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Originators: Transformation and Collaboration in the Production of Original Written Artefacts

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Fig. 1: Jerusalem, Islamic Museum (متحف الآثار الإسلامية), located in a building complex on the Temple Mount / al-Haram al-sharif west of al-Aqsa Mosque (2013).

Article

Creating Multiple Originals of Estate Inventories in Fourteenth-century Jerusalem

Said Aljoumani and Anna Steffen | Hamburg

1. Introduction

In the documentation of estate settlements in fourteenth-century Jerusalem, a pattern emerges: multiple exemplars of the same estate inventory coexist, each with distinct variations even though they document the same subject. Rather than being verbatim replications, these inventories display differences in structure, language, physical characteristics, and content. This pattern of dissimilar versions is a result of the scribal practices of versioning and copying. Integral to this phenomenon were the originators of the inventories – the notary witnesses, or *shuhūd ‘udūl* in Arabic. Vested with integrity and professional expertise, notary witnesses were judicially tasked with inspecting estates and then drafting, authenticating, annotating, and replicating the estate inventories, when necessary, as well as offering oral attestation to their content in case of litigation.

The Ḥaram al-sharīf corpus – a documentary collection consisting primarily of deeds from pre-Ottoman Arabic lands – offers a unique window into the intricate practices of producing multiple original versions of estate inventories. A significant proportion of its more than 900 handwritten documents are dated to the Mamlūk period (1250–1517 CE), making it an invaluable collection of legal and administrative records from this era. Originating mainly from late fourteenth-century Jerusalem, these documents can be categorised into various sub-corpora based on criteria such as provenance, document type, language and content.¹ Remarkably, nearly half of the Ḥaram corpus encompasses

individual inventories decreed during the tenure of Jerusalem Judge Sharaf al-Dīn ‘Īsā b. Ghānim from 793 H/1391 CE to 797 H/1395 CE.² Shortly after they were drafted, as Christian Müller has shown, these estate inventories – along with other documents – were compiled into an investigative dossier to be used to probe suspected misconduct associated with Sharaf al-Dīn, focusing particularly on estate inventories authorised by him and his administration.³

Included in the investigation dossier, which is today part of the Ḥaram corpus, are around 400 estate inventories drafted by notary witnesses. This documentary sub-corpus reveals a notable pattern: there are eleven instances of duplicate inventories and one instance of a triplicate.⁴ Some of these duplicates and triplicates are written by the same hand (termed ‘copies’) and others by different hands (termed ‘versions’). Although the versions originate from the same estate inspection, and the copies, in turn, stem from one of these versions, no two documents are identical in a verbatim sense. The products of both versioning and copying practices exhibit noticeable variations in terms of structure, wording, physical characteristics, and content, including context-specific nomenclature. Such variations among multiple exemplars of estate inventories that all pertain to the same subject raise further questions. What is their status within the broader documentary landscape? How do these variations, created by court-appointed notary witnesses in late fourteenth-century Jerusalem, shed light on the ‘originator’s’ role in the scribal practices of versioning and copying?

¹ There exist three collections of images of the Ḥaram documents. The earliest set, dating from 1978, is rendered in black and white and was initially stored as microfilm at McGill University, Montreal. This collection has been digitally accessible since 2021: <<https://mcgill.on.worldcat.org/oclc/1102813166>>. A second set of photographs was produced in 2010–2011, under the supervision of Christian Müller (based in Paris) and Khader Salamah (based in Jerusalem). Parts of this collection are available through the CALD Database: <<https://cald.irht.cnrs.fr>>. The most contemporary series of photographs were compiled in 2014. For the most updated list of published editions of the Ḥaram documents, see Aljoumani, Bhalloo, and Hirschler 2024.

² This and the following dates are provided in both the Hijri and Gregorian calendars for the benefit of the reader. The Hijri calendar (or Islamic calendar) is a lunar calendar consisting of 12 lunar months in a year of 354 or 355 days.

³ Müller 2011, 449–455; Müller 2013, 509–529.

⁴ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum (Fig. 1) #128/#142, #168/#592, #237/#537, #259.1/#431, #262.1/#624.1, #404/#406, #436/441/#720, #444/#473, #445/#533, #515/#626, #523/#559, #694/696.

Donald Little acknowledged the presence of multiple exemplars of estate inventories during the initial cataloguing of the Ḥaram documents in the early 1980s. Little's work, though foundational, essentially provides an incomplete roster of the duplicate exemplars without offering an analysis of the pattern. Huda Lutfi expanded on the catalogue by identifying more duplicates.⁵ However, the most significant stride in understanding the phenomenon of multiple exemplars of estate inventories and the first complete list of duplicate and triplicate inventories came with Christian Müller's meticulous study of the Ḥaram documents. Taking a legal-historical perspective, his 2010 article explored the evidentiary value of written and oral testimony in applied Islamic law, particularly in the context of establishing proof with private documents, such as the Ḥaram estate inventories.⁶

In his 2013 monograph, Müller provided a substantive classification for the multiple exemplars of estate inventories in the Ḥaram corpus. He identified two exemplar types: those penned by the same hand, which he termed 'Abschriften' in German (or 'copy' in our terminology) and those written by different hands, which he termed 'Ausfertigung' (here 'version'). Explaining these classifications, he argued that:

[S]ome inventories obtained in multiple versions [...] largely agree in general content, but the exact wording varies in places. Thus, each witness wrote their version of the inventory, which was signed by their colleague, without collating the two versions. Unlike other exemplars, the corresponding documents do not bear a marginal note indicating that copies (nusakh) were made. They are, therefore, genuinely different versions.⁷ [Our translation]

⁵ Little 1984; Lutfi 1985; A second catalogue publication has just been published, introducing nearly 100 additional Ḥaram documents that significantly expand the known corpus. This publication includes estate inventories, potentially increasing the number of duplicates and triplicates. See Aljourmani, Bhalloo, and Hirschler 2024.

⁶ Müller 2010.

⁷ The original quote is in German: 'Einige in mehrfacher Ausfertigung erhaltene Inventare [...] stimmen zwar im Großen und Ganzen überein, der genaue Wortlaut variiert jedoch teilweise. So schrieb jeder Zeuge seine Version des Inventars, die von seinem Kollegen signiert wurde, ohne beide Versionen abzugleichen. Im Gegensatz zu anderen Exemplaren tragen die entsprechenden Urkunden keine Randnotiz, es seien Abschriften (nusakh) angefertigt worden. Es handelt sich somit tatsächlich um unterschiedliche Ausfertigungen.', Müller 2013, 504.

In this statement, Müller remarked on the presence of what we term a '*nuskha*-note' – a marginal note indicative of copies being made – on certain documents but did not further characterise the exemplars that carried this notation. Throughout his scholarship, he rarely considered distinctions between duplicate exemplars with *nuskha*-notes or differentiated between variations in copies versus variations in versions. Moreover, while the original status of versions among the Ḥaram documents has been recognised in scholarship, the status of individual copies remains largely overlooked.

Our research, therefore, seeks to place a magnifying glass over the document pairs in which at least one of the documents carries a *nuskha*-note. In doing so, we aim to identify the nuanced differences between documents created by versioning and those created by copying. This endeavour necessitates differentiating between a 'copy' and a 'version', a distinction fundamentally linked to the concept of the originator. In the context of our study, a 'scribe/originator' is not merely a writer; this role encompasses the functions of creating, authenticating, and conferring original status to the estate inventory. This approach resonates with the multi-layered nature of originators as presented in the introduction of this volume, where originators are recognised for their diverse contributions to the creation and originality of a written artefact. While various entities, including local judges and authority representatives, have roles in the multifaceted creation process of estate inventories, our research specifically focuses on the scribal practices of notary witnesses. These individuals, as scribe/originators, play a pivotal role in the estate inventory creation process, integrating writing with content creation and authentication. Their role exemplifies the interplay of actions, qualifications, and stages that define an originator, aligning with the framework set forth in the volume's introduction.

Notary witnesses, appointed by the local judge, served dual roles as both professional court witnesses and notaries. They were responsible for drafting, annotating, and copying their versions of the inventory, as well as undertaking the prior inspection of the estate which led to the inventory's itemisation. All these tasks fell within the ambit of 'creating content', as referred to in the introduction to this volume. Furthermore, as part of a court-delegated group, each individual witness acted as an originator by 'authenticating'

not only their own documents (version and/or copy) but also the documents produced by other court-authorised witnesses, evidenced by a witness signature.⁸ Although this article focuses primarily on the originators' 'creation of content', this act of mutual documentary authentication can be thought of as another dimension of the witnesses' role in originating the document. Thus, identifying the scribe/originator of the main body of text from among the group of witnesses who signed the document, becomes crucial in determining whether a pair of documents was copied by the same individual or created as versions by two distinct witnesses. Given the unique and original characteristics of each exemplar, we argue that every individual estate inventory, drafted and authenticated by professional, court-authorised notary witnesses, was considered an original document within the socio-cultural context of the time.

This article sets out to systematically examine the documentary practices related to the creation of estate inventories from late fourteenth-century Jerusalem within the Ḥaram corpus. As stated above, we place particular emphasis on distinguishing between two main scribal practices: versioning and copying. First, we set out the general process of drafting an estate inventory. We then explain our method of distinguishing the scribe from several witness signatures on a single document, with the aim of identifying the 'scribe/originator' of the main body of text. Next, we analyse the role of the notary witness as the originator of a version and the originator of a copy. Importantly, while the scribe appears as the originator in the creation of both the original content of his version and, where required, the content of copies, this role is shaped in each case by two consecutive but distinct processes. This key section is anchored by four comparative case studies centred on document pairs in which at least one of the documents carries a *nuskha*-note. Two of these studies analyse document pairs written by different scribes/originators to highlight the practice of versioning, while the other two focus on pairs penned by the same hand to examine the practice of copying.

⁸ In this contribution, 'authentication' refers to the conceptualisation of 'originator' as discussed in the introduction of this volume. Within the context of Ḥaram documents, 'authentication' typically denotes a higher level of judicial affirmation than the sole display of witness signatures, indicating documents that serve as written proof in a Muslim court. In most cases this does not, however, apply to the estate inventories.

2. Two scribal practices, multiple exemplars

In late fourteenth-century Jerusalem, the notary witnesses – whom this article identifies and focuses on as the primary 'originators' of estate inventories – were instrumental in the estate settlement process. Known as *shuhūd 'udūl* in Arabic, their role spanned various stages, starting with the inspection, detailed listing, and documentation of the estate, and including any potential testamentary dispositions made by the testator. These notary witnesses, renowned for their integrity and specialised knowledge, were appointed by the local judiciary to serve as 'certifiers of truth.' Their primary responsibility was to ensure the authenticity and accuracy of the oral and written witness testimony, to ensure a legally effective transaction.⁹

According to Müller's detailed research of the Ḥaram estate inventories and the role of the notary witnesses who wrote and signed them, over the course of four years, from 793/1391 to 797/1395, more than a hundred different individuals performed the role of notary witnesses in Jerusalem. This significant number reflects the dynamic nature of the profession and highlights the diverse group of experts involved in the process of estate inspections and documentation within the local context of fourteenth-century Jerusalem.¹⁰

Müller's analysis underscores the significant societal role played by the notary witnesses during this period. Their integration into daily life, along with their distinctive identity and specialised skillset, not only highlight the contextual framework but also reaffirm their role as what we term 'originators' in this article. Within the distinct socio-cultural landscape of fourteenth-century Jerusalem, these court-appointed notary witnesses bestowed the status of originality upon the documents they created and authenticated. Even if several additional judicial steps were necessary for a witness' testimony to have evidentiary value without further oral affirmation, their expertise in drafting and attesting deeds endowed the records with an initial layer of credibility – which in case of a dispute would be upheld primarily by oral testimony in court. This amplified their central role as 'originators' in the overarching administrative and legal procedures in late fourteenth-century Jerusalem.¹¹

⁹ Apellániz 2020, 62.

