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Commercial conflict resolution across the religious divide in the thirteenth-century Mediterranean

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Commercial conflict resolution in the medieval Mediterranean has been treated by a number of scholars in recent years, notably through the use of documents from the Cairo Geniza and the archives of the Italian port of Genoa. Recent research on this subject, and more specifically on contract enforcement, has focused on contract reinforcement within the Mediterranean Jewish community, largely because of the sources available. Parallels drawn with medieval Italian mechanisms of conflict resolution emphasize differences between public- vs. private-order responses, that is, the reliance on personalized groups in the Islamic world rather than on public institutions typical of the Italian port-cities. These studies do not, however, examine how commercial conflicts were resolved across religious and political lines, despite the growing role of Italian merchants in the trade networks of Islamic North Africa, a role that inevitably led to trade disputes and occasional uncollected payments. Through close textual analysis of 14 Latin and Arabic letters exchanged between Islamic Almohad Tunis and Christian Italian Pisa, this article explores how Almohad commercial agents and governmental authorities sought to maintain positive trade relations across the religious divide while protecting the interests of their own clients and citizens when disputes arose over commercial payments and debt collection. Rather than relying on commercial conflict resolution methods specific to one culture or the other, these documents reveal a middle ground of borrowed vocabulary and procedures. Through these letters, Almohad merchants and officials attempted to negotiate through the bonds of personal trust and reputation established with their Italian counterparts. However, they also appealed to Italian sensibilities with hybridized methods recognizable by the legal and public institutions of both cultures.

Keywords: Italy; Pisa; Tunis; piracy; trade; Almohad; Christian; Muslim; trust

In the late summer of the year 1200, two Pisan galleys, accompanied by two smaller ships, entered the port of Tunis.^{1,2} They captured three Muslim ships, one of wty -23 hich was fully laden with goods and passengers and ready to sail, while the other two were only partly loaded. The pirates killed a number of Muslims and mistreated some of the women. A group of Pisan representatives from the town negotiated the release of the remaining passengers and two of the ships. The pirates set sail with the captured vessel, but were stopped by the Almohad fleet at Rās al-Jabal, a port farther along the coast. The Almohad leaders³ on board met with the Pisan captains and threatened imprisonment for all Pisans on land if they did not surrender the captured ship – note that the fleet did not attack the pirates, but merely threatened and negotiated with them. The Pisans abandoned the Muslim ship – seizing all the stolen goods, however – and specified that the authorities should seek restitution from their compatriots still in Tunis, mentioning specifically the Pisan ship *Rondella*, who could then be reimbursed upon their return to

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Pisa. The affair was presented to the newly arrived governor of the region, Abū Zayd ‘Abd al-Raḥmān b. ‘Abd al-Mu‘min, who convened the judge, notables and instrumentary witnesses to hear the testimony and oaths of the ship-owners and passengers concerning the damages done and goods taken. The governor ordered that the Pisans’ wheat be seized and sold in their presence to reimburse the victims, and when that was not enough, he ordered that the Luccans’ wheat be sold, as well. A list of the amounts that the pirates owed their fellow Pisans was drawn up by a Pisan scribe. This list was sent, along with a number of missives from the Almohad governor and the director of the *dīwān*, to the Pisan authorities, informing them of the affair and requesting that the pirates be punished and the Pisan merchants be reimbursed.⁴

This incident, rather than confirming common notions of interreligious conflict in the medieval Mediterranean, demonstrates the possibilities for complex relations between Islamic North Africa and the Christian ports of southern Europe.⁵ This is certainly a pirate attack by Christian vessels against Muslims, and even against pilgrims on hajj, but the attack itself had little to do with religious dichotomy.⁶ Moreover, the Almohad authorities’ response avoided discussion of conflict between the faiths, and sought in fact to maintain peaceful, constructive relations between Tunis and Pisa. In letters to their Christian peers, the Almohad authorities were more concerned with the punishment of the pirates and repayment of debts incurred as a result of the attacks, than they were with interreligious strife. These documents illustrate common processes and enforcement mechanisms for debt collection and commercial conflict resolution that translated across religious boundaries, all of which were meant to ensure the fluid exchange of goods across the Mediterranean. This article analyses two facets of these mechanisms, examining first the more official state reaction to the pirate attacks, and then specific efforts on the part of individual merchants and customs officials to recuperate debts incurred as a result of the attacks.

In addition, through these examples, we shall consider the use of both formal and informal mechanisms for commercial conflict resolution in the medieval Mediterranean. The use of public- vs. private-order responses to commercial conflicts and contract enforcement within the medieval Mediterranean has come under increasing debate in recent years.⁷ Greif has used evidence from the Cairo Geniza to argue that a fundamental difference between the medieval Islamic and Christian worlds was the reliance by Muslim merchants on informal enforcement mechanisms, mainly personal reputation, to implement long-distance trade relations, while Italian merchants used formal contracts and the judiciary.⁸ This claim has been strongly disputed by Edwards and Ogilvie, who argue against the existence of a closed coalition of Maghribī Jewish merchants, and maintain that the Maghribī merchants ‘made widespread and voluntary use of legal mechanisms’ in their disputes both within and outside their community.⁹ More recently, Goldberg has shown that Geniza merchants relied on both formal and informal methods in their long-distance relations, balancing reputation capital with occasional recourse to public officials and both Jewish and Islamic judges.¹⁰ These studies, however, examine only commercial conflicts, as if they occurred within somewhat homogenous cultural spheres, that is relations between Italian merchants or between Muslims and Jews operating within the Islamic world.¹¹

What is interesting about the present case is that it sheds light on how similar commercial conflicts were dealt with when debts were owed between medieval societies with seemingly distinct legal and religious traditions. As commercial relations expanded between the Latin West and the Islamic world, conflicts related to trade, even the most mundane, must have multiplied. There are, however, few studies to date that shed light on

this for the medieval period. This is not to say that scholars have ignored Christian–Muslim commercial or diplomatic relations, but the precise kinds of conflicts at the heart of this article, that is the non-payment of commercial debts owed by members of one culture to another, have been largely left to the side.¹² Perhaps the closest study is Christ’s *Trading Conflicts*, which highlights similar ambiguities between the public and private spheres in Muslim–Christian commercial relations.¹³ Christ’s work examines the interstitial and complicated role of the Venetian consul in Alexandria as he navigated the interests of the Venetian senate and non-resident merchants, the Mamluk sultan, resident Venetian merchants, and local Mamluk authorities, especially the customs inspector. Christ’s analysis produces results similar to those arrived at in the present article, namely that religious identity rarely determined the nature of relations on the ground, and that individuals adapted responses to conflict based on context, personal motivation, and gain, not on religious or political rhetoric.

What emerges from the documents and letters exchanged between Tunis and Pisa following this incident is a similar combination of public- and private-order responses to these problems. Muslim merchants appealed to their Christian counterparts, and played on potential losses of reputation, but they also enrolled Islamic officials in their efforts to collect payment for accounts left unpaid. More importantly, these actions point to a general Mediterranean merchant culture that involved shared cultural norms and expectations of behaviour, while they also highlight the complex multiple identities that individuals activated in their relations as they circulated within that culture.

