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Being Franciscans in Mamluk Jerusalem

Three Years in the Life of the Franciscan Custody of the Holy Land (1436–1438)

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Three Years in the Life of the Franciscan Custody of the Holy Land (1436–1438)

Camille Rouxpetel

Introduction: The Foundation of the Franciscan Custody in the Holy Land under the Dual Patronage of the Roman Papacy and the Mamluk Sultanate of Cairo[1]

The Custody of the Holy Land was established in 1342 by the Bull *Gratias agimus* and the Bull *Nuper carissimae*.[2] With this papal recognition, the Franciscans assumed the role of "guardians" of the Holy Places, a designation that reflected the original meaning of "custody." First establishing themselves in Jerusalem, then later also founding monasteries in Bethlehem and Nazareth, the Franciscans acted similarly to other Christianities in Islamic lands, whether they were Chalcedonians or non-Chalcedonians, by welcoming and supervising pilgrims and by reporting the pilgrims' presence to the Mamluk authorities responsible for setting the conditions for the Christians' presence throughout the sultanate and the Bilād al-Shām (literally "the left-hand-region," i.e., Greater Syria, spanning current Syria, Lebanon, Jordan, Israel and Palestine).[3] The Custody was a subdivision of one of the eleven mother provinces of the Franciscan order, which were created as early as the General Chapter of 1217. In the sources, it is variously referred to as the province of Syria, Romania, or Outremer. The first Franciscan monastery was established on Mount Sion, at the site of the Cenacle. The monastery was constructed on land purchased in 1335 from the Bayt al-Māl (an institution often translated as "Islamic Public Treasury" or "Treasury of Muslims") by Marguerite the daughter of Giovanni [Marguerite of Sicily], and two Franciscan friars, Roger and John.[4] Marguerite's share was then transferred to Brother Roger, who subsequently acquired another plot of land with Brothers Adolfo and Bartolomeo in 1335 and 1337.[5] In 1337, Roger converted the lands acquired in 1335–1337 into a *waqf* (pious endowment) for the benefit of the Franciscan friars.[6] From the outset, the foundation of the Custody was conducted in accordance with two distinct legal frameworks: Islamic law (use of the *waqf*) and the rules of the papal see (papal bull). It is crucial to acknowledge this duality, Islamic and Roman, in order to comprehend the evolution of the Custody.

In relation to the papacy and the Latin Church, the Custody held a place of significance. The chapter meeting held at the convent of Mount Sion in 1377 decreed that "the custos (guardian) of Mount Sion was to be regarded as the superior of

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the other establishments (*locus*) of the Holy Land." This was intended to convey the importance of his office, which was comparable to that of the provincial minister of the Holy Land.[7] Between 1435 and 1437, a century after the foundation of the Custody, while Pope Eugene IV was receiving the Byzantine ambassadors to prepare the Union of Ferrara-Florence (1438–1439), he dispatched the Franciscan Observant Albert of Sarteano, a close associate of Bernardino of Siena, to Jerusalem. This was indicative of the growing influence of the Observants but of other papal preoccupations as well.[8] Sarteano's mission was threefold: firstly, to promote the reform of the Observance by installing a Franciscan Observant custos instead of the Conventual friar who had been elected; secondly, to establish contacts with Eastern Christians; and thirdly, to gain further support for the Franciscan presence in the Holy Land.[9] In 1438, following a series of setbacks, he successfully appointed an Observant friar, Gandolfo of Sicily, as the head of the Custody. However, the archives of the Franciscan Custody of the Holy Land contain no record of this mission.

Instead, there are records of a different undertaking that highlight a very distinct aspect of the Custody from its connections to the papacy and the Latin West. During the years 1436–1438, the current custodian was preoccupied by the restoration of the convent of Mount Sion. This is corroborated by a *hujja*, an Islamic legal document issued by the *qāḍī* court. This *hujja* contains eight documents reporting on the decisions of the various *qāḍī-s* called upon by the Franciscans of Jerusalem. This archival and epistolary dossier enables an investigation into the role and position of the Franciscans in Mamluk Jerusalem in two key contexts: the urban fabric of Jerusalem and the formation of a regional political sphere in which inter-Christian and Christian–Muslim relations were negotiated in the face of the advance of Islamization, that is a period that witnessed gradual change from a predominantly Christian to a predominantly Muslim population.[10]

By dwelling on the years 1436–1438 and on both Sarteano's mission and the aforementioned *hujja*, this chapter will consider three levels of analysis: the internal functioning of the Franciscan Custody, the status of the Franciscans as defined by the dominant group in their society, and the western hinterland of the Franciscan Custody. We will commence by defining the status of the Franciscans and their territorial roots in Jerusalem. Subsequently, we shall look at their relations in Jerusalem with the other Christian Churches and with the Mamluk authorities. Finally, we shall consider their integration within the wider Mediterranean area and their role in the relations between Rome and the other Churches.

The Status of the Franciscans as *ahl al-dhimma*

With regard to the question of status, scholars typically consider Franciscans as Western foreigners temporarily residing in the "Holy Land." Consequently, they accord greater weight to narrative and liturgical sources that were originally written for their Latin co-religionists.[11] This explains how neglected the Franciscan archives have remained since the pioneering works of the late nineteenth and early twentieth centuries (Pourrière and Golubovich, then Risciani).[12] Nevertheless,

Islamic legal documents, whether *hujja* or *marsūm* (a sultanic decree), leave no room for doubt: the Mamluk authorities considered the Franciscans to be *dhimmī*-s, in the same category as other Christian groups residing in the dār al-islām. In other words, the Franciscans were not considered *musta'min* or *ḥarbī*, that is, non-Muslim foreigners temporarily residing in the dār al-islām, who were subject to the right of the *amān* (safe-conduct). Their status can be deduced from both the content of the custodial archives, which include the types of authorization requested from the Mamluk authorities, and from the terms used to designate them in *hujja*-s and sultanic decrees.

