

# Grounds of the Religious Convergence in Aleppo in the Early Crusades: The Role of Imami Judges

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## Abstract

The siege of Aleppo by the crusaders posed a threat to the city's security, livelihood, and economy. The inefficiency of the city's rulers brought Aleppo to the brink of collapse. In response, Shiite families and Imami judges in Aleppo worked to eliminate this threat. This study aims to examine the role of Shiite judges in creating security in Aleppo. The findings of this study reveal that the judges in Aleppo utilized their social and divine influence to invite powerful Sunni rulers, such as the Artuqids and the rulers of Mosul, to restore political, livelihood, and economic security in Aleppo. The judges' political actions were primarily focused on military attacks, famine, disease, and the shutting down of trade. Therefore, this study examines the political, social, and economic context of Aleppo to understand the actions of these judges.

**Keywords:** Crusades, Aleppo, Shiites, judge, Banu Khashab.

## Introduction

In the fifth century, Aleppo was the most important city in northern Levant. Geographically situated on flat land, Aleppo lacked the rugged natural terrain that provided security, just like Samisat, Antioch, Amida, and Damascus. This feature made Aleppo even more vulnerable when the Crusades began. Furthermore, the political divide that prevailed in northern Syria after Tutush's death had weakened the region's Muslims to resist the threat.

The formation of the two crusader states in Edessa and Antioch prepared the ground for the eventual siege of Aleppo. From 491 to 507 AH, Aleppo faced numerous sieges, but a more serious threat arose when the crusaders repeatedly attacked and looted the functions that served as Aleppo's food depot. Such attacks, in addition to the security

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and political threats, exposed the city to famine and epidemics. The expansion of the crusaders' territory to the Jazira and the capture of the cities southwest of Aleppo opened up trade routes for European forces, posing a threat to the Jazira's long trade route to Egypt and the Mediterranean.

The security and livelihood crisis that had befallen the Levant, particularly the northern Levant, forced the region to rely on trade-side taxes—the Mukus tax—to cover their expenses, further hampering the Levantine trade. This, in turn, posed a threat to all people in the North of Syria, especially Aleppo.

Amidst this pervasive threat, Shiite judges used their social influence to secure the region by inviting Sunni rulers from Mosul and Mardin. The historical significance of this invitation becomes clear when we understand that the situation in Aleppo was so dire that the surrounding rulers were unwilling to dominate the city. The judges made a diligent effort to provide security for Aleppo by inviting the surrounding Sunni rulers and fostering a jihadist spirit. The main focus of this article is the role played by Aleppo's Shiite judges in eliminating the threats to the city by asking the Sunni leaders to occupy Aleppo and calling for jihad.

To test this hypothesis, we begin with a description of the position of the Shiite judges and the threats facing Aleppo in terms of security, livelihood, and trade. This will provide a better understanding of the judges' actions in their historical context, starting from shortly before the beginning of the Crusades until 521 AH. However, from 521 AH, with the Zengi Atabegs assuming power over the Jazira and Levant, the pervasive threat required the judges to be present on the battlefield was no longer present. Nevertheless, sources on the subject are limited, and to address this issue, this article examines the historical traces as samples in history, comparing them with the available evidence.

Although Shias conceive of Levant as a Sunni region and an enemy of Ahl al-Bayt, as evidenced by various historical examples, it should be noted that in periods such as the fourth to sixth centuries, Imami Shiites played a significant role in political, social, and religious matters.

Studies on this period of the Crusades have not yet highlighted or clarified the actions of the Shiites of Aleppo. This is partly due to the lack of relevant explicit sources. Additionally, Ismaili activities have overshadowed the Imamiyya (Twelver) sect. Despite the availability of authentic sources on the performance of Shiite judges during the Crusades, some historians of the Arab world have underappreciated or avoided mentioning them. Arij al-Ghamidi only refers to Judge Khashab's role on the battlefield, attributing all political activities between the governors of Mosul and Aleppo solely to the rulers. He fails to mention the judges' role in inciting the rulers (see Arij al-Ghamidi 1986, 154). Naqli rests content with what Ibn al-'Adim has mentioned, without noting that Ibn Khashab was a Twelver. However, he underscores the Ismaili sect and their cooperation with the crusaders (see Naqli 2002, 100-103).

