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***Wa-ḥalafū 'alā l-wafā' bihā*: The Banū 'Īsā and the Christian Conquest of Šāṭiba/Xàtiva**

Abstract: This article examines the Christian subjugation of Šāṭiba (modern Xàtiva, Comunitat Valenciana), which is to be placed in the context of the Catalan-Aragonese conquest of eastern al-Andalus in the first half of the 7th/13th century. The developments and events will be analysed from the perspective of the Muslim ruling family of the Banū 'Īsā as much as possible. Since c. 627/1230, the chiefs of this family acted as governors for Ibn Hūd of Mursiya/Murcia. With the successive collapse of his emirate from the late 630/1230s onwards, the Banū 'Īsā gained a certain degree of political autonomy. Without a strong protecting power, however, they soon attracted the focus of the two expanding Iberian main powers Castile and Aragon, whose spheres of interest, not yet completely defined then, collided precisely in this region. In the following years, the Banū 'Īsā maintained complex and variable relations with both kingdoms, characterised by both military conflicts and diplomatic understanding, which culminated in an agreement concluded with King James I of Aragon in 641/1244. Examining the development of these relations, the article will assess which strategies enabled the Banū 'Īsā, despite their political isolation and military inferiority, to use the rivalries between the competing Christian powers to their advantage, to counter their demands in a variety of carefully considered ways, and to influence as far as possible the conditions under which Šāṭiba/Xàtiva eventually capitulated and joined the new “Christian” Kingdom of Valencia.

In the summer of the year 641/1244, King James I of Aragon concluded a peace treaty with the Banū 'Īsā, the ruling family of Šāṭiba (modern Xàtiva). With this treaty, the Banū 'Īsā tied themselves to several obligations, the most important being to hand over the town's lesser castle right away and the major castle within two years. Furthermore, they promised that all Muslims of Šāṭiba/Xàtiva would henceforth be loyal subjects to the Crown of Aragon. To ensure this, the city's ruling family as well as *the people of distinction and the leading men* (*ḥawāṣṣ al-nās wa-wuḡūh*) obliged themselves to make the treaty agreements binding to the *men of lower rank* (*ṭabaqāt al-nās*), too. Finally, the Banū 'Īsā and the local elite *took an oath of fidelity* on the agreed stipulations (*wa-ḥalafū 'alā l-wafā' bihā*).¹

What was the background to these agreements, disguising the transition from Muslim to Christian rule in Šāṭiba/Xàtiva with phrases formulated so carefully that they would rather fit a bilateral alliance than a surrender agreement? Why had Šāṭiba/Xàtiva not simply been besieged, subdued, and both castles placed under Christian

1 The document has been edited and translated by Burns/Chevedden, *Negotiating Cultures* (1999), 148–167, the Arabic part on 158–167.

control right away, as it had been the case with many other settlement centres of eastern al-Andalus? And why had the famous *Conqueridor* (as James I was later to be called in Catalan),² who by then had already conquered the Balearic Islands and most of the eastern mainland of al-Andalus, needed six years to subdue this more or less isolated Muslim stronghold? The answers to these questions lie in the diplomatic relations between the Banū ʿĪsā and the Crown of Aragon in the years prior to 641/1244. Therefore, the aim of this article is to analyse the stages of these relations from the point of view of Šāṭiba/Xàtiva's ruling family. By doing so, we can open up new perspectives on the question why the change of rulership from Islamic to Christian rule in eastern al-Andalus was not simply a series of conquests but actually a long and complex process characterised by continuities as well as discontinuities.

However, when trying to examine this process from the perspective of the Muslim communities, we have to deal with a considerable problem: Apart from the treaty document of 641/1244, no documents representing the Muslim side have survived. Instead, we have to rely on texts and documents produced on behalf of the Catalan-Aragonese conquerors. Amongst these sources, the *Llibre dels feits del rei En Jaume*, the so-called *Book of Deeds* of James I, can be considered the most important one. As a means to record his successes for posterity, the king himself began to compile the text while he was still alive, probably around 1240, two years after the conquest of Balansiya/Valencia, which he considered the most prized of his conquests. Although the original manuscript written in Old Catalan has not survived, a Latin translation from 1313 and the oldest Catalan manuscript from 1343 show no significant discrepancies with regards to content. The *Llibre* is a chronological account of the king's life and deeds, spanning the period between 1208–1276 and narrating the events in first person perspective, thereby assuming an autobiographical character unique for the Latin West in the 13th century. Although it is clear that at least the chapters dealing with the king's final illness and death in 1276 must have been authored by someone else, it can be considered scholarly consensus that the original text had once been penned by unnamed scribes following oral dictation and redaction by the monarch himself. His narrative is unbalanced regarding detailedness and reliability, devoting more than 240 chapters of a total 566 to the conquest of the Balearic Islands and the mainland of eastern al-Andalus up to the fall of Balansiya/Valencia 1238 while treating other events only in brief, sketchy, and sometimes chronologically incorrect digressions. Fortunately, the events leading to the submission of Šāṭiba/Xàtiva between 1239–1244 were important enough for the king to be covered in 35 chapters. Generally, the king tended to focus his narrative on processes and events advantageous to him while glossing over or outright omitting disadvantageous incidents. After all, his *Book of Deeds* was supposed to present James I as a heroic

2 Amongst the numerous biographies of James I, cf. especially *Cingolani*, Jaume I (2007); *Belenguer Cebrià*, Jaume I (2007) and *Furió*, Rei (2007), as well as the contributions to *Ferrer i Mallol* (Ed.), Jaume I (2011/2013); *Narbona Vizcaino* (Ed.), Jaume I (2012) and *Dufourcq* et al. (Eds.), Jaime I (1979).

ruler, who, by God's command and his devotion to Christianity, not only planned the conquest of al-Andalus but also led it in person, both on the battlefield and at the negotiating table. His account can thus be considered a double-edged sword: On the one hand, the narrative's limited perspective as well as its subjectivity and intentional selectivity require a high degree of caution while working with the text. On the other hand, the king's account is very often that of an eyewitness to the events, offering a plethora of quite plausible details which can in some cases be validated by other sources, both narrative and documental. For many of the processes and events described, the *Llibre dels feits* is the most important or sometimes the only source and thus one of the main portals through which we can grasp the reign of James I.³ When these considerations, both on the *Llibre's* advantages and disadvantages, are kept in mind and evaluated critically, it becomes possible to carve out some aspects of the Muslim perspective on the king's conquest campaigns.

Under Murcian Rule – The Banū 'Īsā between c. 627–636/1230–1239

With the successive collapse of Almohad supremacy in the 1220s, al-Andalus again disintegrated into several principalities (Arabic: *ṭawā'if*, Spanish: *taifas*) rivalling each other in expanding their territories and spheres of influence. This disunity weakened the *ṭawā'if* and made them attractive targets for the expansionist interests of the Kingdoms of Portugal and Castile as well as the Crown of Aragon. The eastern part of al-Andalus (Arabic: *Šarq al-Andalus*) fell under the sphere of interest of the latter, and ever since King James I assumed sole power in 1225, he devoted almost all of his political ambitions to the expansion southwards into Muslim territory. Through the superiority of the Catalan-Aragonese forces as well as skilfully employed diplomacy, the king and his advisors managed to subdue not only the Balearic Islands (1229–1235), but also large parts of the Eastern Iberian mainland, with the conquest of Balansiya/Valencia in 1238 being one of the high points. These regions were then integrated into the Crown of Aragon, forming the new realms of Mallorca and Valencia.⁴

For many years, Šāṭiba/Xàtiva, located c. 60 km south of Valencia, had witnessed these events from a somewhat remote position in the border area between the spheres of interest of Aragon and Castile. Since 625/1228–1229, the city and its surroundings belonged to the newly founded emirate of Ibn Hūd of Mursiya/Murcia.

³ The standard edition is: *Llibre dels feits*. Ed. *Soldevila*. On the composition of the text and its transmission through later manuscripts see e. g. the contributions to *Hauf Valls* (Ed.), *Llibre dels feits* (2013); the most important aspects summarized in *Aurell*, *Authoring* (2012), 39–54.

⁴ Cf. *Ubieta Arteta*, *Orígenes* (¹1981), vol. 1, 27–50, 62–116, 137–166, 240–248, vol. 2, 245–258; *Guichard*, *Al-Andalus* (2001), 531–567; *Torró*, *Naixement* (²2006), 25–56.