The *hujja* of 1436–1438 is particularly helpful in demonstrating the Franciscans' status from the perspective of Mamluk authorities.[13] The procedure commenced with a communication from the "friars of the convent of Mount Sion" to Sultan al-Ashraf Barsbāy (r. 1422–1436), in which the friars informed him of the deplorable state of the convent, both inside and outside the church. They asserted that this state constituted a risk to both the buildings and its inhabitants. On 5 January 1436, the sultan granted the friars' request and authorized work on the plaster and pavement inside the church. The decree was then transmitted to the civil and religious authorities in Jerusalem, who were responsible for its implementation. Three Islamic schools of law (*madhhab*) were involved: the Ḥanafī, Shāfi'ī, and Mālikī schools (we will return to this choice and the exclusion of the Ḥanbalī *qāḍī*-s, or judges, from the procedure). Then, the custodian, Friar Giacomo Delfino, accompanied by several friars, inquired of the *ulama* regarding the necessary repairs to be carried out in the aftermath of the damage caused by the collapse of a portion of the walls and the formation of various cracks in the ceiling and exterior walls. Consequently, the custodian formulated a request, delineating the specific elements to be restored and the manner in which they should be restored, including the materials to be used. The custodian's request explicitly designated the Franciscans of the Custody as being subject to the rights of the *dhimma* (*ahl al-dhimma*), and as Christians. The Ḥanafī and Shāfi'ī *qāḍī*-s then validated the agreement through legal consultations (*fatwā*-s). In March of the same year, at the invitation of the custodian, the Mālikī *qāḍī* proceeded in person to the monastery on Mount Sion, accompanied by several craftsmen, with the objective of assessing the extent of the damage and specifying the nature of the work. Upon completion of his visit, he confirmed the legitimacy of the proposed work.[14]

Restoration commenced immediately. This is evidenced by a complaint of non-conformity lodged by a Muslim resident of Jerusalem with the Shāfi'ī judge on 12 May 1436.[15] The basis of his complaint concerned the alterations to the monastery resulting from the construction work and the lack of respect for the monastery's previous state, which was an old Byzantine construction. In essence, the Muslim resident claimed the friars' restoration work violated Islamic law. Three days later, the Shāfi'ī muftī, accompanied by the Ḥanafī muftī (in charge of religious affairs in Jerusalem), the Mālikī judges, and the son of the viceroy of Jerusalem, followed by numerous jurists and witnesses, proceeded to the Franciscan convent of Mount Sion to ascertain the legality of the work carried out, in accordance with their *fatwā*. The panel concluded that the work was lawful and dismissed the plaintiff's

claim. However, they did order the destruction of two parapets on either side of the convent's north and south entrances, which had not existed prior to the restoration work. The procedure continued throughout 1437, with a series of validations by the Shāfi'ī, Ḥanafī and Mālikī *qāḍī*-s of Jerusalem and Cairo.

The document concludes with a *hujja* dated 30 June 1438.[16] The text provides a summary of the affair and reports the delivery of the deed authorizing the work to the viceroy of Jerusalem by a representative of the Franciscan monastery, who brought with him the 1436 sultanic decree authorizing the friars' work on the monastery. Additionally, the *hujja* notes that the viceroy, accompanied by *qāḍīs* seemingly from all four Muslim schools of law, Jerusalemites, a group of masons and other Muslims, visited the monastery to confirm its state, and compare what they saw with what is written in the sultan's decree about the places that have suffered damage. We will return to this topic at the end of the article to examine the relationship between the Franciscans and the Mamluk authorities in Jerusalem and Cairo within the legal framework of the *dhimma*. For the time being, it is sufficient to note that the designation of the Franciscans as *ahl al-dhimma*, and the insistence on the conformity of the work—that is, the identical reconstruction of the monastery, with no additions or extensions, and the very act of seeking the sultan's authorization, as well as the implementation of the sultan's decree by the *qāḍī-s*, leave no doubt as to the legal status of the Franciscans, who were subject to the rights of the *dhimma* like all the other Christian denominations within the sultanate. The Franciscans were not regarded as Western foreigners temporarily residing in the dār al-islām, but as a local Christian group under Mamluk sovereignty.

Local Networks: The Franciscans' Relations with the Other Christianities in Jerusalem

Having demonstrated that the Franciscans were subject to the status of the *dhimma*, it is now necessary to examine how they established themselves in Jerusalem and what their immediate environment was like. As previously indicated, the extant historical documents collectively offer a substantial corpus of data pertaining to the architectural layout, construction materials, and overall design of the Mount Sion convent during the initial decades of the fifteenth century. Furthermore, the documents provide precise details regarding the location of the monastery within its immediate surroundings, including the nature and ownership of the land adjacent to it. However, it is to other types of documents—Mamluk purchase deeds—that we will refer in order to clarify the environment in which the Franciscans evolved on Mount Sion. These documents are preserved in the archives of the Custody for the most part, and of the Armenian Patriarchate of Jerusalem for one of them. Together, they provide crucial details about the multi-faith environment within which the Custody developed.

The friars' monastery on Mount Sion was surrounded by non-Latin communities. The first plot of land that the friars obtained (acquired by Margaret of Sicily) is precisely located in a Mamluk deed of purchase. The land, adjacent to the Church of Sion, and defined as empty and abandoned, is bounded to the south, east, and west by three

plots of land also belonging to the Bayt al-Māl. Between the purchase of the initial plot of land in 1335 and the construction work carried out between 1436 and 1438, which will be discussed in more detail later, the Franciscans acquired eight additional plots of land adjoining their convent on Mount Sion, between 1345 and 1411. Two plots were purchased from Christians, two from Muslims, and the remaining four from the Bayt al-Māl.[17] Let us consider the two transactions with Christians for a moment. On 18 February 1388, the custodian, Friar Gerardo, purchased a cemetery from the Armenian bishop of Jerusalem, Megherdig di Vartan. The year 1388 is given for the validation of the sale, with the purchase having been made in 1372.[18] On 5 September 1411, the Franciscans purchased a house and a cistern from a Christian named Farah.[19]

The acquisition of the cemetery from the Armenian bishop is not unexpected, given the long-standing relationship between the Latins and the Armenians, which was reinforced after the First Crusade and the establishment of the Crusader States. Importantly, however, this purchase points to the physical proximity of the Armenians to the Franciscan convent. The Armenian presence on Mount Sion was considerable.[20] The Armenian community was the proprietor of a monastery and a number of other properties in the area, as evidenced by several unpublished documents from the Armenian Patriarchate.[21] Furthermore, the St. James monastery, the seat of the bishopric and subsequently the patriarchate, is situated in the vicinity. During the fourteenth and fifteenth centuries, Armenians acquired a number of plots of land and houses in the immediate vicinity of the monastery.