On the other hand, Shinqiti is one of the few Arab historians who acknowledges the role of the Twelvers prior to the Zengi Atabegs' reign, highlighting the significance of Shiite judges (Shinqiti 2016, 158). Maalouf has dedicated the fifth chapter of his book to the struggles and efforts of "Ibn Khashab" during the Crusades (Maalouf 2015, 129). Hillenbrand describes Ibn Khashab's involvement in the struggle against the Crusaders as an early example of jihadist activity against them (see Hillenbrand 1999, 108). Yasser Tabbaa has also emphasized the influence and power of Banu Khashab in Aleppo (see Tabbaa 1997, 40).

### 1. Shiites in Aleppo and Shiite Judges

The history of the Levant has not followed a uniform pattern in terms of Islamic sects, as political power has played a significant role in these religious changes (Jafarian 2008, 788). Yaqut al-Hamawi alludes to such changes in Homs in his book *Mu'jam al-buldan* (Hamawi 1995, 2:304). Shiism in Aleppo flourished during the rule of Shiite dynasties such as Hamdanids, Mardasids, and Uqaylids. With the decline of the Shiite governments in Aleppo and the establishment of the Sunni Seljuk government, and later the Zengi Atabegs, Shiism still maintained a strong presence in Aleppo. Even during Sunni rule, Shiite 'ulama and judges still served in court. As the Aleppo government grew weaker and insecurity escalated in North Levant, there was an increase in the movements of Shiite judges. The widespread threat in the north of Syria at the beginning of the Crusades strengthened Shiite-Sunni relations. As a result, according to sources, there was solid cooperation between Shiites and Sunnis in the face of common enemies, whether they were the crusaders or some Muslims. The necessity of this cooperation prompted the Shiites of Aleppo to refrain from behaviors that could deteriorate relations with the Sunnis (see Ibn al-'Adim, n. d., 5:2246).

The arrival of Shiite scholars in Aleppo is described differently in various sources. Some sources mention Shiite families such as Abi Chabet as the first Shiites in Aleppo (Baraqi 1407 AH, 412). In the following centuries, other Shiite families, such as Banu Zuhrah and Banu Khashab, played an active role in scientific and socio-political affairs. Moreover, followers of Ahl al-Bayt and their Shiites friends, such as the great 'ulama of the Jarada family and Uqaylid, also contributed to the Shiite influence in Aleppo. Banu Zuhrah, also known as the Isaacs (Amin, 1403, 3, 9), was another renowned family in Aleppo. Banu Zuhrah was considered the most important Shiite family in Aleppo due to the combination of their leadership of Aleppo's Sadat and Neqabat, their expertise in jurisprudence and hadith, and the large number of scholars in their family (Murtada al-Zubaydi 1414 AH, 511-85). Cherif al-Tahar, a scholar of jurisprudence and Twelver theory, was also from this family, according to Ibn al-'Adim (Ibn al-'Adim, n.d., 6:2946). During the Sunni government of Ayyubid, some members of Banu Zuhrah, such as Abu Ali al-Hasan ibn Zuhrah, held positions

(Murtada al-Zubaydi 1414 AH, 6:484-85). Banu Zuhrah remained religious figures, while Banu Khashab were more involved in political affairs.