From 627/1230 onwards, we can grasp the Banū ʿĪsā as the emir’s main military and administrative representatives, Abū l-Ḥusayn Yaḥyā b. Aḥmad b. ʿĪsā acting as *muqaddim* (lieutenant) and his son Abū Bakr Muḥammad as *qāʿid* (commander) of the major castle.⁵ In this position, Abū l-Ḥusayn made his first contacts with the Crown of Aragon in 628/1231, when the royal envoy Pero Llopi de Pomar demanded the tributes which Ibn Hūd had agreed to pay to the king. Neither able to raise the large sum nor to keep the envoy waiting for long because Christian forces were already approaching, Abū l-Ḥusayn pleaded his overlord to mobilise defence forces as soon as possible. Eventually, Ibn Hūd’s governor in Mursiya/Murcia, ʿAzīz b. al-Ḥaṭṭāb, was able to solve the crisis through a diplomatic understanding whose details remain unknown.⁶

However, the independency of Ibn Hūd’s emirate proved to be short-lived: Unable to expand his rule into the northern parts of the *Šarq al-Andalus* permanently, his troops soon suffered several defeats at the hands of the Castilian army and left him no choice as to submit himself as a tributary to King Ferdinand III in 630/1233. After his assassination in 635–636/1238–1239, his rather quickly changing successors could not prevent the emirate from breaking apart under the military and diplomatic pressure of Castile.⁷ Abū Bakr Muḥammad b. Yaḥyā b. ʿĪsā, who had become the head of the family after the death of his father in 634/1237, now found himself a more or less independent ruler in the shadow of Mursiya/Murcia’s decline. Thus, he had to fear to become an all too easy target for the expansionist interests of either the Crown of Aragon or Castile, whose rivalries could possibly trigger them to pre-empt each other’s ambitions by opting for a first strike.

Pacts broken, Pacts renewed – the Sieges of 636–637/1239–1240

Indeed, King James I did not rest on the laurels of having taken Balansiya/Valencia in October 636/1238. Parallel to reorganising and redistributing the newly acquired territories, he continued to press southwards, conquering Qulayra/Cullera in 636/

5 The letter of appointment for Abū l-Ḥusayn can be found in Ibn al-Murābiṭ, *Zawāhir al-fikar wa-ḡawāhir al-fiḡar*. Ed. *al-Miṣbāḥi*, vol. 1, 91–99; cf. *Barceló Torres*, Banū ʿĪsā (1982), 26 and *Rubiera Mata / De Epalza*, *Xàtiva musulmana* (1987), 98–100. More generally on Islamic Šāṭiba/Xàtiva see *ibid.* and the overview in *Aparisi Romero / Rangel López / Royo Pérez*, *Xàtiva* (2008), 3–32.

6 This is known from three letters written by Ibn ʿAmīra, *qāḍi* and *kātib* to the Banū ʿĪsā, addressed to Ibn Hūd and Ibn al-Ḥaṭṭāb: Ibn ʿAmīra, *al-Aʿmāl al-kāmila*. Ed. *b. Šarīfa*, vol. 2, 1, 153–163, 167 f. The royal embassy (*missatgeria nostra a l'alcait de Xàtiva*) is mentioned in passing also in the *Llibre dels feits*. Ed. *Soldevila*, ch. 129, 220.

7 The Hūdī emirate has been studied by *Molina López*, *Levante* (1979); *Guichard*, *Al-Andalus* (2001), 165–174, 177, 180–183, and *Krasner Balbale*, *Jihād* (2014); cf. in our context also *Barceló Torres*, Banū ʿĪsā (1982), 25–27 and *Burns/Chevedden*, *Negotiating Cultures* (1999), 71–78.

1238–1239 and forcing Bayrān/Bairén to hand over its main castle within a moratorium spanning until August 636/1239.⁸ Most probably in order to anticipate Castilian interests in former Murcian dominions, the king now also turned towards Šāṭiba/Xàtiva, laying siege to the city in May 636/1239. The only evidence for this is provided by two charters issued *in the siegeworks (in bastita)* before Šāṭiba/Xàtiva, giving no information about the course of events. Obviously, they were either not very important or advantageous for the king, since he decided to gloss them over in his *Llibre dels feits*. In any case, he must have given up the project within a few weeks and left the Šarq al-Andalus for Montpellier. Having arrived there on 1 June at the latest, he spent the next five months trying to safeguard his Occitan dominions from both inner turmoil and the grip of neighbouring Capetian France.⁹

We can infer that his brief move against Šāṭiba/Xàtiva had been brought to an end with a bilateral truce because the Muslim side considered this agreement broken already in early 637/1240. During his absence in Southern France, James I had left the Kingdom of Valencia in custody of the Aragonese baron Rodrigo de Lizana as a temporary governor. Moreover, he had encouraged the military orders and nobles present in the new realm to continue pushing its boundaries southwards by raiding Muslim territory, which some of them did on their own account and in an opportunistic manner. Although Šāṭiba/Xàtiva was to remain untroubled due to the truce of 636/1239, the governor's cousin Pero de Alcalá and five of his Aragonese knights had dared to foray into the town's surroundings at some point in early 637/1240, where they were taken captive by Xàtivan defence forces. Upon his return to the Kingdom of Valencia, the king was informed about the matter and asked by the governor to lead a host to Šāṭiba/Xàtiva for a brief show of force to persuade the Muslims to release the captives. Scenting a welcome pretext to increase pressure on the Banū 'Īsā again, the king consented and summoned his host at the nearby ford of Barragà, probably in late May or early June 637/1240.¹⁰

According to his account in the *Llibre*, the *qā'id (alcaid)* Abū Bakr Muḥammad b. Yahyā b. 'Īsā already anticipated his coming and dispatched an envoy to the king's camp. James I recorded that this delegate originally hailed from Lirya/Lliria near Balansiya/Valencia and referred to him as *Abenferri*, probably denoting the Arabic patronymic (*nasab*) Ibn Firruh. If the latter is correct, the diplomat may have had familial

⁸ *Ubierto Arteta*, Orígenes (⁴1981), vol. 1, 142–154, vol. 2, 256 f.; *Guichard*, Al-Andalus (2001), 186 f., 556 f.; *Torró*, Naixement (²2006), 46–48.

⁹ *Documentos*. Ed. *Huici Miranda / Cabanes Pecourt*, vol. 2, no. 297; *Libre del Repartiment*. Ed. *Cabanes Pecourt / Ferrer Navarro*, vol. 2, no. 284, both issued 21 May 1239; the king's trip to Montpellier mentioned in *Llibre dels feits*. Ed. *Soldevila*, ch. 296, 346 f. Cf. the considerations in *Burns/Chevedden*, *Negotiating Cultures* (1999), 79–82.

¹⁰ *Llibre dels feits*. Ed. *Soldevila*, chs. 316–318, 359–361. For the timeline of the siege, see note 22 below.

ties to the Xàtivan savant Ibn Firruh al-Šāṭibī (d. 590/1194).¹¹ Speaking on behalf of the *qā'id*, Ibn Firruh complained about the infringement of the truce (*treuga*) by the Christian raiding party and justified their capture as an act of self-defence.¹² The king agreed that the perpetrators were to be punished, but nevertheless insisted on their extradition and threatened to ravage the city's surroundings if his demand was not met. With this brief exchange, the first meeting ended and Ibn Firruh retreated into the city.¹³ The next morning, he delivered the *qā'id's* rather bold answer to James's demands: Although Abū Bakr wished to surrender the captives, he could not do so because they had already been sold as slaves, and he was unable to pay the exorbitantly high prices their new owners demanded for their release. Although the king dissembled his feelings towards Ibn Firruh, he was pleased to receive such an answer, as it was providing the pretext for besieging Šāṭiba/Xàtiva again. Sending the envoy away, he immediately gave orders to prepare the siege.¹⁴ Though Ibn Firruh returned the next day before the king and his interpreter, offering the release of the captives if only the siege preparations would be stopped, James's determination was now clear. Stating that the Muslims had stalled an understanding for so long that he was now unwilling to accept the offer, he sent the diplomat away again.¹⁵

After the king's troops had begun to ravage the countryside, Abū Bakr dispatched another envoy who should try bringing James I back to the negotiating table. *Setxi* (al-Šāḡasī) obviously introduced himself as a man of authority within the town and a member of the *qā'id's* "council" (*consell*).¹⁶ He again offered to release the captives but was likewise rebuffed by the king, who stated that, since his initial demands had been rejected, he had developed a greater desire to obtain the city than to free the captives.

11 Llibre dels feits. Ed. *Soldevila*, ch. 318, 361: *E l'alcaid de Xàtiva sabé que nós veniem sobre ell e envià'ns Abenferri, qui era estat de Lliria e era ab ell*. The connection to Ibn Firruh al-Šāṭibī has been proposed by *Burns/Chevedden*, *Negotiating Cultures* (1999), 83 note 9; cf. also *Burns*, *L'Islam* (1990), vol. 2, 181 f.

12 Llibre dels feits. Ed. *Soldevila*, ch. 318, 361: (...), *mas que ells li havien trencada la treuga que nós li haviem dada, e, sobre açò, que se n'hac a defendre; e, si mal havia feit, que ho havia feit per aquella raó*.