Written up fewer than thirty years following the acquisition of the first plot of land by the Franciscans on Mount Sion, another document, a *hujja* from the Armenian Patriarchate, provides further details of the district's demographic diversity, illustrating the notable presence of Ethiopian Christians. In 1362, Theodore, the head (*ra'īs*) of the Ethiopian community (*ṭā'ifa*) in Jerusalem, purchased two houses in a courtyard from three Muslim brothers. The following year, a *waqf* of the same Theodore stipulated that the first house was to be reserved for Ethiopian monks, the other for pilgrims, both men and women, and, in the absence of Ethiopians, for Copts and Nubians. The procedure was completed in 1415. In 1377, the spokesperson (*al-mutakallim*) of the Ethiopian community in Jerusalem purchased another house, in the name of Samuel, the leader of the community, from the head of the Bayt al-Māl. The final document is a *waqf* of 1420, for a small house also on Mount Sion, from two Ethiopians for the benefit of the Ethiopian monks of Jerusalem.[22] This *hujja* allows us to visualize precisely the immediate vicinity of the Ethiopian monastery and more broadly of the settlement dynamics of Mount Sion. Theodore purchased the two initial houses from three Muslims. The courtyard was adjacent to a garden, which forms part of the *waqf* of the turba al-Kīlāniyya,[23] and to a house whose owner is designated as sheikh and *sulṭān al-ḥarāfish*.[24] The other two neighbors of the Ethiopians were the Franciscans and the Rabbi of Jerusalem.

As these demonstrate, in the fourteenth century, when the Franciscans settled on Mount Sion, the area was characterized by a high degree of religious pluralism. Several Christian denominations had monasteries and properties there: in addition to the Franciscans, who were Chalcedonians, there were two Miaphysite communities:

the Armenians, who had been there for a long time, and the Ethiopians, who moved there in 1362. Finally, the deed of purchase in 1362 by the Ethiopians mentions the house of the Rabbi of Jerusalem. This is not the place to analyze the reasons why the various actors, Christians and Jews, chose to settle on Mount Sion.[25] It is, however, of particular interest here to examine the immediate environment of the Franciscans, namely the other Christian churches, the Muslims, and the Jews. The documents in question make clear that these were essentially property transactions between Christians issued from diverse denominations, and between Christians and Muslims. Such transactions are indicative of the normalization of inter-Christian and Christian–Muslim relations. In this context, the various actors were perceived as autonomous economic agents, regardless of their religious affiliations or functions. To put it another way, competition and religious conflict, which were particularly acute on Mount Sion between the various Christian denominations, Jews, and Muslims in the fourteenth and fifteenth centuries, did not prevent other forms of interrelationships, particularly property transactions.

Issued a century after the Franciscans commenced their settlement on Mount Sion, the *hujja* of 1436–1438 offers further insights into the development of the settlement there. The Franciscan monastery is described as situated in an area of undeveloped land (gardens), with the exception of one side occupied by the cemetery (the circumstances of whose acquisition have already been discussed). Furthermore, it is also indicated that the monastery was situated in an area devoid of Muslim habitation.[26]

What implications does this have for our research? One might posit that the Mount Sion district, which was previously largely owned and inhabited by Muslims, both private individuals and Mamluk authorities (the Bayt al-Māl), underwent an evolution during the fourteenth and fifteenth centuries, becoming a predominantly Christian district. My work on the archives held by the Custody and the Armenian Patriarchate of Jerusalem is still in its preliminary stages. However, I hope to be able to present more precise and reliable results in the near future. Nevertheless, a discernible trend is emerging: during the Mamluk period and Franciscan habitation of Mount Sion, the neighborhood became increasingly Christianized. It should be noted that the archives, which have not yet been published, also demonstrate acquisitions in other areas of Jerusalem, particularly in the vicinity of the Holy Sepulchre. However, this is not the sole location. It is therefore evident that Mount Sion should not be regarded as an area situated beyond the city walls where the Mamluk authorities concentrated non-Muslims, namely Christians and Jews. It is possible to hypothesize that Mount Sion underwent a process of Christianization during the Mamluk period, although this does not negate the continued presence of a significant Christian population throughout the city. Finally, it should be noted that at the time of the transition from Mamluk to Ottoman rule, at the beginning of the sixteenth century, Mount Sion underwent a re-Islamization, which led to the gradual ousting of the Franciscans. Such a process should be seen in the context of the abusive generalization of the *istibdāl* ("legal exchange" of theoretically inalienable *waqf* property) by the Mamluk sultans throughout the fifteenth century, which has been extensively documented in the case of Cairo.[27]

Local and Regional Networks: The Franciscans' Relations with Muslims in Jerusalem and Cairo

The relationship between the Franciscans and the Muslims, whether the Mamluk authorities or the Muslim inhabitants of Jerusalem, was a fundamental aspect of the question of status and the choice of territorial settlement. The *hujja* of 1436–1438 provides a valuable opportunity to clarify these relations, which we will now examine. As previously stated, the aforementioned document involved the Shāfi'ī, Ḥanafī, and Mālikī schools of law in Jerusalem and Cairo. It is necessary to provide a brief explanation of the Islamic legal pluralism. In 1265, the Mamluk Sultan al-Ẓāhir Baybars (r. 1260–1277) established Islamic legal pluralism by appointing four Chief *Qāḍīs* in Cairo, one from each of the Sunni schools of law, and the following year in Damascus. In the second half of the fourteenth century, the legal system of Jerusalem and other cities were organized in a similar quadripartite manner.[28] This reform of the legal system had significant implications for Islamic society, both regionally and locally. Translating the concept of *forum shopping* to the Islamic legal system, the anthropologist Ido Shahar draws attention to the potential offered by Islamic legal pluralism for litigants, whether Muslim or non-Muslim, to select the court that best suits their needs. This enables them to devise a strategy to protect their interests.[29] In the procedure under consideration, the Custody resorted to the jurisdiction of the sultan and that of the *qāḍīs*. With regard to the latter, and based on the available evidence from the Custody's archives, it can be established that the Franciscans consistently excluded the Ḥanbalī *qāḍīs* from proceedings concerning authorizations for restoration work on their churches and monasteries in Jerusalem and Bethlehem. It seems probable that the reason for this choice can be explained by the reputation of the Ḥanbalī judges' hostility toward *dhimmī*-s.[30] The Franciscans elected to present their case before one or more courts that they believed would render a favorable verdict. In other words, they engaged in *forum shopping*. This indicates that the Franciscans had a comprehensive understanding of the Islamic legal system at an early stage and, when necessary, were able to navigate between the various legal institutions and the different schools of law, taking into account the context and procedures. The Franciscans operated as active participants within Mamluk society, in a manner similar to their Eastern Christian counterparts.