Isa Khashab was the most eminent member of Banu Khashab in Aleppo. According to Ibn al-'Adim, Isa al-Khashab was a high-ranking member of the government of the Hamdanid dynasty, and his descendants continued to hold positions of power in Aleppo after him (Ibn al-'Adim 1425 AH, 2:158; Ibn al-'Adim, n.d., 2:628). Although several judges were from Banu Zuhrah, such as Abu 'Ali al-Hasan ibn Muhammad al-Husayni (Ibn al-'Adim, n.d., 2:166), Banu Khashab possessed similar expertise. However, they primarily obtained positions such as judgeship and wardenship in Aleppo. During the reign of the Seljuk dynasty and their descendants in Aleppo, judges were appointed by the sultan or ruler. Still, they often acted on behalf of the people and served as messengers or mediators. It can be said that judges and scholars generally acted as the spokespersons of the people and worked in their name (Kluzner 2010, 35). The social role of judges in maintaining peace and security in the city became more apparent after the death of Ridwan and the subsequent riots in Aleppo (Ibn al-'Adim 1425 AH, 2:387; Ibn al-'Adim, n.d., 1:412).

## 2. Aleppo in Time of Threat

The threats that Aleppo faced, whether political, social, and economic, often resulted from political actions taking place in the north of Levant. The decline of Aleppo began with the death of Sayf al-Dawla and caused significant destruction until the establishment of the Atabegs Zengi government in Aleppo in 521 AH. It was only during the reign of Qasim al-Dawla Aq Sunqur that Aleppo experienced a period of relative stability.

These divisions, particularly after the arrival of the Crusaders in the Levant, led to the destruction of farms, agricultural and livestock products, causing widespread famine and sometimes even epidemics. In addition, the constant conflict between power-hungry factions in the Levant made trade routes unsafe and insecure. With the coast occupied by the Crusaders, most of the merchandise was given to Christian forces, leaving the north unsafe. Civil conflicts among the power-hungry elites in Aleppo further weakened the city's ability to defend itself against external threats. Deaths, the closure of trade routes, and the inability to levy taxes (*Mukus*) alongside the ransoms imposed on the city by the Crusaders menaced the most important city of the Levant at its core.

### 2.1. Safety-Political Threats

After Tutush's death, powerful individuals in Aleppo refused to submit to the authority of Ridwan. These figures belonged to various social classes, including the Turkish military, ministers, Turkmen commanders, governors of neighboring cities, and heads of Ahdath communities. Eleven people were believed to be particularly influential

in the political landscape of the northern Levant, including Ridwan, Sakmann, Yaghisian, Jinnah al-Dawla Hussein, Yusuf ibn Abaq, Main, head of the Ahdath of Aleppo, Tughtakin Atabeg Dukak, Najm al-Din Ilqazi, Shaizar Arabs, Banu Kilab, and Amir Qarajeh, the ruler of Harran. From 488 to 490 AH, they engaged in sixteen different conflicts, forming and breaking alliances with each other frequently. After a while, they would enter into partnerships with their enemies against one of their previous confederates (see Jundi 1994, 1:142).

During the two years following Tutush's death, Aleppo and the northern cities of Syria went through eleven foreign wars and five civil conflicts. In five of these foreign battles, Damascus and its rulers were the enemies, with only one of these wars taking place around Damascus, which did not cause much damage to the city. The other conflicts between Ridwan and his brother took place in, and disintegrated, the northern part of the Levant. Out of these sixteen battles, nine were ultimately futile for both sides, with each side seeking stronger allies. There was even talk of Ridwan forming an alliance with the Fatimid caliph (Ibn Taghribirdi 1392 AH, Kurd Ali 1403 AH, 1:244). This caused the political and military intervention of Turkomans, which exacerbated the situation. They had already caused significant destruction and looting in the sixties and seventies of the fifth century AH, and their intervention in Aleppo-Damascus relations further escalated the devastation. During these turbulences, agriculture suffered a decline due to the pillaging of fields (Ibn al-Athir 1965, 10:247; Ibn al-'Adim 1425 AH, 1:342), leading to recurrent famines in the northern cities, in addition to the invasions and looting in the region by the Crusaders. In general, the unrest that followed Ridwan's rule undermined the military and economic strength of the Levant and caused insecurity in the northern areas.