Sources

Fourteen letters comprise the core primary sources for this study.¹⁴ All 14 are in Arabic, and accompanying Latin translations are extant for two.¹⁵ The letters are currently housed at the Italian State Archives in Pisa, after having been for a time part of the collection at the State Archives in Florence. These letters have been well known to scholars of medieval Mediterranean history since their publication and Italian translation by Amari in 1863.¹⁶ De Mas Latr ie published shortly thereafter his magisterial study of medieval Christian–Muslim diplomatic relations, copiously citing some of the letters in French translation.¹⁷ Scholars of medieval Mediterranean history, and especially of Italy, have since drawn heavily on de Mas Latr ie’s analyses and descriptions, while also relying on Amari’s transcriptions and translations.¹⁸ Italian scholars such as Banti and Tangheroni, and more recently Salvatori, have examined relations between Pisa and Tunis through Amari’s texts, as have French scholars such as Val rian and Ouerfelli.¹⁹ In English, among others, Constable’s study on *funduqs*, as well as Abulafia’s short work on Christian merchants in Almohad cities, have taken advantage of Amari’s transcriptions and translations.²⁰

As Ouerfelli has noted, however, Amari’s transcriptions lack the ‘scientific rigor’ of modern critical editions; basic transcription errors and omissions are unfortunately too common.²¹ The Arabic versions of the chancery letters were re-edited by ‘Azz w  – these are the versions used by Hopley in his recent study – but these also present problems.²² In particular, this edition displays the typical hypercorrections of editors and publishers who have traditionally seen linguistic variants in medieval Arabic texts as errors of scribal transcription, rather than as the often regional or chronological variants and idioms they more frequently were.²³ As part of the research project ‘Imperial Government and Authority in Medieval Western Islam’, Buresi and El Aallaoui, along with other members of Buresi’s graduate and post-graduate seminar, have established new

critical editions of these letters, which follow standards similar to those developed for critical editions of medieval Latin texts, allowing for variants and idiomatic expressions in the original documents; these are the versions that I have used for this article. However, since these editions are not yet published, I refer in citations to Amari's versions, as well as the originals.

Collective responsibility and the state

Almohad officials sent a series of letters to their Pisan counterparts following the pirate attack on their port: a first package in the autumn of 1200, then a second group in early summer of 1201. Two of these were sent by the governor himself, along with a reiteration from the governor of the *amān* (safe conduct)²⁴ granted to the Pisan merchants.²⁵ 'Abd al-Raḥmān b. Abī al-Ṭāhir, director of the Tunis *dīwān*, also sent letters and accompanying documents to the ruling elite in Pisa.²⁶ The Almohads could make ready use of the conflict with Christendom to build their political capital in other instances, and in communications with their own subjects, but left aside religious differences in these letters.²⁷ The governor and the director of the *dīwān* were intent on maintaining beneficial trade relations with the Italian port, and especially on keeping active the treaty signed with Pisa in 1186.²⁸ As noted above, the Almohad fleet did not attack the pirate ships, but detained them to negotiate the release of the remaining Muslim vessel. This goes beyond even the terms of the Pisan-Ifrīqiyan agreement, underlining Almohad desires to maintain peaceful relations.²⁹ In his letter, the *dīwān* director implies that the Pisan authorities must have this same respect, since he describes their representatives in Tunis upbraiding the pirates for having gone against oaths sworn in their home port to do no harm to Muslims.³⁰ The governor's concerns are made clear in the same diplomatic package, since it also includes a reiteration of the *amān* granted to Pisan citizens travelling to Ifrīqiya, and reassurances that nothing would be done to hinder their trading activities.³¹

Abū Zayd 'Abd al-Raḥmān b. 'Abd al-Mu'min does not recall the exact terms of the earlier pact, which required Pisa to punish its citizens who transgressed its terms.³² He and the director of the *dīwān* do, however, remind the Pisans that in order to both reimburse victims and discourage others from taking part in such activities the Genoese typically punished pirates by seizing their houses and vineyards.³³ This was likely also meant as a threat to favour the Genoese if the Pisans did not follow through on their obligations.

The Pisan response is lacking, but they were probably not eager to lose their favoured place to the Genoese, and a response from the governor, 'Abd al-Raḥmān, to Gerardo Visconti, governor of Pisa, in 1202 seems to indicate that the Italian port provided a satisfactory response to the Almohads' demands.³⁴ In fact, a few decades earlier, in 1162 and 1164, the town consuls specifically denied citizenship rights to a ship's captain and his crew because of their 'most wicked and abominable' attacks on Saracen vessels, even while reiterating the protections and rights enjoyed by Pisan citizens.³⁵ The 1186 treaty and subsequent treaties signed with the Almohads demonstrate the importance that Pisa placed on normal trade relations with the Maghrib.³⁶ It is unlikely that these pirates were operating under the official approval of the Pisan authorities.³⁷

The official Almohad reaction to the damages caused by this attack follows very closely the concept of *rappresaglia*, or procedures for reprisal, that would become increasingly common and regularized over the course of the next century in the Christian Mediterranean ports.³⁸ Since Pisa and Tunis did not share the same legal system, there were no sure legal methods for prosecuting and fining the Pisan pirates for the damages they had caused to the Ifrīqiyan passengers and merchants, especially since the treaty left

little room for military retaliation. The Almohad governor thus resorted to reprisal, sequestering the goods of Pisan citizens in Tunis and applying a doctrine of communal solidarity or liability.³⁹ This was not an act of aggression, as one might assume given the use of letters of marque in later conflicts involving corsairs as proxies for professional navies, but rather one of simple debt collection. Sequester and reprisal had been common procedures in the Mediterranean for centuries, since the end of Roman legal and maritime hegemony, and would have been easily understood by all parties involved.

Within the Islamic Mediterranean, sequestering goods was a common form of debt collection employed by the *qāḍī*, or judge, and one that could extend beyond individual merchants to their associates and even communities.⁴⁰ It was so common that the pirates themselves suggested it as they absconded with the goods stolen from the Muslim vessels, probably knowing that the Almohads would prefer to employ clear legal methods rather than risk a direct confrontation. By sequestering the wheat of Pisan citizens to reimburse the victims, the Almohad officials were transferring the onus of responsibility for justice to the Pisan authorities, who were expected to seize the houses of the pirates to reimburse the Pisan merchants in Tunis. When the owners of the *Rondella* returned at the beginning of the next sailing season and informed Almohad officials that they had not been reimbursed, the governor and director of the *dīwān* wrote again to remind Pisan officials of the events, reiterating their respect for Pisan merchants and the treaty, and calling on them to respond in a manner worthy of their station and of their esteem for them.⁴¹

As Beck has argued, reprisals and letters of marque were in essence more a form of state-sponsored debt collection than they were acts of aggression or state-sponsored violence.⁴² There are a few differences between this specific situation and the reprisals that would later become standard procedures between Mediterranean ports. The Muslim victims did not themselves petition the Almohad governor for retribution concerning the damages they had incurred – or, at least, this is not mentioned – as would later be the case, but the progression of events afterwards was very similar. This was a situation where the state employed public-order methods to collect damages for private individuals. Victims testified before Almohad governmental and legal officials, who applied the idea of communal liability and responsibility for debts incurred by members of a foreign community by sequestering goods belonging to citizens from the same locality. Through this process emerges a practice of commercial conflict resolution common throughout the Mediterranean, one that was comprehensible on both sides of the religious divide.⁴³

Equally interesting in this affair were the responses of individual Muslim merchants and customs and legal officials in their efforts to collect debts from Pisan merchants who had fled Tunis following the pirate attack. In this case, in the absence of direct methods applicable across the Mediterranean, local merchants and officials mobilized both public- and private-order practices to persuade their Pisan colleagues to settle their accounts.

Individual merchants and public-order responses

Following the pirate attack in the Tunis port, a number of Pisan merchants hastily fled town, leaving their accounts with local merchants and the *dīwān* unsettled. None of the letters offer any direct explanation for the Pisans' rushed departure, but it may have been because they feared violent repercussions as a result of their compatriots' actions, or it might also have been because sequester and reprisal were so commonly applied that they wished to leave before seeing their goods seized by Almohad officials. Fear of violence was perhaps not irrational, especially since a number of the official letters sent by both the

governor and the director of the *dīwān* specify that Pisan merchants would not be punished because of their countrymen's action.⁴⁴

The initial package of letters sent to Pisa in 1200 included a message from a Tunisian official, named Yūsif b. Muḥammad and identified as *ṣāḥib dīwān Tūnis wa-al-Mahdiyya*, to a Pisan merchant and ship captain named Pace, who had hastily fled the city the previous year.⁴⁵ Both doc. 2, the *amān*, and doc. 3 carry the mention that they were confided to someone named Greco – *per Grecum* and *agrecu* – while doc. 1 states that the *amān* is included with the director's letter. Greco, as we shall see, was a ship captain and merchant active in Tunis and Pisa. Yūsif b. Muḥammad informs Pace of the *amān* or protection for Pisans reissued by the governor, and assures him that he will find only good things in Tunis upon his return. He also informs Pace that his accounts and goods, as well as those of his associates, have been sequestered by the judge until someone comes to claim them. There is no mention of any debts Pace might owe, and so this sequestration seems to have been a protective measure, and not at this point legal repossession as might have happened later.