¹⁰ Müller 2013, 295.

¹¹ In the 2nd–3rd/8th century Islamic legal system, honourable witnesses (*shuhūd 'udūl*) were recognised as a professional group by the judiciary, and their testimonies accepted without reservation. By the 4th–5th/10th century,

In the Ḥaram corpus, one of the most consistently documented responsibilities of witnesses in fourteenth-century Jerusalem was to conduct estate inspections and draft estate inventories in a collective setting, typically with a minimum of two notary witnesses present during each inspection. Depending on the testators' needs, the inventory was recorded as an inspection by the witnesses in the form of estate inspections (*wuqūf*), accounts of inventories (*dabt*), acknowledgement deeds (*iqrār*) or a call for attestation (*ishhād*).¹² The procedure of estate inspection and drafting of an estate inventory typically occurred shortly before or immediately after the individual's death, under court supervision. The judge's authorisation, frequently noted in inventories through standardised formulas such as *ḥaṣala al-wuqūf bi-l-idhn al-karīm al-qaḍā'ī* ('the inspection took place by generous authorisation of the judge'), was a prerequisite for most inspections.¹³

One of the primary goals of the inventory process was to guarantee that the heirs, regardless of whether they were physically present or not, received their rightful portion of the estate in accordance with the wishes of the deceased and the provisions of Islamic law. By meticulously examining and documenting the deceased's assets and possessions, the inventory aimed to facilitate a fair distribution of inheritance among the designated beneficiaries.¹⁴ This inventory process differed significantly from other legal procedures, insofar as it was primarily based on the visual inspection conducted by professional notary witnesses appointed by the court. Representatives of the local authorities also occasionally

attended these inspections. Unlike several other document types in the Ḥaram corpus, the inventory relied on the first-hand survey and assessment of the assets and properties involved in the estate settlement. These witnesses played a crucial role in ensuring the accuracy and reliability of the inventory process, and subsequently in originating the written inventory.¹⁵

The written product of the court-delegated inspection, the estate inventory, typically included essential information such as the name of the testator, the location of the inspection, a comprehensive list of the testator's material possessions intended for inheritance, and the identification of any existing or known heirs. This procedure of inspection and inventory taking was widely employed across all social classes in late-fourteenth-century Jerusalem. It was not limited to any specific group or gender but rather constituted a standardised practice that permeated every stratum of society.¹⁶

Having highlighted the significant role of notary witnesses in estate settlement, we now turn to a specific pattern in the creation of multiple versions of a single estate inventory. Within the Ḥaram corpus, which comprises over 400 estate inventories produced by the above-introduced group of witnesses, this pattern is characterised by twelve instances of duplicate inventories and one triplicate. Some pairs were penned by the same individual, others by different hands, and half of the duplicates carry marginal documentary notes indicating the creation of copies (*nuskha*-note).¹⁷

Central to this pattern are the two practices introduced above: versioning and copying. For the versioned estate inventory, the exemplar predominantly acted as an aide-mémoire for the respective scribe/originator. This aided in recalling details and provided a record for court proceedings alongside oral testimony. Copies, on the other hand, were distributed to parties involved in the estate settlement, such as heirs, local authorities, and the local treasury (*bayt al-*

they had evolved into professional notaries well-versed in law and with the legal expertise to draft witness deeds; see for example: Amīn 1982; Mandaville 1969; Tyan 1959; Tyan 1960; Ḥamzah 2000. On the role of notary witnesses in the Ḥaram corpus, see e.g. Little 1998; Lutfi 1985; Müller 2013; Müller 2022; Richards 2004.

¹² The four forms of estate inventories will be examined collectively in the following sections of this paper, regardless of their notarial differences. The majority of the Ḥaram sub-corpus of estate inventories is comprised of *wuqūf* documents; see Müller 2013, 197–198, 390–391. Lutfi documents a count of 423 estate inventories, Lutfi 1985, 3. Meanwhile, Müller records 373 inspections (*wuqūf*), 20 acknowledgements (*iqrār*), 24 calls for attestation (*ishhād*), and 12 accounts of inventories (*dabt*), Müller 2011, 442 n. 50.

¹³ Lutfi 1985, 193–194; Müller 2013, 91. Estate inventories with this exact formula are for example: Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #136 (793/1391), #396 (796/1394), #451 (793/1391) and #452 (795/1393).

¹⁴ Müller 2013, 389–462, esp. 418. The inspection and drawing up of the inventory were only the first of several phases in the judicial settlement of an estate. The subsequent step entailed the allocation of the estate's assets to the rightful beneficiaries. In certain instances, this phase was followed by an extended period of management for the inheritance portions belonging to heirs who were either absent or minors, overseen by a judicial trustee or a guardian under the auspices of judicial supervision. On the archival and documentary history of an estate archive in the Ḥaram corpus, see Aljoumani and Hirschler 2023.

¹⁵ Müller 2013, 90.

¹⁶ Little 1984, 59–63; Lutfi 1985, 3–4, 19–20; Müller 2013, 390.

¹⁷ Duplicate and triplicate estate inventories are categorised based on the presence of *nuskha*-notes and scribal variations. Those without a *nuskha*-note are as follows: by different scribes, #523/#559, #436/441/#720, #262.1/#624.1; by the same scribe, #445/#533, #237/#537, #259.1/#431. Inventories in which at least one carries a *nuskha*-note are as follows: by different scribes, #515(*nuskhatān*)/#626, #128(*nuskhatayn*)/#142, #444/#473(*nuskhatayn*), #404(*thalātha nusakh*)/#406; by the same scribe, #168(*nuskhatayn*)/#592, #694(*nuskhatayn*)/696(*nuskhatayn*), all Jerusalem, al-Ḥaram al-sharīf, Islamic Museum. Compare for partly different results concerning the same or different scribes and partly missing information about *nuskha*-notes, Müller 2010, 32 n. 54; Müller 2013, 315, 391 n. 2., 504 n. 165.

māl). Should any disputes arise regarding estate division or claims, heirs could present these copies in court to initiate legal proceedings. Given that documents in both scenarios complemented oral testimony, it is evident that a single originator might produce varied copies of one version. Moreover, multiple originators could draft different versions based on the same estate inspection.

The following sections delve deeper into understanding these two scribal practices, which are essential for grasping the originator's role in content production and the authentication of various versions and copies of an estate inventory. The examination of these practices sets the stage for four case studies, highlighting the practical application of versioning and copying, as well as the role of the originators in creating multiple originals.

3. Multiplicity of versions

Each 'version' of the estate inventory in the Ḥaram corpus represents the written output of a distinct inventory process conducted by the respective court-delegated notary witness. The variations in text structures and wording are evident among the duplicates and the triplicate, none of which are identical word-for-word. It is important to note that the creation of these multiple versions, each written by a different witness, was not the result of a copying process, but rather emerged during the inspection of the estate through distinct inventory-taking processes by the attending witnesses.

As Müller has compellingly demonstrated through a detailed analysis of the variations between the exemplars of the only triplicate inventory of the Ḥaram corpus – and as we explore further in two of the subsequent case studies – after the estate inspection each attending court-delegated notary witness typically drafted his own version of the inventory.¹⁸ Therefore, the wording and sequence of key elements in these multiple records did not match precisely, despite the shared formulaic legal language with a distinct vocabulary and a set of word sequences commonly used in writing estate inventories within the Ḥaram corpus. The variants were therefore all original versions of the same inventory, none of which had the exclusive status of an officially binding version.¹⁹

Even though the witness signatures authenticated the estate inventory documents, it is important to note that in the context of court-authorised estate inspections, the oral testimony of the witnesses prevailed. This explains why, on its own, the exact wording of the written inventory did not serve as the definitive reference for the judge, notwithstanding its significance. Instead, it was considered in conjunction with the oral confirmation provided by the witnesses following the inspection. In situations involving legal disputes, the judge would rely on these witnesses to testify orally regarding the content of the document. Hence, as Müller argued, while the written estate inventory served as a valuable aide-mémoire for notary witnesses' testimony in court, it did not possess immediate value as standalone evidence. Its primary purpose was to assist witness recollections and provide a record of the inspection, to be used in conjunction with their oral testimony when required in legal proceedings. Therefore, variations between the written versions of each witness did not preclude their use in court. If there were discrepancies between written versions, the testimony of the witnesses, rather than the written record, was deemed most crucial judicial evidence.²⁰

The complete legal significance of an estate inventory was thus intricately tied to its social context. It was the combination of the court-appointed status of the notary witnesses, the judge's authorisation, and their collaborative inspection that lent weight to their testimony and served as an argument in potential legal conflicts.²¹ It is therefore likely that witnesses preserved their written inventory for a specific duration, archiving it in case they needed to provide oral testimony in court.

In summary, within the context of fourteenth-century Jerusalem's estate inventories, each notary witness served as an originator by versioning and thereby creating unique content. Despite adherence to a common legal formulaic language, individual variations were evident. The notary witnesses not only originated the unique content of their respective versions but also authenticated both their own version and those of their colleagues with their witness signature. These multiple versions, though distinct, were all recognised as originals, with no single version designated as the definitive or officially binding record.

¹⁸ Müller 2010, 22–33.

¹⁹ Müller 2013, 504.

²⁰ On the question of written and oral evidence in Islamic court procedure, see Apellániz 2020; Baber 1997; Marglin 2017; Müller 2010; Müller 2013; Oberauer 2021.

²¹ Müller 2013, 117–119.

4. Multiplicity of copies

In the scribal practice of versioning, each notary witness involved in the estate inspection would create a distinct version of an inventory, often carrying the signatures of their fellow notary witnesses. This resulted in the creation of multiple unique versions of estate inventories, characterised by different handwriting. Copying, on the other hand, involved the production of additional copies of an existing version, most likely to be handed to the heirs and other parties involved in the estate settlement. While different versions of the same estate inventory are typically identifiable by distinct handwritings, a copy is primarily recognised by its match to another inventory's handwriting in the document pair. In most cases, the presence of a documentary note (*nuskha*-note) in the margin of the initial version further indicates that a copy was made.²²

When copying estate inventories, it was usual for all witnesses to sign not only their versions and the versions of other witnesses but also the copies, as we will show in the following case studies. By doing so, the notary witnesses contributed to the authenticity of the copied documents, attesting with their names that they were present during the estate inspection. It appears from the material in the Ḥaram corpus that the task of copying was typically carried out by one of the court witnesses who had participated in the inspection and drafted their version of the inventory. In cases where there was a dispute concerning the settlement of the estate, the copy of the estate inventory could be submitted to the court by the heirs, to initiate a legal procedure. Thus, the production of copies of estate inventories, delivered to the parties involved and marked with the witness signatures, played a crucial role in the process of estate settlement. However, these copies, like the versions of the inventories mentioned above, were not considered as evidence on their own; they had to be upheld by an oral testimony of their originator in court.

These copies of estate inventories, typically written in the same hand as the initial version, are not verbatim replicas of the initial version carrying the *nuskha*-note. A central question of this article is the extent to which these copies differed from the initial version – an aspect that has been explored less than variations between versions, which were examined in a case study by Christian Müller.²³ We argue, however, that both

the initial version and its copy, drafted by the same witness, exhibit variations in wording, sentence structure, and content, comparable to those between different versions. During copying, the originator crafted a new original with its own unique features.

