kingdom. Supervised by the seneschal, one of the great officers of the crown, it employed its own scribes, differentiated from those 'in the royal household', presumably the *camera*. In it were registered the boundaries of fiefs and the services owed for them

and also lists of *fief-rentes*. It paid *restor* for the replacement of horses lost or injured in the performance of military service. To its accounts were made of the revenues collected by royal agents and courts. It contained records of the standard measurement of the Frankish carrucate and perhaps also of the royal *modius*. As its name implies, it was clearly a financial office and department of registration on the lines of a Greek *sekreta* or Muslim *dīwān*, having duties similar to the Fatimid *bayt (dīwān) al-māl* - and indeed it was called the *amwāl* by two Muslim contemporary writers - together with the functions of several subordinate Muslim offices which oversaw *iqṭā's* and collected the poll-tax from *dhimmīs*, estate duties and village revenues.

There survive no direct references to *secretēs* in Palestine outside the royal domain, although the principality of Antioch had its own *secrete* with registers dating from before the Latins' arrival. But we know from a document of 1243 that besides the *Grant Secrete* in Acre there was another *secrete* in Tyre, also part of the royal domain. This would suggest that *secretēs* could be attached to localities and the existence of *scribae* in the lordships of Arsur, Jaffa/Ascalon, Beaufort, Beirut, Caesarea, Chastiau-dou-rei, Galilee, the fief of Geoffrey Le Tor, Gibelet in the county of Tripoli, Haifa, Margat in the principality of Antioch, Nābulus, Nazareth, Ramla, Scandelion and Tyre leads one to assume that the lordships as well as the royal domain had inherited cadastral offices from the Muslim past.¹³ Continuity is made even more likely by the significant number of examples of the boundaries of fiefs following those of earlier units of administration: for instance that part of the principality of Galilee which was in Palestine proper had boundaries nearly co-terminous with Byzantine Palaestina Secunda; the lordship of Caesarea had the same borders ~~as had the city territory of Caesarea in the seventh century~~; the lordship of Arsur covered the same area as had the Muslim *kūra* of Arsūf.¹⁴

So far I have tried to demonstrate the very real way in which the Muslim administrative system survived under the Franks, providing them with the means of exploiting their seigneurial rights in the villages and towns and drawing off revenues from the ports and markets that lay at the end of the trade route to the East. And the picture I have tried to draw leads to several conclusions. It cannot be denied that the instruments of government were fairly sophisticated. It is the decentralised state of the kingdom that has confused historians who are used to seeing the development of the organs of government in Europe following centralisation. In Latin Jerusalem the lords in their great fiefs were in many ways nearly independent of the crown, having full rights of justice and at least from the later twelfth century the right to make peace or war with the Muslims without reference to the kings or regents. But in Jerusalem a fragmented authority did not mean an underdeveloped administration precisely because the crown in the royal domain and the lords in their lordships had all inherited centres of developed administration: the kingdom was, in other words, scattered with little nuclei of advanced government. An under-

standing of the easternness of the administration, moreover, and how it worked, helps one to explain oddities. Elsewhere I have shown how the absence of demesne lands affected the tithes-privileges of the exempt Orders of the Church,¹⁵ and how it was in fact in the interest of the kings and lords to grant what seem on the surface to be vast commercial rights to European merchants: my conclusion was that on balance the granters gained, especially as loopholes were systematically covered and a very close watch was kept on the kinds of privilege granted.¹⁶