Interestingly, Yūsif also inquires about Mahdī, brother of the dragoman Wahhāb, 'who was on the ship taken by the galley. Then when the ship was taken, he left with you' (plural, *ma'a-kum*).⁴⁶ He asks Pace to send him with the next group of merchants or to bring him personally. Furthermore, he asks Pace, if Mahdī is not with him, to find him, redeem him, and keep Yūsif informed of the affair because 'he is very dear to me'. This adds considerable complexity to the situation, since, as shown below, Pace maintained friendly relations with many Tunis merchants, and was well-known and appreciated. Pace certainly would not have been among the pirates, but it is unclear why Mahdī would have left with him, or whether the plural you refers to Pace and his associates or to the Pisans in general. What seems likely is that Mahdī was taken captive (even though docs. 1 and 4 state that the Muslims on board were eventually released), and Pace is being asked to locate and redeem him.

Another letter sent to Pace in this same package was written by 'Uthmān the dragoman on behalf of a number of merchants.⁴⁷ He informs Pace that prices are low in Tunis, and that he and his friends – 'Uthmān names Sigiero, Forestano, and Cristiano – will be treated well when they return. 'Uthmān informs Pace of the arrival of the new *ṣāḥib al-dīwān* – here named Abū al-Ḥajjāj, but actually the same person as Yūsif b. Muḥammad – and assures him that this new official will treat Pace and his associates well. He mentions the letter sent by Abū al-Ḥajjāj to Pace, as well as a letter from the *sayyid* to all the merchants – most likely the aforementioned *amān*. There is no reference to Pace's debts, and in fact there is some indication that Pace's having left with merchants owing him money had also complicated matters in the Tunis marketplace, since 'Uthmān and his Tunis colleagues regret that they were unable to settle accounts for his goods. In a subsequent letter (below), this emerges as a problem for the Tunis marketplace.

A number of letters followed from merchants in Tunis to Pace, another Pisan named Forestano, and their associates.⁴⁸ The letters recount what seem to have been substantial debts left unsettled when the Pisans fled the city in 1200, most of which were owed to skin and leather craftsmen, but some also to wool and metal merchants.⁴⁹ Pace, for example, seems to have owed a total of 222 dinars for close to 3,000 skins bought from various merchants.⁵⁰ Delayed payment was a standard practice in medieval marketplaces, in both Christendom and the Islamic world.⁵¹ In North African ports, the *dīwān* acted as a holding and depository agency for foreign and local merchants, maintaining records of sales and purchases, and regulating the settlement of accounts at the end of a trading season.⁵² The precise amounts for the debts the Pisans owed written in the letters of this study indicate

that transactions were recorded. Moreover, a thirteenth-century treaty with Genoa specifies that transactions would be registered with the *dīwān*.⁵³ This policy would have facilitated the collection of duties from foreign merchants. Not all of their payments, however, occurred at the *dīwān*; we see instances of Pace and Forestano having directly paid some merchants a portion of what they owed them, either in specie or goods, but certainly the majority of purchases were recorded and tallied through the customs office at the end of a trading season.⁵⁴ Thus, when the Pisans left precipitously, there was no time to settle their accounts. Slates with individual merchants could be left open for longer periods of time in medieval Mediterranean commerce, and so the situation had not yet reached the point of a commercial conflict.⁵⁵ Nevertheless, the Maghribī merchants were clearly concerned and began employing the formal and informal methods familiar to them for resolving such problems. This is what led two separate instances of Almohad authority, the *qāḍī* and the *dīwān*, to intervene and attempt to resolve the commercial problems that emerged in the short time following the pirate attacks.

Ibn Qassūm, the *dīwān* official – referred to as *al-qābid*, or collector – most associated with this affair, was seeking to collect debts from local merchants owed to accounts with the *dīwān*, and merchants such as Hilāl b. Khalīfa were encountering problems because of the situation.⁵⁶ Uthmān the dragoman also refers to this when he writes, ‘many of us regret that you were not present so that we could settle [accounts for] your cargo. The *sultān* [...] regrets this as well.’⁵⁷ A common feature of treaties signed between Tunis and the Italian ports was the stipulation that all sales conducted in the presence of a representative of the *dīwān*, whether within the *dīwān*, at the auction market, or in the *sūq*, were final and backed by the *dīwān*.⁵⁸ A later treaty specifies that the *dīwān* would force merchants to honour sales and agreed prices.⁵⁹ As we shall see below, Pisan merchants typically used dragomans as intermediaries in their interactions with local merchants. This was probably due to the practical need to have a competent translator present, but also because it implied state guarantees of payment.⁶⁰ Ibn Qassūm was thus applying the rules of exchange as stipulated in treaties signed with Pisa in settling accounts recorded with the *dīwān* and collecting payments owed by local merchants to the Pisans.

Because of the complicated nature of the debts of Pace and his associates, the *qāḍī* sequestered accounts owned by Pace and his colleagues at the *dīwān*.⁶¹ To complicate matters further, the funds available in the Pisans’ *dīwān* accounts were insufficient to cover all of their debts. Thus, no one could be paid from those accounts until their return to Tunis, even though Ibn Qassūm was collecting payments from those who owed the Pisans, which placed local merchants in a difficult situation. In addition, commercial goods that Pace had left as payment to specific merchants were sequestered by the director of the *dīwān*. Additional letters show that Pace was not the only merchant in this situation. Forestano’s accounts were also blocked until his return, and he and his associates were asked to either come quickly to regularize their situation, or send money and a letter notarized by the Pisan authorities and themselves authorizing their agent to liquidate their accounts.⁶² Once again, there is no indication of religious antagonism, and in fact we even see indications that Pace and his associates were involved in trading copper and other metals normally banned from trade with the Muslims.⁶³ The sequestration, moreover, was not a punitive measure, and was taken in part to protect the Italian merchants. In his letter to Pace, Yūsuf b. Muḥammad of the *dīwān* juxtaposes the good things that await him in Tunis with the fact that the *qāḍī* is holding the Pisans’ goods until someone comes for them.⁶⁴ These were simply the public-order processes engaged to regularize payment by both local and foreign merchants.

These processes were not peculiar to this situation. Geniza letters likewise show interventions by judicial or governmental officials, sequestering goods sometimes at the request of merchants involved in a trade dispute.⁶⁵ As Goldberg notes, this could entail inconveniences for the merchants involved, since payments, goods and accounts were blocked until the situation was regularized. The Italians' individual clients and creditors certainly express their frustration with this situation and their inability to collect payment from the Italians or their *dīwān* accounts. Refused payment by the *qāḍī* and the *dīwān*, the Tunis merchants thus turned to the formal and informal means at their disposal to encourage Pace, Forestano and their associates to honour their obligations.

Individual merchants and private-order responses

The measures taken by the Almohad authorities did not solve the problems of individual merchants. In fact, they exacerbated them by preventing payment from sequestered accounts to all those owed money by Pace and the other Pisans. The Tunis merchants were thus forced to seek restitution via other channels, employing means familiar to members of the merchant community throughout the Mediterranean.