In the Ḥaram corpus, the practice of copying is most discernibly illustrated by a small documentary note found on the recto side of many estate inventories, which we refer to as the '*nuskha*-note'. Approximately a quarter of the estate inventories in the Ḥaram corpus, amounting to nearly one hundred inventories, carry this notation. It is typically located in the right margin, often adjacent to the witness signatures or towards the end of the main body of the text. Although catalogued entries often refer to these *nuskha*-notes as 'squiggles', the note in fact comprises the word 'copy' (*nuskha*) and denotes the number of exemplars issued.²⁴ These notes, probably penned by the originator of the main text, are therefore crucial in indicating how many copies of an exemplar were made (Table 1).²⁵

Evidence of the creation of multiple copies of estate inventories is found in the presence of *nuskha*-notes in several inventories. This is supported by the existence of multiple exemplars written by the same scribe. While the specific practices and possible standards surrounding the production of these copies and the addition of *nuskha*-notes have largely been overlooked in the context of the Ḥaram corpus, Müller offers insights into the interval between the two consecutive but distinct processes: versioning and copying. He suggests that a notary witness might have created a copy either concurrently with or shortly after drafting the initial version.²⁶ The fact that, in most instances, all the witnesses who took part in the inspection also signed the copies, suggests that the copies were made shortly after the initial versions. Rather than being determined by the content of the version, the choice of which notary witness would create the copies seems to have been influenced by who was deemed responsible for producing copies for the relevant parties.

²⁴ Little 1984, 62.

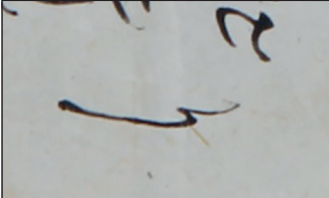
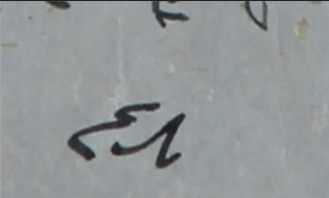
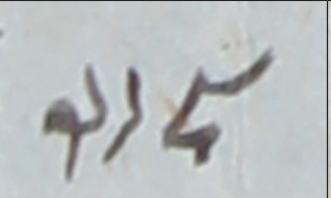
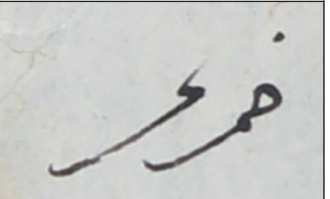
²⁵ Sg. *nuskha* / pl. *nusakh*. Predominantly, this term signifies a physical written exemplar or a copy, implying a replacement for the original or a basis for a transcript. This understanding aligns with the definitions given in Lane's *Arabic-English Lexicon* and Ibn Manzūr's *Lisān al-'arab*. Furthermore, Rustow refers to a collation statement in Gacek 2009, wherein a distinction is made between the acts of copying extracts and corrections from a manuscripts (n-q-l), and creating a new physical exemplar from an oral reading (n-s-kh), Rustow 2020, 509 n.12.

²⁶ Müller 2013, 93.

²² The production of copies was an elementary component of administrative and legal processes in Islamic societies of the Middle Ages and was often a core element of archival processes, cf. Apellániz 2020, 107–108, 140–143; Bauden 2013; Hirschler 2016; Rustow 2020, chapter 12.

²³ Müller 2010, 22–33.

Table 1: Examples of *nuskha*-notes in the margins of Ḥaram documents.

2 exemplars (<i>nuskhatayn/nuskhatān</i>) ²⁷	3 exemplars (<i>thalātha nusakh</i>) ²⁸	4 exemplars (<i>nusakh arbaʿa</i>) ²⁹	5 exemplars (<i>khamisa nusakh</i>) ³⁰
			

As the following case studies demonstrate, the copies are not verbatim replicas of the estate inventory on which they are based, despite being created in temporal proximity to the initial versions and by one of their originators. Instead, they exhibit variations similar to those found among the different versions. Even though any copy produced could have become a crucial component in an estate archive of the testator's family or local authorities, the originators of those copies did not appear overly concerned with ensuring complete uniformity in the copying process. This was because of the weight of their oral testimonies in any legal dispute regarding the estate. Furthermore, although neither the copies nor the initial version served as standalone written proof, any of these drafted and signed copies could have been submitted to the court to commence proceedings for the resolution of an estate-related dispute.³¹

Given the composition of the documentary sub-corpus of estate inventories to which we have access, our exploration of the phenomenon of copies is somewhat limited. It is likely that the items in the documentary sub-corpus, which forms a part of, or originally constituted, the investigative dossier, are largely initial versions retained by their originators, rather than the numerous copies that might have been distributed to heirs. Estate inventories from across Jerusalem were assembled with a clear purpose of scrutiny, as Müller has shown. They were collected to build up a case against Judge Sharaf al-Dīn and his administration shortly after his tenure as a judge, given that he authorised the notary witnesses conducting the estate

inspections.³² One reason for the scant number of versions of the same estate inventory from different witnesses might be that a single version was sufficient to make a case against the judge. Furthermore, it is probable that copies stored with non-organisational heirs, primarily the testator's family members as opposed to organisational entities like the local treasury (*bayt al-māl*), were not central to this collection. The *nuskha*-notes in several instances on single estate inventories in the corpus indicate that copies were made, but tangible duplicate versions and their counterparts are rare. We suggest that these copies entered the official record and subsequently the Ḥaram corpus mainly because they remained unclaimed in their originator's archive. Shortly thereafter, they were integrated into the investigation case dossier as originals, alongside their initial versions.

5. Case studies: four pairs of estate inventories

In the comparatively extensive sub-corpus of estate inventories within the Ḥaram corpus, comprising more than 400 inventories and including eleven duplicates and one triplicate, we will narrow our focus to four pairs of estate inventories for the following case studies. These pairs are particularly intriguing as they allow us to explore the nature of the written outcome resulting from two distinct yet sequential scribal practices (versioning and copying) within the context of estate settlement outlined above. Each of these four pairs includes duplicate exemplars of the same inspection, with the unique feature that at least one inventory in each pair bears a *nuskha*-note.³³

²⁷ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #160 (795/1393); 'two exemplars' is written in the dual form either with نسختين (*nuskhatayn*) or with نسختان (*nuskhatān*), e.g., Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #141 (795/1393).

²⁸ ثلاث نسخ, نسخ ثلاث, Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #091 (793/1391).

²⁹ اربع نسخ, نسخ اربعة, Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #519 (797/1395).

³⁰ خمس نسخ, Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #457 (796/1394).

³¹ Müller 2010, 23–32.

³² Müller 2011, 435–459.

³³ Of the total of 11 duplicates and one triplicate, there are six pairs in which at least one document bears a *nuskha*-note: #515(*nuskhatān*)/#626, #128(*nuskhatayn*)/#142, #444/#473(*nuskhatayn*), #404(*thalātha nusakh*)/#406, #168(*nuskhatayn*)/#592, #694(*nuskhatayn*)/696(*nuskhatayn*). We have limited our analysis to four pairs with *nuskha*-notes to analyse in detail the practice of copying, in two examples, and the practice of versioning, in two examples.

In the specific case of these four pairs, the document lacking a *nuskha*-note could either be a version drafted by a different witness or a copy of the version that contains the *nuskha*-note. To shed light on the specifics of each document pair, our analysis aims to: identify the handwriting and the scribe of the documents; compare their formal characteristics, including sentence structure, nomenclature, and phraseology; and examine selected aspects of their materiality, such as script, visual organisation (encompassing size, form, and shape)³⁴ folding patterns, and archival holes.³⁵ The intention was to provide examples that demonstrate whether it is feasible to differentiate between versions of the inventory created by different notary witnesses and the copies intended for relatives and other parties involved. By doing so, we wished to determine the status of individual documents within a collection of multiple exemplars, to understand their specific characteristics, and, most importantly for the purpose of this volume, to propose a methodology for identifying their scribe/originator.

Before discussing the individual case studies, it is important to note that identifying the scribe/originator of an estate inventory with multiple signatures can be difficult. While each witness involved in the inspection might be the originator of their own version, determining the identity of the scribe for a specific version requires significant effort from today's perspective. The notion of a centralised notary service connected to the *shāfi* ʿī judge in Jerusalem, comprising court secretaries responsible for drafting estate inventories, has been convincingly refuted by Müller.³⁶ As explained above, it was the notary witnesses themselves who, probably based on a draft written on-site during the inspection, subsequently

produced the final version of their inventories. Additionally, one or more of the witnesses undertook the task of copying their respective version of the inventory when copies were required, such as for distribution to heirs. During this process, the participating witnesses signed not only their own version, but also the versions of their colleague(s) and the copies that were made. We must emphasise that the scribe/originator of the respective copy and version did not explicitly indicate their role in the witness clause. Consequently, in most cases it is not possible to determine the identity of the scribe solely from the document's text and witness clauses.

The absence of the self-designation as scribe underscores the complexities involved in identifying the specific originator responsible for a given exemplar of an estate inventory. Alternative methods and factors beyond the document's textual content and witness clauses may need to be considered to determine the identity of the scribe. In our quest to identify the scribe within the case studies on four pairs of estate inventories, the legal manual 'The Nature of Contracts and the Aid of Judges, Notaries, and Witnesses' (*Jawāhir al-ʿuqūd wa-muʿīn al-quḍāt wa-l-muwaqqiʿīn wa-l-shuhūd*) by al-Asyūṭī (d. 880/1475) serves as a theoretical reference for understanding the administrative and legal processes in fourteenth-century Jerusalem.³⁷ It illustrates the potential correlation between the position of the witness signatures and the identity of the scribe:

وَأَعْلَمُ أَنَّ الْمَنْزِلَةَ الْعَالِيَةَ فِي مَوَاضِعِ الشَّهَادَةِ مِنْ جِهَةِ الْيَسَارِ وَبَعْدَهَا جِهَةُ الْيَمِينِ
وَمَا بَيْنَهُمَا رُتْبَةٌ وَاجِدَةٌ وَالْأَدَبُ أَنْ يَكْتُبَ الْمَوْرُقَ رِسْمَ شَهَادَتِهِ فِي الْوَسْطِ تَوَاضِعًا
وَإِنْ كَانَ أَكْبَرَ مِنْ بَقِيَّةِ الْعُدُولِ الَّذِينَ يَشْهَدُونَ مَعَهُ فِي ذَلِكَ الْمَكْتُوبِ فَإِنَّ التَّوَاضُعَ
يَرْفَعُ صَاحِبَهُ وَالْحَقُّ يَضَعُهُ³⁸

Know that the witness signature on the left holds the most esteemed position. After it comes [the signature] placed on the right. [The signatures] between them all have the same [third] rank. The etiquette is that the scribe should write his signature modestly in the middle, even if they hold a higher rank than the other witnesses testifying on the same document. For humility elevates its bearer and foolishness demeans him. [Our translation]

³⁴ Müller 2011, 444–445, describes various formats of estate inventories in the Haram corpus. The most frequently found format is the *daftar*, approximately 18 × 26 cm in size. Its length is about a third more than its width, and it is typically folded twice lengthwise. Some inventories employ a long, narrow format around 10 × 28 cm, which makes the length three times more than the width. A few are composed on a medium format, almost twice as long as their width, typically measuring about 12 × 20 cm. Yet another format is almost square, with dimensions nearly equal in width and height, at around 26 × 28 cm. Lastly, there exist several outliers that do not fit within these typologies. The use of similar paper formats may potentially hint at a common archival location, serving as a marker in the study of archival practices. However, it is crucial to exercise caution when interpreting these formats as evidence of shared archival processes. They should ideally be considered in conjunction with other traces of archival practice before drawing conclusions about a common archival actor.

