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VISIGOTHIC LAW AND CANON LAW IN AL-ANDALUS:  
RECONSIDERING THE LEIDEN GLOSSARY AND THE *VOCABULISTA IN ARABICO*\*

Arianna D'Ottone Rambach and Matthijs Wibier

Of the many cultural and religious encounters that took place in Muslim Spain, those in the sphere of law and legal practice were crucial. Scholars have long shown an interest in the use of law and the functioning of the legal system among non-Muslims in al-Andalus. The general picture is that Muslim authorities were in charge of public and criminal law, while matters of private (and religious) law were largely left to Jewish and Christian communities.<sup>1</sup> The source record indicates that among Christians the administration of private justice was in the hands of a city official known as *qūmis* or *ṣāḥib al-madīna*. This role was a continuation of the *comes civitatis* of the Visigothic era.<sup>2</sup> Its holders tended to be Christians of Visigothic extraction, and they appear to have relied extensively on Visigothic private law in their adjudicative practice.<sup>3</sup> Retaining jurisdiction over religious and ecclesiastical affairs, bishops were a second locus of

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\* The whole text was written and discussed jointly by the two authors, who contributed equally. MW researched and first-drafted the sections on the Leiden glossary, ADO those on the *Vocabulista*.

<sup>1</sup> e.g. Norman Roth and Ann Macy Roth, *Jews, Visigoths and Muslims in Medieval Spain. Cooperation and Conflict* (Leiden: Brill, 1994) (Medieval Iberian Peninsula. Texts and studies 10); Ana Echevarría Arsuaga, 'Los marcos legales de la islamización: el procedimiento judicial entre cristianos arabizados y mozárabes', *Studia historica. Historia medieval*, 27 (2009), 37–52.

<sup>2</sup> Joaquín Vallvé Bermejo, 'The »Zalmedina« of Córdoba', in *The Formation of al-Andalus. I: History and Society*, ed. by Manuela Marín (London: Routledge, 1998), pp. 389–424, with extensive listing of the primary evidence. See also Thomas F. Glick, *Islamic and Christian Spain in the Early Middle Ages. Comparative Perspectives on Social and Cultural Formation*, 2<sup>nd</sup> ed. (Leiden: Brill, 2005). On the *comes civitatis* in the Visigothic Kingdom, see Arnold Hugh Martin Jones, *The Later Roman Empire. A social, economic and administrative survey*, 4 vols (Oxford: Blackwell, 1964), vol. 1, p. 258 with references to the Visigothic law codes. As for Norman Italy and its numismatic production, the Latin *comes* became *al-qūmis*, rather than *al-qūmmus* as previously suggested; see Jeremy Johns, 'I titoli arabi dei sovrani normanni di Sicilia', *Bollettino di Numismatica*, 6-7 (1986), 11–45 (p. 19).

<sup>3</sup> Prosopography: e.g. Vallvé Bermejo, 'Zalmedina' (see footnote 3), pp. 389–396; Glick, *Islamic and Christian Spain* (see footnote 3), p. 229. Use of Visigothic law: Michael G. Morony, 'Religious Communities in the Early Islamic World', in *Visions of community in the post-Roman world. The West, Byzantium and the Islamic world, 300–1100*, ed. by Walter Pohl, Clemens Gantner and Richard Payne (London: Ashgate, 2012), pp. 155–64, p. 162 n. 37; Michael Frassetto, *Christians and Muslims in the Middle Ages. From Muhammad to Dante* (Lanham: Lexington Books, 2020), p. 70; see also below.

judicial authority among Christians, even though the number of ordained bishops declined during the Islamic period.<sup>4</sup> The evidence from the Iberian collections of canons throws important light on the encounters between Christian and Muslim and between Latin and Arabic. Focusing on the Arabic marginal annotations in the Latin version of the *Collectio Hispana* and on the collection's translation and adaptation into Arabic, recent studies have highlighted the tendency, until the eleventh century, for writers of Arabic to transliterate rather than translate Latin legal terminology.<sup>5</sup> At the lexical level, then, the Arabicization of the law and the legal system appears to have been slow and partial, at least until the eleventh century.

This paper explores the interaction between the two languages and the cultures they embody by investigating how Latin-Arabic glossaries translate legal concepts from Latin into Arabic and vice versa. It is our aim to bring out the cultural and religious interactions residing under the surface of the deceptively simple act of translating. By focusing on lexis as carriers of wider cultural information, as encyclopaedic in nature and covering much more than legal knowledge, we intend to offer an additional perspective on law, including canon law, in its Andalusian environment. Our analysis focuses on two manuscripts containing Latin-Arabic lexis from two distinct moments of the Islamic period, which will allow us to trace

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<sup>4</sup> e.g. Echevarría Arsuaga, 'Los marcos legales' (see footnote 2); Ana Echevarría Arsuaga, 'La jurisdicción eclesiástica mozárabe a través de la Colección Canónica Hispana en árabe', in *Von Mozarabern zu Mozarabismen. Zur Vielfalt kultureller Ordnungen auf der mittelalterlichen Iberischen Halbinsel*, ed. by Klaus Herbers and Matthias Maser (Münster: Aschendorff, 2014) (Spanische Forschungen der Görresgesellschaft 41), pp. 131–44. The evidence indicates that some episcopal sees remained vacant and that dioceses were reorganized. See Mikel de Epalza, 'Falta de obispos y conversión al islam de los cristianos de al-Ándalus', *Al-Qanṭara: Revista de estudios árabes*, 15 (1994), 385–400.

<sup>5</sup> e.g. Marie-Thérèse Urvoy, 'Note de philologie mozarabe', *Arabica. Journal of Arabic and Islamic Studies*, 36 (1989), 235–36; Cyrille Aillet, 'Recherches sur le christianisme arabisé (IX<sup>e</sup>–XII<sup>e</sup> siècles). Les manuscrits hispaniques annotés en arabe', in *¿Existe una identidad mozárabe? Historia, lengua y cultura de los cristianos de al-Andalus (siglos IX–XII)*, ed. by Cyrille Aillet, Mayte Penelas and Philippe Roisse (Madrid: Casa de Velázquez, 2008) (Collection de la Casa de Velázquez 101), pp. 91–134; Echevarría Arsuaga, 'Los marcos legales' (see footnote 2).

chronological developments as well. The manuscripts, both consulted by Dozy when compiling the *Supplément aux dictionnaires arabes*, are the following:<sup>6</sup>

- ms. Leiden, University Library, Or. 231, consisting of 146 folios, in paper and parchment, carrying more than 10,000 Latin entries; most of these are followed by an Arabic gloss. A subscription added by the owner appears to date the ms. before the year 1193 CE, while it can be shown that the ms. is a copy of the text rather than the 'original'.<sup>7</sup> The compilation of the work should be located in the south of the Iberian Peninsula,<sup>8</sup> probably between the tenth and twelfth centuries (see below). The glossary is usually considered to be an instrument for Arabic speakers to improve their understanding of Latin (see below).
- ms. Florence, Riccardiana Library, Or. 217, consisting of 290 parchment folios, published in 1871 by Celestino Schiaparelli (1848-1919)<sup>9</sup> under the title *Vocabulista in Arabico*.<sup>10</sup> It is datable to the second half of the thirteenth century and can be linked to the Catalonia region.<sup>11</sup> This lexicon consists of two parts: one devoted to Latin-Arabic lemmas (179 folios; 4,000 entries) followed by an Arabic-Latin section (109 folios; 8,500 entries). In this contribution, we use both sections, double-checking in this way the corresponding words for the relevant entries. The *Vocabulista* is usually

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<sup>6</sup> See Reinhart Pieter Anne Dozy, *Supplément aux dictionnaires arabes*, 2 vols, 2<sup>nd</sup> ed. (Leiden/Paris: Brill and Maisonneuve Frères, 1927), vol. I, p. IV.

<sup>7</sup> See Pieter Sjoerd van Koningsveld, *The Latin-Arabic Glossary of the Leiden University Library. A Contribution to the Study of Mozarabic Manuscripts and Literature* (Leiden: New Rhine Publishers, 1977) (Asfār 1), whose arguments are discussed in detail below. See also Agustín Millares Carlo, *Corpus de códices visigóticos*, ed. by Manuel Cecilio Díaz y Díaz, 2 vols (Las Palmas de Gran Canaria: Gobierno de Canarias, 1999), vol. I, p. 66: no. 77, and vol. II, p. 76: no. 77.

<sup>8</sup> See also Pieter Sjoerd van Koningsveld, 'Christian-Arabic Manuscripts from the Iberian Peninsula and North Africa: A Historical Interpretation', *Al-Qanṭara: Revista de estudios árabes*, 15/2 (1994), 423–51 (pp. 434–37).

<sup>9</sup> On Celestino Schiaparelli and the Oriental School of La Sapienza, see *Celestino Schiaparelli (1841-1919). His legacy et the Oriental School of Sapienza*, ed. by Arianna D'Ottone Rambach (Pisa: Fabrizio Serra, 2021) (*Rivista degli studi orientali*, n. s. 94).

<sup>10</sup> Celestino Schiaparelli, *Vocabulista in Arabico* (Florence: Le Monnier, 1871).

<sup>11</sup> See Schiaparelli, *Vocabulista* (see footnote 10), p. XX and Dozy, *Supplément* (see footnote 7), p. X with footnote 4.

considered to be an instrument for Latin speakers who needed to know the corresponding word in Arabic (see below). In the editor's view, the Arabic lemmas in the *Vocabulista* would have been taken from an Arabic dictionary produced in the *Mashriq*. From this Oriental source, the entries would have been chosen and adapted for the Andalusian context.<sup>12</sup> Van Koningsveld has pointed out that the preface of the *Vocabulista in Arabico* contains highly polemical claims against Muslims, suggesting it may have been composed with a Christian missionary agenda.<sup>13</sup>

While both glossaries are bilingual and digraphic, their textual organization differs considerably:

- The Leiden glossary is organized in a two-column layout, with the lines regularly aligned on the left. The Latin lemmas are routinely followed by a middle dot; for a considerable number of lemmas, this dot does not close the Latin entry but separates the Latin headword from a Latin gloss. The middle dot is occasionally replaced by the .· sign. On the right-hand side of each column is the Arabic equivalent, sometimes followed by a small dash, although not all lemmas have Arabic glosses. In some of the lemmas, the Latin headword is preceded by a tricolon (\*\*\*) positioned in the left margin.
- The *Vocabulista*, on the other hand, is set out in a single column, with Arabic lemmas written one after the other, separated by an ornamental device; the Latin equivalents are written above each Arabic word. For classical (Greek-Latin) bilingual and digraphic glossaries, this choice has been explained as making 'full use of the writing surface'.<sup>14</sup> However, depending on whether the scribe of the manuscript and the compiler of the

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<sup>12</sup> Schiaparelli, *Vocabulista* (see footnote 10), p. XIV ("Questa specie di paternità, e fors'anche di atavismo, traspare ancora da qualche voce latina. [...] I nomi delle località (se toglia Roma e Barberia) esclusivamente orientali, come Damasco, Tarso, Alessandria, Bagdad ec., fanno supporre si tratti di un dizionario importato dall'Oriente, il cui materiale sia stato scelto e adattato all'uso volgare di Spagna, e che abbia servito a formare, per così dire, il *substratum* all'elemento arabo-ispino che trovasi dominante [...]").

<sup>13</sup> See van Koningsveld, 'Christian-Arabic Manuscripts', p. 1 and pp. 437-440 (see footnote 9).

<sup>14</sup> See Serena Ammirati and Marco Fressura, 'Towards a Typology of Ancient Bilingual Glossaries: Palaeography, Bibliology, and Codicology', *The Journal of Juristic Papyrology*, 47 (2017), 1–26 (p. 20).

collection were the same person, the layout in long lines might instead derive ‘from a copy of a model originally arranged in columns’.<sup>15</sup>

Moreover, during recent research on the legacy of Celestino Schiaparelli, two new items were recovered:

- A manuscript volume – in the hand of Schiaparelli – containing a ‘Supplement’ to the *Vocabulista*; this ms. is now in the Lincean and Corsini Library in Rome, ms. Or. 219. At the moment, however, it is not clear what the source of this Supplement is: whether it is another glossary or the one in the Riccardiana Library.
- Schiaparelli’s working manuscript of the *Vocabulista* with his handwritten annotations, now in the library of the Italian Institute of Oriental Studies of La Sapienza – University of Rome, ms. without shelf-mark. This working copy might be useful for discovering the source of the Supplement.

As mentioned, our examination of these glossaries focuses on what they can reveal about Andalusian legal culture between Latin and Arabic. We contextualize our analysis by bringing in other relevant manuscripts as well. These include carriers of collections of private and canon law, including a witness of the Visigothic *Liber Iudiciorum* (or *Forum Iudicum*) with Arabic marginalia,<sup>16</sup> and versions of the *Collectio Hispana* in Latin (with Arabic annotations) and in Arabic (with Latin annotations).<sup>17</sup> Furthermore, we have paid attention to texts that

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<sup>15</sup> See Ammirati and Fressura, 'Typology' (see footnote 13), p. 20.