In the merchant letters sent to Pace and the other Pisans, the writers take care to associate each transaction for which payment was still owed with an official witness. As noted above, treaties stipulated that all transactions witnessed or facilitated by a dragoman or official representative, no matter the location, were final and enforced by the *dīwān*. Dragomans were much more than simple translators. They were agents of the *dīwān* and served as instrumentary witnesses for commercial transactions and legal matters related to the *dīwān*.⁶⁶ They held responsibility for recording those transactions outside the *dīwān* that they facilitated. Lydon has remarked that later medieval Islamic commercial practice relied on what she calls a 'paper economy of faith' based on oral testimony, shared religious values and written contracts that enshrined both. Lydon also notes, however, that Islamic law privileged oral testimony as legal proof, and at least two credible witnesses were required in addition to whatever written document could be provided.⁶⁷ Thus, even though the *dīwān* kept records of foreign merchants' sales and purchases, credible witnesses were still an essential part of legal contracts. Dragomans thus acted not only as facilitators, but also as mobile agents and witnesses of the *dīwān*. They were the guarantors of the Almohad government's respect for commerce.⁶⁸

The Maghribī merchants were thus careful to list each of the dragomans that had participated in their commercial dealings with the Pisans. Although it is not clear whether the *dīwān* also enforced purchase agreements made by the Pisans for goods from local merchants, it is a possibility. At the least, the merchants clearly stated that these were legally binding sales,⁶⁹ since they had been transacted through official agents of the *dīwān* who could testify to the veracity of their claims. One merchant, Hilāl b. Khalīfa, even specifies to Pace that the sum owed had been notarized. Until the Italians returned, however, there was little that could be done through legal channels.

In the personal letters sent to Pace and the other Pisans, the Maghribīs make direct appeals to the sense of duty and reputation of their commercial colleagues. In many ways, these letters read similarly to those from the Cairo Geniza, in which merchants appealed to their partners' propriety and honour and played on their need to maintain their reputation capital to successfully conduct business in this world. Greif has advanced that a multilateral reputation mechanism was the prime form of enforcement for long-distance trade relations and determinant in merchant-agent conduct in the Islamic Mediterranean, as manifested in the coalition of Maghribī traders.⁷⁰ Although Edwards and Olgilvie have

argued that such a coalition did not exist – in that the network of traders was neither exclusive nor clearly defined – their analysis of Geniza letters confirms the importance of reputation in merchant relations.⁷¹ More recently, Goldberg has demonstrated that the Maghribī traders relied on a combination of private- and public-order enforcement mechanisms. She also shows that 18% of Geniza letters were occupied with the behaviour of merchants: commenting on a third party, defending oneself – sometimes in response, sometimes pre-emptively – or reminding a correspondent of his reputation and duties.⁷² Outside the world of Maghribī traders, Michienzi has highlighted the importance of trust and the use of letters in policing reputation in the correspondence of the late-fourteenth-century Florentine Datini company.⁷³

Although these relations are not the same as those presented by Greif or Goldberg – these were not members of a trade diaspora or coalition, nor is this a question of long-distance commission agency – they exhibit many of the same characteristics. These were commercial relations that implied trust and allowed deferred payment in exchange for goods rendered, but wherein, as seen here, the possibility of non-payment was present. We see no mention of agency relations between Pace, Forestano or any other of the Pisan merchants and their Maghribī colleagues. What is clear, however, is that repeated transactions and commercial interactions between individuals of different faiths over a period of time led to an atmosphere of trust, one that was supplemented by the possibility of intervention and enforcement by governmental institutions. Issues of trust and credit obtained at this point of articulation between two networks created, in fact, their own network of communications and contact.

Pace was well-known in Tunis. An important official at the *dīwān* wrote to him personally to inform him of the *amān* issued after the attack, asking him also to intercede for him in a personal matter.⁷⁴ Pace had dealings with close to a dozen merchants, plus the dragomans who facilitated the transactions. He was not only an important merchant, but also a ship owner and so responsible to some extent for his passengers – or at least merchants in Tunis hoped he could exert some influence on them. He had served as a reference for a number of the other Pisans who otherwise would not have been afforded the long credits that they now owed.⁷⁵ In the end, he was responsible for their debts, and he had put up his own reputation capital as collateral for their credit. One merchant, Manād, informs Pace that he is responsible for all those on his ship, because he is the captain on whom the Maghribīs are counting.⁷⁶ He even reminds Pace that men are recognized in their actions, imploring God in passing to show him this.

These same pleas are made to the other Italian merchants, playing similarly on their reputations and calling on them to honour their obligations. The leather merchant Ṣadaqa writes to Forestano and his associates to remind them of their debts. Since they are ‘men of honour’, Ṣadaqa writes that ‘they will do what is right’, and, in fact, there is no need to remind them of their duties since they are ‘honest men’.⁷⁷ The leather merchants ‘Īsa and ‘Abd Allāh, in writing directly to Bentivegne, another of Pace and Forestano’s associates, ask him to ‘act with [them] as do those merchants who honour their debts and respect the law’, while noting that there is no need to instruct him in this affair.⁷⁸ The Tunis merchants, moreover, associate the Italians’ behaviour with their moral character, and thus with divine approbation. Immediately after exposing his problems to Pace by enumerating his and his companions’ debts, Hilāl b. Khalīfa concludes his letter by calling the mercy and benediction of God on those who follow the straight path.⁷⁹ Although this is a common benediction, drawn from Qur’ān 20:47, it seems particularly well-placed here. Ibrahim b. Khalīfa likewise concludes with this citation, immediately after noting that Pace and Forestano are now aware of the situation.⁸⁰

In the end, little could be directly done to force Pace, Forestano or the other Pisans to honour their debts. Their accounts and goods might eventually be sequestered and sold to settle part of their accounts, and perhaps other Pisan merchants present at an inopportune moment might have seen some of their goods confiscated to supplement the reprisal, but this was obviously not the result desired by the Maghribī merchants and Almohad officials. The Tunis merchants were not simply seeking payment for their goods, at least not all of them. They were also eager to continue a trading relationship with Pace and his colleagues. In his letter to Forestano, Vivianus (*Ffyān*), Balnāṭ Krk, and Alban, the leather merchant Ṣadaqa suggests the option of sending a certified letter to free their accounts, but writes that it would be best if they came in person to Tunis, ‘because goods are inexpensive and you will find here security and abundance even more than usual’.⁸¹ These were not ‘end-game norms’ employed when parties see no solution and have no intention of continuing business relations, but rather represent the concerted efforts of merchants intent on safeguarding future profitable exchange.⁸²

Rupture would have been equally undesirable for the Pisans. Pace had spent years acquiring reputation capital in his dealings with the Maghribī merchants, and he was presumably not likely to discard that investment easily. As noted above, Pace was personally familiar with officials in the *dīwān* and probably more than a dozen merchants. ‘Uthmān the dragoman informs Pace that he is doing well, and concludes his letter to the Italian merchant with a greeting to the man’s children.⁸³ Although not directly addressed in these letters, another merchant and ship-owner, Greco, seems to have been equally invested in the Tunis market and equally implicated in the problems of unpaid debts. In the address of three letters, including the reiterated *amān*, Greco is specified as the carrier.⁸⁴ Given that these letters seem to have been sent in the same package as the official letters from the governor and director of the *dīwān*, Greco must have enjoyed a position of trust with the Tunis authorities and merchants. Following the attack, he remained in Tunis longer than Pace and took the time to make arrangements with Ibn Qassūm and at least one merchant, Hilāl b. Khalīfa. Although Greco left before paying his debts – and Pace is asked to remind his compatriot of them – his departure was probably not in secret. As ship-owners, Pace and Greco perhaps had the option of travelling to other North African ports, where they might also have created local ties, but the combination of Almohad governmental structures and reputation-based trust would have inhibited their economic possibilities elsewhere.