Between 488 and 521 AH, the Muslims of the North of Levant witnessed sixty-two riots, including thirty-four civil riots and twenty-eight foreign conflicts. During this period, the number of foreign wars declined while domestic unrest increased, underscoring the need for a mighty ruler. This deteriorated the civil turmoil in the northern cities of Levant. As a consequence, during the years 508, 517-521 AH, Aleppo lacked a recognizable ruler, and its people had to appeal to the rulers of the Jazira and Damascus for protection from the crusaders. City judges provided some support during this challenging period, with the help of Ahdath communities (Ibn al-'Adim 1425 AH, 1:387, 390, 412, 421).

The rule of Alp Arslan ibn Ridwan in Aleppo lasted for one year, and Sultan Shah ibn Ridwan ruled for three years. With the death of the Sultan, the people of Aleppo surrendered the city to Najm al-Din Ilqazi out of fear of the Crusaders. Alp Arslan's rule in Aleppo only exacerbated corruption within the municipality (Ibn al-'Adim 1425 AH, 1:376; Ibn Asakir 1415 AH, 9:205). During his reign, the governor of Aleppo and Atabeg Tughtakin of Damascus managed the city on his behalf. Later on, the governors of Aleppo, such as Lowlow Yaya, took over the city's rule as Sultan

Shah was only six years old at the time. However, this period saw an increase in power struggles, with power-hungry people starting to kill each other (Ibn al-‘Adim 1425 AH, 1:383). In 511 AH, Ilqazi ibn Artuk entered Aleppo at the request of the people who feared the Crusaders (Ibn al-‘Adim 1425 AH, 1:384).

During a period of fourteen years from 507 to 521 AH, eleven rulers came to power in this region, each ruling for an average of less than fifteen months (Khakrand and Mohammadi 2016, 19). It was only when Emad al-Din Zengi rose to power in 521 AH that stability returned to the strategic region of the Levant. Emad al-Din and his son Nur al-Din ruled the area for forty-eight years, which was twice as long as the previous eleven rulers (Khakrand and Mohammadi 2016, 20).

The arrival of the Crusaders coincided with the occurrence of these riots. Although the rulers of the Levant were weak, the total military power of their cities was greater than the number of Crusaders in the First Crusade. The problem, however, was that the challenges facing them were so great that if the crusaders attacked one Muslim city, the other Muslims would defend their fellow believers (see Tabbakh 1408 AH, 1:344). From the time of the Crusaders’ arrival in the north of Levant in 490 AH until 521 AH, there were 103 military confrontations between them and the Muslims, averaging more than three battles per year. Of these battles, sixty-four were won by the Crusades, and Muslims emerged victorious only twenty-nine times. Ten battles ended without any victory for either side. During the Crusades in the north of Levant, the eastern, northern, and western settlements of Aleppo were captured, and the city of Aleppo was directly threatened twenty-five times, only six cases where the city was besieged.

During some of the sieges, such as those in 518 AH, the city was under siege by the Crusades for an extended period of time (Ibn al-Athir 1965, 10:610). As a result, the fertile lands of Aleppo, including Azaz and Atarib, were taken from the Muslims (Zakar 2007, 339), dealing a significant blow to Aleppo’s economy and livelihood. Historians note that the looting of Atarib led to the paralysis and weakening of Aleppo (Ibn al-‘Adim 1425 AH, 1:367).