<sup>16</sup> Madrid, Biblioteca Nacional de España, 10064; digital reproduction at <https://bdh-rd.bne.es/viewer.vm?id=0000059709&page=1>. Further discussion below. Since it is at present unclear if the Arabic glosses in ms. Berlin, Staatsbibliothek – Preussischer Kulturbesitz, Phil. 1761 of the *Lex Romana Visigothorum* can be connected to al-Andalus, it will not feature in this paper. We intend to devote a separate publication to this fascinating manuscript.

<sup>17</sup> Latin with Arabic notes: Madrid, Biblioteca Nacional de España, 1872; digital reproduction at <https://bdh-rd.bne.es/viewer.vm?id=0000015460&page=1>. Arabic with Latin notes: Lisbon, Arquivo Nacional da Torre do Tombo, Cabido da Sé de Coimbra, 2.<sup>a</sup> incorporação, mç. 45, nr 1806; digital reproduction at <https://digitarq.arquivos.pt/details?id=1379310>. El Escorial, Real Biblioteca del Monasterio de San Lorenzo, árabe 1623; no digital reproduction available (nor of Casiri’s and Blanco’s apographs in the BNE), but printed reproductions of single pages can be found at Paul Ewald and Gustav Loewe, *Exempla scripturae Visigothicae* (Heidelberg: Koester, 1883), pl. XXXI and Aillet, 'Recherches' (see footnote 6), pl. 1–3. A partial edition is now

are not legal collections in a strict sense but that nonetheless played an important role in the dissemination of legal knowledge. The fifth book of Isidore's *Etymologies* is particularly relevant here. In addition to circulating widely as a repository of legal knowledge,<sup>18</sup> Van Koningsveld has shown that the Arabic annotations of a specific copy of the work, the so-called Codex Toletanus now in Madrid,<sup>19</sup> served as a key source of the Leiden glossary.<sup>20</sup>

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available in *Los cánones árabes de la iglesia andalusí. Al-Qānūn al-Muqaddas X. Ms. árabe 1623 de la Biblioteca Real de El Escorial*, ed. by Juan Pedro Monferrer-Sala (Madrid: Sindéresis, 2020) (*Collectio Canonum Arabicorum Ecclesiae Andalusiae* [CCAEA] 10). Further discussion of all these mss. below.

<sup>18</sup> For a general survey, see e.g. Luca Loschiavo, 'Isidore of Seville and the construction of a common legal culture in early medieval Europe', *Clio/Thémis*, 10 (2016), 1–21. On the circulation of epitomes of book 5, see Ernest-Joseph Tardif, 'Un abrégé juridique des *Étymologies* d'Isidore de Séville', in *Mélanges Julien Havet: Recueil de travaux d'érudition dédiés à la mémoire de Julien Havet (1853–1893)* (Paris: Ernest Leroux, 1895), pp. 659–81. On Isidore's work as a source for marginal notes in mss. of the *Lex Romana Visigothorum*, see Gustav Friedrich Hänel, *Lex Romana Visigothorum* (Leipzig: Teubner, 1849), pp. 459–63.

<sup>19</sup> Madrid, Biblioteca Nacional de España, Toletanus 15.8 / VITR.14-3; digital reproduction at <http://bdh-rd.bne.es/viewer.vm?id=0000051810&page=1>. Further discussion below.

<sup>20</sup> See van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 63–64. For a discussion of economic and legal interactions between Latin and Arabic, based on later documentary material, see Daniel Potthast, 'Diglossia as a Problem in Translating Administrative and Juridical Documents: The Case of Arabic, Latin, and Romance on the Medieval Iberian Peninsula', in *Latin and Arabic: Entangled Histories*, ed. by D.G. König, Heidelberg, Heidelberg University Publishing, 2019 (*Heidelberg Studies on Transculturality*, 5) pp. 125–144: p. 126. This ambitious paper has a major scholarly flaw: "due to the specialization of its author [...]" the focus of the text is mainly "on Arabic". As stressed in a contribution by ADO and a Byzantinist, scholarly collaboration is crucial when analysing bi- or multi-lingual evidence in order to minimize the risk of giving a partial and thus misleading picture of a complex matter. See Arianna D'Ottone Rambach and Francesca Potenza, 'Un lezionario Greco-arabo e i suoi disiecta membra fra Londra, San Pietroburgo e Cambridge', *Nea Rhome: Rivista di ricerche bizantinistiche*, 17 (2020), pp. 99–153 and plates 1–7, esp. pp. 101–103 and footnote 6. Potthast also espouses a debatable assumption: "Although Arabic is not normally considered to have generated an identity for Christians outside the Muslim sphere of influence, there is evidence that Arabic was known and used among such Christians". However, beyond the Iberian Peninsula, the Normans in Southern Italy, for instance, did employ Arabic to affirm their identity. See Alexander Metcalfe, *Muslims and Christians in Norman Sicily: Arabic-Speakers and the End of Islam*, London, Routledge, 2003 (*Culture and Civilization in the Middle East*), especially chapter 5: 'Communication Around the Royal Palaces and Arabic as Language of the Ruling Elite'; and for the use of Arabic legends on Roger II's coinage, see Lucia Travaini, 'Aspects of the Sicilian Norman Copper Coinage in the Twelfth Century', *The Numismatic Chronicle* 151 (1991), pp. 159–174. Finally, by focusing on Arabic documents and later translations

## TRANSLATION AS NEGOTIATION

The lexical orientation of the present study is rooted in established findings and new research trends. It will be useful to start with an illustration of our perspective by pointing to the *Vocabulista*'s Latin entry *rubrica*, which is rendered in Arabic as *tarjama* ("interpretation", "translation"). This may at first sight not appear particularly relevant to the theme of this volume. However, if we consider the use of the terms *rubrica* and *rubrico/rubricare* in Latin from the Roman imperial period, we can observe that it often has legal connotations. In Roman law, *rubricae* are the chapter headings "written in red ink" that subdivide law books by theme and that by extension came to stand for the legal topics themselves.<sup>21</sup> An early example can be found in Petronius' reference to *libra rubricata*, of which we hear that they are useful for obtaining a basic sense of the law (*aliquid de iure gustare*).<sup>22</sup> In addition, textual divisions marked with *rubrica* signs can be found in epigraphically attested laws, juristic fragments on papyrus, as well as in Justinian's *Digest*.<sup>23</sup> Indeed, it is through this sense of a descriptive organizing principle that the link between the Latin *rubrica* and its Arabic equivalent *tarjama* acquires a new meaning with regard to the law.<sup>24</sup> Bilingual (*dhū lughatayn/lisānayn*)<sup>25</sup> lexica can be distinguished from other medieval written sources, such as legal treatises, *ḥisba* manuals and chronicles, which describe contacts between different religious groups in al-Andalus. This is because they provide – by their very nature – a dual

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into Castilian, Potthast ignores the formative and more ancient part of the bilingual Iberian context, thus disregarding the crucial phase of interactions between Latin and Arabic in the region. Similarly, the informative discussion at Daniel König, *Arabic-Islamic Views of the Latin West. Tracing the Emergence of Medieval Europe* (Oxford: Oxford University Press, 2015), pp. 64-68 is based on relatively late material.

<sup>21</sup> e.g. Serena Ammirati, 'Towards a Typology of the Ancient Latin Legal Book', in *Scholastic culture in the Hellenistic and Roman eras. Greek, Latin, and Jewish*, ed. by Sean A. Adams (Berlin: de Gruyter, 2020) (Transmissions), pp. 69–81, pp. 69–72. Compare also Matthijs Wibier, 'The Topography of the Law Book: Common Structures and Modes of Reading', in *The Roman Paratext. Frames, Texts, Readers*, ed. by Laura Jansen (Cambridge: Cambridge University Press, 2014), pp. 56-72.

<sup>22</sup> Petronius, *Satyricon*, section 46.

<sup>23</sup> See Ammirati, 'Typology' (see footnote 21).

<sup>24</sup> Other lemmas that merit attention are: *idmāj*/scribere and *khatt*/litera; see Schiaparelli, *Vocabulista* (see footnote 11), p. 10, p. 95 and also p. 572, p. 459.

<sup>25</sup> The expressions are recorded respectively in the *Vocabulista* and in the Leiden glossary.

view of a very similar thing in two (or occasionally more) languages, conveying a meaning that might, or might not, be attested in both.<sup>26</sup> Hence the occasional need to use a number of definitions rather than a single direct equivalent.<sup>27</sup>

Furthermore, a recent edited volume exploring the political, legal and cultural world of the Western Middle Ages from a linguistic perspective suggests the potential of this kind of research.<sup>28</sup> Since it is through language that power asserts its authority and legitimizes itself, we decided to investigate the two well-known Latin-Arabic lexica mentioned above in order to highlight the equivalences in meaning and/or the cultural gaps in the terms that are used to define legal – or law-related – terminology linked to religious law in a broad sense. Through other studies, particularly those of a more literary kind, we know that Arabic can sometimes describe realities from other cultures without naming them.<sup>29</sup>

Finally, the choice to adopt this linguistic-lexical approach appears promising since, as Umberto Eco pointed out in *Dire quasi la stessa cosa: Esperienze di traduzione*, any attempt at translation is actually a negotiation.<sup>30</sup> The Latin-Arabic lexica can thus be seen as major venues for linguistic and cultural exchange.<sup>31</sup>

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<sup>26</sup> See Umberto Eco, *Dire quasi la stessa cosa. Esperienze di traduzione* (Milano: Bompiani, 2003 [repr. 2010]) (Studi Bompiani: Il campo semiotico), p. 40. The Arabic translation of this work is entitled: *an naqūla al-shay' nafsahu taqrīb<sup>an</sup>*, trans. by Aḥmad al-Ṣama'ī (Beirut: al-Munazzama al-'arabiyya li-l-tarjama and Maktabat al-fikr al-jadīd, 2013).

<sup>27</sup> For the use of multiple Arabic definitions for a single Latin term in the Leiden glossary, see Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), p. 2.

<sup>28</sup> See Matthew W. McHaffie, Helle Vogt and Jenny Benham, *Law and Language in the Middle Ages* (Leiden: Brill, 2018) (Medieval Law and Its Practice 25).

<sup>29</sup> This is the case, for instance, with labyrinths, see Angelo Arioli, 'Labirinti islamici: Ricognizioni letterarie', *Rivista degli Studi Orientali*, 68 (1994), 233–47 (p. 244).

<sup>30</sup> On the economy of linguistic exchange – its capital, its market and negotiations, see Pierre Bourdieu, *Ce que parler veut dire : L'économie des échanges linguistiques* (Paris: Fayard, 1982).

<sup>31</sup> A further example from the Arabic world of the linguistic exchange between different languages and religious cultures is the Arabic-Ethiopic glossary from Rasulid Yemen, dated to the fourteenth century. A rare testimony of the Arabs' interest in collecting non-Arabic lexical data, the work includes the major Christian holidays in Ethiopia but renders them in Arabic with imperfect translations or explanations. See Maria Bulakh, 'Al-Malik al-Afḍal's 14<sup>th</sup>-Century "Arabic-Ethiopic Glossary" as an Attempt at Language Documentation',

## THE LEIDEN GLOSSARY AND ITS LEGAL VOCABULARY

The Leiden glossary contains several entries that consist of Latin legal jargon. Some of these are single words referencing legal institutions and the justice system, while others are Latin phrases encapsulating a piece of legal doctrine. It will emerge below that a substantial part of these entries preserve knowledge of Roman and Visigothic law and the Roman and Visigothic justice system, next to elements from canon law. This section investigates the presence as well as the background of these lemmas. What is the legal world conjured up by the legal glosses? What is the cultural horizon? Can they tell us anything about who was reading the glossary and perhaps for what purpose? How does this compare to what Arabic readers were looking for in manuscripts carrying legal collections?

## THE BACKGROUND OF THE TEXT AND THE MANUSCRIPT

Present understanding of the Leiden glossary owes an immense debt to Van Koningsveld, both his magisterial study of 1977 and later work fine-tuning points of detail. We will see in more detail below that he established conclusively that the work was aimed at Arabic speakers who wanted to get a better understanding of Latin. But since the argument follows from what we can learn about the glossary's transmission and composition, it will be helpful to discuss those aspects first.