The outcome of this situation is not known, but the lack of further correspondence may indicate that the Italians’ debts were eventually paid. Operating within their home port, the Pisans may have employed enforcement mechanisms for debt collection that fell more into the public domain, but they still understood and relied on reputation as a facilitator for credit.⁸⁵ Pace, Forestano, Greco and the others – known as they were to the *dīwān* officials, dragomans and merchants – would not have been able to return to Tunis without honouring their debts. The system of delayed payment and credit arbitrated in part by the state required recognized reputation. In this series of events, public-order methods stabilized market relations, while the merchants employed private-order mechanisms to encourage their Pisan peers to follow in trading practices that would benefit all involved.

Conclusion

In conclusion, we should return to the question of formal and informal enforcement in commercial conflicts within the medieval Mediterranean. Goldberg and Edwards and Ogilvie have shown that merchants of the Islamic Mediterranean applied both public- and

private-order methods in seeking restitution and debt repayment amongst themselves. The Tunis-Pisa letters discussed here demonstrate that these merchants also applied them outside their own group, across the religious divide. The Pisan merchants presumably were susceptible to these methods, since we find no further mention of the incident in the Pisan archives. The pirate attack on Tunis and the diplomatic exchange that followed led to the fortuitous preservation of these letters. However, this was most likely not the only time that Maghribī merchants had to resort to epistolary strong-arming in relations with their Italian counterparts, especially since Mediterranean commerce was based in large part on credit, and the Cairo Geniza abounds with letters from merchants haranguing their partners for owed funds. The documents analysed above indicate that this was not reserved to residents of the Islamic world, and that merchants from Tunis fully expected these methods to be effective on their Pisan trading colleagues. In expressing bonds of friendship and trust, the merchants were outlining ties of reciprocity.⁸⁶ The letters also clearly indicate that foreign traders were not immune to the actions of the state, and public-order mechanisms could be – and were – enacted in ways recognizable throughout the Mediterranean. The use of reputation as a regulating factor of business relations in situations that required trust, whether in long-distance trade or in the extension of credit, was ubiquitous, as was the eventual recourse when possible to public-order measures that reminded partners and clients of their obligations. From the Maghribī Jewish merchants of the eleventh century to their Sephardic counterparts in the seventeenth – and including the agents of the late-medieval Florentine Datini company – this was the usual framework for commercial activities within and between cultural groups. It is not surprising, then, that we see the same mechanisms activated in thirteenth-century Tunis. As studies of this nature accumulate, it becomes increasingly apparent that these practices were common across the Mediterranean, providing a shared language of commercial interaction, intelligible and applicable regardless of religious affiliation. Dichotomous depictions of these relations, in fact, serve little use, except as a reminder of the multiple identities at play at any given time in the complex world of Mediterranean trade.

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Notes

1. This article contributes to ‘Imperial Government and Authority in Medieval Western Islam’ (IGAMWI), a research project financed by the European Research Council Starting Grant 263361. Although previous editions exist, as cited below, I am collaborating with Pascal Buresi on a new critical edition, English translation, and analysis of the letters and documents of the present study. For reasons of convenience, the documents cited will be numbered following the order of their listing in *Amari, I diplomati arabi*, and are listed in order at the end of this article.

2. (Hereafter doc. 1) Archivio di Stato di Pisa (hereafter ASP), Atti Pubblici, Dipl. cartaceo, 1200 settembre 9; [Amari](#), *I diplomi arabi*, I:23–28, n. 6. Latin version: ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre; [Amari](#), *I diplomi arabi*, II:276–7, n. 18.
3. Referred to as *al-ṭalaba*, the ‘learned’ of the Almohad caliphate. Originally missionaries of the Maḥdī Ibn Tūmart, the *ṭalaba* acquired governmental and military responsibilities within the caliphal administration, especially the fleet. See [Buresi and El Aallaoui](#), *Governing the Empire*, 58–60.
4. The *dīwān* was a governmental agency responsible for tax collection and customs dues. As indicated by ‘Abd al-Raḥmān b. Abī Ṭāhir’s different titles in Latin and in Arabic in doc. 1 – *al-nāẓir bi-dīwān Ifrīqiya* and *rector omnium Christianorum qui veniunt in tota provincial de Africa* – the *dīwān* was also responsible for the non-resident Christians who were in Tunis and Ifrīqiya. This included managing a kind of escrow account for foreign merchants from which local merchants could be paid, as well as overseeing the legal observation of commercial sales between foreign and local merchants. See [de Mas Latrie](#), *Traité*s, 186ff. See also [Valérien](#), “Les marchands latins dans les ports musulmans,” 444–7.
5. On Pisa-Tunis relations, see: [Banti](#), ‘I trattati tra Pisa e Tunisi’, 321–50; [Banti](#), ‘I rapporti tra Pisa e gli stati islamici’, 9–26; [Tangheroni](#), ‘Sui rapporti commerciali’, 75–90. See also [Tangheroni](#)’s more general *Commercio e navigazione*. [Russell J. Hopley](#) has treated this incident as part of a recent article: ‘Aspects of Trade’, 5–42.
6. (Hereafter doc. 6) ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre ?; [Amari](#), *I diplomi arabi*, I:43–4, n. 12. Referring to the fact that many of the passengers were North African pilgrims on hajj, Hopley has asserted that much of the assault was thus ‘religious in nature’ and considered a ‘particular indignity’, Hopley, “Aspects of Trade,” 24. As Buresi notes, however, the notarized testimony sent to the Pisan authorities specifies this, not because of any particular religious significance, but to make plain the fact that the ship, its passengers, and their belongings were Ifrīqīyan – ‘there was only one man from Alexandria and he had only a few things’ – and so were protected by the treaty signed in 1186. “Les documents arabes,” 25.
7. The idea of public vs. private, or formal vs. informal, is somewhat problematic for this period. Lines certainly were blurred between what would become more distinct spheres in the modern period. As we shall see, persons associated with the Almohad state acted as both officials and as individuals in this situation, without necessarily dissociating themselves from their other identities. The same is likely true for the Pisans, some of whom may have held political office, or at least political sway back home. Nevertheless, it is interesting to note how these individuals blended what were essentially legal and extra-legal means in seeking resolution to the problems that arose as a result of this pirate attack.
8. Originally proposed in his “Reputation and Coalitions”, 857–82. See, more recently, [A. Greif](#), *Institutions and the Path to the Modern Economy*, and [A. Greif](#), “The Maghribi Traders”, 445–69. More specifically on Genoese trading practices, see [Van Doosselaere](#), *Commercial Agreement and Social Dynamics*.
9. [Edwards and Ogilvie](#), “Contract Enforcement”, 421–44.
10. [Goldberg](#), “Choosing and Enforcing Business Relationships”, 3–40.
11. [Ackerman-Lieberman](#)’s newly published book, *The Business of Identity*, makes considerable progress on highlighting what were in fact distinct practices by Jewish merchants operating in the Islamic Mediterranean.
12. A number of studies examine treaties and diplomatic correspondence, or the presence and activities of Christian merchants in Muslim ports. In addition to those cited in the bibliography, readers may profitably consult: E. Ashtor, *Levant Trade in the Later Middle Ages*; D. Coulon, *Barcelone et le grand commerce d’Orient au moyen âge: un siècle de relations avec l’Egypte et la Syrie-Palestine (ca. 1330-ca. 1430)*; Ch.-E. Dufourcq, *L’Espagne catalane et le Maghrib aux XIII^e et XIV^e siècles*; B. Doumerc, *Venise et l’émirat hafside de Tunis*; S. Epstein, *Purity Lost: Transgressing Boundaries in the Eastern Mediterranean, 1000–1400*; G. Jehel, *L’Italie et le Maghreb au moyen âge: Conflits et échanges du VII^e au XV^e siècle*. On the Geniza itself, the repository of documents kept by members of the Jewish community in Fustat, see [Goitein](#), *Mediterranean Society*, 1–28.
13. [Christ](#), *Trading Conflicts*.
14. See Appendix 1.
15. Latin translations are available in [Amari](#), *I diplomi arabi*, for docs. 1 and 4, although the Latin document for doc. 4 is unavailable in the Pisan archives.