13 Llibre dels feits. Ed. *Soldevila*, ch. 318, 361.

14 Llibre dels feits. Ed. *Soldevila*, chs. 319 f., 361 f.

15 Llibre dels feits. Ed. *Soldevila*, ch. 321, 363: (...) *venc Abenferri e dix-nos a una part, denant lo trujaman nostre, que, si no el talàvem, que ens daria los catius. E nós dixem-li que se n'anàs sa carrera, que tant ho havia tardat, que d'hui més no fariem aquell pleit*. More generally on the role of interpreters in our context, see *Echevarría*, *Trujamanes* (2013).

16 Llibre dels feits. Ed. *Soldevila*, ch. 322, 363: *E l'alcaid envià'ns un moro, per nom Setxi, qui era molt poderós en la vila e era de consell de l'alcaid*. If his *nisba* is reconstructed correctly, he may have had ties to Šāḡ(i)s/Sax near Bilyāna/Villena. Cf. *Burns*, *L'Islam* (1990), vol. 2, 181 and *id./Chevedden*, *Negotiating Cultures* (1999), 84, 98 note 39.

Thus, the conversation terminated, leaving the envoy to return to the city allegedly *filled with great fear*.¹⁷

Still, Abū Bakr and his advisors did not cling to their defensive and petitioning stance but tried to exploit conflicts within the king's camp. For instance, both Ibn Firruh and al-Šağasī had taken notice of a quarrel between James I and García Romeu, a prominent Aragonese noble present within the host.¹⁸ In his fury about the king, Romeu obviously went so far as to engage in secret talks with Abū Bakr's diplomats, probably trying to undermine James's siege efforts. Likely sharing his aim, Ibn Firruh and al-Šağasī in turn related the matter to the king's interpreter and *alfaquim* Baḥya (*En Bahiel*),¹⁹ probably hoping thereby to stir up open dissent within the Christian camp, thus forcing the king to raise the siege or at least bringing him back to the negotiating table. Baḥya brought both diplomats before James I so that they could speak to him directly. Informed about the traitor in his camp, however, the king allegedly showed himself unimpressed, implying that he sensed the Muslims' intentions.²⁰

Nevertheless, the threat of having to abandon the siege because of treason clearly disquieted the monarch, for he was now willing to resume negotiations. Through his *alfaquim* Baḥya, he informed the Muslim diplomats that he would be willing to raise the siege, but only if one of the town's two castles or the nearby Castelló de Xàtiva would be handed over to him. However, he surely demanded more: After a day of further deliberations with the *qā'id*, Ibn Firruh and al-Šağasī returned with the message that Abū Bakr consented, not only releasing the captive knights but also recognizing James I as his lord (*senyor*) and promising to hand over the castle to nobody but him, if he had to do so in the future. Moreover, he agreed to surrender the Castelló de Xàtiva

¹⁷ Llibre dels feits. Ed. *Soldevila*, ch. 322, 363: *E ell, quan oí esta paraula, tornà-se'n ab gran paor*.

¹⁸ Llibre dels feits. Ed. *Soldevila*, chs. 323 f., 363–365. Essentially, the argument centred on whether a case of battery within the host should be judged according to Aragonese or Valencian law, see also Llibre dels feits. Ed. *Smith/Buffery*, 253 note 52. On Romeu, cf. Llibre dels feits. Ed. *Soldevila*, 364 note 1720.

¹⁹ The rabbi (*rāv*) Baḥya was the patriarch of the influential Alconstantini family. He had already participated in negotiating the surrender of Mayūrqa/Mallorca 627/1229 while his brother Salamó had had a similar function in the capitulation of Minūrqa/Menorca 628/1231. Both held the title of an Arabic savant (*ḥakīm*, Catalan *alfaquim*), see Llibre dels feits. Ed. *Soldevila*, ch. 74, 118, 325, on pages 167, 211, 365 f. For their services to the Crown, they and other members of their family received generous rewards by the king, as donations in Balansiya/Valencia before and after the conquest 636/1238 show: *Libre del Repartiment*. Ed. *Cabanes Pecourt / Ferrer Navarro*, vol. 1, nos. 26, 162, 592, 1471–1474, vol. 2, nos. 148, 159. Cf. *Romano Ventura*, *Judíos* (1978), 79–81; *Burns*, *Muslims, Christians, and Jews* (1984), 160 f.; *id./Chevedden*, *Negotiating Cultures* (1999), 138; *Assis*, *Diplomàtics jueus* (1997), 15, 19.

²⁰ Llibre dels feits. Ed. *Soldevila*, ch. 325, 365 f. Only in this chapter are Ibn Firruh and al-Šağasī erroneously merged into a single person (*Setxi Abenferrí*), which has been accepted e. g. by *Guichard*, *Al-Andalus* (2001), 468 note 66, 510, 564, 594 f. However, they can be clearly separated elsewhere in the *Llibre*, cf. *Soldevila*, op. cit., 365 note 1725.

within three days.²¹ Although the latter was a rather negligible concession given that the castle was situated in some distance between the town and Ġazīrat Šuqr / Alzira, the *qā'id*'s promise to accept the sovereignty and territorial claims of the Crown of Aragon at least constituted an advantage towards Castilian interests. Even though presented as a success by the king, the agreement was thus rather a compromise, enabling the king to save his face after an otherwise failed siege which had lasted only a few weeks before being sabotaged effectively by treason within his own ranks.²²

Nevertheless, the king celebrated the agreement in a public ceremony outside the town, in which Abū Bakr in person as well as *the best hundred men of the town* were required to take an oath (*sagrament*) on the conditions agreed upon.²³ Although their identity is unknown, this group most likely featured the *qā'id*'s family, the notables in his service, as well as the *šuyūh*, the high-ranking community members representing the town's most eminent families.²⁴ The agreement was recorded in a treaty, designed as a chirograph divided along the letters A, B, C, with each party retaining one half. Similar to the 641/1244 treaty, the stipulations may well have been written in Latin and Arabic alternating in each line. However, since none of these documents have survived, this is merely conjectural.²⁵

21 Llibre dels feits. Ed. Soldevila, chs. 326 f., 366: *E, quan venc a l'altre dia, tornaren a nós [viz. the Muslim diplomats] e dixeren que ens daria [viz. the qā'id] Castelló e sempre, de mantinent, que ens atorgava per senyor; e, si ell havia a dar Xàtiva, que no la daria si a nós no. E així faem aquest pleit ab ell. E donà'ns Castelló al tercer dia; e cobram Don Pere d'Alcalà e els quatre cavallers (...).*

22 The timeline of the siege can only be outlined: The king was in Balansiya/Valencia on 16 May, in the siegeworks on 17 June, and certainly back in Valencia on 15 July: Documentos. Ed. Huici Miranda / Cabanes Pecourt, vol. 2, nos. 309, 310, 312. Cf. also the appraisals by Guichard, Al-Andalus (2001), 558 f. and Burns/Chevedden, Negotiating Cultures (1999), 85–87.

23 Llibre dels feits. Ed. Soldevila, ch. 327, 366: *E dixem-los que l'alcaid isqués ab nós defora ab los mel-lors cent hòmens de la vila e que ens rebés; e que aquell lloc no lliuràs a null hom, pus se'n desisqués, si a nós no, per negun temps. E foren tots a aquell sagrament; (...).*

24 On the rather enigmatic group of the *šuyūh*, cf. Kirchner i Granell, Paper (1987); Burns, L'islam (1990), vol. 2, 152–161; Guichard, Al-Andalus (2001), 292–294, and Böhme, Šarq al-Andalus, 239, 242–244, 251, 259 f.