Secondly, this legal proceeding involving Christians and Muslims allows for the consideration of inter-faith interactions at both the institutional and social levels. This enables a reassessment of the outdated agenda focusing on "co-existence" and "ritualized violence" by studying simultaneous yet divergent situations. In his illuminating book, *Muslims of Medieval Latin Christendom*, published in 2014, Brian Catlos proposed a particular understanding of *conveniencia* and defined three components in medieval society, namely the macro, the meso, and the micro scales.[31] The macro scale is associated with the formal, dogmatically informed religious identity. This mode of self-perception involved the rigid definition and mutual exclusivity of the groups designated as "Christians" and "Muslims." This scale was characterized by confrontation, competition, and a rigid approach to worldly

affairs, yet had relatively little direct impact on policy. The meso or "corporate" stratum represents the formal collective, which was informed by ideology on a practical level. This was the stratum of law, regulation, and institutions. Institutions had to adopt a pragmatic approach to policy, as they played the greatest role as actors in shaping the day-to-day lives of the so-called religious minorities. The micro or "local" scale corresponds to individuals and informal collectives, which were defined by their immediate goals. This is the context of the immediate locality, the personal bond between neighbors, co-religionists, buyers and sellers, and so forth. According to Catlos, the actors in the Iberian Peninsula had limited capacity to affect the broader environment of Muslim-Christian relations.

The situation in Jerusalem was somewhat distinct. The three scales defined by Catlos are undoubtedly relevant, yet their implications for inter-Christian and Christian-Muslim relations are more intricate. In order to gain a deeper understanding of the interactions between the friars of the Custody and the Mamluk authorities, the sultan and the judges, and the local interrelations with the inhabitants of Jerusalem, it is necessary to examine these relationships in greater detail by revisiting the *hujja* and the letters of Sarteano introduced at the start of this chapter.

According to the *hujja*, the "friars of the Convent of Mount Sion" submitted a request to the Mamluk Sultan al-Ashraf Barsbāy to restore their monastery. In response, the sultan granted their request. The Franciscans retained a copy of the sultan's decree, which they referenced throughout the proceedings. This was followed by a lengthy process of implementation of the sultan's decree by the civil and religious authorities in Jerusalem and Cairo. During this period, the custodian would occasionally travel to the court of one *qāḍī* or another, while the judges would occasionally visit to inspect the damage and then the nature of the work undertaken.[32]

On 12 May 1436, an inhabitant of Jerusalem lodged a complaint with the Shāfiʿī *qāḍī* of Jerusalem against the Franciscans for non-conformity of the work. As previously stated, three days later, the Shāfiʿī mufti accompanied by the Ḥanafī mufti (the official responsible for religious affairs in Jerusalem), the Mālikī *qāḍī* and the son of the viceroy of Jerusalem, proceeded to the Mount Sion convent. Accompanying them were numerous jurists and witnesses. The panel reached the conclusion that the work was lawful and dismissed the plaintiff.[33] It should be noted that the workers responsible for the restoration of the monastery originated from a village situated in the vicinity of the Mount of Olives (Mashhad). The interactions with the local population were therefore diverse, encompassing legal disputes and economic collaboration. The various interactions the Franciscans had with the sultan, the local authorities in Jerusalem, and the inhabitants, whether they worked for them or lodged complaints against them, unveil the complexity of the Custody's situation.

This complexity is further revealed by the details relating to Sarteano's mission. In the same year, 1436, Sarteano sent a letter to two friars, Anthony and Luc, who were imprisoned in Jerusalem. However, no information was provided regarding the circumstances of their imprisonment. This incident was repeated in 1444, this time in Cairo. It is possible that they were similarly affected by the same

circumstances as the pilgrims and consuls of Genoa and Venice in Jerusalem, who were imprisoned in 1422 in response to acts of piracy against Mamluk ships in the Mediterranean. This was in keeping with the return to an imperial policy under the sultanate of al-Ashraf Barsbāy. Such reprisals were a feature of the fifteenth century, and they demonstrate the intermingling of domestic and foreign policy in the interplay between the Franciscans and the Mamluk sultanate in Jerusalem.

What does all of this signify? Firstly, it reveals the intricacies of Middle Eastern societies at different scales, as defined by Catlos, namely the macro, meso, and micro scales. Secondly, it reveals the co-existence of different groups within the Mamluk sultanate, whether in terms of religious or legal pluralism. With regard to the macro and meso scales, the relationships between sovereign powers, Churches and communities, and the ways in which the latter have integrated these relationships into the definition of their practices and identities, cannot be the result of the formal legal framework, the *dhimma*, which in theory sets the conditions for the existence of non-Muslim communities and their exercise of worship. The principles of the *dhimma* remained essentially unchanged throughout the period under review. However, the circumstances of its implementation, the development of privileges and exemptions, and the intensification of its requirements varied according to context. The imprisonment of two Franciscan friars reported by Sarteano indicates the lability and complexity of the relations established between the Franciscans and the Mamluk authorities. This may at the same time have led to the imprisonment of two friars at the local scale, and to the authorization of work to repair the monastery of Mount Sion, at the central (the Cairo sultanate) and local (the Jerusalem court of justice) scales. Furthermore, competition between Muslim schools of law, the favor shown to one or other by the established power, were able to modify the conditions of the *dhimma* locally through *fatwā*-s. Thirdly, it demonstrates the capacity for action of Franciscans, and more broadly of non-Muslims, in a context of strong Islamization. The agency of the Franciscans is demonstrated in three ways. Firstly, they were able to appeal to one or more schools of law depending on the expected result, and on the type of request or arbitration sought. Secondly, they were able to mobilize local or regional networks including Mamluk officers to defend their interests. Thirdly, they employed a settlement strategy.