16. [Amari](#), *I diplomati arabi*. See Appendix 1 for the exact references for the letters in this work.
17. [De Mas Latrie](#), *Traité*s, esp. 55–60.
18. Eight of the letters (docs. 1, 3, 4, 5, 8, 10, 11, and 12) were presented in English translation based on Amari's transcriptions in an unpublished 1966 dissertation, but few if any scholars seem to be aware of them; see [Samarrai](#), "Europe in the Medieval Arabic Sources," 252–68.
19. [Banti](#), "I rapporti", 9–26; [Banti](#), "I trattati", 321–50; [Tangheroni](#), "Sui rapporti commerciali", 75–90; [Salvatori](#), "Corsairs' Crews", 32–55; [Salvatori](#), "Il corsaro pisano", 31–56; [Ouerfelli](#), "Personnel diplomatique", 119–32; [Ouerfelli](#), "Les traités de paix", 45–58; [Valérian](#), "Les marchands latins", 107–10; [Valérian](#), "Marchands latins", 213–24.
20. [Constable](#), *Housing the Stranger*; [Abulafia](#), "Christian merchants."
21. [Ouerfelli](#), "Traité de paix," 47.
22. 'Azzāwī, *Rasā'il muwahhidiyya*, 176–7, 212–17, 220–5; [Hopley](#), "Aspects of Trade," 24–33.
23. As Buresi has noted, this hypercorrection results from a 'belief in the unity and uniqueness of classical Arabic [...] This belief has led editors to correct, or even rewrite in completely good faith, sources whose 'deviations' they attributed to incompetent copyists or transmitters'; private correspondence, 24 October 2014.
24. On *amāns*, or safe-conducts granted to alien non-Muslims, see [Wansborough](#), "The Safe-Conduct in Muslim Chancery Practice", 20–35.
25. The first of these was sent at the end of Dhū al-qa'da 596 (September, 1200). 'Abd al-Rahmān briefly discusses the events and mentions that he has not let the caliph know about this (otherwise, he hints, Pisan lives would be at risk); he hopes the Pisans will take care of this as the Genoese do. He reiterates his desire to see the perpetrators punished, but also restates that the Pisans enjoy *amān* in Tunis and that they will not be held responsible: (hereafter doc. 4) ASP, Atti Pubblici, Dipl. cartaceo 1200 settembre 11; [Amari](#), *I diplomati arabi*, I:33–5, n. 9 (also in 'Azzawī, *Rasā'il muwahhidiyya*, I:215–16, n. 47); the Latin version ([Amari](#), *I diplomati arabi*, II:278–9, n. 19) is missing from the inventory of the Pisan archives. The second letter was sent at the beginning of Ramaḍān 597 (June 1201). 'Abd al-Rahmān again writes that the Pisans are treated correctly in Tunis, including those of the *Rondella*, and repeats his request that justice be served and that the owners of the *Rondella* be indemnified: (hereafter doc. 7) ASP, Comune di Pisa, Div. A n. 80, ins. 5: 1201 giugno 5; [Amari](#), *I diplomati arabi*, I:45–7, n. 13.
26. In Arabic he is referred to as *al-nāẓir bi-dīwān*, and in Latin as *rector omnium Christianorum qui veniunt in tota provincia de Africa*. Almost three centuries later, [Anselmo Adorno](#) would describe the head of the *dīwān*, *Saab Dugarie*, as one who had 'authority over all foreigners and merchandise that entered the port of Carthage and the city of Tunis' (*qui est dominus super omnes personas extraneas et forenses et super omnes merces intrantes in portu Cataginis sive in civitate Thimesii*) (*Itinéraire d'Anselme Adorno*, 136–9; cited in [Gourdin](#), "Marchands étrangers," 439–40). Perhaps reflecting the political crisis facing the Almohads in Ifrīqiya, and their loss of control over much of that territory at this time, Ibn Abī al-Ṭāhir is *al-nāẓir bi-dīwān Ifrīqiya* in doc. 1, but *al-nāẓir bi-dīwān Tunis* the following year ([Buresi](#), "Les documents arabes", 24, n. 10). Doc. 1 was part of the original package sent in 1200, describing the details of the attack, its aftermath, and Almohad expectations. The second letter (hereafter doc. 5), sent with the second group of letters in June 1201, briefly reviews the incident and notes that the owners of the *Rondella* had returned to Tunis and informed the *dīwān* that they had not yet been indemnified; the Pisans are requested to correct this and carry out justice. The *dīwān* director also notes that, although the original testimony and list of Pisans in need of indemnification sent with the first group was without a seal, it was nevertheless official. ASP, Comune di Pisa, Div. A n. 80, ins. 4: 1201 maggio 27; [Amari](#), *I diplomati arabi*, I:38–42, n. 11. Accompanying doc. 5 was a notarized document (doc. 6 cited supra) confirming testimony about the attack and signed by witnesses. Buresi has speculated that this was in response to Pisan efforts to sidestep or delay responsibility, citing either the earlier lack of an official seal, or that the victims were not primarily from Ifrīqiya "Documents arabes," 25.
27. See, for example, [Buresi and El Aallaoui](#), *Governing the Empire*, *taqdīm* 6, 282–3. [Christ](#) presents an interesting discussion of Mamluk efforts to harmonize *jihād* and trade relations with Venice in his "Masked Cooperation."
28. Bernardo Maragone mentions a non-extant treaty signed in 1133, while official letters from the ruler of Tunis detail terms negotiated in 1157 and again in 1186 ("Annales Pisani," 9); [Amari](#), *I diplomati arabi*, I:1, 1–7, I:5, 17–22, and II:6, 255–6.