25 In 1243 (see below), the king explicitly referred to the documents when he accused Abū Bakr of having broken the 1240 pact, Llibre dels feits. Ed. Soldevila, ch. 334, 370: *E vós sabets bé que la covenença que havets ab nós, que les cartes partides són per a, b, c, que nós ne tenim les unes e vós ne tenitis les altres; e segons que ens aquelles és contengut, havets-nos trencades les covinences que haviets ab nós.*

Between Aragon and Castile – the Negotiations of 641–642/1243–1244

While James I could present the agreement of Summer 637/1240 as a success, the Banū 'Īsā had gained at least some breathing space. The king spent the rest of the year in Balansiya/Valencia and then left the kingdom for his northern realms, where he was occupied with different matters throughout 1241. After having returned in late April 1242, he received the voluntary surrender of Ġazīrat Šuqr / Alzira and spent the summer distributing land to Christian settlers here and in Bayrān/Bairén, both settlement centres being rather close to Šāṭiba/Xàtiva.²⁶

During these years, both the king and the *qā'id* Abū Bakr seem to have confided in the 1240 pact until Castilian politics in South-Eastern al-Andalus jolted James I to make the next move. Ever since the assassination of Ibn Hūd of Mursiya/Murcia in 635–636/1238–1239, Castile had been successful to hold up pressure on his wavering emirate through combining military campaigns with diplomatic understandings. In late 640/1242, this pressure, paralleling inner revolts, forced the incumbent Hūddite ruler Bāhā' al-Dawla to offer tributary surrender to Ferdinand III. After the agreement had been concluded with the Treaty of Alcaraz (March 640/1243), Ferdinand's son and heir Alfonso occupied Mursiya/Murcia on 1 May 640/1243 and in 641/1244 embarked on a military campaign against resisting settlements in the town's vicinity.²⁷ For Šāṭiba/Xàtiva's Banū 'Īsā, the Castilian takeover may not necessarily have posed a threat but also a chance: Two past sieges by the king of Aragon had demonstrated his appetite for conquest and it would only be a matter of time until he would increase pressure on the city again. If the dynasty certainly had to submit to a Christian king, the terms promised by Castile seemed favourable enough to break the pact made with the Crown of Aragon, since the voluntary surrender of Mursiya/Murcia had enabled Bāhā' al-Dawla to stay in power and keep ruling his city under a rather remote Christian overlord. As Prince Alfonso was certainly not uninclined to acquire this important part of Mursiya/Murcia's hinterland as well, both sides engaged in negotiations at some point in the second half of 640/1243, with the prince and the *qā'id* Abū Bakr most probably getting in touch directly. Since the real purpose of these high-profile parleys had to be concealed from James I, he was visited by a Castilian envoy from Cuenca, explaining to him that Alfonso merely wished to have one of Šāṭiba/Xàtiva's

²⁶ The dating by *Ubierto Arteta*, *Orígenes* (41981), vol. 1, 159, 247, vol. 2, 257 has been criticised by *Guichard*, *Al-Andalus* (2001), 559–562; cf. also *Torró*, *Naixement* (2006), 48 f.

²⁷ *Torres Fontes*, *Tratado* (1995–1996); in brief *Guichard*, *Al-Andalus* (2001), 197 f. and *Burns/Chevedden*, *Negotiating Cultures* (1999), 87 f.

famous tents made for himself. It seems likely that James I and his advisors already at this point suspected that they were being fooled.²⁸

However, the king needed time to prepare his next move. He spent the months between September–November 1243 in his Valencian realm, touching only briefly at Castelló de Xàtiva on 1 November, probably to assess the defence capabilities of Šāṭība/Xàtiva's surroundings. Afterwards, he retired to Aragon for most of December.²⁹ During his absence, another skirmish between Catalan-Aragonese and Xàtivan forces, perhaps deliberately plotted, produced a suitable *casus belli*, very much to the king's delight.³⁰

Acting quickly, he hurried to Balansiya/Valencia and from there to Ġazīrat Šuqr / Alzira, some 21 km northeast of Šāṭība/Xàtiva. This time, the *qā'id* could not ensconce himself behind his diplomats, because the king summoned him by letter to come to his court in person.³¹ Even if the gravity of the situation left Abū Bakr hardly any other choice than to comply, he gathered a "sizeable company" (*bona companya*). After having been kept waiting deliberately for another day, the delegation was received by the king, who quickly proceeded to explain the cause of the meeting: Men in the service of the *qā'id* had attacked Valencian knights and thus had violated the agreements of 637/1240. Since the king now regarded the treaty void, he demanded Šāṭība/Xàtiva to be handed over to him, as he considered it part of the Kingdom of Valencia.³²

Although this was a demand Abū Bakr and his advisors could well have anticipated, the king's account relates that the *qā'id* was horrified, considering himself to be a prisoner right away. However, the king allegedly bestowed his clemency on him, assuring him safety at his court and allowing him to return to Šāṭība/Xàtiva to *deliberate with the elders and those you wish*. When these inner discussions had been com-

28 Llibre dels feits. Ed. Soldevila, ch. 339, 373: *E hac-hi un home (...), e havia'ns dit, ans que fóssem al seti de Xàtiva, que l'infant Don Alfonso volia fer una tenda en Xàtiva; e, en raó de fer la tenda, mentre la faïen, parlava pleit entre l'alcaid e est rei Don Alfonso, qui ara és, qui era infant. E nós sentim que aquella no es faïa sinó ab maestria, per ço que parlassen ab l'alcaid de Xàtiva lo pleit et ab l'infant Don Alfonso; e la tenda faïa's per encobrir lo feit que parlaven.* Cf. Burns/Chevedden, *Negotiating Cultures* (1999), 88.

29 Documentos. Ed. Huici Miranda / Cabanes Pecourt, vol. 2, nos. 380–384; the dating corrected by Burns/Chevedden, *Negotiating Cultures* (1999), 88 f.

30 Llibre dels feits. Ed. Soldevila, ch. 333, 369: *E, quan nós sabem açò, plac-nos per aquesta raó: car ell nos havia trencada lo covinença que havia ab nós, e sobre açò haviem raó de venir sobre Xàtiva.* Cf. Burns/Chevedden, *Negotiating Cultures* (1999), 89.

31 Llibre dels feits. Ed. Soldevila, ch. 334, 369: *E enviam messatge a l'alcaid de Xàtiva que vingués, que nós lo voliem veure, e que vengués a nós. (...) era vengut per nostre manament e per nostra carta que nós li havíem enviada, (...).*

32 Llibre dels feits. Ed. Soldevila, ch. 334, 370: *On, d'aquella covinença que haviem ab vós no ens és semblant que us en siam tenguts, pus vós la'ns havets trencada; que, pus nós havem la major partida del regne de València, e Xàtiva és del regne, volem-la cobrar, pus vós la tenits, e deïm-vos que la'ns rendats.* Cf. note 25 above.

pleted, he or a representative of his should convey the council's answer to the king.³³ Although this passage clearly reflects that James I had at least basic knowledge about the Muslim practice of consulting the *šuyūḥ* in important decisions,³⁴ he followed his permission by warning the *qā'id*: If the decision should fail to provide adequate amends, he would find other means to enforce his demands. Furthermore, the king insisted on a concrete timeframe for resuming negotiations, probably fearing the Muslims could stall the process in hope for Castilian support or another way out. Nevertheless, he granted them the full eight days requested. Afterwards, Abū Bakr and his entourage returned to Šāṭiba/Xàtiva.³⁵

The next stage of negotiations began on schedule. The *qā'id* did not return to the king's court in person, which in the meantime had moved to Castelló de Xàtiva. Instead, he sent a certain *Almofois*, who was accompanied by an unnamed second envoy. *Almofois'* reputation, learning, and conduct obviously attracted James's high esteem, for he described him as *the most learned man in Xàtiva and one of the most distinguished men*. The name form given by the king may be reconstructed as al-Mufawwiz, identifying him as Abū l-Ḥusayn 'Abd al-Malik b. Mufawwiz of the Banū Mufawwaz/Mufawwiz, renowned as judges (*quḍāt*) and experts for Islamic jurisprudence (*fuqahā'*) in the region around Šāṭiba/Xàtiva. He may well have held the office of the town's *qāḍī* himself.³⁶ However, his audience with the king, again held in the presence of the royal entourage, took an unpleasant direction for both sides. After having conveyed the usual greetings from the *qā'id* and the *šuyūḥ*, Ibn Mufawwiz proceeded with explaining the decision of Šāṭiba/Xàtiva's council: The Muslims considered their attack on the Christian knights another case of legitimate self-defence since the Xàtivan forces had merely recovered booty taken from the belongings of the *qā'id*. Moreover, Abū Bakr was unable to hand over the city to the king, since both Muslims and Christians, well aware of its importance within al-Andalus, would look down on him if he surrendered it for such a small matter. Therefore, the king should abstain

33 Llibre dels feits. Ed. Soldevila, ch. 335, 370: (...); *e no volem que ens responats aquí, mas que tornets lla e que hajats vostre accord ab los vells e ab aquells que us semblarà. E, quan haurets haüt vostre accord, o vós venits a nós o enviats-nos vostra resposta, (...)*.

34 The Catalan *vells* is a quite accurate rendering of the basic meaning of the Arabic *šuyūḥ*; cf. the references in note 24 above.