Having at their disposal a fairly advanced bureaucracy, the kings and nobles of Jerusalem were, at least for a time, *potentially* rich. Matthew Paris, the great English chronicler, had heard from Richard of Cornwall, who was in the East in 1240-41, that he had been told by the brothers of the Temple and the Hospital that the city of Acre was worth to its lord £50,000 *per annum* - and Matthew seems to have been referring to pounds sterling. The sum may well be exaggerated and is given at third hand, but it is startling to find a contemporary maintaining that Acre alone provided more than the normal annual revenues of the crown of England.¹⁷ This reputation for wealth may go some way towards explaining the interest in Palestine of western rulers like Frederick II or Charles of Anjou, and the wealth of the crown, at any rate before the decline of Acre and Tyre from about 1250 onwards, would enable it to have had a certain independence of the feudatories: the constitutional opposition to the kings, revealing a fear of arbitrary actions, is incomprehensible if the crown was always weak.¹⁸

In the light of the crown's potential wealth and the income it gained from the ports, some reassessment ought to be made of the kingdom's military strength in the thirteenth century. Before 1187 the king could call on the service of c.700 knights. The ~~great territorial losses following the annihilation of the Christian~~ army at Hattin, most of which were never recovered, should have meant a drastic fall in the number of fiefs. But it seems that the Latin army which fought the battle of Gaza in 1244, although smaller and bolstered by contingents from Cyprus and Antioch-Tripoli, was not nearly so small as one would suppose, given the territorial losses that had been incurred. It seems likely that these losses in land had been offset to some extent by the increase in revenues from the ports which could be granted out in money-fiefs. Some of these money-fiefs were large enough for rear-fiefs to be created out of them: for instance in 1229 Frederick II gave Conrad of Hohenlohe 6,000 besants a year from the port or market revenues of Acre in return for personal service together with 9 knights. There is, moreover, evidence to suggest that in the first half of the thirteenth century Acre was an important centre for mercenaries. Of course the Church, the Military Orders and the great feudatories were all employers of fighting men, but so too was the central government. With a less reduced feudal host than has been assumed and a larger professional wing, supplemented by the certain growth in the commitment of the Military Orders, it would be rash to suppose that at least before 1250 the military

forces at the disposal of the kingdom were markedly inferior to those of the twelfth century.¹⁹

The great feudatories also benefitted from the commercial prosperity of the Latin East, often, it must be admitted, at the crown's expense. One finds them at the end of the twelfth century usurping the regalian right to mint coins, which incidentally is evidence for the need for money in their fiefs; by the mid-thirteenth century gaining control over public roads which had possibly been subject to regalian right; and building up the ports in their fiefs. A twelfth-century law had reserved the possession of ports dealing in international trade to the monarch, making it an offence for a lord to:

build a port in his land for ships and vessels and a road into paynim, to improve his land and diminish the rights of the crown.

But Tyre, which until the 1240s was part of the royal domain, retained its commercial importance under the de Montfort lords. Jaffa, for much of the period an apanage of the crown, was from the first a major point of disembarkation for pilgrims and from the 1120s was involved in commerce. A century later sea-trade linked it to Antioch and in the 1250s, under the great Count John, it was growing in importance: in 1253 the pope offered an indulgence to all who helped John rebuild it and in the 1260s, indeed, it seems to have been used as a supply port for the Egyptian army, although it was still in Christian hands. In the 1160s Haifa and Caesarea were involved at least in local coastal traffic and in 1234 the lord of Haifa granted privileges to the Genoese. Between 1221 and 1223 the lord of Beirut gave commercial rights to merchants from Genoa, Venice and Marseilles. His markets were already dealing not only in local products - pottery, wine, oil, corn, sugar, dyes, glass and soap - but also in commodities from further afield - silk, bombazine, wool and cloth, flax and linen, brazil-wood, pepper, incense, spices, indigo, pearls and precious stones. By the second half of the thirteenth century Beirut already had a flourishing Genoese colony and was on the way to becoming an important Levantine port.²⁰

Although there survives only one direct reference to the wealth of one of these lords,²¹ we may assume that at least as long as the trade routes ran in their favour they had large incomes. This can also be deduced from the fact that it was they who shouldered the chief burdens of the defence of Palestine. In 1261 the Master of the Templars, writing of his own Order's commitment, claimed that:

there is not a prince of this world who on one and the same day could hold seven great castles without much inconvenience and keep them in a defensible state against this multitude [the Mongols].