29. According to the 1186 treaty, Pisans in violation of the pact could be sold into slavery or be punished as the Almohad power deemed appropriate; [Amari](#), *I diplomati arabi*, I:5, 21.
30. Doc. 1, Arabic I. 12–3, and Latin I. 12.
31. (Hereafter doc. 2) ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre?; [Amari](#), *I diplomati arabi*, I:29–30, n. 7.
32. [Amari](#), *I diplomati arabi*, I:5, 20–1
33. Docs. 1 and 4. The Arabic version of Ibn Abī al-Ṭāhir’s letter omits the Genoese reference, which may indicate that the translating scribe responsible perhaps for both Latin letters added this clarification taken from the governor’s letter in Arabic two days later. See [Buresi](#), “Traduttore, traditore,” on the interventions by translators, most likely working within an official Pisan framework, in the Latin version of doc. 9 in an effort to either clarify certain points or render Almohad rhetoric palatable to a Christian audience.
34. ‘We have considered your letter manifesting your desire to serve our powerful rule – May God cause it to endure – and your wishes, calling our attention to the Pisan merchants coming from your home and your wishes concerning them. For those that come from your lands, and in accordance with your wishes, we will keep them, we will protect those who accompany them, we will facilitate their undertakings and simplify their projects, thus honouring you through them.’ ASP, Atti Pubblici, Dipl. cartaceo, 1202 marzo 23; [Amari](#), *I diplomati arabi*, I:65–71, n. 21.
35. [Banti](#), *Brevi dei consoli*, 46, 64, 74. Trapelicino later joined the Genoese against Pisa (see [Maragone](#), “Annales Pisani,” 35; see also [Salvatori](#), “Corsairs’ Crews”, and “Il corsaro pisano”).
36. Extant treaties between Almohad Tunis and Pisa for the thirteenth century date from 1234 and 1264 ([Amari](#), *I diplomati arabi*, II:28–9, 292–302).
37. Both Buresi and Hopley see the attack as a premeditated test of Almohad responses during a time of extreme crisis along the eastern borders of the Caliphate ([Buresi](#), “Les documents arabes,” 26; [Hopley](#), “Aspects of Trade,” 27. Hammam also points out the quasi-concomitance of the pirate attack and the insurrection led by the Banū Ghaniya, with whom the Pisans enjoyed excellent relations ([Hammam](#), “Relations commerciales,” 50–2). I do not doubt that Pisan authorities might have known about the problems plaguing Almohad rule in Ifrīqiya, informed by Pisan merchants or diplomatic officials with local knowledge. I do not, however, interpret the lack of an immediate response – which may be simply lacking from the surviving correspondence and seems even to be alluded to in the second batch of missives – as an indication of active approval of the attack.
38. On *rappresaglie*, see [del Vecchio and Casanova](#), *Le rappresaglie nei comuni medievali*. On reprisal and letters of marque in the later medieval Mediterranean, see [Beck](#), “Seizing Liberties.” I would like to thank Christopher Beck for his gracious responses to numerous questions concerning reprisal and marque. For reprisal and letters of marque more specifically on the sea, see [Dick](#), “Framing Piracy,” especially 84–102, and [Sohmer Tai](#), “Honor among Thieves.”
39. [Beck](#) (“Seizing Liberties,” 57) defines this as ‘meaning every individual in a commune was responsible for crimes perpetrated by his or her co-nationals’. Both articles cited by Beck provide a helpful introduction to this doctrine and the problem of denial of justice in medieval jurisprudence ([Spiegel](#), “Origin and Development;” [Lissitzyn](#), “Meaning of the Term.” Greif refers to this as a ‘community responsibility system’, in which members of a different community were held responsible for the (mis)deeds of their colleagues (*Institutions*, 310).
40. [Goldberg](#), *Trade and Institutions*, 162.
41. Docs. 5 and 7.
42. [Beck](#), “Seizing Liberties,” 45–56.
43. Although prevalent, reprisal and communal liability would become a common point of negotiation in treaties signed between Christian ports and their North African counterparts. Treaties signed between Pisa and Tunis in 1313 and 1353 would specifically prohibit holding individual Pisans responsible for the misdeeds or debts of their countrymen. In reference to this, de Mas Latrie has argued that the lack of a Pisan response in this incident indicates resistance to these ‘irregular’ measures that would eventually force the Muslims to change these ‘arbitrary’ measures they ‘generally followed among themselves’ (*Traités*, 57–8, 92–3). As Buresi notes, this ‘occidento-centric’ argument fails to take into account medieval Mediterranean maritime legal culture, and draws too quick a comparison between events and exchanges a century apart (“Documents arabes,” 27). Moreover, as noted above, the 1202 letter seems to indicate that there was, in fact, a positive Pisan response.

44. Docs. 1, 4, 5, 7.
45. (Hereafter doc. 3) ASP, Atti Pubblici, Dipl. cartaceo, 1200 Settembre ?; [Amari](#), *I diplomi arabi*, I:8, 31–2.
46. Doc. 3.
47. (Hereafter doc. 10) ASP, Comune div. A, n. 80, ins. 12, sec. XIII; [Amari](#), *I diplomi arabi*, I:16, 53–4. This letter was likewise sent *per Grecum*.
48. Doc. 8: ASP, Comune div. A n. 80 ins. 10 sec. XIII; [Amari](#), *I diplomi arabi*, I:14, 48–9. Doc. 9: ASP, Comune div. A n. 80 ins. 11 sec. XIII; [Amari](#), *I diplomi arabi*, I:15, 50–2. Doc. 11: ASP, Comune div. A n. 80 ins. 13 sec. XIII; [Amari](#), *I diplomi arabi*, I:17, 55–6. Doc. 12: ASP, Comune div. A n. 80 ins. 14 sec. XIII; [Amari](#), *I diplomi arabi*, I:18, 57–9. Doc. 13: ASP, Comune div. A n. 80 ins. 15 sec. XIII; [Amari](#), *I diplomi arabi*, I:19, 60–2. Doc. 14: ASP, Comune div. A n. 80 ins. 16 sec. XIII; [Amari](#), *I diplomi arabi*, I:20, 63–4. These letters are all in Arabic, with no extant Latin translation. They are, however, addressed in both Arabic and Latin, presumably to aid their delivery in Pisa: *In manu pacis, In manu pacis et forestani, Forestano et sociis eius, Bentivegne*. Given the reputation capital of both Pace and Forestano with their Ifrīqīyan counterparts, and the probable time invested there, it is possible they would have been able to read Arabic.
49. This correlates with trade patterns between Europe and North Africa in the later Middle Ages (see [Valérien](#), *Bougie*, 378–99; [Rouighi](#), *Making of a Mediterranean Emirate*, 81–4; [Michienzi](#), *Datini*, 197–202, 207–17).
50. Docs. 8, 9, 11, and 12.
51. Christ describes somewhat similar practices by Venetian merchants for the pepper trade in fifteenth-century Alexandria (*Trading Conflicts*, 232).
52. We read throughout the letters statements such as ‘Ibn Qassūm (a director in the *dīwān*) says [Pierro] has only six dinars left [in his account]’; ‘Ibn Qassūm says there is nothing of yours in the *dīwān*’; and ‘the *dīwān* replied, “We will pay you nothing until the merchants return to take their money and pay you what the owe”’: docs. 8, 12, and 13.
53. [Valérien](#), “Marchands latins et sociétés portuaires,” 221–2; [de Mas Latrie](#), *Traités*, 126.
54. Pace seems to have sold copper to a merchant who was to pay Pace’s debts with others (doc. 12). In other letters, we see Pace or Forestano practising a mix of direct monetary payments and ledger transfers through the *dīwān*, leaving a portion unpaid: ‘Of this sum, you recorded 124 and $\frac{1}{4}$ dinars for me with the *dīwān*; at your house (*fī baytik*), you paid me ten dinars through ‘Uthmān the dragoman. This leaves 37 dinars for you to pay’ (doc. 11).
55. [Goitein](#) writes that two months was the standard period for credit, although this could often be extended (*Mediterranean Society*, 197–8). [Goldberg](#) estimates that 17% of Geniza merchant letters are concerned with delays of payment, another indication of the widespread use of credit and deferred payment within the Islamic Mediterranean (*Trade and Institutions*, 81, and “Geographies of Trade,” for a more complete discussion).
56. Doc. 8: ‘Ibn Qassūm has given us nothing, but has demanded what we owe.’
57. Doc. 10.
58. [Valérien](#), “Marchands latins et sociétés portuaires,” 221–2. For Pisa, this first explicitly appears in the 1264 treaty with Tunis ([Amari](#), *I diplomi arabi*, II:29, 299–300). It appears in an earlier treaty with Genoa in 1250 ([de Mas Latrie](#), *Traités*, 2:119, doc. 7, art. 6).
59. [Amari](#), *I diplomi arabi*, II:35, 321.
60. Valérien has argued that Muslim authorities developed these policies to direct as much as possible of the Christians’ commerce through the *dīwān*’s supervision to ensure proper taxation (“Marchands latins et sociétés portuaires,” 222).
61. Docs. 3, 8, 9, 12, 13.
62. Doc. 13. This letter would seem to indicate an intercultural legal system, or the recognition of common means of legal representation, here using the term *wakāla* for the proxy. Doc. 9 likewise suggests that a merchant send a power of attorney to regularize his affairs.
63. Doc. 9 mentions debts owed by ‘those who brought the steel’, and both docs. 9 and 12 refer to copper left by Pace, in partial payment or in an unfinished transaction.
64. ‘Come, there are only good things here for you, and what was set aside for your companions was deposited with the *qāḍī* who is keeping it in escrow until someone comes to take it, if God wills it.’ Doc. 3.