To begin with, Van Koningsveld has argued persuasively that the glossary predates the manuscript in which it survives. This becomes clear especially from a series of formatting irregularities that appear to point to a copying process. For example, we find instances in which the Arabic lemmas have been displaced and occur next to Latin lemmas several lines above or below their counterparts. Furthermore, a number of lemmas come with Arabic translations that do not suit their Latin headwords but that can be explained as misreadings of the Arabic in the model manuscript (especially as regards diacritics, which may have been

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*Chroniques du manuscrit au Yémen – Numéro spécial 1* (2017), 1-30. For an annotated edition of this glossary, see Maria Bulakh and Leonid Kogan, *The Arabic-Ethiopic Glossary by al-Malik al-Afdal: An Annotated Edition with a Linguistic Introduction and a Lexical Index* (Leiden: Brill, 2016) (Handbook of Oriental Studies. Section 1: the Near and Middle East 113).

absent in the model).<sup>32</sup> Finally, the scribe of the Leiden ms. often did not separate lemmas in the right place, thus merging pieces of text that have no connection to one another beyond being alphabetically sequential.<sup>33</sup>

If we are thus led to conclude that the glossary pre-existed the manuscript, attempts to date the compilation of the glossary depend on working backwards from the manuscript.<sup>34</sup> Van Koningsveld points out that the combined use of parchment and paper, certain peculiarities of the Arabic script, and the use of the tricolon (\*\*) point firmly to a production date in the second half of the twelfth or the first half of the thirteenth century.<sup>35</sup> Moreover, the manuscript carries a much-faded subscription informing us about a certain Gibriyān b. ʿĪsā (Cyprianus), who had the codex made in Toledo and who died in the year 1193, according to Van Koningsveld's plausible interpretation of the concluding chronogram.<sup>36</sup> This would narrow the timeframe of the manuscript's production further down to the immediately preceding quarter century or so. Finally, while the glossary as a work predates the extant copy, Van Koningsveld originally argued that its compilation should be situated in the twelfth century as well. Surveying the active culture of annotating and translating Latin texts among Arabic speakers in Toledo and Córdoba between the tenth and twelfth centuries, he shows in considerable philological detail that the glossary drew directly from several of these

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<sup>32</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 34–35. The point about misreading the exemplar is made particularly clear by a comparison of (selected) lemmas with their source, the Arabic marginal notes in ms. Toletanus 15.8 of Isidore's *Etymologies* (see footnote 19). Van Koningsveld demonstrates that its glosses can be easily misread (and their contents distorted) in the way the scribe of the Leiden ms. has done.

<sup>33</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 34–35. The assumption here is that the compiler of the lexicon would have known better. A further relevant but less compelling observation is that the scribe often miscalculated the space needed for adding the Arabic notes.

<sup>34</sup> To be sure, Van Koningsveld definitively dismantles Dozy's suggestion that the humanist Ducange had access to a second manuscript by demonstrating that Ducange used Scaliger's notes based on the Leiden manuscript (pp. 5–6; table of collations on pp. 8–9). The manuscript entered the University Library's collections from Scaliger's estate.

<sup>35</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 22–32. While the Latin script may be dated earlier on palaeographical grounds, it is shown compatible with a twelfth-century date on pp. 31–32.

<sup>36</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 37–42. He was the first to notice and read the subscription (for which a UV lamp and the assistance of a forensic laboratory were necessary).

translations and glosses.<sup>37</sup> It should, however, be emphasized that the dating of the glossary's sources relies primarily on our understanding of the chronology of Arabic palaeography, which has changed profoundly as a result of studies carried out in recent decades.<sup>38</sup> Since this has made the dating of the glossary's known Arabic sources less precise, allowing earlier dates as well, the glossary's composition should be placed between the tenth and twelfth centuries.<sup>39</sup>

This brings us to a second key element, namely the glossary's sources. On the one hand, it has been established that a series of the glossary's Arabic definitions have diction in common with Ishāq b. Balashk's translation of the gospels (940s CE),<sup>40</sup> the anonymous translation of Paul's Epistles preserved in the National Library of Spain (ninth century),<sup>41</sup> the Arabic annotations of Isidore's *Etymologies* in the Codex Toletanus (ninth/twelfth century),<sup>42</sup> the Arabic psalter

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<sup>37</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), p. 65, building on his discussion at pp. 44–64.

<sup>38</sup> See esp. Arianna D'Ottone Rambach, 'Al-khaṭṭ al-maġribī et le fragment bilingue latin-arabe Vat. lat. 12900. Quelques observations', in *Les écritures des manuscrits de l'Occident musulman. Journée d'études tenue à Rabat le 29 novembre 2012*, ed. by Mustapha Jaouhari (Rabat: Centre Jacques Berque, 2013) (Les rencontres du Centre Jacques Berque 5), pp. 7–18; Aillet, 'Recherches' (see footnote 6).

<sup>39</sup> See Pieter Sjoerd van Koningsveld, *The Arabic Psalter of Ḥafṣ ibn Albar al-Qūṭī. Prolegomena for a Critical Edition* (Leiden: Aurora, 2016), pp. 66–73. An earlier dating – possibly to the tenth century – on palaeographical ground has been already suggested in Arianna D'Ottone Rambach, 'Lucifer and the Arabic Palaeography: A Contribution on the Oriental Glosses of the Bible of Cava dei Tirreni', in *Palaeography between East and West. Proceedings of the Seminars on Arabic Palaeography at Sapienza University of Rome*, ed. by Arianna D'Ottone Rambach (Rome/Pisa: F. Serra, 2018) (*Rivista degli Studi Orientali*, n.s., suppl. 90), pp. 123–39, p. 131, footnote 26.

<sup>40</sup> The connection with the NT translation was first noted by Eugène Tisserant, 'Une feuille arabo-latine de l'épître aux Galates', *Revue biblique*, 7 (1910), 321–43, at pp. 333–34; for a clear demonstration and tabulation, see Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 61–62.

<sup>41</sup> Madrid, Biblioteca Nacional de España ms. 4971.

<sup>42</sup> For the Isidore glosses, see van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 63–64, where we read that ca. 1,500 glosses from the Toletanus ended up in the glossary. The glosses appear written with the same pen and in the same ink as the main text. While Van Koningsveld originally dated the ms. to the twelfth century, an earlier date more in line with the Latin palaeography is now usually considered. See Aillet, 'Recherches' (see footnote 6), pp. 95–75 and Van Koningsveld, *Psalter* (see footnote 36), pp. 65–66.

of Ḥafṣ al-Qūṭī (fl. 889),<sup>43</sup> and the translations of the Pentateuch by Sa'adya "Gaon" Al-Fayyūmī (882-942)<sup>44</sup> and Al-Ḥārith b. Sinān (940s).<sup>45</sup> On the other side, a substantial number of the Latin entries consisting of more than a single word share diction with known Latin texts. Goetz argued already in the 1890s that the glossary has a series of lemmas in common with the *Liber Glossarum*,<sup>46</sup> an encyclopaedia that was compiled in the early Middle Ages (perhaps in Visigothic Spain) and incorporates material from older glossaries, Isidore, and a range of further Latin authors.<sup>47</sup> While the tables in our Appendix reveal that the *Liber Glossarum* was not the only Latin source used by the compiler of the Leiden glossary, the important point for now is that the Latin entries were not all drawn up from scratch by our compiler, but that earlier Latin glossaries played a significant part in the compilation process. This point is equally valid for the legal material: the glossographical tradition had long incorporated legal definitions, which were often extracted from works of Roman legal literature. For instance, De Churruca established on philological grounds that Isidore, the *Glossae Placidi*, and the *Liber Glossarum* drew some of their Roman legal material from a common glossographical source that ultimately went back to the *Institutes* of the second-century jurist Gaius.<sup>48</sup> In sum, then, when analysing the legal knowledge encapsulated in the Latin entries of the Leiden glossary, we should keep in mind that it may derive from the compiler's direct use of legal

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<sup>43</sup> Van Koningsveld, *Psalter* (see footnote 39), pp. 66–70, 73–77.

<sup>44</sup> Van Koningsveld, *Psalter* (see footnote 39), pp. 70–71

<sup>45</sup> Van Koningsveld, *Psalter* (see footnote 39), pp. 72–73.

<sup>46</sup> Goetz quoted from an unknown source (private correspondence?) at Christian Friedrich Seybold, *Glossarium Latino-Arabicum* (Berlin: Felber, 1900) (Semitistische Studien 15-17), pp. XI–XII. Also, Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 40, 65.

<sup>47</sup> The origin of the *LibGloss* is contested. While now often dated to the Carolingian period and situated in Corbie, the most recent editors have made a renewed case for its production in Visigothic Spain in the seventh century. For the Carolingian point of view, see the remarks at James E. G. Zetzel, *Critics, Compilers, and Commentators. An Introduction to Roman Philology, 200 BCE–800 CE* (Oxford/New York: Oxford University Press, 2018). For the Visigothic hypothesis, see Anne Grondeux and Franck Cinato, 'The *Liber Glossarum*. A Digital Edition' (2016), (<http://liber-glossarum.huma-num.fr>), as well as Franck Cinato and Anne Grondeux, 'Nouvelles hypothèses sur l'origine du Liber glossarum', *Archivum latinitatis medii aevi*, 76 (2018), 61–100.

<sup>48</sup> Juan de Churruca, *Las Instituciones de Gayo en San Isidoro de Sevilla* (Bilbao: Universidad de Deusto, 1975). De Churruca reminds us that the *LibGloss* is sometimes referenced as the *Glossarium Ansileubi*.

texts, but that it may also have been furnished by earlier glossaries and/or Isidore. In each case, however, it was the compiler who decided that the entries had a place in his glossary, and as such we should treat them and their presence as meaningful.

#### **LEGAL KNOWLEDGE IN THE LEIDEN GLOSSARY (1): ADMINISTRATIVE STRUCTURES**

For our analysis, we have decided to focus on a selection of Latin entries for secular and ecclesiastical administrative structures as well as lemmas about institutions of private law. The entries are listed in the tables in the Appendix together with relevant further details. We would like to draw attention in particular to the following insights that the tables provide.

First and foremost, the lists include a considerable number of entries consisting of a Latin headword, sometimes followed by a Latin definition, but without an Arabic gloss, with the space for the Arabic note left blank in the manuscript. This is something that can be seen throughout the glossary.<sup>49</sup> This and several further considerations have led scholars to view the glossary as a tool for Arabic speakers (arguably with some knowledge of Latin) for improving their understanding of Latin.<sup>50</sup> We will return to the question of leaving even highly technical lemmas without translation, once we have discussed the lemmas in more detail. In the second place, the Latin definitions can often be traced to Latin sources. In many cases, the definitions share diction with the *Liber Glossarum*, but in only a few cases direct reliance on the *LibGloss* can be established with confidence.<sup>51</sup> The strongest indication is provided the entries *senatus* and *testabilis*. For each of these two, the glossary's Latin definition combines

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<sup>49</sup> Cf. Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), p. 2.

<sup>50</sup> See Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), pp. 1–2. The key considerations are: (1) the Arabic subscription in the ms. points to use in Arabic speaking circles; (2) the absence of a 'polemical pro-Christian or anti-Muslim tone' and 'the absolute silence about Islam' suggest no missionary agenda; (3) the alphabetical order for the Latin words makes the Latin words 'quite obviously' 'the words to be looked up'; (4) the multiple and various Arabic translations of many (single) Latin words imply that users already know the meaning of these various Arabic terms; (5) the language of cross-referencing (internal to the glossary) is found on the Arabic, not the Latin side.

<sup>51</sup> We have consulted the edition and critical apparatus of Grondeux and Cinato, *LibGloss* (see footnote 44). On the complicated position of the *LibGloss* in a web of glossographical texts, see Cinato and Grondeux, 'Nouvelles hypothèses' (see footnote 44).

the definitions of two consecutive entries for the same headword in the *LibGloss*.<sup>52</sup> However, in many cases of shared diction, it is impossible to decide whether the Leiden glossary relied on the *LibGloss*, on the sources of the *LibGloss*,<sup>53</sup> or on other glossaries with similarly shared diction.<sup>54</sup> At the same time, it is also clear that the *LibGloss* is not the only glossographical text the Leiden compiler used. A number of the entries listed in the tables do not have corresponding lemmas in the *LibGloss*, while in some cases the formulation is closer to that found in another source. Examples are *pr(a)es fideiussor*, *querela*, *pr(a)esul*, *procurator*, and *episcopus*.<sup>55</sup> The Latin definition of *papa* is only found in two ninth-century commentaries on Donatus' *Ars minor* and *Ars maior*, which suggests that it circulated orbiting Donatus' work.<sup>56</sup> In sum, then, it seems that the Leiden glossary derived several of its Latin definitions from the *LibGloss* but consulted a wider range of Latin texts, including further glossaries.