³⁵ From an archival perspective, the chronological filing is clearly linked to the identifiable material archival traces in the sub-corpus of the estate inventories. Archival holes in estate inventories can be traced back to archival bundling by a string holding them together.

³⁶ Müller 2013, chapter 3.2.2.4.

³⁷ Little 2001, 171; translation of title, in Little 1998, 102.

³⁸ al-Asyūṭī, *Jawāhir al-ʿuqūd*, ed. al-Saʿdanī 1996, 276–277.

In this instruction, which applies to various types of deeds and not specifically to estate inventories, al-Asyūfī provides guidelines for the spatial arrangement of witness signatures. He states that the scribe's witness clause, regardless of rank, is typically found among the witnesses who signed in the middle.³⁹

However, we are not the first to have noted that this instruction as to where on a document the scribe should place his signature, rarely applies to the Ḥaram documents.⁴⁰ Furthermore, our understanding of the witnesses' identity and social standing is limited, consisting primarily of their names as recorded in their signatures. Without precise knowledge of the social statuses of notary witnesses in fourteenth-century Jerusalem, which an informed contemporary reader of these documents would possess, we cannot draw any conclusions about the scribe/originator of the document based on the order of the signatures, as outlined in the manual.⁴¹

To address the limited adherence to the al-Asyūfī manual, as observed in the order of witness signatures on documents from late fourteenth-century Jerusalem, the extensive and chronologically specific resources of the Ḥaram corpus, particularly its rich collection of estate inventories, offer a potential solution. This corpus provides a concentrated compilation of documents spanning a specific and short chronological range. Most of these documents bear the signatures of a distinct group of professional witnesses who routinely performed these duties. In the context of the at that time relatively provincial city of Jerusalem, this group of professionals represented a sizeable yet manageable cohort.

³⁹ These manual entries serve as valuable resources for contextualising and discussing the administrative or judicial practices observed in the Ḥaram documents. They shed light on how these practices were implemented and materialised. However, it is important to acknowledge that the processes described in such manuals often adhered to regional and temporal conventions that may have differed in practice. The scribal conventions employed in the actual proceedings, particularly during estate inspections and the documentation of inventories by notary witnesses, may have deviated from or even disregarded the guidelines outlined in the manuals. Therefore, while these manuals provide useful insights, it is crucial to recognise that practical implementation may have varied. Hence, the scribal conventions employed in the Ḥaram documents may exhibit deviations or omissions compared to the theoretical descriptions found in the manuals.

⁴⁰ Little 1998, 158 n.174, cites a passage from al-Ṭarsūsī that is almost identical and compares the instruction to the positioning of witness signatures in the Ḥaram documents. For an analysis of the correlation between the scribe's handwriting and the location of witness signatures in the Ḥaram corpus, see Müller 2013, chapter 3.2.2.4.

⁴¹ This challenge is further amplified by the fact that many estate inventories feature only two signatures, rendering the established formula inapplicable. Additionally, deviations from al-Asyūfī's formula have been observed among the Ḥaram documents that include signatures of notable witnesses of high rank, Müller 2013, chapter 3.2.2.4.

They consistently signed the Ḥaram documents as witnesses, thus establishing a discernible pattern. By identifying the witnesses – which Müller has done – for most of the estate inventories of the Ḥaram corpus, and by comparing the handwriting across various documents, which we will do in the following case studies, it becomes possible to identify the scribe/originator of a particular inventory.⁴²

Identifying the scribe/originator of an estate inventory among the signing witnesses is a multi-step process. The initial step is a comprehensive palaeographic analysis of the main body of text in the document. This analysis scrutinises specific features of the script such as letter formation, the flow and sequence of strokes, variations in ligature connections, and distinct orthographic tendencies. The aim is to capture and catalogue the unique handwriting characteristics of the document's originator. Following this, the second step revolves around the witness signatures. Here, the primary aim is to accurately identify the name of each witness. Once these names have been discerned, efforts shift towards locating these witnesses in other documents in the corpus.⁴³ If a particular witness' name emerges as a common element across multiple documents, and the handwriting of the main text consistently aligns with the characteristics previously recorded, it becomes plausible to infer that this witness may indeed be the scribe/originator of the main text. However, the more witnesses have signed a particular document, or the rarer the appearance of a given witness in several Ḥaram documents is, the more challenging it becomes to identify the document's scribe using this method. Furthermore, the presence of cursive handwriting adds a layer of complexity, as it can sometimes be difficult to distinguish and analyse accurately. Therefore, the process of handwriting analysis in the case of estate inventories within the Ḥaram corpus is particularly susceptible to inaccuracies.

In the following study of four unique pairs of estate inventories, we employ the aforementioned method to identify the scribe/originator of each document. This method has proven particularly useful not only in identifying the scribe but also in verifying whether two documents display

⁴² Müller 2013, chapters 3.2.2.1. and 3.2.2.2.2.

⁴³ The basis for such a process is the comprehensive identification of the witness signatures and the deciphering of the often difficult-to-read names in the clauses by Müller 2013, Appendix 2: Overview of their witness signatures, for an in-depth analysis of the role of court witnesses in the sub-corpus of the estate inventories of the Ḥaram corpus. In the following four case studies, we demonstrate that our results from the handwriting analysis, and consequently the categorisation of whether a document pair is written by the same hand or two different hands, differ markedly from those of Müller.

the same or different handwriting. Since handwriting analysis, as described above, is prone to error for the cursive notarial hand present in most estate inventories, it has proven beneficial to use our method to compare the handwriting with other documents signed by the same witness. This enables us to develop a pattern and understanding of their respective hand.

As outlined above, our case studies comprise a comparative analysis, concentrating specifically on the formal elements of four document pairs, each with at least one *nuskha*-note. These elements are the structure, wording, and content of our chosen samples. Our objective is to shed light on the nuances differentiating documents produced through versioning from those created by copying. For clarity, the first half of our case studies will analyse two pairs of distinct versions, while the latter half will look at pairs that comprise an initial version alongside its corresponding copy.

5.1 Versioning case study 1: documents #515 and #626

Our first case study examines a pair of documents from the Ḥaram corpus that highlight the practice of versioning (Figs 2 and 3). One document features a *nuskha*-note in the right margin (#515, *nuskhatān*), whilst the other does not (#626).⁴⁴ The two versions detail the estate of Al-Ḥājj ‘Uthmān b. Thu‘aylib al-Jālūdī, from an inspection conducted on 16th September 795/1393. Two court witnesses participated in this inspection, and each of the two versions of the inventory was drafted by one of these witnesses. The scribe of document #626 is Khalīl b. Mūsā,⁴⁵ who appears on the right side, while the scribe of document #515 is Aḥmad b. Yūsuf al-Daḡūnā,⁴⁶ who is located centrally.

To illustrate our methodology in discerning whether the two documents, #515 and #626, have separate scribes, and how to identify the scribes, we detail the critical steps involved in our handwriting analysis. Müller posits that documents #626 and #515 were penned by the same hand.⁴⁷

However, our analysis refutes this claim and points instead to distinct scribes for each document. This conclusion is based on an initial comparison of identical passages from both documents. An examination of the scripts of #515 and #626 reveals clear differences in handwriting traits,⁴⁸ as is for instance evident in the formulaic sentence: ‘And that she is not entitled to maintenance, clothing, or anything from her mentioned husband’ that we find in both documents (Table 2).

In the subsequent step of our analysis, we juxtapose the script of manuscript #626 against another Ḥaram document bearing the witness signature of either Khalīl b. Mūsā or Aḥmad b. Yūsuf al-Daḡūnā, with the aim of identifying the potential scribe of #626. Document #570,⁴⁹ which is attested by Khalīl b. Mūsā, but not Aḥmad b. Yūsuf al-Daḡūnā, exhibits discernible congruencies in script characteristics with #626. We thus determine that manuscript #626 was originated by Khalīl b. Mūsā (Table 3).

To further substantiate our initial hypothesis that #515 and #626 were written by distinct scribes, we juxtapose the script of #515 against another Ḥaram document bearing the signature of Aḥmad b. Yūsuf al-Daḡūnā that exhibits script characteristics aligning with #515. As this correlation is evident in document #250,⁵⁰ we conclude that #515 and #250 were originated by the same scribe, conclusively attributed to Aḥmad b. Yūsuf al-Daḡūnā (Table 4).

Based on the insights obtained from the analysis of handwriting, it is now possible to compare these documents as two versions originated by two different scribes. First, we examine the initial four lines of each document (Tables 5 and 6).

⁴⁴ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #515 (795/1393), 18.0 × 16.2 cm, Little 1984, 134; #626 (795/1393), 33.00 × 36.75 cm, Little 1984, 148.

⁴⁵ Identical to the notary witness identified in Müller 2013, 556, who was active between the years 793 and 797 (witness ID P509).

⁴⁶ Identical to the notary witness identified in Müller 2013, 550–551, who was active between the years 793 and 798 (witness ID P126). However, the reading of the name differs from Müller’s identification.

⁴⁷ Müller 2013, 504 n.165. In the following case studies, we do not describe and illustrate the individual steps for analysing the handwriting and compa

ring it with other documents in equal detail. This description is intended as an example of the method that was also used in the other three case studies.

⁴⁸ The comparison of script involves looking closely at the handwriting, comparing letterforms, the way specific words or phrases are written, and other unique characteristics. If there are consistent differences in these features between the two documents, it would suggest they were written by different scribes.

⁴⁹ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #570 (795/1393), Little 1984, 146.

⁵⁰ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #250 (795/1393), Little 1984, 91.

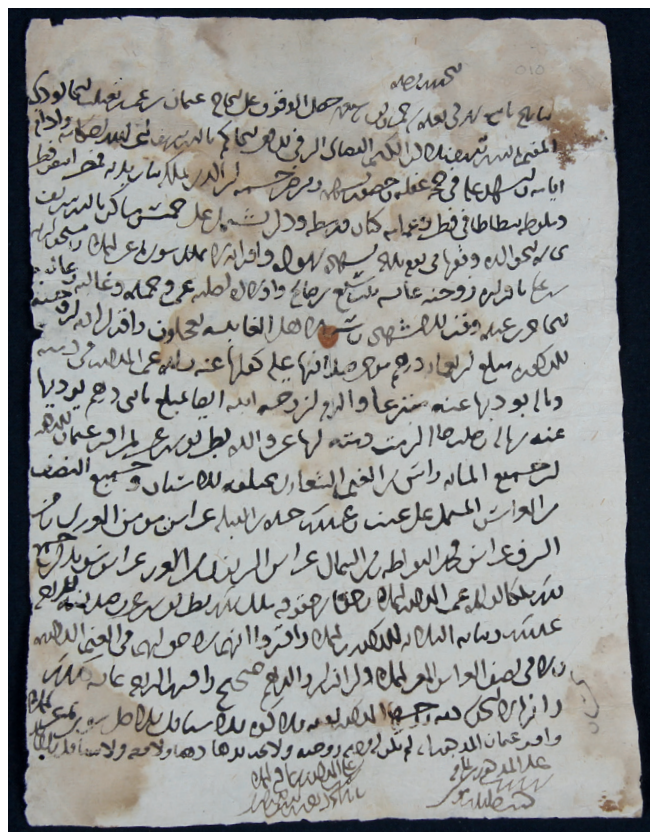


Fig. 2: Estate inventory #515 with nuska-note (795/1393).