35 Llibre dels feits. Ed. Soldevila, ch. 335, 370.

36 Llibre dels feits. Ed. Soldevila, ch. 336, 371: (...) *ell nos envià un savi moro que havia nom Almofois e era el pus savi de Xàtiva e dels mellors hòmens; e venc un altre ab ell. (...) E nós responem-li menys d'acord e dixem-li: – Almofois, vós sots savi hom, e sembla-ho per dues coses: la una, per la fama que n'havets, e l'altra, perquè mostrats bé vostra raó. After the definitive surrender of the city, he went into exile to Minūrqa/Menorca, see Molina López, Murcia (1978), 21; id., Gobierno (1982), 44; Rubiera Mata, Corte literaria (1984), 115, 138; Burns, L'Islam (1990), vol. 1, 274 f., vol. 2, 177 f., 185; Guichard, Al-Andalus (2001), 468, 494, 563; O'Connor, Forgotten Community (2003), 62 f., 69 note 66.*

from a demand so base (*lleig*).³⁷ James I responded on the spot, without consulting his advisors: As a learned man, Ibn Mufawwiz had explained the Muslims' perspective well. However, with the pact of 1240 Abū Bakr had made himself a vassal of the king, obliged not only to defend the Crown but also to submit to royal authority. Thus, the dispute between James I and his vassal should be settled by a feudal judge appointed by the king, whose decision should be obeyed by both parties. The king's candidate at hand, conveniently already attending the talks, was his uncle, the Infante Ferran d'Aragó, *one of the most excellent men in Spain concerning lineage and nobility*.³⁸ Ibn Mufawwiz replied that the *qā'id* and the *šuyūh* would certainly not be willing to accept such a judgement, but he would nevertheless convey the king's proposal to them. After a period of three days, only reluctantly accepted by James I, he returned to the king's court to deliver the answer of the Muslims' council: The sentence of a judge was unnecessary in the present matter. Instead, the king should bring forth his demands directly and Ibn Mufawwiz would respond on behalf of the *qā'id*.³⁹ Nevertheless, James I insisted on appointing the still present Infante Ferran as judge, urging the envoy to accept on behalf of his master. However, Ibn Mufawwiz refused to exceed the authority granted to him.⁴⁰ Thereupon, the king ordered *the nobles and the citizens of Valencia* present at his court to testify the *qā'id*'s denial in a formal ceremony, allowed the envoy to leave and prepared for siege.⁴¹

It seems quite conceivable that the king and his advisors had expected right from the start that the *qā'id* and the *šuyūh* would be unwilling to accept the sentence of a judge, the more so as both sides knew beforehand that the king's candidate would almost certainly rule in his favour. However, the dispute rooted most probably in a fundamentally different understanding of the relationship established between the *qā'id* and the king through the 1240 pact. In the legal understanding of Andalusi Muslims, the earlier agreements most likely resembled the Islamic *bay'a* or *mubāya'a*, a formal

37 Llibre dels feits. Ed. Soldevila, ch. 336, 371. Although the envoy's direct speech as recorded by the king should not be taken literally, its central contents seem quite plausible in the context of the events.

38 Llibre dels feits. Ed. Soldevila, ch. 337, 372: *E l'alcaid és nostre vassall, que quan féu lo pleit ab nós en lo reial que és prop la vila se féu nostre vassall, que ens guardaria e que ens defendria a nós a les nostres coses. E, pus nostre vassall és, deu fer dret en nostre poder, e nós divent-li dar jutge, e dam-li per jutge Don Ferrando, qui és dels alts hòmens d'Espanya per llinatge e per noblea; (...). Ferran d'Aragó had been elected abbot of Mont Aragón in 1205 and spearheaded the second noble revolt against James I; see Cabré, Documentos (1959), 249–254 and Barton, Victory's Shadow (2019), 220–222, 258, 367 f. note 79.*

39 Llibre dels feits. Ed. Soldevila, ch. 338, 372: *E sobre açò dix-nos ell que no era voluntat de l'alcaid ni dels vells que ell jutge prengué; mas que tornaria lla e, haüt acord, que ens respondria. (...). E al tercer dia ell tornà e respòs, (...), que a açò no hi calia jutge, mas que nós li dixésem què era açò que nós demanàvem, e que ell nos respondria.*

40 Llibre dels feits. Ed. Soldevila, ch. 338, 372: *E ell dix que no hi podia més fer de quant li era manat.*

41 Llibre dels feits. Ed. Soldevila, ch. 338, 372: *E sobre açò faem testimonis los rics hòmens e ciutadans que hi havia de València, con ell no volia rebre nostre jutge que nós li dàvem. E, nós preses los testimonis, cavalgà e anà-se'n sa carrera. E d'aquí avant fo la guerra.*

pledge of allegiance and loyalty to a ruler, in this case born out of the sheer necessity to cope with political realities. Although Abū Bakr and Šāṭiba/Xàtiva's *šuyūḥ* probably had a certain knowledge of the Christian concept of vassalage, they certainly did not share the king's perception of the *qā'id* being a Crown vassal, Šāṭiba/Xàtiva being a fief and the rule of the Banū 'Īsā being bound to the sentence of a feudal judge.⁴²

After the negotiations had been terminated, the king was quick to commence the new siege which was already in full progress by 7 January 641/1244 and lasted until mid-May that year. The course of the fighting shall not concern us here.⁴³ At some point during the siege, James's Muslim spies within the city reported that Prince Alfonso's envoy from Castilian Cuenca had again entered Šāṭiba/Xàtiva to secretly inform the *qā'id* and the *šuyūḥ* that *Alfonso would arrive soon and they could come to terms with him*. Being now provided with a proof of the *ruse by which we might lose Xàtiva*, James had the agent arrested under the pretext of a communication ban between Muslims and Christians, interrogated him and ultimately sentenced him to death.⁴⁴ The competition between the Crown of Aragon and Castile in south-eastern al-Andalus was about to escalate into open confrontation, the more so as the armies of Alfonso's mopping up campaign against Murcia's hinterland conquered Enguera and Moixent *within the jurisdiction [pertinència] of Xàtiva* only some weeks after the incident. Leaving the major part of the host at the siege, James I now attacked and occupied a number of settlements already held by Alfonso's knights, thus driving the prince into asking for a peace meeting. The ensuing negotiations at Almirra/Almiçra near Biar on 25/26 March 1244 were fierce, not only because Alfonso was the designated husband for James's seven-year-old daughter Violant, but because still-besieged Šāṭiba/Xàtiva was the central bone of contention. Alfonso claimed that the city had been promised to him as dowry, later arguing that he would obtain it anyway *since the qā'id very much wants to give it to him*. However, James refused resolutely, denying any past promises, asserting that *Xàtiva pertained to our conquest zone*, and warning that *whoever wants to set foot in Xàtiva will have to get past us*.⁴⁵ Eventually, both

42 Cf. Burns, L'Islam (1990), vol. 1, 282 f., vol. 2, 25–30; *id./Chevedden*, Negotiating Cultures (1999), 90 f., 178 f., 195–212 and Speed, Emotion (2005), 75 f., 84. On the concept of *bay'a/mubāya'a* in a larger context, compare the 14th century perspective of Ibn Ḥaldūn, al-Muqaddima. Ed. Šaddādī, vol. 1, ch. 3, 27, 356 f. with Hanne, Ritual (2013) and, more extensively, Marsham, Rituals (2009).

43 Llibre dels feits. Ed. Soldevila, ch. 339, 372 f.; Documentos. Ed. Huici Miranda / Cabanes Pecourt, vol. 2, nos. 385–391; cf. Burns/Chevedden, Negotiating Cultures (1999), 91–94, 99–103.

44 Llibre dels feits. Ed. Soldevila, chs. 339 f., 373 f.: (...) *que pogués parlar ab los de la vila, que els dixés que l'infant Don Alfonso venia, e que li atenessen lo pleit. E en açò haguem nós celosia, que sabíem bé que aquella tenda fo feita ab maestria per ço que nós perdéssem Xàtiva*.

45 Llibre dels feits. Ed. Soldevila, chs. 340–347, 374–378, the quotations from chs. 345, 347, 378: (...) *que Xàtiva que no dariem a hom del món, car era de nostra conquesta, (...). Senyor, bon seria que vós donàssets Xàtiva a l'infant; que, si no ho fets, aitambé l'haurà, que l'alcaid la li darà. (...) Per ço car la li quer donar. (...) Nós no n'havem paor que negú la'ns tolga: ni l'alcaid la pot donar ni negu la gos pendre, car qui en Xàtiva volar entrar, sobre nós haurà a passar*.

sides reached an agreement about the future border demarcation in the region: In the so-called Treaty of Almirra/Almirra, dated 26 March, the Crown of Aragon obtained the right to conquer not only Šāṭiba/Xàtiva but also a ring of fortresses to the south-west, isolating the town from the reach of both Castile and Mursiya/Murcia.⁴⁶

With the dispute settled, the king returned to the siegeworks on 29 March. However, Šāṭiba/Xàtiva's defenders fiercely resisted almost another two months before Abū Bakr and the *šuyūḥ* eventually suggested to resume negotiations. Their new spokesperson was *Abolcàsım*, to be identified with Abū l-Qāsım Aḥmad b. Muḥammad b. Nağawt al-Ḥağrī, called Ibn Yāmīn, the chief *kātīb* (*escrivà major*) in the service of the *qā'id*.⁴⁷ The king, probably tired of the wearisome yet deadlocked siege,⁴⁸ was ready to accept the overture. The first round of talks on Tuesday, 24 May⁴⁹ were conducted in private in the king's tent, under exclusion of his entourage.⁵⁰ Abū l-Qāsım once more stressed the *qā'id*'s loyalty and obedience to the Crown. The king should already know that Abū Bakr's late father had ordered him to surrender Šāṭiba/Xàtiva to no man but to the King of Aragon, *if he would have to lose it*. Thus, James I already held the town through the Banū 'Īsā and should refrain from harming what was his.⁵¹

46 Llibre dels feits. Ed. *Soldevila*, chs. 348 f., 378–381; the treaty in *Documentos*. Ed. *Huici Miranda / Cabanes Pecourt*, vol. 2, no. 388. Cf. *Burns/Chevedden*, *Negotiating Cultures* (1999), 94 f.; *Guichard*, *Al-Andalus* (2001), 563 f.; *Torró*, *Naixement* (2006), 49 f., and *Riera Melis*, *Tractat d'Almirra* (2003).