Shifting the focus to the selection of lemmas and information contained in them allows us to gauge more of the glossary's cultural horizon. As the first table suggests, the image of political administration emerging from the collection is one that contains numerous elements that are distinctly Roman. The glossary includes terms of high-ranking political offices such as *consul*, *praetor*, *quaestor*, *proconsul*, as well as imperial offices such as *praeses*, *procurator*, and *praefectus*. These functions feature prominently in the Roman legal collections from Late Antiquity, such as the *Theodosian Code*, and were as such widely known in the late Empire.<sup>57</sup>

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<sup>52</sup> Perhaps similarly so the entries *peculatus* and *eglesia*. It is also possible that the decision to trim down the definition of *proconsul* to a mere *suffectus*, much less apt than the later element *uice consulis*, points to a source that was laid out in lemmas rather than as continuous text. But this would not necessitate assuming that text was the *LibGloss*.

<sup>53</sup> e.g. *constitutio*, *eresis*, *testis*, *tutor*. See, once more, Cinato and Grondeux, 'Nouvelles hypothèses' (see footnote 44).

<sup>54</sup> e.g. *sincletus*, *internicida*.

<sup>55</sup> While the entry *magistratus* in the Leiden glossary is slightly closer to the so-called Placidus Parisinus than to the *LibGloss*, we should note that the textual variation *aut* vs *uel* may arise independently (through misreading *ut*). It is therefore not sufficiently strong evidence to posit direct dependence on the former.

<sup>56</sup> On readers of Donatus in al-Andalus, see Geoffrey K. Martin, 'Arabic-Speaking Christians and Toledo. BCT ms. Cajón 99.30 in High Medieval Spain', *Collectanea Christiana Orientalia*, 18 (2021), 177–215.

<sup>57</sup> The *Theodosian Code* serves as our Roman law code of choice on account of its wide circulation in the late antique West. On the other hand, Justinian's codifications appear to have had a very limited Western circulation.

The table also shows that many of these administrative functions make little to no appearance in the *Lex Romana Visigothorum* (506 CE) and the *Liber Iudiciorum* (642/3, reissued 654), indicating that they had fallen out of use in the Visigothic kingdom.<sup>58</sup> We also find the technical term *suffectus*, denoting a replacement official for one who died in office or left office prematurely, and we are told in Latin what a deified emperor (*diuus*) is.

Furthermore, the glossary includes terms referring to city life and administration with a Roman flavour. For example, not only do we encounter the words *colonia*, *municipium*, and *ciuitas* to indicate towns (albeit without indication of their different legal statuses), but we also find entries for *municipes*, *decuriones*, and *curiales*.<sup>59</sup> The inclusion of the latter two is particularly striking. Pointing to membership of the city council (*curia*), they are traditional designations for the political class at the city level during the Roman and early post-Roman periods. Even though the evidence is patchy, the latest currently known attestation of the term *curialis* in the Iberian Peninsula dates to the seventh century, when we hear from Braulio of Zaragoza about a certain Maximus *curialis* who lived in the late sixth century (*Vita Aemiliani* 16.23). Yet the meaning of the term remains unclear. Mentioned alongside Sicorius, Nepotianus, Honorius, and Abundantius, who are called *senatores*, we may be dealing with 'honorifics retained by families that had once been of those ranks in the Roman local

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<sup>58</sup> For example, the first book of the *Theodosian Code* contains a series of chapters on provincial officials, but the *Theodosianus* selection in the *Lex Romana Visigothorum* has cut most of these out, which is occasionally mentioned explicitly by the *interpretationes* (legal notes appended to the laws). For a study along these lines, see Marie Roux, 'Administrative Transitions in Gaul during the Second Half of the Fifth Century: the Example of the Visigothic Kingdom through the Breviary of Alaric', in *The Fifth Century. Age of Transformation*, ed. by Jan Willem Drijvers and Noel Lenski (Bari: Edipuglia, 2019) (Munera. Studi storici sulla Tarda Antichità 46), pp. 221–33.

<sup>59</sup> While the heydays of the office of *aedilis* (entry *edilis iudex*, without Arabic gloss) fell during the Roman Republic, the term was used in the empire as well to designate local officeholders. The latest inscription attesting to an *aedilicius* we have been able to find dates to 352 CE (Tobiacum, Germany): *Corpus inscriptionum Latinarum (CIL)*. Vol. XIII: *Inscriptiones trium Galliarum et Germaniarum Latinae* (Berlin: Reimer, 1943), nr. 7918 = *Inscriptiones Latinae selectae (ILS)*, ed. by Hermann Dessau, 5 vols (Berlin: Weidmann, 1892–1916), vol. II, 1, 7069; cf. *The Prosopography of the later Roman Empire (PLRE)*, ed. by Arnold Hugh Martin Jones and John R. Martindale, 3 vols (Cambridge: Cambridge University Press, 1971–1992), vol. I, s.v. Masclinus Maternus 3.

government structure'.<sup>60</sup> It is therefore well possible that the *curiales* had basically vanished as an administrative category by the Islamic period.<sup>61</sup> At the same time, the survival of the *comes* (*qūmis*) indicates that Roman-Visigothic structures were not completely extinguished. Whatever the precise fate of the curial class in Spain, however, we must acknowledge that the vocabulary of Roman governance has a considerable presence in the Leiden glossary.

In light of this condensed overview of legal-administrative terms in the glossary, we may wonder how their presence can be explained. The table's information on canon law and the New Testament provides a first indication. We have already seen that the compiler used Ibn Balashk's translation of the gospels.<sup>62</sup> This may suggest that the glossary was designed to help readers tackle the text of the NT in Latin, among other texts. The world of the NT is very much the world of Roman provincial administration in the Empire. The table indicates that most of the glossary's terms pertaining to imperial and provincial administration occur in the NT, while the vocabulary of local administration is largely absent.

The point can be made for canon law collections as well. Many of the administrative terms occur in the *Collectio Hispana* (CCEH), especially in the earlier documents.<sup>63</sup> For example, proconsul comes up several times in connection with proconsular provinces under the empire, *praesides* are the subject of a chapter in the Acts of the First Council of Arles (314

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<sup>60</sup> Roger Collins, *Early Medieval Spain. Unity in Diversity, 400–1000*, 2<sup>nd</sup> ed. (New York: St. Martin's, 1995) (New studies in medieval history), p. 105. See also the discussion in Chris Wickham, *Framing the early Middle Ages. Europe and the Mediterranean, 400–800* (Oxford: Oxford University Press, 2005), pp. 591–602. But note *Formulae Visigothicae* nr 21 (*apud curiae ordinem*; cf. nr 25), from a collection traditionally dated to the early seventh century. The council of Cantabria is called *senatus* by *Braulio at Vita Aemiliani* 26.33. Note also the reference to a 'senatorial' family in *Formulae Visigothicae* nr 20.

<sup>61</sup> See Leonard A. Curchin, 'Senators or Curials? Some Debatable ›nobiles‹ in Late Antique Hispania', *Hispania Antiqua*, 37–38 (2013–2014), 129–35. See also Leonard A. Curchin, 'Curials and local government in Visigothic Hispania', *Antiquité tardive*, 26 (2018), 225–40.

<sup>62</sup> Van Koningsveld, *Latin-Arabic Glossary* (see footnote 8), p. 62 lists particularly striking evidence.

<sup>63</sup> Edition: Gonzalo Martínez Díez and Félix Rodríguez, *La Colección canónica Hispana*. 6 vols (Madrid: C.S.I.C. Instituto Enrique Flórez, 1966–2002) (*Monumenta Hispaniae Sacra. Serie Canónica* 1) = MDR. We cross-reference with Jean-Jacques Migne's reprint (= *Patrologia Latina* [PL], vol. 84 [Paris: 1850]) of the edition of the CCEH and the Decretals published in Madrid in 1808: *Collectio Canonum Ecclesiae Hispanae ex probatissimis ac pervetustis codicibus*, ed. by Francisco Antonio González, 2 vols (Madrid: Typographia regia, 1808–1821) = G.

CE),<sup>64</sup> and praetorian prefects (and ex-prefects) appear repeatedly throughout the collection. Consular dates occur well into the Visigothic period. At the local level, we hear about a few *municipia*, while *curiales* have a considerable footprint.<sup>65</sup> The table with ecclesiastical hierarchies is meant to provide a complementary perspective and highlight the glossary's interest in officialdom: a number of them inevitably occur in the NT, yet virtually all of them occur in the *Collectio Hispana*.

While the glossary's broad coverage does not suggest that it was compiled specifically for the study of law and legal frameworks, we should note that its focus on ecclesiastical offices and procedure is something it shares with the annotators of several canon-law manuscripts from the Iberian Peninsula. A first case are the Arabic marginalia in a tenth-century Latin manuscript of the *Collectio Hispana* in the National Library of Spain.<sup>66</sup> For instance, a user marked the chapter *de presbyteris corporali peccato praeoccupatis* on fol. 40ra (38ra) with the word افهم ("understand!").<sup>67</sup> In the chapter text itself we find glosses to two words. Underneath the word *presbyteris* in the titulus there is an insertion mark with the marginal explanation لأب ("for a father"). Later on, at the point where the canon states that presbyters marked by *corporalia peccata* cannot be ordained but where denial or lack of evidence might help someone evade this ban, we find the note يعرك ("he fights tirelessly"). On fol. 46vb (44vb), at the chapter *non licere sine consilio metropolitani episcopi episcopum ordinare*, it is possible to partially read the clarification: ... / ولي أسقف / مطران ... ("assistant of the Archbishop; Bishop/Archbishop") (fig. 1). Arabic annotations are relatively sparse throughout the remainder of the codex, with most of them attached to passages discussing restrictions and regulations for ecclesiastical functionaries, including marital status and ordination.<sup>68</sup>

<sup>64</sup> Concilium Arelatense I, section VII (MDR (see footnote 63), vol IV, pp. 18-19 = G col. 195).

<sup>65</sup> Note that *diuus* occurs as an adjective for Roman emperors and for King Erwig in Concilium Toletanum XV (MDR, vol. VI, pp. 293 = G col. 539).

<sup>66</sup> Madrid, BNE, 1872; manuscript and Arabic marginalia are usually dated to the tenth century on paleaographical grounds. For a link to the digital reproduction, see footnote 17 above.

<sup>67</sup> Concilium Neocaesarense, section VIII (MDR, vol. III, p. 107 = G col. 25–26). Dated to 314/315 CE.

<sup>68</sup> e.g. fols. 125<sup>rb</sup>, 127<sup>v</sup>–128<sup>r</sup>, 130<sup>r</sup>, 141<sup>v</sup>, 150<sup>v</sup>–151<sup>r</sup>.

The Lisbon fragments of the *Collectio Hispana* adaptation in Arabic provide another insight.<sup>69</sup> The fragments consist of a single bifolio, preserving four pages of Arabic text accompanied by three marginal notes in Latin written in red ink. Having served as a folder for other papers, the sheet was removed from a codex that can be located in Coimbra in the year 1090 and is thought to have arrived there from Tortosa.<sup>70</sup> The handwriting of the marginal notes has been dated to the fourteenth to sixteenth centuries. Urvoy has pointed out that the Arabic text of the canons often transcribes rather than translates Latin technical terms, drawing attention in particular to renderings of *exorcista*, *acolythus*, *laicus* and of terms with a Greek background, namely *diaconia*/διακονία/διάκειον and *tribuna*/ἄρβων.<sup>71</sup> In the cases of *exorcista* and *acolythus*, she points out, the scribe provided an Arabic translation but attached a transcription of the Latin word in Arabic script. This points to a concern on the scribe's part to be precise about rendering the Latin and allow his readers to be so as well. We should note that the Arabic translation for *acolythus* coincides with the one found in the Leiden glossary (*acolitus* – السقاء, fol. 4vb, line 2), which is not attested elsewhere according to Simonet.<sup>72</sup> The other terms (including *exorcista*) do not come with an Arabic note in the glossary. This does not imply that the glossary was used in making the Arabic version of the canons, and it does not prove that this canon collection was used as a source by the glossary's compiler. But it shows that the two authors shared an interest in the intricacies of ecclesiastical roles, and it suggests that they were exposed to a shared bilingual specialist discourse.<sup>73</sup>

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<sup>69</sup> Lisboa, Arquivo Nacional Torre do Tombo, Cabido da Sé de Coimbra, 2.<sup>a</sup> incorporação, mç. 45, nr 1806. For a link to the digital reproduction, see above (footnote 17).

<sup>70</sup> For a discussion of the evidence and its complications, see Van Koningsveld, 'Christian-Arabic Manuscripts' (see footnote 9), pp. 442–43.

<sup>71</sup> Urvoy, 'Note' (see footnote 6).

<sup>72</sup> See Francisco Javier Simonet, *Glosario de voces ibericas y latinas usadas entre los mozarabes: precedido de un estudio sobre el dialecto hispano-mozarabe* (Madrid: Real Academia de la Historia, 1888), s.v. *acólitho*. Dozy explains the term as follows: «*saqqā'*. *Shaykh al-saqqā'*, dans les mosquées, celui qui règle la distribution de l'eau pour les ablutions, Burton I, 101, 358», Dozy, *Supplément* (see footnote 7), p. 665.