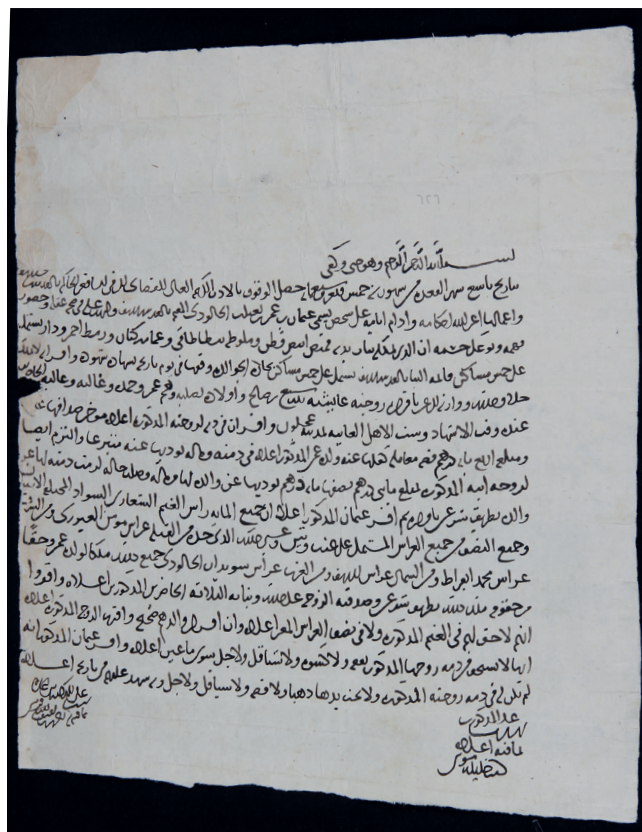


Fig. 3: Estate inventory #626 (795/1393).

Table 2: Comparison of handwriting between Haram documents #515 and #626.

#515, line 18	#626, line 15
<p>وانها لا تستحق في ذمة زوجها المذكور نفقة ولا كسوة ولا شيئا قل ولا جل</p>	<p>انها لا تستحق في ذمة زوجها المذكور نفقة ولا كسوة ولا شيئا قل ولا جل</p>

Table 3: Comparison of handwriting between Haram documents #626 and #570.

#626, line 4	#570, line 4
<p>ان الذي يملكه ثياب بدنه قميص ابيض</p>	<p>ان الذي يملكه ثياب بدنه قميص ابيض</p>

Table 4: Comparison of handwriting between Haram documents #515 and #250.

#515, line 2	#250, line 2
<p>بتاريخ تاسع شهر ذي قعدة سنة خمس وتسعين وسبعمية حصل الوقوف على</p>	<p>بتاريخ خامس شهر القعدة سنة خمس وتسعين وسبعمية حصل الوقوف على</p>

Table 5: Haram Document #515: Edition and translation of lines 1–4 out of a total of 19 lines and 2 witness clauses.

#515	
الحمد لله وحده	1
بتاريخ تاسع شهر ذي قعدة سنة خمس وتسعين وسبعماية حصل الوقوف على الحاج عثمان بن عمر بن ثعلب الجالودي	2
المقيم بالقدس الشريف بالإذن الكريم القضائي الشرفي الحاكم بالقدس الشريف أعزه الله أحكامه وأدام	3
أيامه وأشهد عليه في صحة عقله وحضور فهمه ومرض جسمه [...]	4
Praise be to God alone	1
On the date of the ninth of the month of Dhū Qa‘da the year seven hundred and ninety-five, the inspection took place [of the estate] of Ḥājj ‘Uthmān b. ‘Umar b. Thu‘aylib al-Jālūdī,	2
resident in Jerusalem, with the generous authorisation of the honourable shāfi‘ī Judge, the magistrate of Jerusalem the Noble, may God support his judgments and prolong	3
his days; and he [the testator named above] attested while he was in sound mind and possession of his mental faculties, but his body was sick [...]	4

Table 6: Haram Document #626: Edition and translation of lines 1–4 out of a total of 16 lines and 2 witness clauses.

#626	
بسم الله الرحمن الرحيم وهو حسبي وكفى	1
بتاريخ تاسع شهر القعدة من شهور سنة خمس وتسعين وسبعماية حصل الوقوف بالإذن الكريم العالي القضائي الشرفي الحاكم بالقدس الشريف	2
وأعمالها أعز الله أحكامه وأدام أيامه على شخص يسمى عثمان بن عمر بن ثعلب الجالودي المقيم بالقدس الشريف وأشهد عليه في صحة عقله وحضور	3
فهمه وتوكل جسمه [...]	4
In the name of God, the Compassionate, the Merciful, and He is sufficient	1
On the date of the ninth of the month of [Dhū] al-Qa‘da among the months of the year seven hundred and ninety-five, the inspection [of the estate] took place with the generous authorisation of the honourable shāfi‘ī High Judge, the magistrate of Jerusalem the Noble	2
and its districts, may God support his judgments and prolong His days; on a person called ‘Uthmān b. ‘Umar b. Thu‘aylib al-Jālūdī, resident in Jerusalem the Noble, and attested while he was in sound mind and possession of	3
his mental faculties, but his body was in indisposition [...]	4

When comparing the two versions of documents #515 and #626, each of which was written by a different scribe, variations emerge in the first four lines. Specifically, differences in wording and sentence structure are evident. While both texts include the same key components (invocation, date, temporal and spatial markers, name, if the testator is dead or ill, and authorisation), the sequence of these components differs.

Document #515 introduces the testator, Ḥājj ‘Uthmān b. ‘Umar b. Thu‘aylib al-Jālūdī, before declaring the authorisation by the honourable *shāfi‘ī* Judge. Conversely, in document #626, the authorisation of the *shāfi‘ī* High Judge is articulated before the introduction of the testator. This sequence variation subtly shifts the focus between the two texts, although this can be interpreted as a standard deviation between the two versions.

Despite general differences in structure, there are also a few clear variations in the wording between these two texts. For instance, the invocation in #515 is ‘Praise be to God alone’, while in #626 it is ‘In the name of God, the Compassionate, the Merciful, and He is sufficient’. Another example pertains to the depiction of the testator’s physical state: in document #515, it is noted as ‘his body was sick,’ while in #626, it is expressed as ‘his body was in indisposition’. Despite both phrases conveying a concept of illness and implying in the context that the testator is on his deathbed, they employ different expressions. These divergent choices reflect the standardised, yet flexible formulaic vocabulary typically seen in these kinds of legal documents. The final illustrative example of variation in wording is that document #515 directly addresses the magistrate, whereas #626 expands to include a reference to the districts within the magistrate’s jurisdiction.

Notwithstanding their formal disparities, it is important to note that these two versions, each drafted by a different scribe, record the same content of the itemised estate of al-Hājj ‘Uthmān b. Thu‘aylib al-Jālūdī. If we look at the itemisation of the testator’s possessions that follows the introductory sequences edited above, the contents of each item and description (e.g. *qamīṣ abyad qūn*, ‘white cotton shirt’) are consistent.⁵¹ There are no differences in content or omissions here when we compare the versions of the inventories recorded by the two different witnesses.

Document #626 distinguishes itself in terms of physical characteristics, particularly its script and spatial arrangement. Its script exhibits high legibility, particularly when compared to other ‘notarial’ handwriting styles found in the Ḥaram corpus. Additionally, the text’s spatial arrangement sets it apart from other paired documents examined in this paper, although it is not entirely unique within the sub-corpus of estate inventories in the Ḥaram corpus. One noteworthy feature is the ample white space above the text, which is rare in similar documents. In contrast, document #515 adheres more closely to the formal features typically seen in estate inventories within the Ḥaram corpus. The margins in this document have less space, particularly above the initial invocation, and the script appears to be more cursive.⁵²

⁵¹ Transcribed and translated from the Arabic term قميص ابيض قطن, line 4 in both #525 and #626.

⁵² Hirschler 2020, 45, 49–50 suggests that ‘illegibility’ might reflect a distinct style, specifically a ‘notarial’ hand, common in legal documents but less so in scholarly books. Assessments of legibility should consider the

Furthermore, a striking difference between the two documents, #515 and #626, lies in the material traces of archival practices. Specifically, only document #515 features archival holes, characteristic of the notary witnesses’ storage methods for the Ḥaram corpus’ estate inventories. These documents were typically bundled into chronologically sorted serial files. The lack of such archival holes in document #626 implies that it was likely not stored by the witness, but rather in a different context where documents were not archived in bundled piles. The idea that the scribe/originator of #626 might not have been the archival actor, as is the case with many other estate inventories of the Ḥaram corpus, is corroborated by the number of inspections traceable to Khalīl b. Mūsā, the scribe of #626, within the Ḥaram corpus. Khalīl b. Mūsā’s witness signature appears on 34 estate inventories, suggesting that he participated in these inspections and most likely originated his own version of the inventory. Given this pattern, it can be inferred that he probably had a systematic filing system, perhaps involving bundled stacks, much like other notary witnesses, and would have left archival holes as a result. On this basis, we argue that Khalīl b. Mūsā did not draft exemplar #626 for his own records.⁵³

It is uncertain why the scribe chose this particular visual organisation for document #626, and who archived it without leaving archival holes. It is plausible that #626 is a slightly more legible and beautifully executed copy of a more cursive version of the inventory, written by Khalīl b. Mūsā, which may not have been included in the investigation dossier that is now part of the Ḥaram corpus. Similarly, Aḥmad b. Yūsuf al-Daḡnā, the scribe of document #515 that contains the *nuskha*-note, might have created copies of his version. However, those exemplars are not part of the Ḥaram corpus today.

In summary, the duplicate inventories #626 and #515 represent two versions of documentation for an estate inspection. Their scribes/originators are two distinct notary witnesses, each documenting their version of the jointly conducted inspection of Al-Hājj ‘Uthmān b. Thu‘aylib al-Jālūdī’s estate.⁵⁴ Importantly, while each of these documents

historical and geographical context, as what appears illegible today may have been easily read by the intended audience.

⁵³ Müller 2013, 308 n. 398.

⁵⁴ In the present analysis, it remains inconclusive whether a document lacking a *nuskha*-note might also represent a copy of another version. Since no duplicate pairs in the Ḥaram corpus feature two versions with different scribes, both bearing a *nuskha*-note, we tentatively conclude that typically only one witness was responsible for drafting copies.

holds the status of an original, they exhibit only formal deviations and do not have any substantive discrepancies in their itemised content.

5.2 Versioning case study 2: documents #128 and #142

The second pair of documents also reflects the pattern seen in the first case study: they represent two versions of inventories for the same estate, that of Ṭāshhūn b. Shukrān b. Aʿlabak al-Rūmī from Tarsus on 30th September 795/1393. Inventory item #128 includes a *nuskha*-note (*nuskhatayn*), unlike inventory item #142, and the documents are written by two different scribes.⁵⁵ Hence, these documents represent different versions originated by two distinct witnesses who participated in the same inspection.⁵⁶ Given that the two versions exhibit distinct handwriting styles, the corresponding copy indicated by the *nuskha*-note on #128 remains absent from the current Ḥaram corpus.

