

## Notes on Qansuh El-Yahyawi's decree at Aleppo's al-Utrush Mosque abolishing tax increases on singers and weddings (874 AH/ 1470 AD)

### ABSTRACT

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This paper provides a comprehensive analysis and interpretation of a Mamlūk decree found on the façade of al-Utrush Mosque in Aleppo. The decree is dated 874 AH/1470 AD. The governor of Aleppo, Amir Qansuh el-Yahyawi, issued this decree to eliminate a recently imposed tax on singers and weddings, which was charged by the Amir and *Mihtar* (مهتار) of the *Ṭabl-Khāna*. This tax, known as *manfou' el-maghānī* (منفوع المغاني), has now been abolished. The edict did not include provisions for the elimination of the levy known as *ḍaman al maghānī* (ضمان المغاني), nor did it prohibit singers and dancers from participating in wedding celebrations or practicing their profession. The inscription garnered the interest of numerous orientalist who captured photographs of it and endeavoured to decipher its meaning. Ernst Herzfeld was one of those who tried to read the inscription. Consequently, the reading was insufficient and riddled with several deficiencies. This failed to assist him in attaining information regarding the subject matter of the inscription or its intended objective. The decree persisted throughout that period, albeit with some elements missing. In 2005, I captured a photograph of this inscription prior to its significant damage during the recent conflict. Additionally, I accessed the images in the Herzfeld archive at the Freer/Sackler Gallery, which is associated with the Smithsonian Institution in Washington. Subsequently, I utilised various advanced software programmes to magnify the images multiple times without compromising their quality, thereby enhancing the visibility of the letter shadows. This process required considerable effort to complete. This paper provides a thorough examination of the Mamlūk decree, elucidating its substance, purpose, and historical importance. The findings enhance our comprehension of the socio-economic dynamics and legal practices that were prevalent in Aleppo throughout the Mamlūk period.

### INTRODUCTION

The al-Utrush Mosque or Demirdash (دمرداش) Mosque at Aleppo (Pl. 1), is located at the south of the Citadel or the Salt Square and the Horses Market, next to the Palace of Justice, the residence of the governors of Aleppo during the Mamlūk era. It is 200 meters from the southern

entrance of the citadel. Aqbugha al-Utrush, the governor of Aleppo (1398-99 AD) started founding it. This is why it is known as al-Utrush. Its location was the sheep market. Amir Aqbugha also built a tomb within it and dedicated endowments for it. Then, Amir Aqbugha was transferred from the governorate of Aleppo, moving to Tripoli and Damascus, but he returned to Aleppo, then he died in (806 AH/1403). Amir Demerdash al-Zaheri completed the mosque, and dedicated endowments for it, and for this reason, it is also known as Demerdash Mosque (Sibt ibn al-‘Ajāmī 1996, 274) (Al-Ghazi 1992, 283) (Talas 1956, 111-112).



Pl. 1 Al-Utrush mosque in Aleppo, the western façade. The inscription appears at the edge of the façade, below the arrow drawn, (The author, 2005).

This mosque was chosen to inscribe a number of decrees and orders because it is located next to *Dār al-‘Adl* (the court) and the headquarters of the governor, and for its proximity to the Citadel-gate and the Under-the-Citadel arena, i.e., in this area people of authority, people of decision-making, judges and senior emirs used to meet. Also, in this area, military divisions of the governor of Aleppo used to parade on Mondays every week, called the day of the parade. In this mosque, the governor used to perform congregation Friday sermons, and sit at *Dār al-‘Adl* not far from the mosque, to receive complaints and render his opinions, in the presence of *al-hujjāb* (military chamberlains), judges, muftis, leader of the army and senior Amirs (Ibn al-Shuḥnah 1984, 258-259). This proximity of the mosque to *Dār al-‘Adl* is one of the strongest reasons for turning the mosque’s façade into pages for the inscriptions of decrees.

It was conventional to have decrees inscribed at places that attracted attention; were frequented by people and made it easy for those concerned to see it, monitor its presence, and maintain it from damage, such as cities gates, congregational mosques, the shrines of holy saints, courts, and the headquarters of the state-bureaus. These places were appropriate for people concerned with the decrees such as local citizens and government officials, since the decrees become present in front of them as legal arguments for or against them. The decrees were engraved on the stone façades or marble tiles for a clear intention: endurance and permanence, and the survival of many of them to date confirms the success of this end (Othman 1983, 169). Perhaps the origin of the decree discussing in this paper is that a complaint from singers was filed to Amir Qansuh El-Yahyawi, the governor of Aleppo between (874-992 A.H./1469-1487 A.D.), and was one of the grandest Amirs, died while he was governor of Damascus in (902 A.H.

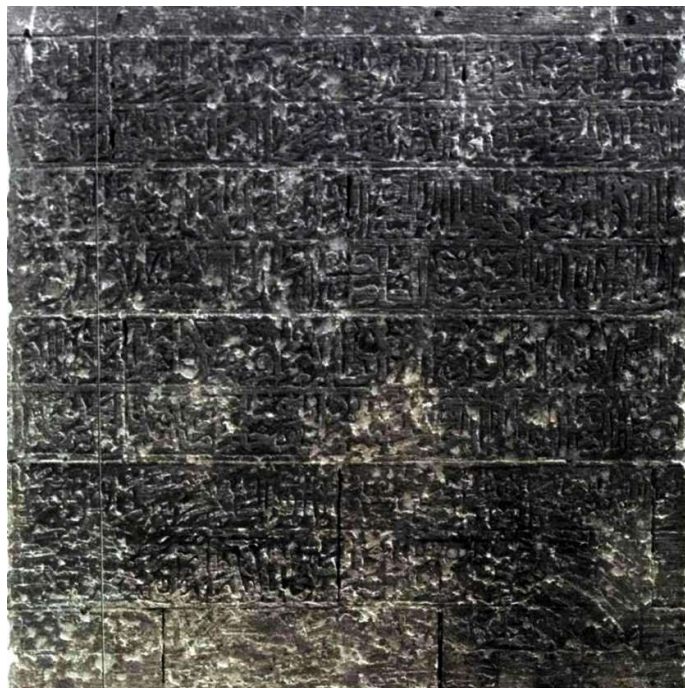
/1497 A.D.) (Ibn Iyâs 1998, 362). The study of inscriptions on historical heritage plays a crucial role in exploring the diverse contexts of the societies that produced them (Ramadan and Ameen 2022) (Ameen 2020) (Uthmān, Hamza and Al-Husseini, F. 2023).