<sup>73</sup> The Latin marginalia point to a similar interest, but they are usually dated much later. They start with the headwords *subdiaconus*, *exorcista*, and *acolitus*, with each note reproducing the Latin text of the chapter on their ordination from the *Collectio Hispana*.

## LEGAL KNOWLEDGE IN THE LEIDEN GLOSSARY (2): PRIVATE LAW

The discussion so far has focused on the administrative structures that are part of the world of the Leiden glossary. The picture is somewhat different for legal institutions from private law that have been listed in the third table (with the addition of a few public/criminal law items). While most of the terms ultimately derive from Roman law, many of them survived in evolved forms into Visigothic law codes and legal practice. The table shows a marked interest in the law of status, witnesses and evidence giving, as well as the making of wills.<sup>74</sup>

A first thing to note is that the law codes and canons may not always reflect the vocabulary of legal practice accurately. For instance, the Visigothic law codes feature the term *stipulatio* (and cognates) only rarely, and there is no mention of a *paterfamilias* in the Visigothic collections except for the fifth book of Isidore's *Etymologies*. We should note as well that the word is already rare in the Late Roman sources. Both terms do occur in the *Collectio Hispana*, but not in any central role. If we turn to the Visigothic documents, however, we can see that the *stipulatio* had clearly remained an important legal instrument, as is shown by the will of Vincent of Huesca (ca. 576 CE), the documents from the monastery of San Martín de Asán (sixth century), and the *Formulae Visigothicae* (traditionally dated to seventh-century Córdoba).<sup>75</sup> While not using the term *paterfamilias*, the documents make reference to paternal power.<sup>76</sup>

Moreover, there are several instances of Latin legal terms that come with an Arabic translation that is not accurate according to classical Roman standards. The entry *pater familias* is once again a good example, which provides the gloss "house guest" (*ab al-dīfāf/أب الضف*). While the background to this shifted meaning remains unclarified at present,<sup>77</sup> there are also cases in which the translation appears to reflect evolved usage of technical

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<sup>74</sup> The selection in the table was made by going through the lexicon without a specific agenda. We think the selection gives a reasonably good impression of the types of private law topics covered.

<sup>75</sup> cf. also Isabel Velázquez Soriano, *Las pizarras visigodas. Entre el latín y su disgregación. La lengua hablada en Hispania siglos, VI-VIII* (Madrid/Burgos: Real Academia Española; Fundación Instituto Castellano y Leonés de la Lengua, 2004) (Beltenebros 8), nr 44 (reign of Wamba ?).

<sup>76</sup> e.g. *Formulae Visigothicae* nr 34.

<sup>77</sup> Perhaps by equation of *pater familias* with the word *hospes* or through a conflation of *familias* with *familiaris*?

jargon that is attested for Visigothic practice. For instance, the Arabic translation of *ingenuus* as “free, liberated” (*ḥurr/حرر*) is off-kilter from a Roman perspective but fits well with the grants of *ingenuitas* (!) to slaves that we find in the Visigothic documents.<sup>78</sup> As for *colonus*, Roman law uses this term for a tenant farmer who was tied to the land and in certain cases also had to take on tax burdens and render services for the landlord.<sup>79</sup> Details of the colonate remain vigorously debated, especially with regard to the possible convergence of the categories of slave and *colonus*. The situation in Visigothic Spain is particularly unclear. In any case, the translation of “landowner and landlord” (*‘āmir al-arḍ wa-ḥāriz/عامر الأرض وحارز*) is surprising. It may have arisen as a result of *coloni* being in possession of the same land for longer periods of time (without necessarily owning it). For what it is worth, the will of Vincent of Huesca states that a certain Monellus should be manumitted and then be given the farm (*colonica*) that he is already holding, perhaps as a tenant by means of his *peculium*. Several other slaves are freed and given land as well.<sup>80</sup> The glossary’s Arabic translation thus appears to reflect agricultural practice in which individuals had strong ties with the plots they were tilling.<sup>81</sup>

<sup>78</sup> e.g. *Donation and Will of Vincent of Huesca*, fol. 2, line 5; *Formulae Visigothicae* nrs 2, 3, 4. See Simon Corcoran, ‘The donation and will of Vincent of Huesca: Latin text and English translation’, *Antiquité tardive*, 11 (2003), 215–22.

<sup>79</sup> Michael Crawford, ‘Colonnate’, *Oxford Classical Dictionary Online*; Cam Grey, ‘The Contextualizing Colonnatus: The Origo of the Late Roman Empire’, *Journal of Roman Studies*, 97 (2007), pp. 155–175; Boudewijn Sirks, ‘The Colonnate in Justinian’s Reign’, *Journal of Roman Studies*, 98 (2008), pp. 120–143. An important primary source is *Theodosian Code* 11.1.14 (Valentinian and Valens; issued in 366, 372, 374, or 371 CE).

<sup>80</sup> *Donation and Will of Vincent of Huesca*, fol. 2, lines 13–14. For a warning not to conflate *coloni* and slaves on the basis of Monellus’ situation, see Ulrike Roth, ‘Slavery and the church in Visigothic Spain: the donation and will of Vincent of Huesca’, *Antiquité tardive*, 24 (2016), 433–52.

<sup>81</sup> Note that the source record indicates that the hold of slaves over their *peculium* in the Visigothic era became considerably stronger legally, at the expense of their masters. The locus classicus is a relatively late law (mid-seventh century) preserved at *Liber Iudiciorum* 5.4.13. It also looks as though slaves made up a considerable part of the agricultural workforce. It is therefore imaginable that possession and ownership became less clearly distinguishable to many observers in the Visigothic period. On the changing position of slaves, their role in agriculture, the development of a ‘legal personhood’ for slaves, and a listing of the evidence, see Noel Lenski, ‘Slavery among the Visigoths’, in *Slavery in the Late Antique World, 150–700 CE*, ed. by Chris L. de Wet, Maijastina Kahlos and Ville Vuolanto (Cambridge: Cambridge University Press, 2022), pp.

A particularly illuminating case is the *olographum testamentum*. The glossary contains a lemma with a Latin explanation that was minimally adapted from the *Liber Glossarum* or, perhaps, directly from Isidore. The holographic testament was a will written entirely in the hand of the testator. It was introduced by the Roman emperor Valentinian III in 446 CE to enable Roman citizens to make valid wills without the need for witnesses.<sup>82</sup> The absence of holographic wills from Justinian's codification suggests that its use among the Romans was short-lived. But it had an active afterlife in the post-Roman West, where we find it in the *Lex Romana Burgundionum*, the *Lex Romana Visigothorum*, the *Liber Iudiciorum* from Visigothic Spain (*holographae scripturae*), as well as in Isidore and the *LibGloss*. If we turn to the documentary record, we can see a similar interest. The will of Vincent of Huesca emphasizes explicitly that it is a holographic will (*olografi manu mee ad integrum conscriptio*, fol. 1, col. ii, line 19).<sup>83</sup> A Visigothic will from San Martín de Asán stresses this as well.<sup>84</sup> By the seventh century, then, the *holographum testamentum* had become an important institution of Visigothic legal practice. Its presence in the Leiden glossary suggests that it was still a meaningful and active legal notion in the Islamic Period. A marginal gloss in Arabic in the codex Toletanus of Isidore points in the same direction: in the left margin on fol. 38r, next to Isidore's discussion of the *holographum testamentum*, we find the note “*ifham/understand: olo!*” (افهم (olo)).

At least two further manuscripts testify to the interest in Visigothic private law in the Islamic Period. In the first place, there is the manuscript of the *Liber Iudiciorum* with ample Arabic annotations that is now kept at the National Library of Spain.<sup>85</sup> The lengthy marginal notes provide paraphrases and translations of select chapters of the collection. We should note that, while section 2.5.14 *de holografis scripturis* (fol. 31va-b) has remained un-annotated,

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251-280, at pp. 257-59, 266-68, 279. Wickham, *Framing* (see footnote 57), pp. 526-27, makes the case that tenant farmers in Visigothic Spain were largely unfree.

<sup>82</sup> *Novellae Valentiniani* 21.2 = *Lex Romana Visigothorum*, *Novellae Valentiniani* 4.2.

<sup>83</sup> cf. *Formulae Visigothicae* nr 21.

<sup>84</sup> *Documents from San Martín de Asán*, nr 1, line 51 (dating to 522). See Guillermo Tomás-Faci and José Carlos Martín-Iglesias, 'Cuatro documentos inéditos del monasterio visigodo de San Martín de Asán (522-586)', *Mittelateinisches Jahrbuch*, 52.2 (2017), pp. 261-86.

<sup>85</sup> Madrid, BNE, 10064. For a link to the digital reproduction, see above (footnote 15).

we do find explications in Arabic on a related topic at 7.5.2 *de his qui scripturas falsas fecerint uel falsitate temptauerint* (fol. 89rb).<sup>86</sup> Second, there is the Arabic version of the *Collectio Hispana* preserved at the library of El Escorial.<sup>87</sup> Martínez Díez and Echevarría have both analysed the collection's sources.<sup>88</sup> While consisting mostly of canons taken from the *Hispana*, the collection does incorporate provisions from the *Liber Iudiciorum* at several points. The most prominent instance is the insertion of four laws about evidence from witnesses from *Liber Iudiciorum* 2.4, the chapter immediately preceding the chapter that includes the only provision on *holographae scripturae* in the *Liber Iudiciorum*.<sup>89</sup> Later on, the Arabic collection channels four more laws from the *Liber Iudiciorum*, two on incestuous marriages, one on marriage restrictions for Jewish people, and one on royal possessions.<sup>90</sup>

Returning to the glossary, we must conclude that the work contains a number of entries based on Roman law that reflect Visigothic legal practice. The combined evidence above suggests that Visigothic legal models, at least in the area of private law, were still relevant in the Islamic period at the time the glossary was composed. The engagement with the *Liber Iudiciorum* indicates that Visigothic provisions were used in adjudicative practice, suggesting that some knowledge of Visigothic law might have been useful. The evidence remains somewhat less clear about documentary practice. One scenario is that the legal knowledge came in handy as

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<sup>86</sup> See Nicholas Everett, 'Lay Documents and Archives in Early Medieval Spain and Italy, ca. 400-700', in *Documentary Culture and the Laity in the Early Middle Ages*, ed. by Warren Brown, Marios Costambeys, Matthew Innes, Adam Kosto (Cambridge: Cambridge University Press, 2012), pp. 63-94, at pp. 82-93.

<sup>87</sup> El Escorial, Real Biblioteca del Monasterio de San Lorenzo, árabe 1623. No digital reproduction is currently available: see above (footnote ###).

<sup>88</sup> Gonzalo Martínez Díez, *La Colección canónica Hispana. II: Colecciones derivadas*, 2 vols (Madrid: C.S.I.C. Instituto Enrique Flórez, 1976) (Monumenta Hispaniae Sacra. Serie Canónica 1), II, pp. 587-619; Echevarría Arsuaga, 'Los marcos legales' (see footnote 2), pp. 49-52.

<sup>89</sup> Arabic *Collectio Hispana* (= *Sistemática Mozárabe*) 3.8, including in adapted form *L.Iud.* 2.4.3, 2.4.1, 2.4.5+11, 2.4.7. See Martínez Díez (see footnote 88) pp. 605, 603, 665-666. Compare also the *decretum* of King Wamba appended in the same section. See also Echevarría Arsuaga (see footnote 5), pp. 135-36.

<sup>90</sup> Arabic *Collectio Hispana* (= *Sistemática Mozárabe*) 5.12, appending versions of *L.Iud.* 3.5.1, 3.5.2, 12.3.8; and Arabic *Collectio Hispana* (= *Sistemática Mozárabe*) 7.1, appending *L.Iud.* 2.1.5. See Martínez Díez (see footnote 88) pp. 603, 696, 701. See also Echevarría Arsuaga (see footnote 5), pp. 135-36.

older contracts and wills kept being honoured, while another is that documentation kept being drafted on the basis of Visigothic models.

#### **LATIN DEFINITIONS, MISSING TRANSLATIONS, AND KNOWLEDGE OF LATIN**

With all the preceding in place, we are in a better position to discuss the usability of the Leiden glossary. The lists in our Appendix show that there is a considerable number of Latin entries for which no Arabic translations were inserted: the space for the Arabic terms was left blank. The explanation may of course be as mundane as scribal and copying errors. But at least two observations encourage us to resist this impulse as much as possible. In the first place, the sheer number of untranslated lemmas suggests that we are dealing with a systematic, not an incidental feature. Second, we can observe a pattern with longer lemmas: many of the entries with a Latin definition come with no Arabic translation.