On both #128 and #142, the same five witnesses have signed in the same place. In document #142, an additional sixth signature is located on the far right. Document version #128 was originated by Muḥammad b. al-Suyūfī, who placed his signature at the centre-left, and #142 by Muḥammad b. Sulaymān, who signed on the right.⁵⁷ However, in both documents, two of the witnesses did not personally sign. Instead, someone signed on their behalf – probably the respective scribe/originator of each document. This fact is explicitly mentioned in the witness clause: ‘It was written on his behalf, and so-and-so witnessed that for him’ (*kutiba ‘anhu shahida ‘alayhi bi-dhālika fulān*). The names of the two absent witnesses, ‘Abd al-ʿAzīz b. ʿUmar (3rd from the left)

and Tawakkul b. ʿAbd Allāh (4th from the left), are mentioned in this manner and in the same order on both documents.⁵⁸

Shifting our focus now to the structure and content, the two versions – each originated by a distinct scribe – will be compared, based on the initial lines of the deed’s main text:

When comparing documents #128 and #142, there are subtle yet noticeable differences in both their wording and structure (Tables 7 and 8). However, the two texts, similar to the pair mentioned above and many others in the corpus, follow a standardised format. They begin with a religious invocation, followed by a mention of the date, place, and the testator’s physical condition.

Both documents begin with a similar invocation, although there are slight variations. In #128, the phrase extends to ‘Praise be to God alone,’ while #142 simply states ‘Praise be to God.’ Regarding the temporal marker, both documents indicate the same date, ‘the last day of the month of Ramadan, the year seven hundred and ninety-five.’ However, there is a minor difference in how the date is presented. In document #128, the month of Ramadan is described as one that is ‘held in high esteem,’ while this additional phrase is absent in document #142. After the identification of a temporal marker, both documents employ the word *ḍaʿīf* (‘weak’) to denote the testator’s physical condition, indicating his state on the deathbed. Furthermore, the testator’s location is mentioned similarly in both documents. However, a slight disparity arises regarding the reference to the location of the estate inspection. Document #128 refers to it as ‘Khān al-Ḥaram al-Kabīr in Jerusalem the Noble’, while #142 simply states ‘Khān al-Kabīr in Jerusalem the Noble.’ Consequently, the descriptor ‘al-Ḥaram’ is present only in version #128.

⁵⁵ Similar to our analysis of the document pair #515 and #626, our conclusion diverges from Müller’s. He posited that the two inventories, #128 and #142, were originated by the same witness, Müller 2013, 504 n. 165.

⁵⁶ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #128 and #142 (795/1393), 16.5 × 24.5 cm, Little 1984, 73. Note that Little refers to both documents in one catalogue entry and gives measurements for only one, without specifying which one it is. The images of the documents show clearly that the documents have different formats and the measurements given by Little seem to refer to #128.

⁵⁷ Muḥammad b. al-Suyūfī corresponds to the notary witness identified in Müller 2013, 567. He served as a witness from the year 795 to 797 and was assigned the witness ID P583. Similarly, Muḥammad b. Sulaymān matches the notary witness detailed in Müller 2013, 570–571, with active years between 776 and 795, bearing the witness ID P256. The identification of witness P583 as the scribe of document #128 was confirmed through a handwriting comparison with document #224, which he also signed. Likewise, the identification of witness P256 as the scribe of document #142 was ascertained by comparing its features with document #270.

⁵⁸ Müller identifies only that the signature was made in the absence of the witnesses; he does not identify the names of the two witness, Müller 2013, 316 n. 443. Ideally, it would be expected that all witnesses would sign the copies. However, there are instances where this may not have been feasible, likely due to logistical reasons such as the witnesses being geographically separated. In such cases, the originator of the respective version might write the signatures ‘on behalf of’ the absent witnesses or in a few cases even omit them entirely, only including their own signature.

Table 7: Ḥaram Document #128: Edition and translation of lines 1–4 out of a total of 11 lines and 5 witness clauses.

#128	
الحمد لله وحده	1
بتاريخ سلخ شهر رمضان المعظم قدره سنة خمس وتسعين وسبعمية حصل الوقوف على ضعيف بخان الحرم	2
الكبير بالقدس الشريف يسمى طاشحون	3
Praise be to God alone	1
On the date of the last day of the month Ramadan, its value held in high esteem, the year seven hundred and ninety-five, the inspection took place [of the estate] of a weak [person] at Khān al-Ḥaram	2
al-Kabīr in Jerusalem the Noble, [the person] named Ṭāshḥūn	3

Table 8: Ḥaram Document #142: Edition and translation of lines 1–2 out of a total of 10 lines and 6 witness clauses.

#142	
الحمد لله	1
بتاريخ سلخ شهر رمضان سنة خمس وتسعين وسبعمية حصل الوقوف على ضعيف بالخان الكبير بالقدس الشريف يسمى طاشحون بن	2
Praise be to God	1
On the date of the last day of the month Ramadan, the year seven hundred and ninety-five, the inspection took place [of the estate] of a weak [person] at Khān al-Kabīr in Jerusalem the Noble, [the person] named Ṭāshḥūn b.	2

In regard to the physical characteristics of this document pair, they offer some insights into their archival history. Each document displays archival holes, indicative of having been folded, pierced, and strung for storage. Document #128 has been folded once horizontally and then pierced. Document #142, however, underwent a different archival process; it was folded twice in the middle and pierced once, and at another stage, it was folded once in the middle and pierced again. The distinct patterns of archival holes suggest that they were archived in different strung bundles at various stages. These archival holes alone, however, do not conclusively determine if the document pair was ever archived together. Additionally, both documents exhibit differences in visual organisation. Document #128 is larger than #142, with ample white space under the witness signatures, whereas #142 has minimal marginal space adjacent to its main text. These variations, significant as they are, do not necessarily indicate whether the documents were archived together or separately. Instead, the fact that they were originated by different scribes

suggests they were likely archived in separate bundles. This is consistent with the notion that each scribe would have maintained their own version as an aide-mémoire within their proximity, underscoring the independent nature of their archival and documentary processes.

The two estate inventory versions from the Ḥaram corpus #128 and #142, both recording the estate of Ṭāshḥūn b. Shukrān b. A‘labak al-Rūmī, dated 30th September 795/1393, exhibit consistent content in the itemisation of the estate but nuanced variations in wording, sentence structure and number of signatures. Similarly, as observed in the previous case study which also examines versions penned by different originators, the variances in vocabulary in each version represent more than just stylistic differences. Each witness drafted his own version of the inventory which he then had his colleagues sign, without any effort to collate the different versions. The originality of each version is thus apparent.

5.3 Copying case study 1: documents #168 and #592

Our third case study focuses on inventory #168 and #592, the first pair of documents that constitute a version and its copy. Both documents record the estate of Sūmalik bint Muḥammad b. Muḥammad al-Dimashqīya, who was on her deathbed when the inventories were conducted on 13th December 795/1392. These two documents were written by the same hand.⁵⁹

While Inventory #168 features a *nuskha*-note (*nuskhatayn*), Inventory #592 does not have one. Both inventories were originated by the same scribe, identified as Muḥammad b. Muḥammad b. Abī [al-‘Udrī/al-Qadrī?]. In inventory #168, only the scribe’s signature is present, positioned on the right side. However, in document #592, lacking the *nuskha*-note, there is an additional signature of a second witness, located to the left of the scribe’s signature.⁶⁰

Differences exist between the initial version #168 and its copy #592, particularly in aspects such as sentence structure and phraseology. An example is the use of two different invocation formulas: Basmala (#168) and Ḥamdala (#592), both commonly used to introduce estate

inventories. However, more specific details vary between the two documents penned by the same hand. For instance, document #168 provides a detailed description of the location of the inspection as ‘a house in the Noble Jerusalem in the quarter/area of the Cotton Market is known as the endowment (*waqf*) of the late Nāṣir al-Dīn al-Ḥanbalī’.⁶⁶ Document #592, on the other hand, offers a more succinct version, simply referring to it as the ‘house of the late Nāṣir al-Dīn b. al-Ḥanbalī in Jerusalem the Noble’.⁶⁷ Document #592 omits reference to an endowed house situated in the cotton merchant market quarter, an element present in document #168. These discrepancies, while noteworthy, are not significantly impactful. It can reasonably be assumed that, despite the abbreviated description in document #592, the inspection location would be clear to all parties involved, given its regularity as a topographical feature in Jerusalem.

The differences in content of the itemised estate between the two inventories #592 and #168, both written by the same scribe, are even more remarkable. When we compare the two, it is evident that each document contains items that are not present in the other (Table 9).

Table 9: Items named in one of the two documents and not mentioned in the other.

Items mentioned exclusively in #168	Items mentioned exclusively in #592
Container for <i>kuhl</i> ⁶¹	Shabby skullcap ⁶²
Perfume flacon ⁶³	Shoes ⁶⁴
Handkerchief from Jerusalem ⁶⁵	

⁵⁹ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #168 (795/1392), 13.5 × 32.5 cm, Little 1984, 83; #592 (795/1392), 11.9 × 26.0 cm, Little 1984, 147. Müller asserts that the handwriting is the same. We concur with this assessment, making it the only pair discussed here where we have the same result in our handwriting analysis, Müller 2013, 504 n.165.

⁶⁰ Although rare, #168 is not the only document in the Ḥaram corpus which carries only one witness signature. See for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #168, #246, #255, #290, #363; cf. Lutfi 1985, 215 n.192.

⁶¹ The Arabic term مكحلة refers to a container for *kuhl*, which is a type of eye cosmetic traditionally used in Middle Eastern cultures.

⁶² The Arabic term خلق طاقية translates to ‘shabby, worn skullcap’.

⁶³ In this context, the Arabic term طيبية can likely be translated as ‘perfume flacon’.

⁶⁴ The term سرموجة is indicative of footwear (possibly an overshoe, worn over primary shoes). See *sarmūza* in ‘Abd al-Jawād 2002 for further reference.

⁶⁵ The Arabic term منديل قدسي denotes a ‘handkerchief from Jerusalem’, indicating a handkerchief with origins in or associations with Jerusalem.

⁶⁶ Translated from the Arabic phrase بدار بالقدس الشريف بخط سوق القطن يعرف وقف المرحوم ناصر الدين الحنبلي. The word *waqf* is used to denote an Islamic endowment, a property dedicated to charitable purposes in perpetuity.

⁶⁷ Translated from the Arabic phrase بدار المرحوم ناصر الدين بن الحنبلي بالقدس الشريف. Note that in document #168, the name of the endower appears as Nāṣir al-Dīn al-Ḥanbalī, while in document #592, it is written as Nāṣir al-Dīn b. al-Ḥanbalī.

These discrepancies in the itemisation are quite significant, especially considering that they are present in both inventories. If only document #168 had omissions while document #592 listed all the items found in #168, one could entertain the possibility that the scribe, Muḥammad b. Muḥammad b. Abī [al-‘Udrī/al-Qadrī?], initially wrote one inventory, later noticed the omissions, and then created a new and more complete version. In this scenario, the second witness could have signed the revised version, which would explain why the earlier version bears only the scribe’s signature. However, since omissions occur in both documents and #168 even includes more listed items, this scenario seems unlikely. Alternatively, and more probably in this case, the scribe may not have placed significant emphasis on ensuring that the initial document and its copy were identical or at least comparable in terms of content. This is also supported by the fact that we know that the scribe was able to make corrections in the text by crossing out words. This was a common practice, as we can see in several other estate inventories.⁶⁸

The presence of matching archival holes in both documents, similar sizes and folding patterns suggests they were bundled and archived together for a certain period. Given their similar and very distinct hole patterns, it is plausible that they were once part of the same bundled pile. It seems likely that these documents – the version with the *nuskha*-note (#168) and its copy (#592) – remained with the originator before being relocated to a different archival context approximately two and a half years later, during the compilation of the investigation dossier. It remains unclear whether the major discrepancies in the inventory prevented its copy from being passed on to one of the heirs.