Epilogue: The Custody's Western Hinterland

The Franciscans and the Mediterranean Region in its Larger Context: From Jerusalem to Cairo and Florence, the Repercussions of Local and Regional Middle Eastern Issues in the West

In an illuminating paper entitled "The Strength of Weak Ties," Mark Granovetter argued "that the analysis of processes in interpersonal networks provides the most fruitful micro-macro bridge."[34] Furthermore, Granovetter's focus on "weak ties" enables the application of networks analysis to heterogeneous and segmented groups, such as the Ethiopians between Ethiopia, Cairo, and Jerusalem, or the Franciscans in Jerusalem and in the West. The friars did not act merely on various levels with the Mamluk world. On a broader Mediterranean scale, the local

anchoring of the Franciscans in Jerusalemite society proceeded in a different direction, in the service of the papacy's policy of union. Here we return to consider Sarteano's work in greater detail. Albert of Sarteano's mission and the letters he sent to various Western correspondents demonstrate the role of the Custody in the internal debates within the Franciscan Order, namely the conflict between the Conventuals and the Observants. Furthermore, they illustrate the existence of a regional sphere on the scale of the Mediterranean, within which relations between the various Churches were negotiated in the context of the growing claim to universal power by the See of St. Peter.

In 1440, Albert of Sarteano was once again dispatched on a mission to the Middle East. This time, his mandate was explicitly related to the papacy's policy of union and the Council held in Ferrara and Florence, which had already led to union with the Greeks. He was appointed Commissary Apostolic "in India, Egypt, Ethiopia and Jerusalem" and traveled to Cairo to meet the Coptic Patriarch with a view to preparing the union of his Church, and, consequently, of the Church of Ethiopia, with Rome. It is important to recall here the ecclesiological dependence of the Ethiopian Church on the Coptic Patriarchate of Alexandria based in Cairo. This dependence was asserted by Patriarch John XI to Albert of Sarteano, as reported by the Franciscan to Eugene IV in a letter written from Rhodes.[35] However, there was indeed an Ethiopian embassy in Florence, separate from the Coptic embassy. The Council of Ferrara-Florence represents the pinnacle of relations between the West and Ethiopia in the fifteenth century. This is evidenced by the interest shown in the Ethiopian delegation by the pope and those involved in the Council, as well as the quantity of sources that have been preserved. Before examining the role of the Franciscans of Jerusalem in this mission, it is necessary to provide a brief overview of the context in which Sarteano was situated.

Two articles, respectively, authored by Benjamin Weber and Samantha Kelly in 2012 and 2016, delineate the Ethiopian and Coptic-Ethiopian context surrounding the establishment of the double Coptic-Ethiopian embassy.[36] The Coptic embassy was led by Andrea, abbot of the monastery of Saint Anthony in Egypt, who represented the Coptic patriarch of Alexandria, John XI. The Ethiopian embassy was led by Ṗetros, who had been commissioned by Nicodemus, the head (*ra'īs*) of the Ethiopian community (*ṭā'ifa*) in Jerusalem. Samantha Kelly has persuasively demonstrated that the Ethiopians in Jerusalem, and thus the members of the Florentine embassy, were Ewosṭatean monks.[37] The Council of Florence was subsequently incorporated into the strategic plans of both the Copts and the Ewosṭateans. The former sought allies in the face of Mamluk expansion and support in their recognition of the condemnation of Ewosṭatean practices considered deviant. The latter sought to combat their most virulent opponents, the Coptic patriarchate of Cairo, and to gain influence with the Ethiopian sovereign, Zär'ä Ya'eqob, in order to be recognized within the Church of Ethiopia.

Why was Sarteano chosen for this mission? One might hypothesize that his Franciscan obedience and the presence of the Franciscans in Jerusalem may have influenced this decision. It is reasonable to posit that Sarteano's experience, acquired four years earlier, undoubtedly played a decisive role. It is also possible

that the connections established with the Custody, particularly after he succeeded in appointing an Observant custodian at its helm in 1438, may have played a role. Here, three of the four factors defined by Granovetter to determine the strength of a tie come into play: the amount of time, the mutual confiding, and the reciprocal services. With regard to the role played by the Franciscans of Jerusalem, it is necessary to ascertain whether Sarteano was aware of the relations between the Coptic and Ethiopian Churches and the particular situation of the Ethiopian community of Jerusalem, from which the delegation sent to Florence came. The likelihood of Albert of Sarteano undertaking a second visit to Jerusalem during his mission to Cairo is open to question. Nevertheless, if he did not travel to Jerusalem in 1440 to meet Nicodemus, it remains to be explained how Nicodemus received the "message" from Sarteano, which invited him to send a delegation to the council, he mentioned in a letter written on 9 November 1440 to Eugene IV, while Sarteano was in Rhodes awaiting the arrival of the Coptic delegation.[38] Two hypotheses, which are not mutually exclusive, can explain the links between Sarteano and Nicodemus, although they do not explain the nature of these links. Firstly, in Cairo, Sarteano met up with the superior of the Franciscan monastery in Beirut, who was sent to act as his interpreter to the Coptic patriarch, and could have been his messenger. This provides further evidence of the integration of the Franciscans into Middle Eastern society in part due to the mastery of Arabic some of the friars possessed. Secondly, the two years Sarteano spent in Jerusalem, at the monastery of Mount Sion, combined with its proximity to the Ethiopian monastery founded in 1362 in the context of the papacy's growing interest in the Church and kingdom of Ethiopia, may suggest that Sarteano established relations with the Ethiopian community in Jerusalem during his first mission in 1436–1438. It is not the purpose of this chapter to revisit the issues raised by the Council of Ferrara-Florence for the Latins or for the Ethiopians of Jerusalem in their relations with the kingdom and Church of Ethiopia and the Coptic Patriarchate. Sarteano's missions to Jerusalem and Cairo demonstrate the intricate entanglement of diverse actors, both Christian and Muslim, within a regional context in which the relationships between groups and with the various sovereign powers are continually being renegotiated at different levels. To put it another way, local networks analysis allows us to understand how local interactions—between the Franciscan Custody, Sarteano, and the Ethiopian monks in Jerusalem—were translated in regional patterns—recognition of the Ewosṭateans by the Negus and the Church of Ethiopia, contestation of their most virulent opponents, that is the Coptic prelates, and papal unionist issues—and how these, in turn, reverberated in local groupings—local communities' construction processes. This implies defining a geography as flexible as the issues themselves, encompassing the hinterland of the various players involved, including the Church of Ethiopia, the Roman papacy, and the Franciscan Order. This will enable the mapping of the intermingling of domestic and foreign policies in the strategies of the Franciscan Custody, which was obliged to adapt to both the Mamluk sultanate in Jerusalem and the Bilād al-Shām, and to the agenda of the Franciscan Order and the papacy.