## METHDLOGY

This study focuses on the critique of the Ernst Herzfeld's reading of a Mamlūk decree located on the façade of al-Utrush Mosque in Aleppo, which is dated to 874 AH/1470 AD. The previous reading has been thoroughly revised and completed. Errors have been addressed and an alternative has been presented based on the inscription that aligns with historical sources, contemporary inscriptions, and the cultural context of the Mamlūk era. The study employed a descriptive, historical, and inductive approach to present the subject matter and draw findings.

## DESCRIPTION

The inscription is situated near the northern extremity of the western facade of Al-Utrush Mosque, namely on the northwest corner, which is in close proximity to *Dār al-ʿAdl* and the governor's residence. The document was authorised by Amir Qansuh El-Yahyawi and comprises of eight relief lines written in an overlapping thuluth script on four courses of the wall. Each course contains two lines. The dimensions are 150 cm by 130 cm. The inscription's layout takes the shape of a horizontally-oriented rectangle that closely resembles a square. However, it has suffered considerable damage. Nevertheless, its old pictures are of high quality and assist in its legibility. The glass negatives containing the images captured by Ernst Herzfeld, a German orientalist, were stored in his archive. Recently, these negatives were made available to the public through the Freer/Sackler Gallery's website of the Smithsonian Institution in Washington DC. We were able to decipher the inscription by examining the photographs provided by Herzfeld (1955, Pl. CLIX,a) (E. Herzfeld 1908-1914, FSA A.6 04.GN.3225, FSA A.6 04.GN.3232, FSA A.6 04.GN.3554), as well as the high-quality images published by the German orientalist Max Von Oppenheim (Von Oppenheim 1930, 60) (Pl. 2). Additionally, I relied on the photographs I captured during my scientific visit to Syria in 2005 (Pl. 3). Unfortunately, the inscription suffered reasonable damage due to gunfire during conflicts near the mosque in the recent conflict.



Pl. 2 The Mamlūk decree on the façade of al-Utrush Mosque at Aleppo (874 AH/1470 AD) (Source: Von Oppenheim 1930, 60.



Pl. 3 The author's 2005 photograph of the edict that is currently being studied before the last War

Ernst Herzfeld's publication of the first three lines contained certain inaccuracies, and he interpreted the fourth and fifth lines in a highly unclear and distorted manner (Fig. 1). He expressed dissatisfaction with the text's complexity resulting from insufficient deciphering. He voiced his viewpoint regarding the titles attributed to Amir Qansuh El-Yahyawi. However, we hold a differing perspective as he asserted that these titles convey the notion that “the inhabitants of Aleppo during that period were groups of liars, traitors, hypocrites, miserable people, the poor, and those who were neglected (E. Herzfeld 1955, 401).

We find it peculiar that this viewpoint originates from a distinguished orientalist, as he merely grasped the names on a superficial level. For instance, the label “suppressor of the immoral and the hypocrite” (*qami' al-fasaqah wa al-monafeqin*, قامع الفسقة والمنافقين) does not imply that certain individuals in Aleppo were specifically known for their indulgence in immoral behaviour and hypocrisy. Instead, it refers to the ruler's adherence to *Shari'a*, or Islamic law, and their commitment to combatting corruption in any location or government role.

While these titles may seem extravagant, they were used in thirty-five words to emphasise the governor of Aleppo's authority and capabilities. It is important to note that these titles belonged to sultans, not princes. Amir Qansuh El-Yahyawi, as described by Ibn Iyâs, held a prominent position as one of the most important princes in The Mamlūk Sultanate (Ibn Iyâs 1998, 362).

One aspect of the end of the Mamlūk era was the practice of awarding titles of sultans to princes and emirs who acquired epigraphic ranks, like those of sultans (Ameen 2019).

DÉCRET DU PRÉFET-GÉNÉRAL, 908 H. — 1 m. 50 × 1 m. 30, huit lignes, naskhi mamlouk, caractères moyens; estampage, photographie; inédite<sup>(1)</sup>. (Pl. CLIX, a).

(1) بسمه ... لما كان بتاريخ العشر الأول من شهر سنة ثمان وتسعمائة برز المرسوم  
 الكريم العالی المولوی (2) الأشرفي المالكی المخدمی السیفی سیف الدنیا والدين قامع  
 العجرة (3) والمنافقين ملجا الفقراء والمساکين كهف الأبرار والمتقطعين الأمير (3) ملك الأمراء  
 قانسوة الجياوی كافل المملكة الحلبیة المحروسة أعز الله تعالى أنصاره حلب (4) الإقطاعات  
 وكان ذلك في أيام ... (4) الى الإجازة بالمملكة الحلبیة المحروسة من منفوع المغاني ومن  
 صنفي النساء والرجال لعلا بغير (5) .... والآتي بعمل الرجال وفي غيرهم .... إقطاع  
 لاوافق إقطاع هذا مو... الاثمة ... عن هذا الفراغ (6) .....

Fig. 1: Ernst Herzfeld's reading of the decree, Source: E. Herzfeld 1955, 401.

#### Observations regarding the Herzfeld's reading: (E. Herzfeld 1955, 401)

- Herzfeld deciphered the word: *al-fasaqah* “الفسقة” in the second line like so: *al-fagarah* “الفجرة”. Although there are distinct terms, both refer to individuals who engage in unethical behaviour.
- He read the word *al-mutamaredīn* “المتمردين” i.e. the rebels against the teachings of religion in the same line thus *al-munafiqīn* “المنافقين” which means the hypocrites.
- In the same line, Herzfeld deciphered the word *al-arāmel* “الأرامل” i.e. widows thus: *al-abrār* “الأبرار” that means the righteous.
- In the same line, he read the word “مولانا” i.e. our master like so *al-amīr* “الأمير” meaning the prince.
- He read the end words of the third line thus: “بحلب الاقطاعات وكان ذلك في أيام ...” which translates: feudalism in Aleppo, under the rule of ...
- He read the word *al-ṭabl-Khāna* “الطبلخاناه”, at the beginning of fourth line thus: *al-igārah* “الى الإجازة” which literally means two distinct meanings: (to the) lease and protection. Also, he gave illegible words “لنلا بغير” recognising the end of this line.
- He deciphered the fifth line as “الآتي بعمل الرجال وفي غيرهم.. إقطاع لا وافق إقطاع هذا مو... الاثمة...”, Which can be translated as: Who is performing the tasks typically done by men and others ... The fiefdom is not in accordance with ... the imams (the theologians) in this area ... from this blank).