In summary, both inventories #168 and #592 were originated by the same notary witness, Muḥammad b. Muḥammad b. Abī [al-‘Udrī/al-Qadrī?]. While these documents share structural similarities, they exhibit pronounced differences in their itemised content. The version with the *nuskha*-note – argued the initial version to serve as an aide-mémoire for its originator – features only one witness signature, whereas the copy without the *nuskha*-note intended for an external party bears two signatures. This suggests a higher degree of authentication for external copies and implies that obtaining an additional signature on the

version archived by the scribe/originator was not a priority. Moreover, the deviations and variations between the two documents make it evident that the originator created both the initial version and its copy as separate originals intended for two different purposes.

5.4 Copying case study 2: documents #694 and #696

The fourth and final case study concerns a pair of *iqrār*-inventories, namely notarised acknowledgements of estates inventories #694 and #696 (Figs 4 and 5). These duplicate exemplars provide a detailed account of the estate of the miller, Abū Bakr b. ‘Alī b. ‘Abd Allāh al-Dimashqī, dated the 28th of Shawwāl, 795/6th of September 1393.⁶⁹ A distinguishing feature of this document pair is that both #694 and #696 bear a *nuskha*-note (*nuskhatayn*) on the right side of the text. This is the only pair of documents amongst the estate inventories in the Ḥaram corpus where both exemplars carry such a note, whether they were written by the same hand or by different hands. In this specific case, with two copies penned by the same hand, one of the duplicates can be considered a product of the scribal practice of ‘copying’. However, while we previously argued that in a pair of documents written by the same originator, where only one bears a *nuskha*-note, the copy with the note indicating the number of copies often remained with the originator and the copy without such a note was given to a party involved in the inheritance, we cannot apply such a distinction to the case of #694 and #696. Here, the originator deviated from common practice by leaving notes on both copies. Whether he had specific reasons for applying two *nuskha*-notes or whether this occurred accidentally in the course of copying the initial version of the inventory remains inconclusive.

While the three pairs of inventories discussed in the first three case studies fall under the *wuqūf* category, inventories #694 and #696 differ formally because they were drafted as *iqrār* deeds. These *iqrār*-inventories include the primary elements of estate inventories and may additionally outline outstanding debts or loans, confirm the spouse’s ownership of household goods, or refute claims to the dower. An integral part of *iqrār* documents is the legal formula that verifies the

⁶⁸ See for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #257 (796/1394).

⁶⁹ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #694 (795/1393), 17.3 × 26.0 cm, Little 1984, 219–220; #696 (793/1393), 19.6 × 28.0 cm, Little 1984, 220. Lutfi edited and translated #694, Lutfi 1985, 51–53. However, our reading of the date in document #694 as 28th Shawwāl 795 diverges from Little’s and Lutfi’s interpretations. Little identifies it as 3rd Shawwāl 795, Little 1984, 220, while Lutfi records it as 22nd Shawwāl 795, Lutfi 1985, 51–53.

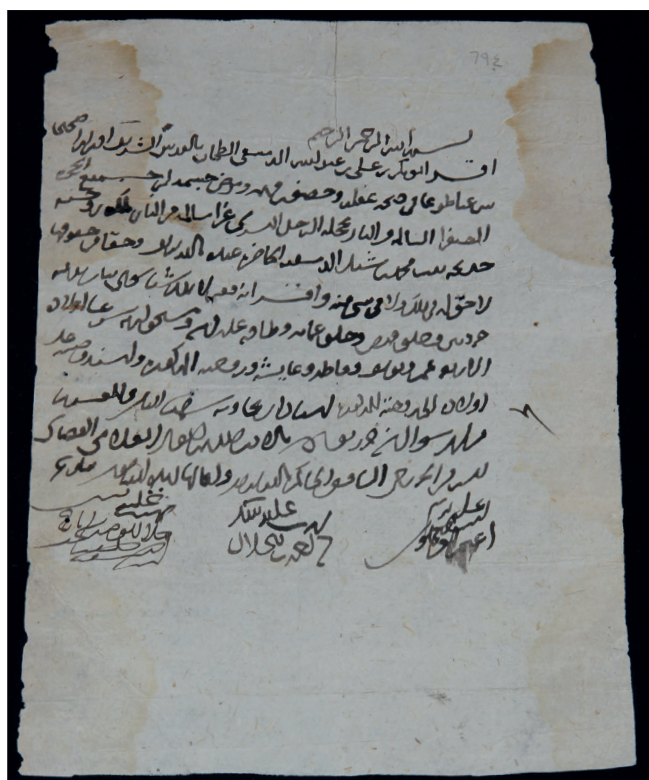


Fig. 4: Estate inventory #694 with *nuskha*-note (795/1393).

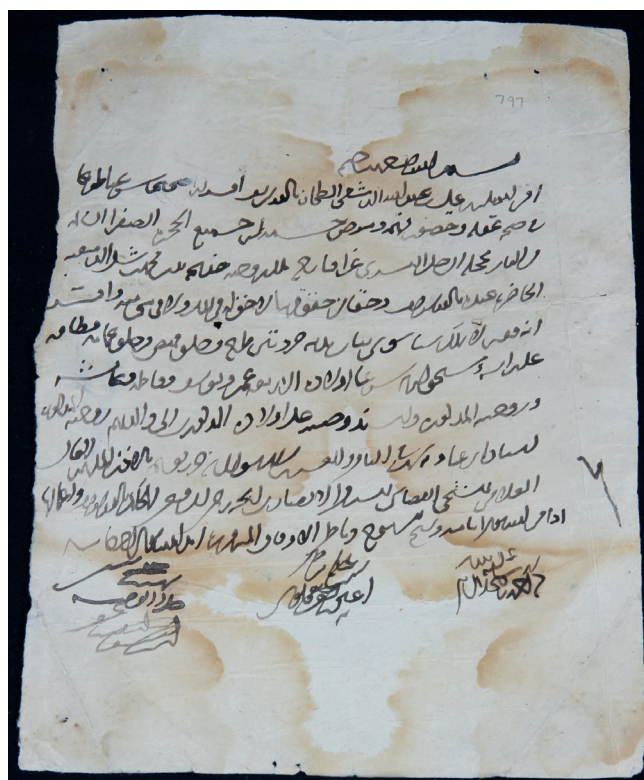


Fig. 5: Estate inventory #696 with *nuskha*-note (795/1393).

testator's voluntary acknowledgment, and in the specific case of *iqrār*-inventories, it asserts that they, though (terminally) ill, maintain a sound mind and full mental faculties. Some *iqrār* estate inventories, including the document pair #696 and #694, incorporate a will (*waṣīyya*), a section devoted to the particular demands of the dying. Despite the differences in their notarial formats, both the *wuqūf* and the *iqrār* inventories fall within the scope of this paper. They underscore shared administrative goals and exemplify a common scribal practice of copying in the context of estate settlement.⁷⁰

The duplicate estate inventories, #694 and #696, were both drafted on the 6th of September 795/1393. The process was attended by three witnesses who each affixed their signatures to both exemplars. Intriguingly, the order of these witness signatures varies between the two documents. While both documents were originated from the same scribe, the signatures, horizontally arranged at the bottom of the main body of text, show a consistent pattern: Yūsuf b. Khalīfa b. al-Ḥanafī⁷¹ always signs on the leftmost side, while the positions of the other two witnesses vary, interchanging in the middle and on the right.

Regarding the specific role of the witness Yūsuf b. Khalīfa b. al-Ḥanafī, it is important to note that he was present for the inventorying procedure but did not witness the will. This distinction is reflected in the witness clause he wrote at the bottom of the main body of the text. His slightly varied witness clauses for #694 and #696 read as follows (Table 10).

Consequently, any deed drafted by this witness would exclude the will segment (*waṣīyya*) due to his absence during its witnessing. Given that both #696 and #694 incorporate a will, it is evident, even without a handwriting analysis, that Yūsuf b. Khalīfa neither originated this pair of documents nor likely presented his own version to the other witnesses for signing.

Upon analysing the handwriting in the main body of the document and the witness clauses, using the method described above, it becomes evident that both papers were drafted by 'Isā b. Aḥmad al-'Ajlūnī.⁷² Our findings contrast with those of Müller, who states that the two documents originated from different hands.⁷³ According to our study, al-'Ajlūnī, who signed on the right side of #694 and in the middle of #696,

⁷⁰ Lutfi 1985, 70; Müller 2013, 89, 390–396.

⁷¹ This individual is identical to the notary witness identified by Müller, although he reads Yūsuf b. al-Naqīb al-Ḥanafī, Müller 2023, 574–575 (witness ID P298), who was active between the years 787 and 796.

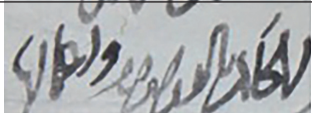
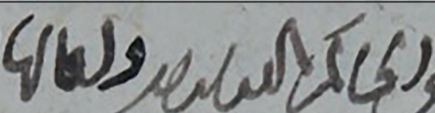
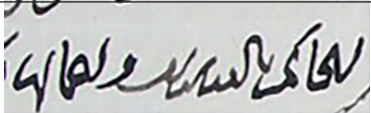
⁷² This individual is identical to the notary witness identified by Müller, Müller 2013, 559–560 (witness ID P111), who was active between the years 777 and 797.

⁷³ Müller 2013, 504 n.165.

Table 10: Witness clause by Yūsuf b. Khalīfa b. al-Ḥanafī as written on the left on the inventories #694 and #696.

#694, left witness clause		#696, left witness clause	
شهدت عليه بذلك	12	شهدت عليه بذلك	12
خلا الوصية في تاريخه	13	خلا الوصية	13
كتبه يوسف بن خليفة بن الحنفى	14	كتبه يوسف بن خليفة بن الحنفى	14
I have testified thereto for him	12	I have testified thereto for him	12
except for the will on the document's date	13	except for the will	13
written by Yūsuf b. Khalīfa b. al-Ḥanafī	14	written by Yūsuf b. Khalīfa b. al-Ḥanafī	14

Table 11: Comparison of handwriting for the sentence *al-ḥākim bi-l-quḍs al-sharīf wa-a' mālihā* on Ḥaram documents #696, #694 and #335.

#696, line 10	#694, line 11	#335, line 10
		
الحاكم بالقدس الشريف وأعمالها	الحاكم بالقدس الشريف وأعمالها	الحاكم بالقدس الشريف وأعمالها

is the scribe/originator of the two inventories. This assertion is supported by handwriting features consistent across both duplicate records. We further validated our claim by comparing passages from these documents to another one (#355)⁷⁴ signed by the same witness. For instance, the same sentence *al-ḥākim bi-l-quḍs al-sharīf wa-a' mālihā* ('the magistrate of Jerusalem the Noble and its districts') from our pair, juxtaposed with its counterpart in document #355, reveals the same scribe's work. The combined evidence of matching handwriting and signatures conclusively identifies 'Īsā b. Aḥmad al-'Ajlūnī as the scribe of inventories #696 and #694 (Table 11).

After identifying 'Īsā b. Aḥmad al-'Ajlūnī as the scribe/originator of both documents and discerning that they are copies penned by the same hand, we can now proceed to compare the two inventories #696 and #694. Both exemplars in the paired set display notable similarities in their formal structures, nomenclatures, and content of the itemised estate. However, they diverge from being verbatim copies, showing nuanced distinctions. Such variations are consistent with previous analyses, emphasising that exemplars, even when they are from the same originator, might not be exact word-for-word copies.

⁷⁴ Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #355 (795/1393), Little 1984, 232.