Conclusion

This chapter represents the initial stages of an ongoing research project. It is my hope that by the end of this article, I will have demonstrated that Franciscans were embedded within local and regional networks of interrelations with Muslims and Eastern Christians, at both institutional and social levels. These interrelations should constitute a major subject of research, since they played a constitutive role in shaping the Franciscan Custody and its historical development over the long term, and reveal the intertwined nature of medieval Middle Eastern societies. By focusing on unpublished legal documents, it is possible to highlight the strategies employed by the Franciscans in dealing with Islamic authorities or Muslim inhabitants when they challenged their rights. Consequently, this allows for a constructive reappraisal of the concept of "minority," which tends to view non-Muslim communities from a top-down perspective, confining them to a passive role as recipients of alien law, and for a reassessment of the applicability of established concepts such as the "Islamicate world," and "Islamization."[39] The Islamization of Middle Eastern society combines the transition from a predominantly Christian population to a predominantly Muslim population, and its impact on the fabric of urban space, with the maintenance or even the increase of interactions, including legal ones, between Muslims and non-Muslims, and the latter's ability to act in defense of their interests. Defined as a process of social interaction, the concept of "Islamization" shifts the focus from identity to agency. As a result, such an approach will allow a more accurate understanding of the history of the Franciscans in Jerusalem in the context of the Islamicate world.

Notes

1 I would like to express my gratitude to Sanjay Subrahmanyam, who discussed a draft of this chapter in a workshop held on 9 April 2019 at the College de France, and to Julien Loiseau for his challenging and meticulous proofreading. This chapter has subsequently benefited from research carried out with funding from the French National Research Agency and presents its preliminary results (ANR Tremplin ERC-CoG programme ANR-21-ERCC-0005-01 2021–2023 PI Camille Rouxpetel). This research into the archives of the Franciscan Custody of the Holy Land and other Christian institutions in Jerusalem has now been awarded an ERC Consolidator Grant, which will enable more detailed results to be presented in the coming months and years (ChrIs-cross. Entangled Christianities in Jerusalem and the Middle East: a cross-cultural bottom-up approach (twelfth–sixteenth centuries). Grant Agreement n°101124193 PI Camille Rouxpetel).

2 On account of the multiplicity of calendars in use, this text will refer to the Common Era.

3 The Christological differences that developed between Chalcedonian and non-Chalcedonian Christians stretch back at least as far as the Council of Chalcedon in 451. The council ruled that Christ was both fully man and fully God, with each nature completely preserved in Christ's person as the hypostatic union. The council's adherents labeled those that rejected its conclusions as Miaphysites. Yet another group, Eastern Syriac Christians, whom Latin sources denounced as "Nestorians," had already been condemned for diophysitism, belief in two separate natures of Christ, at the Council of Ephesus in 431.

4 E. Castellani, *Catalogo dei Firmani e altri documenti legali emanati in lingua araba e turca concernenti i santuari, le proprietà, i diritti della Custodia di Terra Santa conservati nell'archivio della stessa Custodia in Gerusalemme* (Jerusalem: Tipografia dei P. P. Francescani, 1922), 5, n. 12 (hereafter abbreviated Castellani, with the page number followed by the document number from his catalog list); edited and translated in Italian in L. Pourrière, "Firmani e documenti arabi inediti estratti dall'Archivio della Procura di T.S. in Gerusalemme," in G. Golubovich, *Seria cronologica dei reverendissimi superiori di Terra Santa: ossia, dei provinciali custodi e presidenti della medesima già Commissari Apostolici dell'Oriente e sino al 1847 in officio di Gran Maestri del S. Militare Ordine del SS. Sepolcro* (Jerusalem: Tipografia del Convento di S. Salvatore, 1898) (hereafter abbreviated Pourrière), 123–187, here 131–138; and recently translated in Italian in B. Pirone, *Firmani e altri documenti sul santo Cenacolo* (Milan: Edizioni Terra Santa, 2023) (hereafter abbreviated Pirone), 43–47. According to Golubovich, Roger was custodian of the Syrian convents on two occasions, the first between 1310 and 1328, and the second between 1333 and 1336 (Golubovich, *Seria cronologica*, 9–11). In the German version of his pilgrimage account, Ludolph of Sudheim, who traveled to the Holy Land between 1336 and 1341, referred to Marguerite of Sicily as the sister of a canon of the Holy Sepulcher (undoubtedly a Franciscan friar) called Nicholas, and as a woman of influence, especially with the Sultan, who ran a hospice for pilgrims in Jerusalem, near the Holy Sepulchre. It should be noted, however, that the manuscript tradition of Ludolph of Sudheim poses a number of problems and that we do not yet have a satisfactory critical edition. (See Christine Gadrat-Ouerfelli, "Identité(s) d'un voyageur médiéval. Ludolph de Sudheim," in D. Coulon and Ch. Gadrat-Ouerfelli, eds., *Le voyage au Moyen Âge: description du monde et quête individuelle* (Aix-en-Provence: Presses universitaires de Provence, 2017), 95–104.

5 More precisely on 30 muḥarram 736/19 September 1335 (Castellani, 5, n. 13; Pourrière, 139; Pirone, 49–50) and 28 jumādā l-ākhira 737/1 February 1337, respectively (Castellani, 6, n. 14; Pourrière, 143; Pirone, 53–55).

6 22 rajab 737/24 February 1437 (Castellani, 6, n. 15; Pourrière, 147 ; Pirone, 57–58), and on 2 shāʿbān 737/6 March 1337 (Castellani, 6, n. 16; Pourrière, 149; Pirone, 59–60).

7 The Franciscan superior resident at Cyprus bore the title of provincial minister of the Holy Land until 1526. Girolamo Golubovich, *Serie Cronologica dei Reverendissimi Superiori di Terra Santa ossia dei Provinciali, Custodi e Presidenti della Medesima* (Jerusalem: Franciscan Press, 1898), xxi–xxiii.