We conducted a comparative analysis of the old images and the photos taken in 2005. This involved utilising several image-processing programmes, including Adobe Photoshop Ps, Snapseed and Pixelup – AI Photo Enhancer, to enhance shadow details and refine colour accuracy. Additionally, we carefully reviewed and made necessary corrections to the previous reading attempts. Consequently, we have successfully obtained a precise deciphering of the inscription and incorporated a clear and reliable text to enhance our comprehension of Aleppo's history (Fig. 2).

The penultimate word in the fourth line was unreadable with absolute certainty. Initially, I interpreted it as *al-Oudat* الأوضات i.e. rooms, but upon more examination, I realised that *al-Aṣawin* الأصاون is the plural form of the term *ṣiwan* صيوان, which refers to a marquee or tent. To account for this ambiguity, I substituted dots in the corresponding location, following the typical practice employed by scholars in the field of inscriptions. The term “*al-la'i*” in the fourth and fifth lines is a demonstrative feminine plural pronoun that means “who.” It is originally spelled as *allā'eī* “اللائي,” but grammar permits the absence of one of the double adjacent “lam” letters, as it is not logical to have two identical letters next to each other.

### THE INSCRIPTION'S DECIPHERING

- 1- بسم الله الرحمن الرحيم لما كان بتاريخ العشر الاول من الحجة الحرام من شهر سنة اربع وسبعين وثمانماية برز المرسوم الكريم العالي المولوي (الميري)
- 2- الكبير المالكى المخدمى السيفى سيف الد[نيا] والدين قانع الفسقة والمتمردين ملجا الفقراء والمساكين كهف الارامل والمنقطعين مولانا
- 3- ملك الامرا قانصوه اليحياوي كافل المملكة الحلبية المحروسة اعز الله انصاره بمحمد وآله بايपाल ما كان يأخذه امير الطبلخاناه ومهتار
- 4- الطبلخاناه بالمملكة الحلبية المحروسة من منفوع المغاني من صنفى النساء والرجال والآئى يعملن ..... (؟) والافراح
- 5- بالبيوت والآئى يعملن مع الرجال وغيرهم في الرقص ابطالا مؤبدا و عوض (ا) لامير عليه والمهتار عن هذا الفرع
- 6- من ديوان النيابة الشريفة بالمملكة الحلبية وكلفته ستماية وثمانين درهم خارجا عن رسم مكسهم فمن بدله بعد ما سمعه فإنما إثمه
- 7- على الذين يبدلونه ومن خالف هذا المرسوم ويسعى في تجديد هذا الفرع ابعد الله من رحمته ورضوانه ونعمه وحشره في زمرة
- 8- فرعون وقارون وهمان وعليه لعنة الله والملايكة والناس أجمعين

### TRANSLITERATION

1. Bism illāh al-Rahmān al-Rahim lamā kān bitāriḫ al-‘ashr al-eual men al-hegat al-harām men shuhūr sanat airb‘a wa sab‘īn wa thamanimiah barza al-marsum al-karim al-‘ali al-mulauī al-amirī
2. al-kabirī al-malakī al-makhdumī al-saifi saif al-doniā wa al-dīn qami‘ al-fasaqah wa al-motamaredīn malga' al-fuqarā' wa al-masākīn kahf al-arāml wa al-monqat‘īn maulāna
3. malek al-umar' Qanṣuh el-Yahyawī kāfel al-mamlakah al-ḥalabiyah al-maḥrosah ā‘az Allāh anṣarho bi Muhammad wa ālih bi ibṭāl mā kān ya'khudhaho amir al-ṭablkhāna wa mihtar
4. al-ṭabl-khāna bi al-mamlakah al-ḥalabiyah al-maḥrosah min manfū‘ el-maghānī min ṣanfai al-nisā' wa al-regāl wa al-laī ya‘malna ..... (?) wa al-afraḥ
5. bi al-bieut wa al-laī ya‘maln ma‘a al-regal wa ghairahom fi al-raḡṣ 'ibṭalan mu'badan wa a‘uaḍa al-amir a‘laihi wa al-mihtar ‘an hadhā al-far‘
6. men diwān al-neiabah al-sharifah be al-mamlakah al-ḥalabiyah wa-kolfatehe setomaiah wa thamanīn dirham kharegn ‘an rasm maksihem famn badalaho ba‘dama samea‘ho fa'inama 'ithmoho

7. a' lā al-ladhina iobadilonaho wa mn khalafa hadha al-marsom wa iasa' a fi tagdīd hadha al-far' aba' daho allaho men rahmatehe wa reḡuanehe wa nea' mahe wa ḡashrho fi zomrat
8. fera'wn wa qaron wa haman wa a' laihe la' nato allahe wa al-malā'kate wa al-naase agma' en