47 The ensuing negotiations are covered in *Llibre dels feits*. Ed. *Soldevila*, chs. 350–354, 381–384. Originally based in Ġazīrat Šuqr / Alzira, Ibn Yāmīn based his career on his literacy and mastery of words. After the fall of Šāṭiba/Xàtiva, he left the service of the Banū 'Īsā and relocated to Minūrqa/Menorca where he quickly ascended as chief *kātīb* and panegyrist at the court of the island's *ra'īs*, Ibn Sa'īd. Around 649–650/1251–1252, he moved to Tunis and found employment in the administration of the Ḥafšid caliphate. He died in 659/1261. See Ibn 'Abd al-Malik al-Marrākūšī, al-Ḍayl. Ed. *Abbās / b. Šarīfa / Ma'rūf*, vol. 1, no. 770, 697–700 and cf. *Burns*, *L'Islam* (1990), vol. 2, 165; *Rubiera Mata*, *Corte literaria* (1984), 126–130, 136–138; *Guichard*, *Al-Andalus* (2001), 416 f., 432 note 51, 468, 493 f., 564; *Burns/Chevedden*, *Negotiating Cultures* (1999), 96 f. (though his identification with a brother of the *qā'id* Abū Bakr seems unlikely), and *O'Connor*, *Forgotten Community* (2003), 37, 62 f., 120.

48 *Llibre dels feits*. Ed. *Soldevila*, ch. 349, 381: *E estigué's aquí dos meses que ells no parlaren negun pleit que faéssem*. This elusive phrase may well conceal the fact that the king did not have any partial successes to record between April–May 1244; cf. *Burns/Chevedden*, *Negotiating Cultures* (1999), 96.

49 For the subsequent timeline of events, cf. the reconstruction by *Burns/Chevedden*, *Negotiating Cultures* (1999), 100–102.

50 *Llibre dels feits*. Ed. *Soldevila*, ch. 350, 381: (...) *e faem eixier tots los de la nostra tenda per parlar ab ell. E ell, quan veé que no hi havia negú sinó nós, dix-nos* (...). However, this should not necessarily be taken literally, since the king may have needed the services of an interpreter and his guards must have at least stayed within reach in order to intervene if needed.

51 *Llibre dels feits*. Ed. *Soldevila*, ch. 350, 381: (...), *dix-nos que l'alcaid nos saludava e que es comanava en la nostra gràcia així con en aquell hom del món qui major cor havia de servir e d'amar e d'honrar, e que ens enviava a dir per què el teníem assetjat, que bé sabíem nós que son pare li havia manat que a negun cristià del món ni a sarraí non lliuràs aquell castell si a nós no, si ell lo havia a perdre; e que no el devíem tenir assetjat ni fer mal, que ell per nós lo tenia e que ell jamés no faria altra via sinó la nostra*. Cf. *Burns/Chevedden*, *Negotiating Cultures* (1999), 73 f.

However, this evasive declaration, alluding only loosely to the feudal relationship previously insisted upon by the king, was not enough to convince James I. He reasserted his right to be given full control of the town, as he considered it the *key* (*clau*) to the southern parts of his new Kingdom of Valencia. The Banū 'Īsā would have to accept this as God's will, the more so as they would be *honourably* (*honradement*) recompensed with *ten times more* than they ever had.⁵² At that, Abū l-Qāsim asked for permission to retreat to the city for consultations with the *qā'id*. The king consented, promising him generous rewards as well if he would work towards his demands.⁵³

The next day Abū l-Qāsim returned with a negative reply, stating the *qā'id* did not consider to hand over Šāṭiba/Xàtiva at all. However, on the immediately following threats by the king to resume attacking the city's walls, he asked for Eximén de Tovia to be sent to Abū Bakr in order to continue the negotiations, for the *qā'id* considered him *his confidant and trusted him greatly*.⁵⁴ The king agreed, sent for Eximén and instructed him to conduct the talks to the favour of the Crown. At the request of the Muslim side, both parties agreed on a five-day truce (*treva*) until Sunday which would enable Šāṭiba/Xàtiva's *šuyūḥ* (*vells*) to congregate in the (main) mosque after Friday prayer where they would deliberate until Saturday.⁵⁵

When the negotiations were resumed in due time, on Monday, 30 May, they were conducted not only by Eximén de Tovia, but also by Abū l-Qāsim as well as the earlier diplomats Ibn Mufawwiz and al-Šaḡasī. These four obviously formed a kind of negotiation group accredited by Abū Bakr.⁵⁶ They exposted the compromise worked out to-

52 Llibre dels feits. Ed. Soldevila, ch. 350 f., 381 f.

53 Llibre dels feits. Ed. Soldevila, ch. 351, 382: *E dix ell [viz. Abū l-Qāsim]: – Senyor, les paraules que vós deïts són de gran feït, e, si a vós plau, jo tornaré a l'alcaïd e dir-les-li he. E nós [viz. James I] dixem: – A nós bé plau que hi anets e que les li digats e que ens hi tingats bon lloc, que vós sots escrivà major de Xàtiva, e nós heretar-vos hem bé, més que anc no n'hagués, car bé sabets vós que estorçre no ens podets.* Although the wording of this quotation should not be taken at face value, the main idea is quite conceivable.

54 Llibre dels feits. Ed. Soldevila, ch. 352, 382: *E ell [viz. Abū Bakr through his envoy Abū l-Qāsim] pregà'ns que li enviàssem N'Eixemén de Tovia, qui era son privat, e fiava's molt en ell; (...). Eximén de Tovia was a knight from a renowned Aragonese lineage and already present in the king's host. It is unknown under which circumstances he had become confidant to Abū Bakr but it seems reasonable to assume that he had at least basic command of vernacular Arabic. Cf. *ibid.*, 382 note 1811; Burns/Chevedden, *Negotiating Cultures* (1999), 138, 145 f.*

55 Llibre dels feits. Ed. Soldevila, ch. 352, 382 f.: *E pregà'ns lo missatge que nós no faèssem fer mal a la vila, ni ells no ho farien a nós tro al dimenge, per ço car al divenres venrien los vells a la mesquita e aquí acordarien-se tro al-dissabte, e, per açò, que duràs la treva tro al dimenge. E nós atorgam-lo-li. E no en volguem fer llongues noves, per tal con les paraules duraren molt, e seria allongament del llibre.* The king's concluding remark indicates that he had more detailed knowledge on the decision making within Šāṭiba/Xàtiva's communal elite.

56 Llibre dels feits. Ed. Soldevila, ch. 353, 383: *– Senyor, aquí ens envia l'alcaïd tot son consell e son cor, e ço que aquests faran, tingats per aitan ferm con si ell ho faïa.* Again, the wording recorded here should not be taken at face value, although the main idea of representation through envoys was a common feature in diplomacy. Cf. in our context *Böhme*, *Šarq al-Andalus*, 242–246, 259 f.

gether with the *qā'id* and the *šuyūh*, stating that the king could have the lesser of Šāṭiba/Xàtiva's two castles right away whereas the Banū 'Īsā were to keep the major castle for two more years before surrendering it for a *lloc honrat* as compensation, which the king might find in the nearby fortresses of Mantūša/Montesa and Vallada.⁵⁷ The king withdrew in order to confer with his entourage,⁵⁸ then summoned the *qā'id*'s envoys again to convey his decision: Although he stated to be “not entirely satisfied” by the solution proposed, he would accept it as a compromise and allegedly “out of love and care” for Abū Bakr, thus stressing again the feudal relationship between them.⁵⁹ As another feature of the compromise, Abū Bakr and the *šuyūh* entreated the king to invest Eximén de Tovia with the lesser castle to be surrendered right away, *since the qā'id trusted him deeply and we trusted in him as well*. James granted the request, thus rewarding Eximén for his services.⁶⁰ Although it seems likely that the other envoys received rewards as well, the surviving documentation does not give any details on that.⁶¹

***Wa-ḥalafū 'alā l-wafā' bihā* – The Peace Treaty of June 641/1244**

In contrast to the negotiations of 637/1240, the king's Book of Deeds gives no details on the ceremony finalising the agreement reached, which must have taken place some-

⁵⁷ Llibre dels feits. Ed. *Soldevila*, ch. 353, 383.