8 On the Observants, see James D. Mixson and Bert Roest, *A Companion to Observant Reform in the late Middle Ages and Beyond* (Leiden: Brill, 2015), and more specifically on the Observance and the Custody, Marianne P. Ritsema van Eck, *The Holy Land in Observant Franciscan Texts (c. 1480–1650): Theology, Travel, and Territoriality* (Leiden: Brill, 2019).

9 Of the 125 letters published by Francis Harold, four cover the period of Sarteano's presence in Jerusalem (letters 42–45). Sarteano corresponded with the Pope, the Bishop of Modena, Duke Philip the Good of Burgundy and two Franciscan friars, who were imprisoned in Jerusalem at the time. Sarteano's success in obtaining aid for the Custody is evidenced by the letter he wrote to Duke Philip the Good of Burgundy on 6 October 1436 thanking him for his financial support to the Franciscans of the Holy Land. Epistola XLIV in Francis Harold, ed. *Beati Alberti a Sarthiano Ord. Min. Reg. Observ. Opera Omnia in Ordinem Redacta* (Rome: apud Joannem Baptistam Bussottum, 1688), 273–274. See Jacques Paviot, "La dévotion vis-à-vis de la Terre sainte au XV^{e} siècle: l'exemple de Philippe le Bon, Duc de Bourgogne (1396–1467)," in Michel Balard, ed., *Autour de la Première Croisade: actes du Colloque de la Society for the Study of the Crusades and the Latin East: Clermont-Ferrand, 22–25 juin 1995* (Paris: Publications de la Sorbonne, 1996), 401–411.

10 Reuven Amitai, "Islamisation in the Southern Levant after the End of Frankish Rule: Some General Considerations and a Short Case Study," in *Islamisation. Comparative Perspectives from History*, e.d A.C.S. Peacock (Edinburgh: Edinburgh University Press, 2017), 156–186.

11 For instance, van Eck, *The Holy Land in Observant Franciscan Texts*; Michele Campopiano, *Writing the Holy Land. The Franciscans of Mount Zion and the Construction of a Cultural Memory, 1300–1550* (London: Palgrave Macmillan, 2020); Paolo Evangelisti, *Dopo Francesco, oltre il mito. I frati Minori fra Terra Santa ed Europa (XIII-XV secolo)* (Rome: Viella, 2020).

12 Pourrière and Risciani edited and translated 28 of the hundred or so documents from the Mamluk period held by the Custody (E. Castellani and N. Risciani, *Documenti e firmani dei sultani che occuparono il trono d'Egitto, dal 1363–1496: dati ai francescani concedendo esenzioni e privilege*, Jerusalem: Press of the Franciscan Fathers, 1936—hereafter abbreviated as Risciani). Another nine documents have been recently translated by Pirone. The other documents are unpublished. A few articles escape the rule, notably Beatrice Saletti, "L'affare della Tomba di David (Gerusalemme, XV secolo): i frati minori e i loro protettori europei tra sequestri, ritorsioni ed embargo," *I Tatti Studies in the Italian Renaissance* 18 no. 1 (2015): 193–214, in which the author uses a number of documents translated from Arabic into Italian by Risciani.

13 Castellani 9, n. 43 & 45; Risciani 172, 186–193, 228–234; Pirone 111–123, 125–159, 161–165.

14 15 sha'bān 839/4th March 1436.

15 25 shawwāl 839/12th May 1436.

16 7 muḥarram 842/30 June 1438.

17 Respectively from Sulaymān ibn Ghāzī on 5 dhū l-ḥijjah 737/5 July 1337 (Castellani 6, n. 17; Pourrière 151–152; Golubovich 68–69; Pirone 63–64), and 'Alī Ibn al-Sayyid Ghānim on 11 sha'bān 800/29 April 1398 (Castellani 8, n. 31; Pirone 93).

18 9 ṣafar 790/18 February 1388 (Castellani 7, n. 26).

19 16 jumādà al-ūlà 814/5 September 1411 (Castellani 9, n. 39; Risciani 82–85).

20 Camille Rouxpetel, "Les Arméniens, la nation préférée des Latins?," *Mélanges de l'École française de Rome* 130, no. 1 (2018): 41–51.

21 The archives, which are currently being cataloged and have been unavailable to scholars until now, contain five deeds of purchase for houses on Mount Sion from the fourteenth and fifteenth centuries.

22 I first presented this document in Rome in May 2023 at the final conference of the ERC Consolidator Grant HornEast (PI Julien Loiseau). I will be publishing it and commenting on it in a special issue of *Annales islamologiques* to be published in 2025.

23 "Al-Kīlāniyya," M.H. Burgoyne & D.S. Richards, *Mamluk Jerusalem: An Architectural Study* (London: British School of Archaeology in Jerusalem, 1987), 325–336.

24 As far as I know, such a position was previously known from literary sources of a later date, for instance from Ibn Ṣaṣrā's chronicle of the revolt against Barqūq in 1389, but in Cairo or Damascus. The functions of the *sulṭān al-ḥarāfish* are not clear, except that he was the head of the *ḥarāfish* (beggars, mendicants), acted as an intermediary between them and the Sultan's government, and had certain, perhaps symbolic, functions (William M. Brinner, "The Significance of the *Ḥarāfish* and their 'Sultan,'" *Journal of the Economic and Social History of the Orient* 6, no. 2 (1963): 190–215).

25 The presence of Jews as early as 1362 (Prawer dates the first attestation of the purchase of land by Jews near the Cenacle to 1420), and not just any one of them but their rabbi, must be understood in the context of the growing Jewish claim to David's Tomb in the Cenacle, the site of the first Franciscan monastery, founded in 1335. In the following century, the competition between the Jews and the Franciscans turned into open conflict, which reached its peak when the Muslims got involved: Mujīr al-Dīn, the famous Hanbalite *qāḍī* of Jerusalem, reports in the *Uns al-Jalīl*, a biographical and historical treatise on Jerusalem, that in 1452 the Franciscan cemetery was desecrated, and the friars were expelled for a time from what is now called David's Tomb. The scene was repeated in 1489. I will return to the links between the choice of Mount Sion, the Cenacle, and the claim to the site of David's Tomb from the fourteenth century onwards, in a later article. On the question of the location of David's tomb in the cenacle and the resulting conflict between the Franciscans and the Mamluk authorities, see Pierre Moukarzel,

"Les franciscains dans le sultanat mamelouk des années 1330 jusqu'en 1516," *Le Moyen Âge* 120, no. 1 (2014): 135–149; Ora Limor, "The Origins of a Tradition: King David's Tomb on Mount Zion," *Traditio* 44 (1988): 453–462; Donald Little, "Communal Strife in Late Mamlūk Jerusalem," *Islamic Law and Society* 6, no. 1 (1999): 69–96; and Saletti, "L'affare della Tomba di David."