The case of the *holographum testamentum* is once again revealing. The evidence presented above suggests that the institute was important to Arabic speakers and that they had an understanding of it. It is therefore less plausible to conclude that the term and its definition were somehow too difficult to translate. Rather, it suggests that we are dealing with an ‘encyclopaedic’ entry, a technical supplement to the more basic entry *testamentum*, which does indeed occur in the glossary with an Arabic translation (and a Latin definition). The lemma on the holographic testament served as an elaboration on testamentary law that was very specific to Latin usage and that presupposes knowledge of Latin usage, and was hence not in ‘need’ of translation. A similar point can be made about the shorter and longer entries of *curia/curialis* and *municipes/municeps*. The longer entries provide encyclopaedic, in this case largely antiquarian, information to those with some understanding of Latin.

If this argument has any merit to it, we should also briefly consider the implications for our understanding of the glossary’s composition. In addition to catering to an audience with interests in legal detail, the compiler appears to have assumed that many of his readers had some working knowledge of the Latin language and appreciated information about the

Roman and Visigothic past.<sup>91</sup> All this cannot in any way solve the question of the dating of the glossary, but it fits better with an earlier than a later date in the window established above.<sup>92</sup>

### THE *VOCABULISTA*

The *Vocabulista*, like the Leiden glossary, contains a considerable number of entries of a legal character. Found in both the Latin-Arabic and Arabic-Latin sections, they raise a variety of issues, ranging from conceptions of law across linguistic and religious traditions to the connection between legal rules and realities, often economic realities, on the ground. The following sections analyse a selection of these entries. Rather than presenting a complete analysis of the *Vocabulista*, our discussion is meant to offer a foundation on which a more fully systematic analysis can be built in the future. Our discussion compares and contrasts the legal world of the *Vocabulista*'s entries with that of parallel entries in the Leiden glossary. This will help obtain clearer pictures of both works, which despite their similarities are products of different periods in the history of Muslim Spain.

### COINS AND THE ECONOMY

Symbolising power and authority as well as temporal and religious jurisdictions (*regnum et ecclesia*), coins are useful to consider in any attempt to understand how religious and legal ideals and concepts were expressed in medieval Spain.<sup>93</sup>

The *Vocabulista* provides two Arabic equivalents of the Latin *moneta*: *sakka/sukuk* and *ḍarb al-amīr*. The latter means “the coinage of the emperor”, as is indicated the entry *amīra* in the *Vocabulista* itself: *imperatrix*. (There is no entry for the masculine form *amīr*, usually translated as “prince” or “commander”, as in *amīr al-mu'minīn*). This is interesting since here the lexicographer constructed an Arabic lemma conveying a legal idea that was in circulation in the Latin-speaking world. It has been shown that the canon-law glossators of Roman law

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<sup>91</sup> See Martin, 'Arabic-Speaking Christians' (see footnote 53) for a discussion of a Latin primer based on Donatus, arguing that knowledge of Latin in Mozarabic circles may have been better than has traditionally been assumed.

<sup>92</sup> On the Arabicizing developments in the eleventh century, see the introduction above, with further references.

<sup>93</sup> For an overview of how canon law dealt with the issue of money in the Middle Ages, see Andreas Thier, 'Money in Medieval Canon Law', in *Money in the Western Legal Tradition: Middle Ages to Bretton Woods*, ed. by David Fox and Wolfgang Ernst (Oxford: Oxford University Press, 2016), pp. 136–66.

developed, and argued forcefully for, the idea that the emperor, and by extension the kings who succeeded him, had the authority to mint coins (even though this idea is not really found in Roman legal sources, but in early Christian literature).<sup>94</sup>

Let us turn briefly to the world of the Leiden glossary. Visigothic coinage can be distinguished from other medieval European issues as being the first to portray a 'majestic Christ'.<sup>95</sup> It was during Erwig's reign (680-687),<sup>96</sup> when Arabs had already conquered vast areas of the *Bilād al-Maghrib*, that this new coin type was struck. Its iconography has been compared to contemporary representations of Christ Pantocrator in churches such as San Pedro de la Nave (Campillos, Zamora) and Santa María in Quintanilla de las Viñas (Burgos). What might well be significant is the fact that the image of Christ in the church of Quintanilla de las Viñas is a relief, and the Leiden glossary gives the Arabic *timthāl* as being equivalent to *moneta*, that is, a "representation, image, sculpture, or statue".<sup>97</sup> This is not a term related to Islamic numismatic production, which was essentially (though not exclusively) epigraphic.

It also seems worthy of note that in 711, at the time of the Islamic conquest of Spain, Roderic (ca. 710-711) issued coins bearing his portrait as a monarch, wearing a bicorn crown,<sup>98</sup> and that the same Roderic/Roderikos is portrayed in a Qusayr 'Amra fresco – alongside the Byzantine emperor, the Sasanian king Khosrow, and the Abyssinian Negus – wearing a similar crown (as a symbol of power). The word *timthāl*, used to define figurative representations/images and sculptures, might have been linked to Visigothic coins – and with religious and temporal portraits in frescoes and on carved stones – in open contrast with the epigraphic coinage issued by the Muslims.

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<sup>94</sup> Thier, 'Money' (see footnote 85), p. 145.

<sup>95</sup> See Ruth Pliego Vázquez, 'Figura et potentia. Coin and Power in the Visigothic Kingdom', in *The Visigothic kingdom. The negotiation of power in post-Roman Iberia*, ed. by Sabine Panzram and Paulo Pachá (Amsterdam: Amsterdam University Press, 2020) (Late Antique and Early Medieval Iberia), pp. 235–56, p. 247.

<sup>96</sup> See George C. Miles, *The coinage of the Visigoths of Spain. Leovigild to Achila II* (New York: The American Numismatic Society, 1952) (Hispanic numismatic series. Monograph 2), pp. 35–36.

<sup>97</sup> See Tawfiq Fahd, *Ṣanām*, in *The Encyclopaedia of Islam. New Edition (EI<sup>2</sup>)* (Leiden: Brill, 1960-2004), vol. IX: *San-Sze*, pp. 5–6.

<sup>98</sup> See Miles, *Coinage* (see footnote 88), pp. 39–40.

In both lexica, then, we can witness notions of coinage that are distinctly non-Islamic. While the Leiden glossary's focus on portraiture seems to preserve the memory of Visigothic coinage,<sup>99</sup> the *Vocabulista* opens a window to an economic world and political-legal order beyond the Andalusian.

Other lemmas from the Leiden glossary worth mentioning are:

- *siliquam*: *kharrūb*.<sup>100</sup> Roman weight unit – probably connected to a unit of measure used in the East where it was customary to weigh by grain.
- *solidum*: *saṭl thumma thalāta darāhim* (sic!) *ghayr thulth dirham* ("saṭl and three dirhams, which is different from a third of a dirham").<sup>101</sup>
- *obol(u)s*: *rub' dirham* ("a quarter of a dirham").<sup>102</sup>
- *possessio*: *māl wa-milk wa-mamlaka* ("money, wealth and power").<sup>103</sup>

The economic sphere, in the broad sense of the term, was an area of interest that was very carefully regulated in both Christian and Islamic cultures. We need only mention here the opposition that both Christians and Muslims had towards usury. In this case the direct

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<sup>99</sup> On the introduction of Islamic coinage in Spain and the possibility of co-circulation, see Andrew Kurt, *Minting, State, and Economy in the Visigothic Kingdom: From Settlement in Aquitaine through the First Decade of the Muslim Conquest of Spain* (Amsterdam: Amsterdam University Press, 2020), pp. 247-255; Trent Jonson, *A Numismatic History of the Early Precious Metal Coinage of North Africa and the Iberian Peninsula*, unpublished PhD thesis, University of Oxford 2014.

<sup>100</sup> fol. 119ra (correcting *sililicom*). See [Angelo Segre and] Giuseppe Castellani, 'Siliqua', in *Enciclopedia Italiana* (Treccani), 36 vols (Rome: Istituto dell'Enciclopedia Italiana, 1929–1937), Vol. 31: Scar–Soc (1936), p. 774 (<https://www.treccani.it/enciclopedia/siliqua>).

<sup>101</sup> fol. 120br.

<sup>102</sup> fol. 89rb. Note what Reinhart Dozy writes for the entry *saṭl* « *saṭl* ne vient pas, comme on trouve dans Freytag du persan *satl* (car c'est ainsi qu'il aurait dû écrire), mais c'est, de même que ce mot persan, une altération du latin *situla*, que les Coptes prononçait *sitla* ; voyez Fleischer Gl. 74 et les notes de M. Sachau sur Djawālīkī, p. 41. Chez Ale. (aeetre) le pl. est *aṣṭul*. L (i.e. Leiden glossary) donne cet article : *solidum saṭl thumma thalāta darāhim* (sic!) *ghayr thulth dirham*. Il prend donc *solidum* en second lieu dans son sens ordinaire (sorte de monnaie) ; mais en quel sens le prend-il en premier lieu, et comment *saṭl* répondrait-il à *solidus* ? C'est ce que j'ignore», Dozy, *Supplément* (see footnote 7), I, p. 653.

<sup>103</sup> fol. 100rb.

equivalence of the lemmas describing the phenomenon – *usura/ribā*<sup>104</sup> – is consistent and clear-cut.<sup>105</sup>

#### ALIMENTARY PROHIBITIONS: ISLAM AND CHRISTIANITY

With regard to prohibitions, the consumption of wine/*khamr* in Muslim society was (and still is) forbidden as laid down in Qur'an 5:92.<sup>106</sup> However, a wide range of sources attest to its continued consumption in the *Dār al-Islām* before and long after the spread of Islam.<sup>107</sup> As we will see, the *Vocabulista*'s interest in wine draws attention to economic and legal realities that provide a more nuanced picture than we get from religious injunctions read on their own.

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<sup>104</sup> See Thier, 'Money' (see footnote 85), p. 138; Joseph Schacht, 'Ribā', in *EI2* (see footnote 89), vol. VIII: Ned–Sam (1995), pp. 491–93.

<sup>105</sup> Another instance is the word *dhimmī*, which is defined in just one equivalence as “tributaries”; *jizya* and *tadjīn* also correspond to *tributum*, while there are at least two equivalent words for *dhimma*, i.e., *pactum* and *possessio*; see Schiaparelli, *Vocabulista* (see footnote 11), pp. 102–103. On the *Dhimma*, see Luke Yarbrough, 'Muslim rulers, Christian subjects', in *Christian-Muslim Relations: A Bibliographical History. XV: Thematic Essays (600–1600)*, ed. by Douglas Pratt and Charles L. Tieszen (Leiden: Brill, 2020) (The history of Christian-Muslim relations 40), pp. 359–87.

<sup>106</sup> (*O true believers! Surely wine and gambling and stone pillars and divining arrows are an abomination of the work of Satan; therefore, avoid them*). See Arent Jan Wensinck, 'Khamr: Juridical Aspects', in *EI2* (see footnote 89), vol. IV: *Iran–Kha* (1978), pp. 994–97.

<sup>107</sup> On the consumption of wine in Medieval Cairo, see Myriam Wissa, 'Twenty-five hundred ›knidia‹ of wine ... and two boats to transport the wine to Fustāt. An Insight into Wine Consumption and Use Amongst the dhimmis and wider Communities in Umayyad Egypt', in *Law and Religious Minorities in Medieval Societies: Between Theory and Praxis*, ed. by Ana Echevarría Arsuaga, Juan Pedro Monferrer-Sala and John Tolan (Turnhout: Brepols, 2016) (Religion and Law in Medieval Christian and Muslim Societies 9), pp. 101–10. On the production of wine in Muslim Sicily, see Léa Drieu, Paola Orecchioni, Claudio Capelli, Antonino Meo, Jasmine Lundy, Viva Sacco, Lucia Arcifa, Alessandra Molinari, Martin Carver and Oliver E. Craig, 'Chemical evidence for the persistence of wine production and trade in Early Medieval Islamic Sicily', *PNAS: Proceedings of the National Academy of Sciences of the United States of America*, 9 (2021), 1–8. For literary sources in Arabic and Persian that refer to wine drinking in the Eastern regions of the *Dār al-Islām*, see Shahab Ahmed, *What Is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2016). However, a caveat must be made with regard to Shahab Ahmed's work, that is, a lack of understanding of the numismatic sources that he cites and illustrates; see Arianna D'Ottone Rambach, 'Gli studi e il collezionismo di Numismatica araba in Italia dall'Unità ad oggi', *Dialoghi di Numismatica. Protagonisti, prospettive, ricerche*, 2 (2020), 171–208 (p. 185, footnote 98).