In addition, the Crusaders’ attacks on the Turkmen and Kurdish tribes in Edessa, and the subsequent looting of their herds, cut off the food resources of the people of Aleppo (Ibn al-‘Adim 1425 AH, 1:414). Most of the Muslim victories during this time were led by the Turkmens and the Artuqids (see Sibti ibn ‘Ajami 1417 AH, 1:194), but the Artuqids failed to capitalize on these victories. On several occasions, this led them to pay the ransom and surrender some lands to the knights of Edessa and Antioch to ensure the safety of Aleppo, which in turn allowed the Crusaders to exert more pressure on the city (Ibn al-‘Adim 1425 AH, 1:363).

In 518 AH, the cooperation between Dubays and the Crusaders caused severe destruction to the city and its farms, leading to a famine in the following year (Ibn al-‘Adim 1425 AH, 1:422). Seeing how vulnerable Aleppo had become, people became

eager to welcome any strong Muslim ruler. In 508 AH, they welcomed Tukituki; in 512 AH, Ilqazi; in 518 AH, Aqsunqur al-Bursuqi (Halabi Ghazi 1419 AH, 3:76); and in 522 AH, Emad al-Din Zengi.

## 2.2. Social and Livelihood Threats

During Ridwan's reign in Aleppo, the people's livelihood was threatened due to his numerous clashes with Muslims and Crusaders, as well as civil unrest in Aleppo during and after his rule. Misconduct by rulers like Alp Arslan ibn Ridwan, coupled with the insecurity of trade routes and the looting of caravans during the Crusades, as well as the looting of villages and towns by Crusader and Muslim rulers, contributed to the threat. From 488 AH to 521 AH, fourteen famines, epidemics, and looting of farms reportedly occurred. On average, there was a famine, epidemic, or farm looting almost every two years. During this period, nine famines occurred, six of which were so severe that "at first they ate. . . dead animals but the severity of high prices and hunger in Aleppo made them eat the dead" (Ibn al-'Adim 1425 AH, 1:350, 352, 385, 414, 422; Ibn al-Qalanisi 1983, 338). Three outbreaks of the cholera epidemic caused many deaths. The number of famines and their severity from 517 AH to 520 AH intensified due to the looting of Balk ibn Bahram and the Turkmens in Aleppo. The famines, epidemics, wars, and earthquakes caused a decrease in the population of these regions. As a result, there were fewer people to defend the land against the looting of the Crusaders, and there was not enough labor force for agriculture. Each of these factors could have contributed to the intensification of famines in those years, as they did.

North Levant's population declined as a consequence of numerous massacres, diseases, and famines, leading to mass migration to other areas. The following miseries, which happened in 488, 490, 491, 493, 502, 503, 508, 511, 514, 517, 518, and 520 AH, have been reported in the sources: Destruction of the farms in Edessa by Ridwan's forces in 488 AH (Ibn al-Athir 1965, 10:247), famine in Antioch due to the long siege of the city by the Crusaders and then Kerbogha in 490 and 491 AH (Ibn al-'Adim 1425 AH, 1:350), a severe famine in Aleppo that led people to eat carcasses in 491 AH. This was caused by the looting of the Crusaders in the region and the civil and regional conflicts of the Muslim governments in the district (Ibn al-'Adim 1425 AH, 1:352). In 493 AH, Aleppo was hit by a severe famine that made it impossible to plant crops. This was followed by an outbreak of cholera that caused significant losses among the Arab populations, leading to the abandonment of the settlements. The cholera was caused by Banu Kilab and other Arab tribes grazing their livestock in the fields of Maarrat, Kafartab, Hama, Shaizar, Eljisir, and other cities (Ibn al-'Adim 1425, 1:356 and 357). In 502 AH, the siege of the city by Sokmen exacerbated hunger in Meyafarkin (Ibn al-Qalanisi 1983, 2:263). In 503 AH, as Tancred looted the area around Aleppo, killing farmers and capturing their families, the population declined in the city and a famine occurred (Ibn al-'Adim 1425 AH, 1:368).