26 Deed dated 17 shaʿbān 839/6 March 1436.

27 Leonor Fernandes, "*Istibdāl*: The Game of Exchange and its Impact on the Urbanization of Mamluk Cairo," in *The Cairo Heritage: Essays in Honor of Laila Ali Ibrahim*, ed. Doris Behrens-Abouseif (Cairo: The American University in Cairo Press, 2000); Tamer el-Leighty, "Coptic Culture and Conversion in Medieval Cairo, 1293–1524 AD" (PhD Diss. Princeton University, 2005); and Julien Loiseau, *Reconstruire la Maison du sultan: Ruine et recomposition de l'ordre urbain au Caire 1350–1450* (Cairo: Institut Français d'Archéologie Orientale, 2010), 1:128–130.

28 Yossef Rapoport, "Legal Diversity in the Age of Taqlīd: the Four Chief *Qāḍīs* under the Mamluks," *Islamic Law and Society* 10, no. 2 (2003): 210–228. [Online] http://www.jstor.org/stable/3399252. Mathieu Tillier, "Introduction. Le pluralisme judiciaire en Islam, ses dynamiques et ses enjeux," *Bulletins d'études orientales* 63 (2015): 23–40. [Online] http://journals.openedition.org/beo/3230.

29 Ido Shahar, "Legal Pluralism and the Study of Shariʿa Courts," *Islamic Law and Society* 15, no. 1 (2008): 112–141. [Online] http://www.jstor.org/stable/40377956, 123–124.

30 This does not mean that Ḥanbalī *qāḍīs* were excluded from legal proceedings initiated by Christians. In various documents that I was able to consult at the Custody and the Armenian Patriarchate, Christians regularly had recourse to Ḥanbalī judges. However, these seem to have concerned mainly, if not exclusively, property transactions between Christians or between Christians and Muslims, and use agreements between Churches and Christian communities.

31 Brian A. Catlos, *Muslims of Medieval Latin Christendom, c. 1050–1614* (Cambridge: Cambridge University Press, 2014), 525–527.

32 Other examples, which need not be examined in detail here, show the sultan taking up the cause of Jews or Christians against the *qāḍīs* of Jerusalem, notably in the well-known *Uns al-Jalīl*, both a biographical and historical treatise on Jerusalem, by the famous fifteenth-century Ḥanbalī *qāḍī* of Jerusalem Mujīr al-Dīn (Donald P. Little, "Communal Strife in Late Mamlūk Jerusalem"). Some others show communities that involved the Mamlūk authorities in Jerusalem in their action against a decision taken by an official in Cairo. For instance, in 1450, Abū'l-Khayr ibn al-Naḥḥās of Cairo imposed a poll tax on the monastery, and Abraham V, the Armenian patriarch, got Sayf al-Dīn al-Maqarrī, the viceroy of Jerusalem, to intervene with the Sultan al-Ẓāhir Jaqmaq, and won his case (P. Bourjekian, "The Mamluk Inscription on the St. James Armenian Monastery inside the Armenian Quarter of the Old City, Jerusalem," *Journal of the Society for Armenian Studies* 22 (2013): 239–251).

33 Other documents refer to similar complaints (e.g., an unpublished document from the Armenian Patriarchate which refers to a complaint lodged by Muslim inhabitants of Jerusalem with the Shāfiʿī *qāḍī* in 1354, requesting the destruction of restoration work carried out on the Armenian monastery known as Dayr Ḥabīs).

34 Mark S. Granovetter, "The Strength of Weak Ties," *American Journal of Sociology* 78, no. 6 (May 1973): 1360–1380, here 1360.

35 Epistola LXIV in *Beati Alberti a Sarthiano Ord. Min. Reg. Observ. Opera Omnia in Ordinem Redacta*, ed. Harold, 327–330. On the letter sent from Coptic Patriarch John XI to Pope Eugene IV: ASV, Misc. Arm. II, vol. II, f. 107r.-107v., edited by Philippe Luisier, "La lettre du patriarche copte Jean XI au pape Eugène IV. Nouvelle édition," *Orientalia Christiana Periodica* 60 (1994): 87–129.

36 Samantha Kelly, "Ewosṭateans at the Council of Florence (1441): Diplomatic Implications between Ethiopia, Europe, Jerusalem and Cairo," *Afriques* Varia (2016). [Online] http://afriques.revues.org/1858; Benjamin Weber, "La bulle *Cantate Domino* (4 février 1442) et les enjeux éthiopiens du concile de Florence," *Mélanges de l'École française*

de Rome Moyen Âge 122, no. 2 (2010). [Online] http://journals.openedition.org/mefrm/686.

37 They are named after the monk Ewostatewos, who in the first half of the fourteenth century advocated the independence of monasticism from secularism and political power, strict monogamy, and a return to ancient customs, in particular the observance of the double Sabbath, and various dietary prohibitions. He died in exile in Cilicia in 1352 after a pilgrimage to Jerusalem. In 1441, they formed a more or less tolerated schismatic minority, whose practices were at odds with those of the Ethiopian Church. See G. Lusini, *Studi sul monachesimo eustaziano (secoli XIV-XV)* (Naples: Istituto Universitario orientale, 1993).

38 The Latin text can be found in ASV, Misc. Arm. II, vol. II, f. 109v.-110r. The Ethiopian and Latin versions have been published in Enrico Cerulli, "L'Etiopia del secolo XV in nuovi documenti storici," *Africa Italiana* 5 (1933): 57–112.

39 For an examination of the concept of minority from Byzantine to Islamic rule, see Arietta Papaconstantinou, "Between *Umma* and *Dhimma:* The Christians of the Middle East under the Umayyads," *Annales islamologiques* 42 (2008): 127–156 and Jack Tannous, *The Making of the Medieval Middle East: Religion, Society, and Simple Believers* (Princeton, NJ: Princeton University Press, 2008).