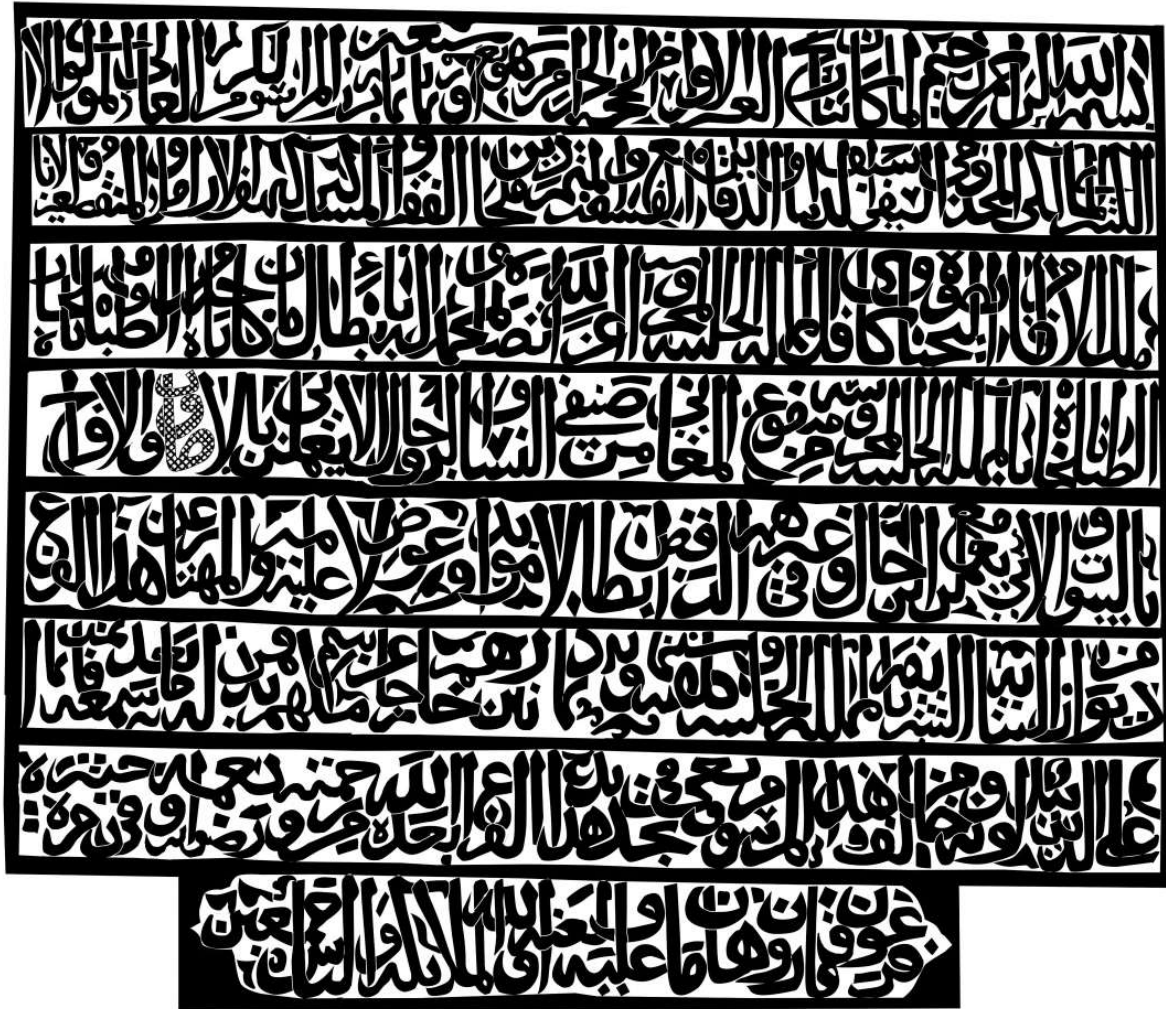


Fig. 2: The author's tracing of the Qansuh El-Yahyawi's decree, based on old photographs, and a depiction of the inscription's condition in 2005 before the last War

**THE INSCRIPTION'S TRANSLATION**

1. In the name of Allah, the most gracious and most merciful, on the first ten days of the sacred month of Dhu al-Hijjah in 874 [AH] a high prestigious decree was passed by our master,
2. his excellency, the owner, the chief of *Ameirs*, *saif ad-dunya wa ed-din*, the suppressor of the immoral and the rebels against the teachings of religion, the refuge of the poor and needy, the cave of widows and indigents, our master,
3. the chief of the Amirs Qansuh el-Yahyawi, general-governor in the province of the kingdom of Aleppo, may his supporters be glorious by the blessings of the prophet Muhammad and his family, to abolish what Amir of the *Ṭabl-Khāna* (The Amir responsible for the Mamlūk

- military band), and *Mihtar* مهتار of the *Ṭabl-Khāna* (The head of the depot of the chief Musical instruments of the military band, flags, camels, and horses) were taking.
4. in the protected kingdom of Aleppo, from the tax (*manfou' el-maghānī* المنفوع المغاني) of singers of both of men and women, who work in .....(?) and weddings.
  5. at houses and those working with men and others as dancers, a final abolition, and he ordered to compensate Amir of the *Ṭabl-Khāna* and *Mihtar* of the *Ṭabl-Khāna* for this tax.
  6. from the bureau of the governorate of Aleppo Kingdom, and its cost is six hundred and eighty dirhams. This abolition does not apply to the original tax. And whoever disobeys these commands and changes them, he is guilty
  7. and whoever violates this decree, and strives to renew this tax, may God remove him from his mercy, pleasure, and grace, and gather him with
  8. Pharaoh, Qarun, and Haman, and upon him be the curse of God, the angels, and all humans.

### METHODOLOGY FOR WORD COMPOSITION

To accommodate the extensive content, the calligrapher employed a composite or intricate technique to write the words. He differentiated between letters by intertwining them, a technique known as *qati' and maqtū'* "قاطع ومقطوع" in Arabic, which literally means "cut and cutter" way. Simultaneously, the calligrapher adorned the blank spaces between and above the letters with various shapes such as bi-lobed leaves and triangular, circular, and elliptical forms. (Fig. 3).



Fig. 3: The various decorative forms between and above the letters, the author.

### DISSCUSION

The primary concern in the inscription pertains to the elimination of the tax increase imposed on singers. Following the abolition, the Emir of the *Ṭabl-Khāna* and *Mihtar* of the *Ṭabl-Khāna* provided them with a monthly compensation of 680 dirhams from the Bureau of the Governorate of Aleppo. This repeal did not extend to the initial tax levied on singers and dancers. The phrase "خارجًا عن رسم مكسهم" in the sixth line indicates that it refers to monies that are not part of the authorised tax. This implies that the decree revoked a previously implemented surcharge that exceeded the standard tax rate, which may have been in effect or potentially revoked earlier. This is similar to the statement made by al-Qalqashandi "خارجًا عن سجن طرابلس" regarding the taxes of the city of Tripoli in the Levant. He stated that these taxes were exempted by a previous honourable decree, thus excluding them from the prison of Tripoli (Al-Qalqashandi 2005, 34).