In this respect our glossaries provide different renderings of wine. In its Arabic-Latin section, the *Vocabulista* lists the term *maṣḍar ikhmār*, rendered as *inebriare* and also as *vinum* (p. 9); *rāḥ/vinum* (p. 104); *khandarīs/vinum* (p. 96); *zajj/vinum* (p. 111); *‘uqār/vinum* (p. 144); *shamūl/generalis*,<sup>108</sup> *vinum*; *qahwa/vinum* (p. 165) and *mudām/vinum* (p. 181). This makes a total of eight different words, three of which are relatively rare. For example, *zajj* is not recorded by Lane as wine, but only as “spear”. On the other hand, Dozy is of assistance since he informs us of its plural, *zujūj*, and the fact that it is a sort of wine made from figs.<sup>109</sup> To explain *qahwa*, Dozy quotes Ducange, who defines *‘cahua*, *vinum album et debile*’.<sup>110</sup> As for *khandarīs*, Lane defines it as ‘wine, so called because of its oldness, or old wine’, and he goes on to suggest a number of possible explanations for its etymology – linked to Arabic roots or to Greek and Persian words or expressions – though none of these are fully convincing.<sup>111</sup> In a more recent study devoted to wine in pre-Islamic Arabia, Maraqtan observes that there are some examples of loan words of Greek origin in Arabic that arrived through Aramaic, but he only mentions *khandarīs* as ‘old wine’.<sup>112</sup> Dozy does not say anything about the etymology of the word in his laconic translation: in the *Supplément* the entry *khandarīs* is rendered *vin grec*.

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<sup>108</sup> It is interesting to remark that both the terms *‘uqār* and *shamūl* are employed as proper names for the she-servants in the Story of Bayād and Riyād, see Arianna D'Ottone Rambach, *La storia di Bayad e Riyad* (Vat. Ar. 368). *Una nuova edizione e traduzione* (Vatican City: Biblioteca Apostolica Vaticana, 2013) (Studi e testi 479).

<sup>109</sup> Dozy, *Supplément* (see footnote 7), I, p. 581.

<sup>110</sup> Dozy, *Supplément* (see footnote 7), II, p. 415.

<sup>111</sup> Lane records that according to some the word is “derived from *khadarsa* a word not explained; by some said to be of the measure *fan‘alīs*, so that its radical letters are *kh.d.r.*; because wine is *mukhaddir* [i.e. that is a cause of torpor or languor]; by some said to be from *khars*; but to this is objected that *dāl* is not augmentative; by the author of the L (*Leiden lexicon*) and others it is mentioned after *kh.n.s.* or it is a Greek word, arabicized, [but, I know not how this is, unless, as an epithet applied to wheat, it be supposed to be from *χόνδρος*;] IDrd thought it to be an arabicized word: it may be an arabicized word from the Persian *khanda rīsh* meaning »having a laughing beard« – or rather »one whose beard is laughed at«, that is, »a laughing-stock« because he has his beard laughed at. You also say *ḥinta khandarīs* Old wheat and *tamr khandarīs*, old dates”, Lane, *Lexicon* (see footnote 74), vol. II, p. 815.

<sup>112</sup> Mohammed Maraqtan, 'Wine Drinking and Wine Prohibition in Arabia before Islam', in *Proceedings of the twenty-sixth Seminar for Arabian Studies, held at Manchester on 21<sup>st</sup>–23<sup>rd</sup> July 1992* (Oxford: Archaeopress, 1993) (Proceedings of the Seminar for Arabian Studies 23), pp. 95–115, p. 102. See also Tasha Vorderstrasse, 'Terms for Vessels in Arabic and Coptic Documentary Texts and Their Archaeological and Ethnographic

Initially, we thought that a possible origin for this word might have been the Greek *κάνθαρος*, which designates a wine cup used in religious rituals to honour the god Dionysus. That is, through synecdoche, with the container referring to its contents, it became ‘wine’ in Arabic.<sup>113</sup> We then wondered how such a Greek loanword might have ended up in a thirteenth-century Latin/Arabic glossary compiled in al-Andalus.

Further analysis has led us to propose an alternative etymology, which can also throw some light on the term’s inclusion in the *Vocabulista*. While Theophrastus already mentions a certain *ἄμπελος ἢ κανθάρεως* (“vine of *kantharis*”), Pliny the Elder explains that *cantharites* (sc. *vinum*) is a decent-quality wine from Greece that is superior to wines that give drinkers a headache.<sup>114</sup> Moreover, evidence from the Greek lexicographer Hesychius (fifth to sixth century CE) shows that the term was registered in the Greek lexicographic tradition by his lifetime at the latest. His *Lexicon* includes the lemma *κανθάρεως· ἄμπέλου εἶδος* (“of *kantharis*: a type of vine”).<sup>115</sup> The term might thus have entered Arabic from Greek or it may have entered Arabic lexica from Greek lexica. Given the term’s absence in the surviving Latin (and Latin-Greek) lexicographical tradition, it is less plausible that the term entered Arabic from the Western side of the *Dār al-Islām*.<sup>116</sup>

Turning our attention to the Latin-Arabic section, the *Vocabulista* has *sirupus/sharāb al-ḥakīm* (*vinum medici*, p. 582) and *vinum/khamr, khumūr – sharāb, ashriba – mudām – rāḥ*. All in all, we find nine different words across the *Vocabulista* to define wine, from eight different roots. A greater number of terms – and the more specific ones – are listed in the

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Correlates’, in *Documents and the History of the Early Islamic World*, ed. by Petra M. Sijpesteijn and Alexander T. Schubert (Leiden: Brill, 2014) (*Islamic History and Civilization* 111), pp. 195–234.

<sup>113</sup> Dozy, *Supplément* (see footnote 7), I, p. 407.

<sup>114</sup> Theophrastus, *History of Plants*, book 2, section 15; Pliny the Elder, *Natural History*, book 14, section 75.

<sup>115</sup> Hesychius, *Lexicon*, lemma κ.656. On this author and his work, see Eleanor Dickey, *Ancient Greek Scholarship* (Oxford and New York, 2007) 88-90. On the Greek term, see also: Robert Beekes, *Etymological Dictionary of Greek*, 2 vols, 2<sup>nd</sup> ed. (Leiden/Boston: Brill, 2010), I, pp. 634–35 (s.v. *κάνθαρος*).

<sup>116</sup> Although this cannot be excluded with certainty. The general absence of the term and the lack of understanding of its etymology in the Oriental sources cited by Lane remains striking.

Arabic-Latin section.<sup>117</sup> This large variety indicates that wine did not go out of fashion with the arrival of Islam in Spain, just as it continued to be produced in Sicily according to archaeological evidence. Other juridical sources such as the *Kitāb al-quḍāt bi-Qurṭuba* by Ibn al-Ḥārith al-Khushanī (d. 361/971) inform us of wine consumption and the punishment for drinking it according to Islamic law.<sup>118</sup>

It is of interest to recall that wine was, as stated by Myriam Wissa, ‘an important commodity in moneylending or loans and, more significantly, in the economy of the monasteries’.<sup>119</sup> In Egypt, monasteries became the greatest producers of wine and this became their major source of revenue. Therefore, it is perhaps not surprising that the *Vocabulista* lists *creditor in mutuo*,<sup>120</sup> providing up to three different Arabic words for it (*ṣāḥib dayn/aṣḥāb duyūn; rabb al-ḥaqq/arbāb al-ḥuqūq* and *gharīm/ghuramā*) as well as the terms *debitor* (*midyān - īn;gharīm/ghuramā*),<sup>121</sup> *debitum* (*dayn/duyūn*),<sup>122</sup> *depositum* (*wadīʿa/wadāʿi; amāna – āt*),<sup>123</sup> and *monasterium* (*dayr, ruhbān, adyār wa-duyūr*).<sup>124</sup>

Wine production (linked to the Christian liturgy) and consumption (by Christians and Muslims alike) in al-Andalus seems comparable to that in Egypt. Other sources confirm this state of affairs. For instance, al-Maqqarī (1557-1632) recalls the reaction of Ibn Shuhayd, a chancellor

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<sup>117</sup> Besides this and other literary sources, bilingual Arabic-Romance glossaries with a specifically botanical focus inform us about the type of grapes cultivated in al-Andalus; see Gerrit Bos and Guido Mensching, ‘Arabic-Romance Medico-Botanical Glossaries in Hebrew Manuscripts from the Iberian Peninsula and Italy’, *Aleph*, 15/1 (2015), 9–61 (p. 24).

<sup>118</sup> See Muḥammad Ibn al-Ḥārith Al-Khushanī, *Kitāb al-quḍāt bi-Qurṭuba. Historia de los jueces de Córdoba*, ed. by Julián Ribera (Madrid: Centro de Estudios Históricos, 1914 [repr. Sevilla: Renacimiento, 2005]).

<sup>119</sup> Al-Khushanī, *Kitāb al-quḍāt* (see footnote 109), pp. 125-129. On the interaction between Muslims and Christians in al-Andalus, see Juan Pedro Monferrer-Sala, ‘Conduits of interaction. The Andalusī experience’, in *Christian-Muslim Relations: A Bibliographical History. XV: Thematic Essays (600–1600)*, ed. by Douglas Pratt and Charles L. Tieszen (Leiden: Brill, 2020) (The history of Christian-Muslim relations 40), pp. 307–29.

<sup>120</sup> Schiaparelli, *Vocabulista* (see footnote 11), p. 324.

<sup>121</sup> Schiaparelli, *Vocabulista* (see footnote 11), p. 331.

<sup>122</sup> Schiaparelli, *Vocabulista* (see footnote 11), p. 331.

<sup>123</sup> Schiaparelli, *Vocabulista* (see footnote 11), p. 339.

<sup>124</sup> Schiaparelli, *Vocabulista* (see footnote 11), p. 481.

of ‘Abd al-Rahmān V (1001-1024), who was present at a Christian service in Córdoba at the beginning of the eleventh century, during which he was offered new wine.<sup>125</sup>

Wine is also recorded in Arabic-Islamic literary sources, in the context of *majālis* with music and young slave girls. ‘Legal prohibition’, as Emilie Savage-Smith states in connection with her discussion on the dissection of the body, ‘does not necessarily imply lack of practice [...]’, but at least that appearances were kept up.<sup>126</sup> Literary sources actually reflect the effect of the legal prohibition of wine, since wine/*rāḥ* becomes a “red beverage” (*sharāb aḥmar*) of a non-alcoholic nature (or at least it is not specified as alcoholic).<sup>127</sup>

In contrast, the entry *vinum* is not recorded in the Leiden glossary, nor are *creditor* or *monasterium*.<sup>128</sup> However, it does list *vinolentia·ebrietas*, giving the Arabic equivalent *sakra* (“drunkenness”), and *vinolentus*, followed by a Latin gloss, but without an Arabic translation.<sup>129</sup>

All in all, it seems that, although Islamic law forbade the drinking of wine, it was actually consumed by Muslims in al-Andalus. At the same time, Christians/Mozarabs had different concerns regarding food. In particular, dietary laws in the Bible forbade the consumption of certain animals and an Arabic note in the Bible of Danila expressly affirms this prohibition.<sup>130</sup>

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<sup>125</sup> Cited by Jerrilynn D. Dodds, *Architecture and Ideology in Early Medieval Spain* (University Park, PA: Pennsylvania State University Press, 1989), p. 104.

<sup>126</sup> Emilie Savage-Smith, ‘Attitudes toward dissection in medieval Islam’, *Journal of the history of medicine and allied sciences*, 50/1 (1995), 67–110 (p. 67).

<sup>127</sup> See Arianna D’Ottone Rambach, ‘L’omosessualità femminile in al-Andalus attraverso una fonte letteraria: la Storia di Bayāḍ e Riyāḍ’, in *La sessualità nel basso Medioevo* (Spoleto: Centro Italiano di Studi sull’Alto Medioevo, 2021), pp. 459–69, p. 469.

<sup>128</sup> Only the lemma *monacus* is listed, followed by the Latin gloss *solitarius*, Leiden, University Library, Or. 231, fo. 84r.

<sup>129</sup> In turn, the *Vocabulista* records: *ebrietas: sukr wa-sakra -āt; nashwa -āt; ghamra -āt*; and *ebrius: sakrān/sukārā, nashwān/nashāwī, multakhhk, mushawwaṭ -īn, nazīf -īn, yantashī, antashā, yanzaf, nazafa*, Schiaparelli, *Vocabulista* (see footnote 11), p. 359.

<sup>130</sup> See D’Ottone Rambach, ‘Lucifer’ (see footnote 36), p. 126. On the link between the Bible of Danila and the Blue Qur’ān, see Arianna D’Ottone Rambach, ‘The Blue Koran. A Contribution to the Debate on Its Possible Origin and Date’, *Journal of Islamic Manuscripts*, 8 (2017), 127–43.

## LEGAL PLURALISM IN AL-ĀNDALUS

In passing from wine (and its prohibition) to the law, our attention was caught by the word *lex* and how this lemma is rendered in the two glossaries. The *Vocabulista* gives as many as five words in Arabic that correspond to the Latin *lex*: *dīn/adyān* – *milla/milal* – *sharīʿa/sharāʿiʿ/shirʿa/sharʿ* – *nāmūs nawāmīs* – *sunna/sunan*. As these are relatively well-known terms, we will simply make some brief observations here.