Direct threats for families could be one of the reasons for the migration of people to other districts and population decline. In 493 AH, a large number of Muslims fled because of the attack by the Crusaders (Zakar 1995, 11:5170). In 508 AH, Ridwan sold the empty villages around Aleppo at a low price to appease the people and persuade them to stay in the city (Ibn al-‘Adim 1425 AH, 1:368). The head of Aleppo, Lowlow, also sold many villages around the city, spending the money to reinforce the city’s military (Ibn al-‘Adim 1425 AH, 1:378). The city suffered from famine, as in 511 AH (Ibn al-‘Adim 1425 AH, 1:385). In a situation where the Crusaders threatened trade routes, it was rather difficult to bring food from other areas. Moreover, cities such as Azaz and Atarib, which supplied food to Aleppo, were occupied by the Crusaders at the time, and as a result, Aleppo was deprived of its food suppliers.

In 514 AH, Jocelyn seized the grains, looted Muslim farmers, and set everything on fire between Nuqreh and Ahas, killing and capturing its people (Ibn al-‘Adim 1425 AH, 1:398). In 515 AH, the Crusaders once again burned the grains in western Aleppo. Along with looting the grains and burning agricultural products, they looted Turkmens and Kurdish tribes, usurping their cattle, and thus deprived Muslims of another source of food. In 517 AH, Jocelyn ransacked tens of thousands of Turkmens and Kurds, while Aleppo was already suffering from a severe famine caused by the Balk ibn Bahram’s attack (Ibn al-‘Adim 1425 AH, 1:414). With the further weakening of the Muslim governments in North Levant, especially Aleppo, the Crusaders’ plundering spread to Aleppo, as seen in 520 AH when Baldwin destroyed the fields of Aleppo around the Queiq River (Ibn al-‘Adim 1425 AH, 1:422).

### 2.3. Economic and Commercial Threats

Although the Crusaders arrived through Anatolia, marching from there toward Edessa and the north of Levant, their dependence on European troops, coupled with the threats posed by the Byzantines and Sultanate of Rum (Seljuks of Rome), made the sea a crucial element for them (Prawer 2013, 30). In 490 AH, Latakia ships full of merchant property were forayed by the Crusaders coming from Cyprus (Ibn al-‘Adim 1425 AH, 1:345). As a natural port of Aleppo, Latakia was the first target of the crusaders’ sea looting. With the capture of Edessa and Antioch and the crusaders’ advance toward the south of Aleppo, the city was besieged by land and deprived of its coasts and maritime trade.

Aleppo was never secure from constant looting as it lacked natural barriers, unlike Damascus. Following the Turkoman looting and the turbulent situation after Qasim al-Dawla, Aleppo suffered from prolonged and unexpected ransoms during the presence of the Crusaders. These ransoms added to the already existing issue of looting, as discussed in earlier sections. In 503 AH, when Tancred inflicted severe damage upon Aleppo, it was decided to pay a ransom of 20 000 dinars<sup>1</sup> and ten

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1. Ibn al-Athir mentions reports this as 32,000 dinars (Ibn al-Athir 1371 AH, 24:134).

horses annually (Ibn al-Qalanisi 1983, 2:273). In 506 AH, Roger Antioch also closed the route from Aleppo to Damascus, causing an increase in prices (Ibn al-Qalanisi, 1983, 2:292).