The decree described the tax increase using the word: *manfū'* منفوع, which is an object noun of the standard participle of the word: *naf'* نفع "benefit". It was common in the Middle Ages as a substitute for the word: *naf'* نفع. They used to say: I receive no benefit (ما لي منفوع ولا منفعة), or: this thing is of little benefit (هذا شيء ضئيل المنفوع). Although grammar scholars objected to this meaning (Ibn Hisham al-Lakhmi 2003, 451), the word has spread among the public, and it is mentioned in history books to indicate what the employee takes from his job in addition to his salary as a tipping, it is called in Egypt (*'ikramiah* or *baqshīsh* إكرامية أو بقشيش), and is called in Syria *hulwān* (حلوان). This was customary and conventional, such as what the cook takes of



food, other than the prescribed salary. As-Şafadī in his book: “A'yān al-'aṣr” refers to one of Dawādār (executive secretary) thus: (His income was twenty thousand dirhams other than what he took from *manfou'* منفع of the Dawadariya) (Al-Şafadī 1998, 610). Ibn Taġribirdī in his book: “*Al-Nujūm al-Zāhirah*” said: (he -someone- is carrying a pot containing food, or a plate containing *manfou'a* of the cooks from the food) (Ibn Taġhrī-Birdī 1949, 40, 298), also al-Sakhawi in his book: “*Al-Daw' al-lami'*” said: (He benefited from the job salary and *manfou'*) (Al-Sakhawi 1992, 316).

The decree utilised the term “*manfū'* منفع” to express the tax increase. This term is derived from the participle of the word “*naḥ* نفع” which means benefit, as frequently used during the Golden Islamic Ages. In the past, people would express their lack of gain by saying: “*ma li* ما لي” “منفع ولا منفعة” i.e. I have no benefit, or they would describe something as “*hadhā shai' da'īl al-manfū'*” (هذا شيء ضئيل المنفع) which means that this thing is of little benefit. Despite objections from Arabic grammar scholars (Ibn Hisham al-Lakhmi 2003, 451), the word has become widely used by the general public and is mentioned in various historical texts to refer to the additional benefits an employee receives from their job, apart from their salary. In Egypt, this is referred to as “*'iikramiah* or *biqashish*” (إكرامية أو بقشيش), while in Syria it is known as *ḥulwān* “حلوان”. This was normal and conventional, such as the perquisites that the chef receives in addition to their specified income. In his book “A'yān al-'aṣr,” Al-Şafadī mentions a *Dawādār* (executive secretary) who earned twenty thousand dirhams, excluding what he received from *manfū'* (a type of payment) related to the Dawadariya (the position of the executive secretary) (يأخذ هو من منفع الدوادارية) (Al-Şafadī 1998, 610). In his book “*Al-Nujūm al-Zāhirah*,” Ibn Taġribirdī mentions that someone is carrying a pot of food or a plate of cooked food from the cooks (وقيل صحن فيه منفع الطباخين من الطعام). So, this person received a salary and *manfū'* from this job (Ibn Taġhrī-Birdī 1949, 40, 298). Similarly, in his book “*Al-Daw' al-lami'*,” al-Sakhawi also states that he benefited from the job salary and *manfū'* (بحيث ارتفق بمعلومها والمنفع) (Al-Sakhawi 1992, 316).

The word “*far'* فرع” was an official designation used to refer to a subsidiary tax source or tributary. It was part of a larger tax source that was separated into multiple tax tributaries. The inclusion of the word twice in the decree signifies the categorization of *manfū' el-maghānī* as a revenue source for taxation during that period. The *ḥisba* taxes collected by the *muḥtasib*, who oversees religious and moral matters in the market and the city, encompassed several sectors such as markets, stores, merchants, craftsmen, and more. There is a decree engraved on a granite column located at the western entrance of the Umayyad Mosque in Damascus. This decree dated Muharram 18, 852 AH (April 1448 AD), provides a detailed description of various tax branches, which are referenced a total of 17 times. The text states:

## THE INSCRIPTION'S DECIPHERING

- 1- بسم الله الرحمن الرحيم الحمد لله رب العالمين والصلاة والتسليم على سيدنا
- 2- محمد وآله وصحبه أجمعين لما كان بتاريخ ثامن عشر المحرم سنة اثنين وخمسين وثمان مائة أمر
- 3- مولانا السلطان الملك الأعظم أبو سعيد جقمق بإبطال المكوس المتعلقة
- 4- بالدولة الشريفة بدمشق المحروسة وهي فرع الدباغة وفرع القماش الحمصى وفرع
- 5- الأردنية وفرع القطن وفرع الخيار والبادنجان وفرع البياض وعرفة المكارية
- 6- والحمالين ومصبغة القطن بمسجد القصب وفرع الجبن التركمانى والصنارى وفرع الأشنان
- 7- وفرع الحبالين وفرع القريشة وفرع الحدادين وحلقة الزيت قيسارية الشرفى
- 8- وجهة بعلبك وفرع اللبن الباغرت وفرع الدهنية وفرع القلى وفرع المسالخ وربع
- 9- الوكالة وتلثين الزكاة وصوف الجز وفرع القلقاس وفرع جلود الجواميس خارجا عن ما

- 10- في ديوان النيابة المحروسة والحمد لله رب العالمين صلى الله على سيدنا محمد وآله  
 11- ملعون بن ملعون من يسعا في تجديده (Sobernheim 1933, 117)