The surviving evidence for the expenses of garrisoning, supplying and maintaining castles in the East bears the Master out. But at the time he was writing it was not his Order, nor that of the Hospital, nor the crown which held most of the great castles in

Palestine. Beirut, Tyre, Toron, Haifa, Caesarea, Arsur (Arsūf) and Jaffa were in the hands of lay lords. It is true that Sidon and Beaufort had just been renounced and leased to the Templars and that Arsur was soon to be leased to the Hospitallers. But Caesarea and Jaffa were in lay hands when they fell to the Egyptians in 1265 and 1268 and so until the end in 1291 remained Haifa, Scandelion, Tyre and Beirut.²² It must be stressed that the feudatories did not have the international assets of the great Orders and must, therefore, have had large incomes, even though their expenses would have been high. Their wealth makes the extraordinary rise among the feudal class of an important group of learned and articulate jurists more comprehensible. Of course there were other reasons for this, particularly the legal practices of the kingdom and the history of jurisprudence there, but the existence of a town-dwelling class of knights, rich enough to spare the time to devote to the study of the law, is surely significant.²³

The crown and lords of Jerusalem were potentially rich, but their wealth was precariously based and the great burdens that defence imposed on them meant that any change in the equilibrium of economic activity would affect their ability to survive. No doubt the responsibilities of defence were bearable before the 1240s, when the trade routes were running in their favour and relations with Islam were comparatively peaceful - this period coincided with the lords' greatest political activity - but after 1250, with the coming to power of the Mamluks, the arrival of the Mongols and the decline of the Levantine ports, the burdens must have become nearly insupportable. Unlike their western cousins the Palestinian lords could not retrench when in difficulties, for their ability to resist the enemy would be affected. It is, therefore, not surprising that the constitutional history of the kingdom of Jerusalem is particularly affected by its institutional history. Both crown and baronage were very sensitive to threats to their incomes, which came partly from lands, but above all from town revenues.

It should be clear that the wealth of the kingdom of Jerusalem was very dependent on the commercial traffic passing above all from the great entrepôt of Damascus down to the Palestinian coast, which, incidentally, explains the strength of those parties in the kingdom which favoured treaties with Damascus. It does seem that this traffic perceptibly increased from 1180, before which the Red Sea route from the East to Alexandria and Damietta had been dominant, until about 1260, when the conflicts between Mamluks and Mongols disturbed the Syrian hinterland and a major route from the East developed north of the Levant in the areas under Mongol control, with as termini Ayas on the Gulf of Alexandretta and the Black Sea ports. For a period of about eighty years the cities of Acre, Tyre and Tripoli were among the most important in the east Mediterranean and were centres of the economic life of the whole region, whether in Muslim or Christian hands. It has been suggested that the pacific policy towards the Franks of the Ayyubids was conditioned partly by the economic importance of the Christians to them²⁴ and there is evidence that even Baybars was conscious that the economy

of his Syrian possessions depended on Acre.²⁵ But by Baybars' time the situation was changing: commercial traffic was declining and Christian Palestine was coming to be dependent for its survival on the West. In this respect the crucial date in the kingdom's history was not 1187 but 1250-60 when the pattern of trade began to change and the Mamluks and Mongols arrived on the scene. At any rate the first half of the thirteenth century, although it had its times of peril, was far more prosperous than is usually assumed and the Franks had far more sophisticated instruments for taking advantage of that prosperity than is often realised.

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1. 'Some lesser officials in Latin Syria', *English Historical Review* LXXXVII, 1972; 'Government in Latin Syria and the Commercial Privileges of Foreign Merchants', *Relations between East and West in the Middle Ages*, ed. D. Baker, Edinburgh, 1973; *The Feudal Nobility and the Kingdom of Jerusalem*, London, 1973 40-98 *passim*.
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