The two *iqrār*-inventories begin with the same invocation, the *Basmala*. In #694 it is then stated that the testator acknowledges that 'All of the yellow mare, unaffected by disease,⁷⁵ with whiteness exclusive to its left leg, having a white spot on its forehead, belongs to his wife.' The same sentence appears in #696, along with an additional descriptive element of the height of the horse that belongs to his wife: 'All of the yellow mare, unaffected by disease, with whiteness exclusive to its left leg, having a white spot on its forehead and being tall (*fāri*), belongs to his wife.'⁷⁶ In essence, the sentences are mostly similar but for the addition of the height descriptor in #696. This additional information provides more detail about the physical appearance of the mare – a difference that, in the legal sense, most certainly had no effect. This is another example of how the act of copying by the same originator was not verbatim.

⁷⁵ The original wording is 'safe from fire'. A horse being 'safe from fire' in this context means that the mare was not affected by any disease, that is, she did not need to be cauterised with fire to recover from her illness, see 'Omarī 1964, 256.

⁷⁶ In lines 3–4 of both #694 and #696, our edition reads: جميع الحجرة الصفراء السالمة من النار بحجلة الرجل غراء [فارح] جميع الحجرة الصفراء السالمة من النار عجلة: #694: which she translates as 'all of the small stone, unimpaired by fire, is the left-foot wheel that is (?)', see Lutfi 1985, 51–52. While Lutfi interprets *hajar* as 'stone', we read it in this context as *hijr* ('mare'), see 'al-hijr', al-Zabīdī, *Tāj al-'arūs*, eds Hijāzī et al. 2001, vol. 10, 536.

Table 12: Draft on the verso side of #696, reused for writing estate inventory.

#696, verso	
بسم الله الرحمن الرحيم	1
بتاريخ سادس عشري شوال المبارك سنة خمس وتسعين وسبعماية أشهد عليه داود بن محمد بن داود أنه وقعت خشبة على إصبعيه	2
In the name of God, the Compassionate, the Merciful	1
On the date of the sixteenth of blessed Shawwāl in the year seven hundred and ninety-five, Dāwūd b. Muḥammad b. Dāwūd attested that a piece of wood fell on his fingers	2

Transitioning to the analysis of the itemised content of the estate of the testator, Abū Bakr b. ‘Alī b. ‘Abd Allāh al-Dimashqī, a single discrepancy emerges. Whereas both inventories enumerate two ‘rags’ (*jardatayn*) amongst the miller’s items of clothing, there is a variance in the detailed description of this item. Document #696 provides a more comprehensive explanation, identifying the rags as being made of a fabric termed *tarḥ*, which is akin to silk.⁷⁷ In comparison, document #694 merely lists the rags, without any specification of the silk-like *tarḥ* material. This difference aside, the enumeration of the remaining possessions bequeathed to his wife and their children is consistent, with identical order and wording in both inventories.

In the formulation of the will that follows the itemisation, a noteworthy discrepancy comes to light: Exemplar #694 states, ‘He assigned his will for his children to his mentioned wife’⁷⁸ whereas #696 reads, ‘He assigned his will for his mentioned children to their mother, his mentioned wife.’⁷⁹ The lack of specificity in #694 might lead to the misinterpretation that the mother of the children is someone other than the wife referred to in the will. Despite this ambiguity, it would likely be clarified during an oral testimony by the scribe/originator of both documents. Concluding with the honorifics, inventory #696 extends a more generous set of praises, bestowing additional titles and blessings upon the Judge who authorised the acknowledgement, as compared to its counterpart, #694, penned by the same scribe/originator.

One of the unique features of the duplicate estate inventory for the sick miller Abū Bakr b. ‘Alī b. ‘Abd Allāh al-Dimashqī, in addition to the presence of a *nuskha*-note on both documents, provides insights into the intended purpose

and recipient of each exemplar. Specifically, inventory #696 was written on the reverse of what appears to be a discarded draft for a separate legal document. This draft, dated two days earlier, the 26th of Shawwāl 795/1393, initially addressed the case of an individual named Dāwūd b. Muḥammad b. Dāwūd (Table 12).

While the reason for the cessation of the writing remains uncertain, what is evident is that two days later, on the 28th of Shawwāl, the same notary witness chose to reuse the near-empty page. He drafted one of the two extant written inventories, #696, for Abū Bakr b. ‘Alī b. ‘Abd Allāh al-Dimashqī on the reverse side. The connection between the incomplete deed on the recto and the inventory on the verso is their shared scribe. The notary witness, ‘Īsā b. Aḥmad al-‘Ajlūnī, decided to repurpose the paper for one of the two exemplars of the inventory #696 without crossing out the initial deed. This use implies that document #696 was likely intended as an aide-mémoire for its scribe/originator, archived for potential court proceedings where he might be required to provide oral testimony. Meanwhile, its counterpart, document #694, penned by the same scribe on a blank sheet, was likely designated for an external party.

The visual organisation of the two inventories is strikingly similar. Furthermore, physical characteristics of estate inventories #694 and #696 suggest that, not only were they scribed by the same hand, but also that they exhibit traces of similar archival practices. Both were folded once horizontally at the midpoint and bear archival holes, indicating they were once pierced and strung together. Currently, however, they are no longer connected, with only the holes remaining as residues of this past practice. The presence of symmetrical discolorations suggests they were stored in a comparable folded fashion, perhaps in the same environment. This mirrors the characteristics of the aforementioned version #168 and its copy #592, reinforcing the notion that the copies were produced for the heirs of the testator or other parties involved in the

⁷⁷ Ṣāliḥiyya 1985, 21, 25, 35.

⁷⁸ In lines 8–9 of #694, our edition reads: أسند وصيته على أولاده إلى زوجته المذكورة.

⁷⁹ In lines 8 of #696, our edition reads: أسند وصيته على أولاده المذكورين إلى والدتهم زوجته المذكورة.

estate resolution, but went uncollected. Given that these estate inventories were part of an investigation dossier that focused on the judge who authorised them and that comprised materials sourced from various sites within Jerusalem, it is plausible that they were accrued from witnesses and local authorities, rather than from the family archives of individual estate lots.

In summary, the fourth case study examines two *iqār*-inventories, documents #694 and #696, each detailing the estate of Abū Bakr b. ‘Alī b. ‘Abd Allāh al-Dimashqī from 6th of September 795/1393. Both are distinctively marked with a *nuskha*-note and exhibit structural and wording variations, with only minor differences in content. These nuances underscore a scribal practice of non-verbatim copying of estate inventories. Both documents were signed not only by the originator but also by attending notary witnesses, further affirming their status as originals. Notary witness ‘Isā b. Aḥmad al-‘Ajlūnī used a fresh sheet for #694, while the reverse side of a discarded draft served as the writing support for #696. This suggests that the reused paper was designated for the initial version and as an aide-mémoire for its originator, with the other exemplar drafted as a copy for another party involved in the estate settlement. Furthermore, they exhibit parallel archival trajectories, with the copy remaining unclaimed.

6. Conclusion: multiple originals and their originators

In this article, we have delved into the phenomenon of multiple exemplars of the same estate inventory from the late fourteenth-century Jerusalem, each showcasing distinct variations in structure, wording, physical characteristics, and content. This pattern, evident in the Ḥaram corpus, is characterised by both versioning and copying practices. It sheds light on two distinctive successive writing processes carried out by court-appointed notaries in Jerusalem. Central to our investigation is the classification of these documents as either ‘versions’ or ‘copies’, a distinction that hinges on the identity of the scribe/originator and their distinct roles and responsibilities in creating and authenticating these documents. We have also discussed the implications of the status of the versioned and copied inventories as ‘originals’ within the socio-cultural context of late fourteenth-century Jerusalem.

Out of eleven instances of duplicate inventories and one instance of a triplicate inventory, we identified six pairs of estate inventories where at least one of the exemplars carries a *nuskha*-note, indicating that copies of that respective exemplar were made. Some of these pairs with a *nuskha*-

note were originated by the same notary witness, while others were originated by two distinct witnesses. In our comparison of two pairs written by the same hand (a version and its copy) and two exemplars written by different hands (two versions), we found that the scribal practices of both ‘versioning’ and ‘copying’ led to written exemplars with notable degrees of deviation. These differences spanned not only structure and nomenclature but also the core content of the inventory. Despite the standardised formulaic language of these documents, each one bears the distinct imprint of its originator, thus showing its status as an original both physically and formally. These variations highlight the unique role of each notary witness in the estate inspection and their contribution as originators to the creation of the content of these multiple originals.

Our findings not only underscore Müller’s argument about versions – that there was no stringent insistence on exact textual conformity, because they held no probative significance – but also extend this understanding to the copies of estate inventories.⁸⁰ This suggests that the group of notary witnesses attending the estate inspection did not collate their versions among themselves, and the witness tasked with drafting copies for the heirs did not collate those copies with his own version either, despite collation being an established practice during that period.⁸¹ This observation further supports the idea that each document, whether a version or a copy, was crafted with a distinct purpose and audience in mind, reaffirming the significance of the originators’ roles in the creation process.

When discrepancies emerged between written versions or copies, the oral testimony of the notary witnesses took precedence. Thus, the written version, archived in proximity to its originator, was crafted as an aide-mémoire in case of litigation. In contrast, the copy was produced for the heirs of the estate, intended for their private archives and for them to initiate court procedures if necessary.

Creating unique content with two distinct purposes and recipients in mind, the notary witnesses acted as scribes/originators of two different kinds of originals: their version of an inventory and its copy. By placing their witness signature not only on their own exemplars but also on those created by the other witnesses attending the court-authorised inspection, the originators authenticated each inventory, further elevating

⁸⁰ Müller 2010, 22–32.

⁸¹ For a collation note in the Ḥaram corpus see for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #051 (717/1318).

its status to that of an original. However, none of these exemplars had the status of an authoritative version.

The dual role of the notary witnesses, encompassing both written and oral practices, provides valuable insights into their professional practice. As court-delegated estate inspectors and notaries, they engaged in witnessing and documenting the facts, and in providing oral testimonies when required. This emphasises the importance of both the material and immaterial aspects of their profession. As originators of multiple exemplars, the notary witnesses, as argued above, drafted both copies and versions with specific recipients in mind, including themselves. Particularly in the two case studies on ‘copying’ presented in this contribution, there appears to be a slight inclination for an individual’s own version to take on a ‘draft’ status. This is evident in instances such as #168, which bears only a single signature, and document #696, which uses reused paper without obscuring the initial draft.

The presence of a draft-like character in the initial versions suggests a nuanced approach by the scribe/originator. Initially, these versions likely served as preliminary drafts, archived by their originator. They were crafted as aides-mémoire in case of litigation, and later refined in subsequent copies for distribution to other parties involved in the estate settlement. However, such observations should be considered with caution. While the Ḥaram corpus features numerous inventories with *nuskha*-notes, only a select few allow for a comparison between a version and its copy, as the majority of inventories with a *nuskha*-note are extant as single exemplars rather than duplicates. The insights, drawn from our focused case studies, illuminate the complexities and variations in the creation of multiple exemplars of estate inventories. They also underscore the necessity for further in-depth analysis to fully understand the dynamics and significance of both versions and copies within the documentary and archival landscape of the Ḥaram al-sharīf corpus.

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Fig. 2: Estate inventory #515 with *nuskha*-note (795/1393)
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Fig. 3: Estate inventory with *nuskha*-note #626 (795/1393)
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Fig. 4: Estate inventory #694 with *nuskha*-note (795/1393)
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Fig. 5: Estate inventory #696 with *nuskha*-note (795/1393)
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