### TRANSLITERATION

1. Bism illāh al-Rahmān al-Rahim al-ḥamdo lillāh rab al-‘alamīn wa al-ṣalat wa al-taslīm ‘ala saidna
2. Muhammad wa ‘alihe wa ṣahbehe 'agma‘īn lamā kān bitārikh thamin ash-r al-moḥram sanat athnain wa khamsīn wa thaman maiah 'amra
3. maolana al-sultan al-malek al 'azm 'abu saeid gaqmaq bi 'ibṭal al-mukus al-mot‘aliqah
4. be al-daulah al-sharifah bi dimashq al-mahrusat wa hia far‘ al-debaghah wa far‘ al-qomash al-homṣi wa far‘
5. al-'ordiat wa far‘ al-qoṭn wa far‘ al-kheiar wa al-badhengan wa far‘ al-baia ḍ wa ‘orfat al-makariah
6. wa al-hamālīn wa maṣbaght al-qoṭn bi maṣjid al-qaṣab wa far‘ al-gobn al-torkomani wa al-ṣenari wa far‘ al-'aoshnan
7. wa far‘ al- ḥabālīn wa far‘ al-qereshah wa far‘ al-ḥadādīn wa ḥalqat al-zait qesariat al-sharfi
8. wa gehat ba‘labek wa far‘ al-laban al-yaghart wa far‘ al-dohnia wa far‘ al-qali wa far‘ al-masalekh wa rob‘
9. al-wakalah wa tholothain al-zakat wa ṣof al-gaz wa far‘ al-qolqaṣ wa far‘ golod al-gauamis kharegn ‘an ma
10. fi dewan al-neiabat bi demashq al-maḥrosat wa al-ḥamd lilah rabi al-‘alamin wa ṣalā allah ‘ala saidena mohamad wa ālahe
11. mal‘on ben mal‘on man ias‘a fi tagdedhe

### THE INSCRIPTION'S TRANSLATION

1. In the Name of Allah, the Most Gracious, the Most Merciful, Praise be to Allah, Lord of the Worlds, and prayers and peace be upon our Master
2. Mohamed, his household, and all his companions. On Muharram 18, 852
3. Sultan Abu Saied Jaqmaq, our master and the grandest king commanded to annul fees of
4. the honorable state of protected Damascus. It is the tanning branch, the Homs cloth branch, the branch of
5. the robes, the cotton branch, the cucumber branch, the eggplant branch, the Bagrus Fish branch, the fee of donkey drivers' branch
6. the porters, the cotton dyeing at the *Al-Qasab* Mosque neighborhood, the Turkmen cheese branch, the *Al-Senari* cheese branch, and *al-ushnān* branch
7. the rope-makers branch, the cottage-cheese branch, the blacksmiths branch, the selling oil branch, the Qaysariyya *Sharaf El-dīn*,
8. Baalbek precinct, the yogurt milk branch, the fat branch, *al-Kily* (soda and potash) branch, the slaughterhouses branch, quarter of dirham of the weigher
9. *al-wikala* (khan), two-thirds of *al-zakāt*, wool before spinning branch, the taro branch, and buffalo skins branch, other than
10. the Office of the State in Damascus. Praise be to Allah, Lord of the Worlds, and may God's blessings be upon our master Mohamed and his household.
11. Cursed and son of the cursed whoever strives to amend this.

Tabl-*Khāna* is a Persian term that refers to a prestigious ensemble of musicians associated with the Sultan. A traditional musical performance, known as a *nawba* (نوبة), typically takes place at the start of the evening in the citadel. The musical band accompanied the Sultan or governor

throughout their trips and wars. The Ṭabl-*Khāna*, also known as the Military Band House, served as a storage facility for the main instruments of the military band, as well as flags, camels, and horses. It was located in the citadel. The responsibility for this lies with the Amir of the Ṭabl-*Khāna*, as well as the *Mihtar* al-Ṭabl-*Khāna*, who is in charge of the depot housing the main musical instruments of the military band, as well as flags, camels, and horses (Al-Baqlī 1987, 228). Amir and Mihtar were collecting fees from singers, dancers, and whores, which was documented in the official written records of the Mamlūks era as obscenity (الفواحش, *al-fawāḥish*). In the events of the year 716 AH/1316 AD., Ibn Aybik al-Dawadari said that “the high honorable decrees were passed to abolish what *Mihtar of Ṭabl-Khāna* of the Sultanate was taking of abominations from Cairo and the old suburbs nearby” (Al-Dawādārī 1971, 290).

The job of the Mamlūk Amir was inherently connected to the craftsmen and artisans, from whom he derived benefits and collected taxes and royalties. Located on a column of the Temple of Jupiter in Damascus, to the west of the Umayyad Mosque, there is a decree from 838 AH/1434 AD. that cancels the levies and taxes imposed on plumbing workers (*alqanawāṭiyah*, القنوياتية) and the water pipes that supply people's homes. This decree was issued by Amir *Shādd Sharāb-Khānah* شاد الشرابخانه, the official in charge of the drinking service (sauvaget 1947, 13). Another column at the northern entrance of the Umayyad Mosque in Damascus bears an inscription from 864 AH/1460 AD. This decree nullifies the taxes and levies that were imposed on leather tanners and shoemakers by Amir *Bashmāqdār*, who was responsible for the production, upkeep, and distribution of the Sultan's footwear (Sauvaget 1932, 4).

This decree serves as a definitive record and indisputable documentation, showcasing the cultural traditions of singing and dance that are deeply rooted in the city of Aleppo. Regarding historical sources, *Sheikh Kāmel Al-Ghāzī*, a scholar from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, meticulously recorded the cultural heritage and traditions of the city through his documentation of weddings and circumcision ceremonies. He stated that singers, eulogists, and musicians are hired daily for these events and are considered an essential element in these festivities. The festivities span over multiple days, during which the ensemble of musicians, vocalists, and bands wielding swords and cudgels would assemble at both the bride's and groom's residences on the day of the Marriage contract and throughout the wedding celebrations. They would also parade through the streets (Al-Ghazi 1992, 190-200).