⁵⁸ The king's board of advisors in this matter featured the queen, the Master of the Hospital Hug de Fullalquer as well as the nobles Guillem de Montcada, Eximeno Pérez de Arenós, and the admiral Carroç: Llibre dels feits. Ed. *Soldevila*, ch. 353, 383. Apart from the queen, the presence of all participants within the king's camp can be corroborated by charter evidence, see *ibid.*, 383 note 1821; *Miret i Sans*, *Itinerari* (2007), 167–169; *Burns/Chevedden*, *Negotiating Cultures* (1999), 97 f.

⁵⁹ Llibre dels feits. Ed. *Soldevila*, ch. 354, 384: (...) *que tant amàvem nós son pare de l'alcaid e tant amàvem son fill, que ens havia lleixat en nostra comanda, que ja fos que nós no ho haguéssim acabat tot a nostra voluntat, que per amor d'ell que ho volíem fer.*

⁶⁰ Llibre dels feits. Ed. *Soldevila*, ch. 354, 384: *E ells pregaren-nos de part de l'alcaid e dels vells que nós que volguéssim que Don Eixemèn de Tovia tingués lo castell, per ço car l'alcaid se fiava en ell molt, e nós atretal qui ens hi fiàvem.* On his further holdings granted by the king, see *O'Connor*, *Forgotten Community* (2003), 32–35, 37, 46.

⁶¹ A sole hint can be found in a royal charter from 1248 investing a Christian physician with the village of Chiū (*Thiu*) near Šāṭiba/Xàtiva, *qui fuit de Ali Abiuferri*: *Documentos*. Ed. *Huici Miranda / Cabanes Pecourt*, no. 473. This previous owner could possibly be identified with Ibn Firruh, prominent in the 1240 negotiations. Although he does not seem to have been directly involved in the final negotiations in 1244, it is not entirely inconceivable that he had obtained the village as some kind of reward either by the *qā'id* or King James. On this hypothesis see *Burns*, *L'Islam* (1990), vol. 2, 182 note 22; *Guichard*, *Al-Andalus* (2001), 594 f., and *O'Connor*, *Forgotten Community* (2003), 35 note 22, 37, 62.

time between 31 May and 5 June.⁶² Fortunately, we can gain some insight into this question through the already mentioned peace treaty, issued on 25 Dū l-Ḥiḡḡa 641/5 June 1244 as a bilingual document in Latin and Arabic and surviving in original until today.⁶³

Both King James and his wife Queen Violant were represented by their now lost seals,⁶⁴ while the Christians' list of witnesses most probably featured the king's confidants Arnau de Rocafull, García Romeu, Pelegrin de Atrosillo, Rodrigo de Lizana, Eximén de Tovia, as well as the royal notary Guillem de Bell-lloc.⁶⁵ Regarding witnesses on the Muslim side, the treaty makes explicit mention of the *qā'id*'s uncle Muḥammad b. Aḥmad b. Muḥammad b. ʿĪsā l-Anšārī as well as three other officials or notables (*wuḡūh*), Muḥammad b. ʿAbdallāh b. Ya'qūb, Muḥammad b. Ṭalḥa b. Ya'qūb b. Ṭalḥa (reading unclear), and ʿAbd al-Salām b. Yūsuf. Witness lists were generally of rather little importance in traditional Islamic legal understanding, the main means of witnessing being oaths instead. In this case, however, the text tells us that the witnesses, who are not known from other documentary evidence, belonged to the advisory board of Abū Bakr and his brother and had also assisted in drafting the Arabic part of the treaty.⁶⁶ The Arabic and Latin sections were no congruent translations but complimented each other, both going back to a common earlier draft. In their final form, both variants had likely been penned down by functionaries in the service of the Crown of Aragon. The Latin text may have been written by the royal notary Guillelmó whereas the scribe of the Arabic version remains unknown.⁶⁷

The treaty's main contents are difficult to reconstruct as well. In general, they comprised stipulations on the main aspects of Muslim life under Christian rule. Of fundamental importance for the community was the preservation of Islamic ways of life, constituting freedom of worship in mosques open to the public and the application of Islamic legal traditions in inner-Muslim lawsuits and interreligious cases with

⁶² The kings account on the events concludes with the following remarks: *E nós atorgam-los-ho [viz. the request to invest Eximén de Tovia as castellan] e presem lo castell menor. E així partim nostra host e establim lo castell fort bé de vianda e d'hòmens e tornam-nos-en en València. Llibre dels feits. Ed. Soldevila, ch. 354, 384; cf. the assumptions by Burns/Chevedden, Negotiating Cultures (1999), 102.*

⁶³ The document has been analysed in great detail by Burns/Chevedden, Negotiating Cultures (1999), 123–192; their edition and translation on 148–167.

⁶⁴ Burns/Chevedden, Negotiating Cultures (1999), 129–131.

⁶⁵ The document's poor condition significantly impedes reconstruction and identification of the names, see Burns/Chevedden, Negotiating Cultures (1999), 143–147.

⁶⁶ Burns/Chevedden, Negotiating Cultures (1999), 161, 163–164: (...) *wa-kull man ḥaḍara wa-kataba l-qa'idān a'azzahumā Allāh wa-sā[ī]r man ḥaḍara asmā'uhum asfala [ustuḍdira] (...)*; cf. the translation *ibid.*, 166. In this witness list, too (*ibid.*, 161, 164), the reconstruction of names is impeded by lacunae, rendering a fifth name completely illegible. On the significance of witness lists in Islamic legal documents see *ibid.*, 186, 188.

⁶⁷ Burns/Chevedden, Negotiating Cultures (1999), 151: [*Sig+num Guillelmoni scribe qui mandato domini regis pro ...] episcopo cancellario suo hanc cartam fecit traslatari de Arabico in Latinum loco, die, et [anno predictis]*; cf. *ibid.*, 128, 137 f., 147 f., 186.

sentences concerning Muslims. Outsiders and particularly non-Muslims were to only have restricted access to the Muslim quarters, violent assaults from the outside to be persecuted by the king. Muslim rights on property and land ownership were to be respected. In return, the community members were to pay levies on a regular basis and to render communal labour and military service on fixed conditions. Stipulations of that kind more or less pertained to a standard repertoire of Muslim-Christian surrender agreements in the Šarq al-Andalus and can be corroborated in the case of many other Muslim communities.⁶⁸

The Banū ʿĪsā were to stay in power for the time being, with Abū Bakr in the case of his death being succeeded by his brother Ibn ʿUmar and he in turn by the *qāʿid* Abū l-Ḥusayn, probably a younger brother of both.⁶⁹ They were to bind themselves to the treaty's stipulations, as were *the people of distinction and the leading men* (*ḥawāṣṣ al-nās wa-wuġūh²*) of the community, which were at the same time compelled to make it binding *on men of lower rank* (*man warāʾahum min ṭabaqāt al-nās*). All members of the communal elite were to *take an oath of fidelity* to the agreement (*wa-ḥalafū ʿalā l-wafāʾ bihā*).⁷⁰ Similar to the treaty of 1240, the Muslim elite thus performed a ceremonial pledge of allegiance resembling the Islamic *bayʿa* or *mubāyaʿa*, establishing themselves as intermediaries between their community and the new Christian rulers of Šāṭiba/Xàtiva.⁷¹

The Resilience of a Dynasty – Outlook and Summary

After the ceremonies celebrating the settlement had been held and the king had left for Balansiya/Valencia, both sides seem to have respected the agreements. The transfer of Šāṭiba/Xàtiva's major castle in Šafar 644 / July 1246 proceeded at due date and without any resistance traceable in our sources. While the king, at that time busy in Catalonia, does not specifically mention this event in his *Llibre*, the news soon spread beyond Valencia's borders to Ḥafšid North Africa, where the Valencian expatriate Ibn al-Abbār, in contact with many emigrants from Šāṭiba/Xàtiva, recorded that the Chris-

68 Many examples can be found in *Cartes de Poblament*. Ed. Guinot i Rodríguez; cf. Böhme, Šarq al-Andalus.

69 Burns/Chevedden, *Negotiating Cultures* (1999), 149 f.: [...] <omnibus diebus vi>te sue, et mortuo ipso, Abenhomar frater ipsius; et mortuo Abenhomar, alchayt Abulucen <tanquam alch[ayt]> [...]. Cf. *ibid.*, 150 note 15, 133 f., 215.