*Dīn/adyān* has different roots: the Hebraeo-Aramaic root from which the meaning of “judgement, retribution” comes, the Arabic root conveying the meaning of “custom, usage”, and the Pehlevi root linked to the meaning of “religion”. The Hebraeo-Aramaic and Arabic etymologies combine and the word thus defines the “corpus of obligatory prescriptions given by God, to which one must submit”. To quote Gardet, ‘it signifies obligation, direction, submission, retribution’.<sup>131</sup>

*Milla/milal*: in Islamic literature, which follows Qurʿanic usage, the term *milla* means “religion”, although the word is not in frequent use. It is useful to recall that in a multi-religious context such as al-Andalus, *al-milla* (with the article) means the true religion revealed by Muḥammad. Indeed, it is occasionally used in *ahl al-milla* (“people of the true religion”) in order to define the followers of the Islamic religion, just as the opposite, *al-dhimma*, stands for *ahl al-dhimma*, that is, non-Muslims who are under the protection of Islam.<sup>132</sup>

*Sharīʿa/sharāʿiʿ/shirʿa/sharʿ*: the term generally indicates a prophetic religion in its totality, but from an Islamic point of view it designates the rules and regulations governing the lives of Muslims, which in principle derive from the Qurʿān and *ḥadīth*. In this sense, the word is closely associated with *fiqh*.<sup>133</sup>

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<sup>131</sup> See Louis Gardet, ‘Dīn’, in *EI2* (see footnote 89), vol. II: C–G (1991), pp. 29–96.

<sup>132</sup> This term is most likely connected to the Hebrew/Jewish and Christian/Aramaic *mill* as a translation of the Greek λόγος. It does not seem to have any pre-Islamic attestations and in the Qurʿān it always means “religion”, acquiring a special significance as “the religion of Abraham” (*millat Ibrāhīm*) in the Medinan revelations; see Frants Buhl [Clifford E. Bosworth], ‘Milla’, in *EI2* (see footnote 89), vol. VII: Mif–Naz (1993), pp. 60–61.

<sup>133</sup> See Norman Calder, ‘Sharīʿa’, in *EI2* (see footnote 89), vol. IX (1997): San–Sze, pp. 321–26.

*Nāmūs/nawāmīs*: a loanword, from the Greek νόμος.

*Sunna/sunan*: the Sunna of the Prophet was, at the instigation of al-Shāfiʿī, awarded the position of the second root (*aṣl*) of Islamic law (*sharīʿa*).<sup>134</sup>

The word *tawrāt*, from the Hebrew תורה (standing for “law, custom, usage”), is not recorded in the sequence of nouns listed in the *Vocabulista*, although it appears at the end of the section on verbs as a term of comparison for the passive participial form, *masnūn*. The presence of both nouns and verbs is an ancient feature of Greek-Latin glossaries that dates back to the oldest examples from the first to third centuries CE.<sup>135</sup>

The Jewish tradition appears somehow neglected in the *Vocabulista* compared to a well-represented Arabic-Islamic range of words. Four terms out of five (!) are linked to the latter tradition. The only striking term from this sphere is the Greek loan *nāmūs*.

The Leiden glossary provides fewer options for the same lemma but gives them in different languages. *Lex* has only three Arabic equivalents – *tawrāt*, *wa-nāmūs* and *wa-kitāb* – but at least two Hebrew translations: תורה; כתב and (?). In a way, then, the glossary offers a wider religious and cultural spectrum.

In this glossary, *tawrāt* – recorded both in Arabic and in Hebrew – is the first translation option given for *lex*, followed by the Greek loanword *nāmūs*, while *kitāb* is given last. This should be seen as a reference to the Islamic ‘Book’ *par excellence*, the Qurʾān, the prime source of Islamic law, while also referencing all religious revelations, though once again from an Islamic perspective, as in the expression *ahl al-kitāb* (“people of the Book”).

Unfortunately, glossaries – unlike more continuous texts – do not offer context.<sup>136</sup> It is thus difficult to infer the nuances and strategies used by authors, scribes, and translators for a

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<sup>134</sup> This is an ancient Arabian concept that came to stand – sometime after the preaching of Islam had begun – as the term for a generally approved standard of practice introduced by the Prophet and by pious Muslims of the time; see Gautier H. A. Juynboll, ‘Sunna’, in *EI2* (see footnote 89), vol. IX (1997): San-Sze, pp. 878–81.

<sup>135</sup> See Ammirati and Fressura, ‘Typology’ (see footnote 13), p. 3.

<sup>136</sup> See Eco, *Dire* (see footnote 25).

particular word.<sup>137</sup> However, the number of options and their sequence in glossaries, as well as the absence of possible equivalents, might be of significance with regard to the wider cultural framework in which they were produced. It seems quite clear, however, that *lex* coincided with “religious law” in the broadest sense.

At this point we would like to point out briefly a possible example of the lemma *tawrāt* in the context of an Arabic translation of Paul’s *Epistle to the Galatians* in an old fragment in Visigothic script:<sup>138</sup>

Scripta sunt in **libro legis** ut faciat eam

جميع ما كتب في سفر التوراة أن يفعله

It is perhaps of interest to recall that the Pauline Epistles have been identified as one of the sources of a bilingual Latin-Greek word-list on papyrus produced in the Christian Coptic environment at the end of the fourth/beginning of the fifth century.<sup>139</sup> As we have seen above, an Arabic version of the Epistles was also used by the compiler of the Leiden lexicon.

Also worthy of note are the entries for *advocatus* and *scriba* in both glossaries, especially when compared with the Arabic translation of the Gospel in an eleventh-century Greek-Arabic lectionary, most likely from Jerusalem or nearby.<sup>140</sup>

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<sup>137</sup> For the exegetical strategical use of *nāmūs* and *tawrā* in a Greek-Arabic fragment, see Juan Pedro Monferrer-Sala, ‘Arabic Rendering of ΝÓΜΟΣ and ΝΟΜΙΚÓΣ in an Eleventh Century Greek-Arabic Lectionary’, *Folia Orientalia*, 49 (2012), 309–31 (p. 312).

<sup>138</sup> See D'Ottone Rambach, ‘Al-khaṭṭ’ (see footnote 35); Francisco A. Marcos-Marín, ‘Vat. lat. 12900. El fragmento latino visigótico de la epístola a los Gálatas y su versión árabe andalusí’, in *Vir Bonus Dicendi Peritus: Homenaje al profesor Miguel Ángel Garrido Gallardo*, ed. by Luis Alburquerque-García (Madrid: Consejo Superior de Investigaciones Científicas, 2019), pp. 980–88; Juan Pedro Monferrer-Sala, ‘The Fragmentary Ninth/Tenth Century Andalusí Arabic Translation of the Epistle to the Galatians Revisited (Vat. lat. 12900, olim Seguntinus 150 BC Sigüenza)’, *Intellectual history of the islamicate world*, 7 (2019), 125–91.

<sup>139</sup> See Ammirati and Fressura, ‘Typology’ (see footnote 13), p. 20.

<sup>140</sup> See Monferrer-Sala, ‘Arabic Rendering’ (see footnote 128), p. 313–15.

The *Vocabulista* only contains one equivalent for *scriba*: *ḥabr/aḥbār*. In the Greek-Arabic lectionary just mentioned, a distinction is made between *al-aḥbār* (“the wise men/rabbis”), which is, to quote Monferrer-Sala, “an interpretation of οἱ Φαρισαῖοι (‘the Pharisees’)”; οἱ γραμματεῖς (“the scribes”; Heb. *Soferīm*, professional Torah scholars) is rendered as *kuttāb* (“secretaries”), while different expressions are used for νομικοί (“lawyers”), namely *nāmūsī*, *kuttāb al-nāmūs*, and *ahad katabat al-nāmūs*.

The Leiden glossary has two relevant Latin entries: *scriba* and *docens*. As for the Arabic, we have three glosses: *kātib*, *‘ālim*, and *baṣīr* (lit. “one who can see”; fig. “someone who is perceptive, who has knowledge”).

For the Latin *advocatus* (cf. the Greek νομικός),<sup>141</sup> the Arabic columns in the *Vocabulista* list three words, all from the same root *kh.ṣ.m*: *khaṣm/khuṣūm* (“opponent, antagonist, competitor”); *khaṣīm/khuṣamā’* (“rival, opponent”) and *mukhāṣim -īn* (“contender, litigant”). The term is not recorded, however, in the Leiden glossary.

This disparity between the type, the quantity, and the choice of lemmas recorded in the two glossaries, as well as the alphabets and languages attested in them,<sup>142</sup> reflect chronological differences in their production and their use of different sources, not to mention cultural and linguistic distinctions. Moreover, the discussion of the *Vocabulista* suggests that the respective focus of the glossaries may be slightly different. For the lemmas that we have closely compared, the Leiden glossary is more linked to a religious world of prohibitions and rules in a time of change, while the *Vocabulista*’s lemmas are more mundane, giving space to economic and court-related terms.

## CONCLUSION

Our purpose in this paper has been to investigate conceptions of law and the legal world as they emerge from the two major Latin-Arabic glossaries from al-Andalus. We hope to have shown that detailed analyses of how the glossaries translate legal concepts can reveal much about cultural and religious interactions taking place under the surface of these seemingly

<sup>141</sup> See Caroline Humfress, ‘Advocati’, in *The Oxford dictionary of Late Antiquity*, ed. by Oliver Nicholson (Oxford: Oxford University Press, 2018), I, p. 24.

<sup>142</sup> Latin/Arabic/Hebrew and Greek for the Leiden glossary; Latin/Arabic for the *Vocabulista*.

sterile texts. In addition, the comparison of the two glossaries, which date to distinct periods of Andalusian history, brings out that the two works do indeed reflect different contexts and preoccupations. The Leiden glossary, the earlier of the two lexica, clearly shows continuity with the Visigothic past and points to a legal pluralism in which law and jurisdiction in the Latin and Christian traditions have some footprint next to Islamic law. We have seen the preservation of Latin terms and concepts from Roman-Visigothic law, often in a usage specific to Visigothic legal practice, as well as from canon law. The world of the *Vocabulista*, the later of the two glossaries, is rather different. The analysis presented above suggests that the work has a sustained interest in the authority of law and in the economy, providing us with insights into the importance of religious law and realities that may not align strictly with the ideal projected by religious law. The production and consumption of wine is an important case in point.

A further and systematic comparative study of these two sources would undoubtedly be promising,<sup>143</sup> also in connection with the processing of Latin words in the East.<sup>144</sup>

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<sup>143</sup> Another semantic area that seems worthy of investigation is that relating to slavery. The *Vocabulista* records: servus: 'abd/'abīd; ghulām/ghilmān; raqīq/ariqqā; mamlūk/mamālīk; nasta'bad ka (in servum recipere) and servire: nakhdum/khadamat/khidma; khadīm/khudamā, makhdūm ka yankhadam/ankhadam; yatawallà/tawallà/tawallī; naṣṣarraḥ/aṣṣarraḥ/mutaṣarrif -īn li wa-ma'a niṣarraḥ ka; nasakhkhar/assakhkharat, sukhra li nisakhkhar ka; nudūr durt bi wa-jawl; niḥannash, ḥawl fulān; Schiaparelli, *Vocabulista* (see footnote 11), p. 577. In contrast, the Leiden glossary lists servus, famulus: 'abd and the verb servio: akhdimu wa-ata'abbadu; Leiden, University Library, Or. 231, fol. 118r. These terms should be linked to uses like those found in the glosses in the Bible of Cava, one of which regards slavery and the treatment of slaves (Deut. 15:12-18); see D'Ottone Rambach, 'Lucifer' (see footnote 36). From a diachronic point of view, a comparison with more recent lexica might also be useful. In this respect, an interesting case is provided by the Spanish-Arabic lexicon – once in use at the College of St. Bartholomew on the Tiberine Island in Rome and nowadays at the National Central Library of Rome "Vittorio Emanuele II", under shelf-mark Ms. Or. 115. This seventeenth-eighteenth-century lexicon does not order its lemmas alphabetically but rather according to a sort of meaning proximity, starting at fol. 100r with: casa de putaneria: bayt al-qihāba (sic, per al-qihāb) followed by fornicar: zanā/yaznī and closing at fol. 4v with: el laborante en la rueda del algodón: al-ḥallāj. For an overview of the Arabic manuscripts at the National Library of Rome – of which a complete catalogue is being prepared for publication by ADO – see Arianna D'Ottone Rambach, 'Manoscritti arabi decorati della Biblioteca Nazionale di Roma', *Nuovi Annali della Scuola Speciale per Archivisti e Bibliotecari*, 16 (2002), 149–59.

<sup>144</sup> See Juan Pedro Monferrer-Sala, 'Latin words processing in Christian Arab translations of the Gospels from the Near East', *Oriens christianus*, 96 (2012), 78–105.

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