## LEVIES AND TAXES FOR SINGERS AND WEDDINGS

The tax in question, known as “*damān al-maghānī*” (ضمان المغاني) in Arabic, was collected from singers. It derived its name from the guarantor who was responsible for collecting these taxes under the guarantee system. Occasionally, the charges for the licencing of weddings may be included in this tax, along with costs for prostitution and associated affairs. The fees and taxes were levied due to the substantial cash generated and the widespread popularity of these crafts and activities. Remitting those taxes was regarded as a permit and authorization to engage in professional activities and openly acknowledge them, with all associated conduct potentially encompassing indulgence and moral corruption. This incited the anger of the *al-fuqahā'* (الفقهاء) (clergy), who made persistent efforts, in collaboration with Sultans and governors, to invalidate this tax and forbid these actions, or at the very least compel the wrongdoers to conceal them in order to preserve the image of prudery in society. Various branches of taxation in this context were referred to by Arabic titles, like the “entertainments tax” (مقرر الملاهي), which was imposed on individuals who conducted weddings without music. This tax was repealed during the reign of Sultan Mohamed b. Qalāwūn after the second land measurement and redistribution (A.-H. Al-Ṣafadī 2003, 231). Furthermore, it was referred to as wedding expenses and wedding

promises.

Of course, imposing this tax would raise the cost of weddings. According to Al-‘asqalānī, the guarantee of singers was a dreadful abomination. No one could have a wedding without being fined 20 to 30 gold pieces. In Cairo and the surrounding old suburbs, if a singer left her home, even to visit her family, the guarantor demanded a fee from her. In the countryside, the singers had a specific area where the atrocious actions were taking place. Those who travelled through it, even by mistake, had to commit adultery with a prostitute. If they did not, they had to redeem themselves with money (Al-‘Asqalānī 1994, 127) (Alazzam 2013, 228).

Al-Maqrīzī concurred with the aforementioned notion and expounded upon it, stating that the reimplementation of this levy was orchestrated by corrupt ministers who amassed substantial riches through its collection. The wedding was not arranged until the family paid a fine of 500 dirhams or more, as stipulated by the wedding organisers. A woman, regardless of her social status, cannot engage in wedding preparations such as adorning herself or getting a *henna* tattoo without the consent of the guarantors. Similarly, playing a tambourine at a wedding, circumcision party, or similar events is only allowed with proper authorization. The fee for each permission was determined by the governorate's administration. Each singer was required to remit a tax to the guarantors in the event that she spent overnight away from her residence, namely when she engaged in evening and celebratory performances. In such instances, she would provide monetary compensation to the guarantor. Each evening, a team of guarantor-assistants diligently monitored the residences of the singers to ascertain which individuals spent the night away from their homes, indicating that they hosted a social gathering. Prostitutes were required to pay certain taxes. However, in areas outside of Cairo, such as Upper Egypt and Lower Egypt, separate districts were designated for singers and prostitutes. Each individual in these districts paid a specified amount of money. As a result, this led to widespread indulgence in promiscuity, alcohol use, and intoxicants, which is highly inappropriate to mention. Even if an unfamiliar person happens to come across these locations without any intention of engaging in adultery, they are compelled to spend time with a prostitute. They are left with no choice but to either fulfil this obligation or free themselves by providing the prostitute with a sum of money to settle her owed tax (Al-Maqrīzī 1972, 266) (Alazzam 2013, 228).

In the Mamlūk historical sources, we read of the abolition of this tax and its being re-imposed many times. Its abolition was considered one of the good deeds of the sultans, because it was tantamount to revoking the legal license to practice this craft and its appurtenances. And it is a relief for the people who wish to make weddings that do not exceed the mores and traditions. Sultan Mohamed b. Qalawun, abolished it on the people of Tripoli in (717 A.H./1317 A.D.) (Al-Nuwayrī 1992, 35). Sultan Al-Ashraf Shaaban b. Hussein abolished it on the people of Egypt in (775 A.H. /1373 A.D.) (Al-‘Asqalānī 1994, 58, 164). And Sultan Barquq abolished it on the people of Egypt in (778 A.H. /1376 A.D.) (Al-Maqrīzī 1972, 4) (Ibn Shaheen 2002, 111), and he abolished it on the people of Hama, Karak, and Shoubak in (782 A.H. /1380-1381 A.D.) (Al-‘Asqalānī 1994, 219) (Al-Maqrīzī 1972, 97), etc. we are not in the process of tracking cancellation and renewal because this requires a serious investigation.

The Mamlūk historical sources document the repeated revocation and subsequent reinstatement of this levy. The eradication of this art was regarded as a commendable action by the Sultans, as it effectively revoked the legal permission to engage in this profession and all its associated elements. It is a source of comfort for individuals who desire to have weddings that adhere to customs and traditions without going beyond them. Sultan Mohamed b. Qalawun eradicated it among the inhabitants of Tripoli in the year 717 AH/1317 AD. (Al-Nuwayrī 1992, 35). Sultan

Al-Ashraf Sha'ban, son of Hussein, repealed this tax in Egypt in the year 775 AH/1373 AD. (Al-'Asqalānī, 1994: 58, 164). Sultan Barquq abolished it in Egypt in 778 AH/1376 A.D. (Al-Maqrīzī 1972, 4) (Ibn Shaheen 2002, 111), and also in Hama, Karak, and Shoubak in 782 AH/1380-1381 AD. (Al-'Asqalānī 1994, 219) (Al-Maqrīzī 1972, 97), among other places. We are currently not engaged in the task of monitoring cancellations and renewals as it necessitates a thorough examination.

The inclination to engage in singing, actively listen to vocal performances and music, and provide amusement to the spirit, in a broad sense, is seen as a fundamental yearning that resonates with the human soul and has been linked to it throughout history. The restrictions imposed on this matter in Islam are intended to prevent it from becoming a gateway to immoral behaviour such as indulging in pleasure and immorality, consuming alcohol, engaging in adultery, being captivated by singers, homosexuals, or effeminate individuals, and diverting humans from the noble purpose for which Allah created them. Consequently, it was acceptable to play musical instruments at weddings and sing using appropriate language that avoids indecency (Al-Qurtubī 1964, 54).

This art form gained popularity throughout the Islamic period, particularly the Mamlūk era, owing to the affluent and refined nature of society. The people's fascination with opulence led to a prevalence of music and singing, resulting in a surge in the number of singing groups and associated performers. The choirs consisted of both men and women. Female singers and dancers would perform by singing and dancing in designated women's chambers and quarters. It was customary to enlist their assistance in various joyous occasions, such as weddings, circumcision ceremonies, and evening gatherings in homes. The decapitated heads of adversaries were publicly displayed alongside a chorus of vocalists and instrumentalists. Historical records indicate that a significant portion of these musical ensembles consisted of nomadic individuals who bore resemblance to gypsies or Bedouin gypsies.