65. See for example [Simonsohn](#), *Jews in Sicily*, doc. 32, p. 24 (Cambridge, T-S 10 J 6.1); doc. 59, pp. 92–3 (Cambridge, T-S 8 J 25.3); doc. 122, p. 258 (Cambridge, T-S 16.179); [Goldberg](#), “Choosing and Enforcing Business Relationships,” 29.
66. Dragomans were appointed by the *dīwān* to serve specific foreign nations, subject to the approval of those nations. In a letter from 1204, Aḥmād b. Tamīm asked a Pisan magnate to recommend him to the director of the Bijāya *dīwān* so that he could offer the Pisans his services both as a translator in all their affairs and as a broker at the auction market ([Amari](#), *I diplomi arabi*, I:25, 75–7). He even specifies that it was customary that the Pisans would have as translators or brokers only those whom they had chosen.
67. [Lydon](#), *Trans-Saharan Trails*, 278.
68. In this capacity, dragomans could even act as judges in disputes between Christians and Muslims, as stipulated by an article in the 1234 treaty between Tunis and Pisa, one that specifies that this was already the custom ([de Mas Latrie](#), *Traités*, 2:33, art. 9).
69. Doc. 9.
70. [Greif](#), *Institutions*, 59ff and [Greif](#), “Maghribi Traders,” 445ff.
71. [Edwards and Ogilvie](#), “Contract Enforcement,” 424.
72. [Goldberg](#), *Trade and Institutions*, 78–84. Goldberg does specify that honesty was not the prime concern of these letters, and that merchants were more occupied with questions of knowledge, competence, diligence, and personal connections (“Choosing and Enforcing Business Relationships,” 32).
73. [Michienzi](#), *Datini*, 276.
74. Doc. 3, as discussed above.
75. Doc. 8: ‘You, my friend, the memory you left with us is a good one, and you have a good reputation with the merchants and all who have travelled with you. Do not give lie to the good seen in you. Without your intervention in his favour, we would have left him no delay [to pay].’ Doc. 12: ‘Pace, you are the only one responsible for this money. Also, do not come without the merchants who were with you, so that you can be freed of your responsibility for them; for they are not known here, we only know you.’
76. Doc. 12.
77. Doc. 13.
78. Doc. 14.
79. Doc. 9.
80. Doc. 12.
81. Doc. 13.
82. [Trivellato](#), *Familiarity of Strangers*, 267, citing [Bernstein](#), ‘Merchant Law’.
83. Doc. 10.
84. Docs. 2, 3, 10.
85. For the importance of reputation in Genoese credit markets, in contrast to Greif’s argument for the importance of public-order mechanisms there, see [Van Doosselaere](#), *Commercial Agreement*, 138.
86. As Trivellato notes for merchant letters in the eighteenth century, ‘The language of friendship, love, and affection was highly utilitarian: it implied reciprocity’ (*Familiarity of Strangers*, 181).
87. Archivio di Stato di Pisa, Comune div. A n. 80 ins. 10 sec. XIII; [Amari](#), *I diplomi arabi*, I:14, 48–9. Referred to as doc. 8 in this article. Original Arabic text critical edition by P. Buresi and H. El Aallaoui as part of IGAMWI.
88. Lit. ‘30 dinars minus one half dinar’.
89. Ibn Qassūm was the *dīwān* collector most associated with this affair.

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Appendix 1. List of principal documents cited

- Doc. 1: Archivio di Stato di Pisa (hereafter ASP), Atti Pubblici, Dipl. cartaceo, 1200 settembre 9; ed. [Amari](#), I:23–8, n. 6. Latin version: ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre; [Amari](#), *I diplomati arabi*, II:276–7, n. 18.
- Doc. 2: ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre ?; [Amari](#), *I diplomati arabi*, I:29–30, n. 7.
- Doc. 3: ASP, Atti Pubblici, Dipl. cartaceo, 1200 Settembre ?; [Amari](#), *I diplomati arabi*, I:8, 31–2, n. 8.
- Doc. 4: ASP, Atti Pubblici, Dipl. cartaceo 1200 settembre 11; [Amari](#), *I diplomati arabi*, I:33–5, n. 9; the Latin version ([Amari](#), *I diplomati arabi*, II:278–9, n. 19) is missing from the inventory of the Pisan archives.
- Doc. 5: ASP, Comune di Pisa, Div. A n. 80, ins. 4: 1201 maggio 27; [Amari](#), *I diplomati arabi*, I:38–42, n. 11.
- Doc. 6: ASP, Atti Pubblici, Dipl. cartaceo, 1200 settembre ?; [Amari](#), *I diplomati arabi*, I:43–4, n. 12.
- Doc. 7: ASP, Comune di Pisa, Div. A n. 80, ins. 5: 1201 giugno 5; [Amari](#), *I diplomati arabi*, I:45–7, n. 13.
- Doc. 8: ASP, Comune div. A n. 80 ins. 10 sec. XIII; [Amari](#), *I diplomati arabi*, I:48–9, n. 14.
- Doc. 9: ASP, Comune div. A n. 80 ins. 11 sec. XIII; [Amari](#), *I diplomati arabi*, I:50–2, n. 15.
- Doc. 10: ASP, Comune div. A, n. 80, ins. 12, sec. XIII; [Amari](#), *I diplomati arabi*, I:53–4, n. 16.
- Doc. 11: ASP, Comune div. A n. 80 ins. 13 sec. XIII; [Amari](#), *I diplomati arabi*, I:55–6, n. 17.
- Doc. 12: ASP, Comune div. A n. 80 ins. 14 sec. XIII; [Amari](#), *I diplomati arabi*, I:57–9, n. 18.
- Doc. 13: ASP, Comune div. A n. 80 ins. 15 sec. XIII; [Amari](#), *I diplomati arabi*, I:60–2, n. 19.
- Doc. 14: ASP, Comune div. A n. 80 ins. 16 sec. XIII; [Amari](#), *I diplomati arabi*, I:63–4, n. 20.

Appendix 2. A letter from the merchant Muḥriz al-Qābisī to Pace the Pisan concerning debts lefts unpaid⁸⁷

- 1 In the name of God, the Most Gracious, the Most Merciful
- 2 [To] the *shaykh*, the very noble, illustrious, pious Pace – May God treat him generously and help him in all that is virtuous and upright – [from] your friend,
- 3 who misses you, and who prays to God on High to keep you in health and safety and to bring us together again, Muḥriz al-Qābisī. I [write you to] inform you that,
- 4 when you embarked, the day of the incident when, by the will of God, happened what happened, you embarked then from La Goulette (*Famm al-wādī*) in the company of
- 5 Piero Cacolla (*Bīrū Kakulla*), for whom you were the guarantor with us for 210 dinars, or the price of 1,600 sheep skins,
- 6 for which he paid us ten dinars. He still owes us the rest. As for what
- 7 concerns you, my friend, personally, you owe us the price of 909 skins, or
- 8 73 and a half dinars. You also owe the price of nine measures of wool,
- 9 that is 29 dinars and a half⁸⁸ (of which you have already paid me five). You, my friend, the memory you left us with is a good one,
- 10 you have a good reputation among the merchants and all those who have travelled with you. Do not give lie to
- 11 the good seen in you. Without your intervention in his favour, we would have left him no delay [to pay].
- 12 And now, my friend, when you come back to Tunis, you should meet with him

- 13 to recover the gold he owes me as mentioned above. Do not leave it with him, and bring it
with you,
14 if God wills it, for you are responsible for it; may he not give excuses about the *dīwān* here.
15 Indeed, Ibn Qassūm⁸⁹ has indicated that he has only six dinars left. By God! Take heed, my
friend,
16 there is no other solution, for your money and that of the others has been blocked. May you
come, you and all those who owe something,
17 to acquit yourselves of us. There is no need to insist on this recommendation;
18 You will be thanked and rewarded for this. Peace be upon you, and God's blessings and
mercy be upon those who follow the straight path.
[To the] *shaykh*, most noble, pious, honoured, Pace,
the Pisan. May God have written his peace and our reunion.
In the hand of Pace (*in manu pacis*)