Initially, the presence of the Crusaders in the Levant meant the looting of trade caravans. They also weakened the economic strength of Muslim cities, particularly those on the coasts and in the north, by foraging the villages and towns and demanding ransom payments. In that period, many letters were sent to Muhammad I Tapar (son of Seljuq sultan Malik Shah), reporting incidents of Crusader raids and looting, for instance, in Atarib and its surrounding areas, as well as demanding ransoms from twos along the coast, such as Sidon. On the first Friday of the month of Sha'ban of 504 AH, however, some of the Hashemite nobles of Aleppo—often called Banu Zuhrah in Aleppo—as well as Sufis, jurists, and merchants visited the Caliphate of Baghdad for help (Ibn al-Qalanisi 1983, 2:277; Ibn al-Athir 1992, 24:135). Although, sources do not agree upon who led this group (Ibn al-'Adim 1425 AH, 1:368). In 492 AH, Judge Abu Saeed Herawi was reportedly the leader of a group that went to Baghdad for help. However, the presence of Hashemite nobles is mentioned in Ibn al-Qalanisi's text. Since Banu Khashab were in Aleppo in the first two decades of the sixth century, the likelihood of their presence in this travel is high. In any case, since the rulers of Aleppo and Damascus ruined the plan, the army sent by Sultan to the Levant failed in its mission. As this occurred, it was time to make reformations in Aleppo. At this point, merchants of Aleppo became semi-secret actors in the political affairs of Aleppo.

Although there is no clear evidence of merchants in the history of Islam, Ibn al-'Adim narrates a story that sheds light on the involvement of merchants in the political affairs of Aleppo. This account dates back to the year 505 AH, one year after the futile efforts of Hashemite nobles in Baghdad. In the month of Rabi' al-Awwal, a Khujandi merchant arrived in Aleppo with a caravan of 500 camels carrying various types of merchandise and quickly got into a conflict with the Isma'ilists of Aleppo (Ibn al-'Adim 1425 AH, 1:371).

The Nizari Isma'ilists, with whom Ridwan had been associated for some time, had friendly ties with the Crusaders. Proof of their favorable relationship could be seen in the assassination of Mawdud ibn Altuntash. Thus, their interests conflicted with those of the people of Aleppo. Consequently, the Khujandi merchant, also known as the "jurist," took swift action against the Nizari of Aleppo (Ibn al-'Adim, n.d., 8:3663). The closure of the trade route by the Crusaders resulted in significant loss for various ranks in the north of Levant, prompting people to cooperate with the Khujandi merchant (Ibn al-'Adim 1425 AH, 1:372). This illustrates the role of merchants and the Ahdath of Levant during periods of inefficient rulership in Aleppo. During this time, there was a convergence between Shiites and Sunnis due to this common threat.

### **Mukus Tax (Customs Duty)**

*Miks* literally means to reduce the price when purchasing something (Farahidi 1409 AH, 5:317; Azhari 1421 AH, 10:54; Ibn Sida 1421 AH, 6:733; Himayri 1420 AH, 9:6360). At first, this was a kind of tax in the period of Jahiliyya (the pre-Islamic period in Arabia) (Ibn Duraid 1988, 2:855; Ibn Sida 1421 AH, 6:732). This is why the discreditable that came after tithe was considered for Miks as well. Some dictionaries have translated it as *Jizya* and *Kharaj*, which was prevalent especially among the Arabs of Levant (Ibn Sida, n.d., 3:77 and 13:192). Al-Fayyumi states clearly that *Mukus* is what the sultan's associates take with force from the commoners while purchasing (Fayyumi 1414 AH, 577), which was "haram" (forbidden) from the jurisprudential point of view (Abu Habib 1408 AH, 338; Ibn al-Hanbal 1421 AH, 28:526; Darimi 1412 AH, 2:1036).

*Mukus* was necessary for the liquidity deficit of Levant rulers (see Heidemann 2003, 203). Although this tax was not legally permissible, the Ulama during the Bedouin invasion, both Arab and Turks, were not powerful enough to prevent this collection. Functionally, *Mukus* was a barrier to trade. The abolition of this tax could boost trade and the prosperity of cities, and governments could benefit from other city taxes. Therefore, *Mukus* itself is an element to understand the condition of business. When a foolish or tyrannical ruler ruled in the Levant, the tax would be laid and increased. People like Alp Arslan al-Akhras or the governors of the Crusaders were among those who enforced *Mukus*, which damaged the trading system, leading merchants to be politically involved against these rulers (usually Muslims) and against the Crusaders when they laid *Mukus* (see Ibn al-'Adim 1425 AH, 1:374). One way to deal with this situation was to seek help from Shiite scholars. Shiite Judges, who invited people such as Ilqazi ibn Artuk and Aqsunqur al-Bursuqi to Aleppo, used their influence to cancel or reduce *Mukus*. This reveals that the *Mukus* tax was one aspect of the convergence of Shiite judges and merchants.