Without a doubt, singing was considered acceptable and not looked down upon, as long as the one engaging in it did not participate in anything that violated principles of honour and morality. One might refer to Ibn Fadlallah al-Omari's records of singers and praisers who achieved significant fortune and reputation and served monarchs and sultans during the Mamlūk era (Al-Umari 2003, 506, 522, 528, 553, 643). According to Al-Maqrīzī, eight choirs of singers earned a total of 650 dinars and got 50 silk garments at the wedding of Amir Anuk b. Sultan Mohamed b. Qalawun (Al-Maqrīzī 2006, 246).

Al-Maqrīzī's statement is not an exaggeration, as it was normal for singers to receive financial or in-kind presents and grants from the visitors. One of the guests would hold a tambourine and go around the group to collect these gifts and grants (Al-Yunini 1992, 351). When the dignitaries were filled with adoration and excitement, it was their custom to bestow opulent garments and handkerchiefs upon singers as presents. Furthermore, when a prominent dignitary engaged in this practice, his followers would imitate him in unison. Therefore, we have no doubt about the accuracy of the information provided by historians regarding the renowned singers who gained favour with the sultans and amassed great wealth. One such singer is Mohamed al-gatki al-Mardini (محمد الجتكي المارديني), also known as el-katelh (الكتيلة). He was summoned by Al-Nasser Mohamed b. Qalawun from Mardin to join his entourage and was entrusted with teaching slave-girls to sing, resulting in several of them becoming exceptional singers in their own right (Al-Umari 2003, 528). Another singer, known as Ittifaq (اتفاق), earned a substantial amount of money from singing to the point where she was envied by an entire generation during the reign of the sons of Mohamed b. Qalawun (Al-'Asqalānī 1994, 238) (Ibn

Taghrī-Birdī 1949, 149).

## CONCLUSION AND RESULTS

This study unveils the significant and influential role that singers and dancers held in Mamlūk society, irrespective of gender. Contrary to popular belief, they were not subjected to persecution or oppression but rather occupied an indispensable position in communal celebrations such as weddings. Their success in captivating audiences and the substantial financial rewards they received led to the imposition of a tax on their profession by the state. This tax served as compensation for their artistic contributions and was viewed as a form of remuneration for the Amir of *Ṭabl-Khāna* and the *Mihtar*. However, dissatisfaction with this arrangement often led to additional levies being imposed by the Amir and the *Mihtar*.

In response to the singers' grievances, they voiced their concerns to the governor of Aleppo, Amir Qansuh el-Yahyawi. Recognizing the injustice, he issued an order nullifying the additional tax and instead provided compensation to the affected individuals through the provincial bureau. This proclamation, reflecting the governor's decision, was engraved on the walls of Al-Utrush mosque, lending it authenticity and reliability as a historical source that accurately reflects the events as they unfolded.

The inscription pertains to the introduction of an increased tax known as “*manfou*” (منفوع), which surpassed the regular and customary amount. The nullification of this increase and the provision of restitution through government funding served to rectify the harm caused. The thorough examination and comprehension of the inscription's contents reveal its value as an important text that contributes to the cultural legacy of Aleppo. Epigraphy, as a scientific discipline, encompasses the study of such inscriptions, including the incorporation of newly discovered texts, the reevaluation of previously published readings, and the expansion of the collection of Islamic inscriptions.

By shedding light on the historical context surrounding this inscription, this study contributes to our understanding of the societal significance of singers and dancers during the Mamlūk period. It emphasizes the complex dynamics between artists, the state, and the governing authorities, providing valuable insights into the socio-cultural fabric of the era.

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## ملاحظات حول مرسوم الأمير قانصوه الياحياوي بواجهة جامع الأطروش بحلب لإلغاء الزيادة المحدثة في ضريبة ضمان المغاني (1470م/874هـ)

### الملخص

تقدم هذه الدراسة مراجعة وتكملة لقراءة مرسوم مملوكي منقوش على واجهة جامع الأطروش بحلب أصدره نائب حلب الأمير قانصوه الياحياوي سنة (874 هـ / 1470م)؛ ألغى به زيادة أحدثها أمير الطبلخانة ومهتار الطبلخانة على ضمان المغاني المعبر عنها بـ "منفوع المغاني"، والمرسوم لا ينص على إلغاء ضريبة ضمان المغاني، كما أنه لا يتعرض لمنع المغنين والذين يحيون الأفراح من الرجال والنساء والراقصين والراقصات من مزاوله نشاطهم وإنما ألغى منفوع الضريبة.

وقد لفت النقش نظر عديد من المستشرقين فصوروه وحاولوا قراءته، من بين هؤلاء المستشرق إرنست هرتزفيلد الذي اكتفى بنشر ما تيسر له من القراءة، والتي شابها النقص والهتات الكثيرة، ومن ثم لم تعينه السطور التي قرأها على معرفة فحوى النقش فضلاً عن غايته، واستمر على ذلك طوال السنوات الماضية دون محاولة لإعادة قراءته. وقام الباحث بتصوير هذا النقش في عام 2005م قبل أن يتعرض لأضرار كبيرة في الحرب الأخيرة، ومن خلال الاستعانة بالصور القديمة الموجودة بأرشيف إرنست هرتزفيلد وبعض الصور التي نشرها ماكس فون أوبنهايم، ومقارنتها بالصور الحديثة، واستخدام البرامج التقنية التي تتيح تكبير الصور وتعميق ظلال الحروف، توصلت إلى استكمالها بعد جهد جهيد، وبذلك تسهم الدراسة في إضافة نصاً جديداً ذي أهمية قصوى إلى تاريخ حلب.

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### بيانات المقال

تاريخ المقال

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تم استلام النسخة المنقحة في 7 أغسطس 2023

تم قبول البحث في 23 أكتوبر 2023

متاح على الإنترنت في 23 أكتوبر 2023

### الكلمات الدالة

النقوش العربية؛

المراسيم المملوكية؛

ضرائب الغناء والزفاف؛

جامع الأطروش بحلب؛

الأمير قانصوه الياحياوي؛

مهتار الطبلخانة.