70 Burns/Chevedden, *Negotiating Cultures* (1999), 161, 163: [...] *wa-lazima l-qāʿidayn aʿzzahumā Allāh ḥādihi l-muʾāhada ʿalā šurūṭihā wa-lazima dālika aydan man kāna min ḥawāṣṣ al-nās wa-wuġūh² Šāṭiba wa-mā [ʿilay²]hā wa-alzamūhā man warāʾahum min ṭabaqāt al-nās wa-ḥalafū ʿalā l-wafāʾ bihā (...).*

71 See note 42 above.

tians had taken over the town *after a truce and deceit by their Tyrant of Barcelona*.⁷² He dates the definite relocation of the *qā'id* Abū Bakr and his entourage to Mantīša/Montesa to Ramaḍān 645 / January 1248, thus placing it in an early stage of the first major revolt of Valencia's Muslims (645–656/1247–1258). This period was characterised by waves of expulsion both within and from the Kingdom of Valencia which affected mainly the communal elites. While the Banū 'Īsā do not seem to have joined the uprisings, they neither offered voluntary support to the Crown, probably supporting the rebels at least covertly.⁷³

The years after the revolt saw Šāṭiba/Xàtiva being gradually transformed from a near-exclusively Muslim town to a centre of Christian and Jewish migration in the southern parts of the Kingdom of Valencia. The increasing amount of surviving documentation allows for more detailed insights into the plethora of single and intertwined transformation processes characterising the establishment and expansion of Christian and Jewish quarters and the development of Latin administrative and ecclesiastical structures. The Muslim population largely remained in place with the judico-religious freedoms granted in 641/1244, though now being confined to a separate Muslim quarter. In a settlement charter (*Carta de Poblament*) from 649/1252, 14 otherwise unknown *šuyūḥ* acted on behalf of their community. Representing the most important local families, they probably formed a kind of community council administering Muslim affairs within the quarter. While several Muslim functionaries such as the *qādī* participated in the administration as well, often in cooperation with officers appointed by the Christians, we have no knowledge of a *qā'id* substituting Abū Bakr and his brothers.⁷⁴ With regard to the main questions of the present volume, we can thus trace both continuities and discontinuities within the power configuration: At least for some years, daily life within Šāṭiba/Xàtiva's Muslim community remained largely unaffected by the change of rulership. However, the transformation of the community's ruling class, whose members now had to cooperate regularly with newly ap-

72 Ibn al-Abbār, *Ḥullat al-siyarā'*. Ed. *Mu'nis*, vol. 2, ch. 166, 303: (...) *ṭumma tamallaka l-rūm ayḍan Šāṭiba fī aḥar šafar min sanat arba' wa-arba'in, ba'da muḥādana wa-mudārā li-tāḡiyatihim al-baršalūnī*, (...). Having once stood in the service of the last Muslim rulers of Balansiya/Valencia, Ibn al-Abbār (595–658/1199–1260) himself had left al-Andalus for Tunis in 637/1240. Cf. in our context *De Epalza*, Caiguda (1990), 36 f.; *Limam*, Ibn al-Abbār (1990), 118 f.; *Burns/Chevedden*, *Negotiating Cultures* (1999), 103–105, and more generally *De Epalza / Hugué* (Eds.), Ibn al-Abbar (1990).

73 Ibn al-Abbār, *Ḥullat al-siyarā'*. Ed. *Mu'nis*, vol. 2, ch. 166, 303: (...) *wa-awwā Abū Bakr ḥādā fī ḥāṣṣatihi ilā ḥiṣn bi-qurba minhā*, (...). On the events, see *Guichard*, *Al-Andalus* (2001), 571–586; *Torró*, *Naixement* (2006), 53–72; *id.*, *Guerra* (2007); *id.*, *Expellere Sarracenos* (2019), 78–83; *Burns*, *Guerra* (2013); *id.*, *Crusade* (2013); *id.*, *Lost Crusade* (2013); in our context especially *id./Chevedden*, *Negotiating Cultures* (1999), 106–111.

74 *Cartes de Poblament*. Ed. *Guinot i Rodríguez*, no. 96 = *Documentos*. Ed. *Huici Miranda / Cabanes Pecourt*, no. 587; cf. *Burns/Chevedden*, *Negotiating Cultures* (1999), 111–120. On Šāṭiba/Xàtiva's later history, see *O'Connor*, *Forgotten Community* (2003) and *Aparisi Romero / Rangel López / Royo Pérez*, *Xàtiva* (2008).

pointed officers inside and outside the Muslim quarter, was a clearly visible sign that times were changing.

For their part, the Banū ʿĪsā stayed in charge of Mantīša/Montesa and Vallada for three more decades. Although their relationship with the Crown and their representatives remained complicated and at times troublesome, Abū Bakr and his successors managed to lead the dynasty through several phases of political turbulence, constituted not only by the first Muslim revolt in the Kingdom of Valencia but soon afterwards by a similar rebellion in the Castilian Kingdom of Murcia (662–664/1264–1266). After these uprisings had been quelled, James I increasingly coerced the last semi-independent Muslim lords in Valencia's south to surrender their castles peacefully to Christian castellans lest they be used as places of retreat for future rebels. Even though the Banū ʿĪsā were able to resist the king's diplomatic pressure for another decade, the outbreak of the second major revolt of Valencia's Muslims in 673/1275 proved to be the beginning of the end. After James's son and successor Peter III (1276–1285) had subdued the rebelling Muslim communities throughout the kingdom, he turned towards Mantīša/Montesa, besieged it for two and a half months and finally forced Abū Bakr b. Yaḥyā b. ʿĪsā (r. 671–676/1273–1277) to surrender in late September 676/1277. Still, the Banū ʿĪsā were granted honourable terms of surrender, being escorted into exile in North Africa, together with their valuables, their household, and their entourage.⁷⁵

All in all, the change of rulership in Šāṭiba/Xàtiva and the displacement of the Banū ʿĪsā can serve as an elucidating example and starting point for more general observations on a multitude of quite similar processes that shaped the political developments in the Iberian Peninsula in the first half of the 13th century. Even through the scarce and narrow-angled surviving source material, we can observe a family of Muslim petty rulers who had only recently obtained a certain degree of independence in the wake of the political vicissitudes entailed by the disintegration of the Almohad Šarq al-Andalus. Faced with growing diplomatic and military pressure by two Christian superpowers rivalling in their expansionist efforts – the Kingdom of Castile and the Crown of Aragon – they tried to retain independent rule over their territories as long as possible. To this end, they and their inner circle of advisors actively engaged in processes of negotiation with both Christian kings and their representatives in which they acted in no means as submissive petitioners but, on the contrary, as quite self-confident negotiation partners. Exercising diplomatic practice on a high level, they confidently asserted their demands to the best extent while conceding only on those claims their opponents could not be persuaded to abandon. Thus, the Banū ʿĪsā ultimately had to surrender Šāṭiba/Xàtiva to James I of Aragon and relocate to castles of lesser importance to the king.

75 On the history of the Banū ʿĪsā after 1248, see *Barceló Torres*, Banū ʿĪsā (1982), 27 f.; *Burns*, L'Islam (1990), vol. 2, 97–108; *id./Chevedden*, Negotiating Cultures (1999), 120–122; *Torres Delgado*, Sublevacions (1999), 229–235; *Guichard*, Al-Andalus (2001), 603–612, and *O'Connor*, Forgotten Community (2003), 138–145.

Though this case can be considered somewhat exceptional due to the city's strategic, economic, and cultural key position in the contested Aragonese-Castilian border region in the southern Šarq al-Andalus and the comparatively detailed documentation on its conquest, the more general observations above are by no means confined to this example. In fact, many other Muslim communities reacted in quite comparable ways to the repeated disruptions posed by the piecemeal conquest by the Crown of Aragon. Although militarily superior and eventually prevailing, King James I had to recognise that the almost exclusively Muslim population in his new realms could not simply be expelled or reduced to slavery, certainly due to its size and economic potential. Moreover, as a non-Muslim ruler, he had no means to legitimise his rule over the Šarq al-Andalus in the eyes of the Muslim communities other than through military superiority. Certainly, royal authority could be enforced via coercion and oppression in the short and medium term. In the longer term, however, it could be established and safeguarded much more effectively with the cooperation of the Muslim majority. Thus, the communities and their elites had to be integrated as carefully and sustainably as possible into the Latin administrative structures yet to be established within the newly founded Kingdom of Valencia. Since the Crown and their representatives already had experience in handling Aragon's Muslim communities incorporated in previous waves of conquest, they were certainly aware of the benefits to be gained from mutual agreements and continued to apply this practice wherever possible. Against the background of these considerations, the subjugation of the Šarq al-Andalus and its incorporation into the Crown of Aragon as an at first only nominally "Christian" Kingdom of Valencia should be perceived not only as a conquest by military means but at the same time as a sequence of diplomatic interaction processes through which the individual Muslim communities one by one submitted to Christian rule, not only by conquest but equally by diplomatic agreements.

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