### **3. Judges in the Struggle**

The judiciary was responsible for settling legal matters in society, which required them to interact with the people. From a religious point of view, the people's reference to the Ulama granted them legitimacy. It is important to note that although a judge's authority stemmed from Sharia law and their acceptance by the local community, they were ultimately appointed by the Sultan. Despite this fact, judges and religious leaders often acted as representatives of the people because of the significant influence on the Sultan or the rulers. In addition, "judges" and "scholars" generally served as spokespersons for the people and acted on their behalf (Kluzner 2010, 35). In Aleppo, the judge was accompanied by a person labeled as the "chief" who interacted with the judge to promote common interests. They would divide the city into two sections (Cahen 1410 AH, 114).

The judge was required to belong to the same religion that he would base his jurisdiction on (Cahen 1410 AH, 112). However, in Aleppo, even during the reign of Sayf al-Dawla al-Hamdani (a Shiite ruler), the Hanafi judge Ahmad ibn Ishaq al-Halabi, known as Jard, was appointed as the judge (Ibn al-‘Adim 1425 AH, 2:128). The Banu Khashab family also judged (Ibn al-‘Adim 1425 AH, 2:158). In a city as diverse as Aleppo, with both Shiite and Sunni populations, judges from both sects were appointed, such as the Shiite family of Banu Khashab and the Sunni Abi Jerada. This is how a generation of judges emerged, who were wealthy and had direct contact with both the government and the people. This meant that sometimes the government could not challenge the judge’s authority (Cahen 1410 AH, 114). Furthermore, the judges’ spiritual, social, and economic influence led them to form alliances with rulers through marriage, no matter what religion or sect they belonged to (see Ibn al-‘Adim 1425 AH, 2:318).

The city of Aleppo faced multiple threats from three different aspects, namely political, livelihood, and economic. This required both Shiite and Sunni judges in Aleppo to protect the city in times of turmoil and occasionally in the absence of a ruler. However, all three of these threats were eliminated when there was a stable political power. Therefore, the first and foremost responsibility of the judges was to ensure that the governors around Aleppo had control over the city.

### 3.1. Political and Safety Activities

After Abi al-Hasan Ibn Khashab, who served as the judge during the reign of Qasim al-Dawla Aq Sunqur, the name of Abu l-Fadl ibn Khashab appears as the first member of the Khashab mentioned in *Zubdat al-Halab* (Ibn al-‘Adim 1425 AH, 2:387). Abu l-Fadl ibn Khashab’s involvement is particularly evident in two instances. Firstly, in 511 AH, he invited Ilqazi to provide support for Aleppo, and secondly, in 518 AH, he appealed to Aqsanghar Barsaqi at the time when riots in Aleppo had reached their peak.

One action attributed to him in the sources is closely tied to preserving the integrity, order, and safety of the city. Ibn al-‘Adim points out that although it would have been straightforward for a foreign ruler to annex Aleppo, the Muslim rulers did not show any interest in such a move. Since the city was facing significant economic challenges, any ruler who aimed to improve its condition and provide protection must have had sufficient resources to invest in military forces (Ibn al-‘Adim, n.d., 4:1964).

In order to support Aleppo, two options were available: the Artuqid of the northern Levant or the Mosul rulers. Since the Artuqid were closer to Aleppo, they were considered by judges as the better choice.

In 511 AH, Ibn Khashab dispatched elders from Aleppo to Najm al-Din Ilqazi, a Sunni commander in Mardin, inviting him to take control of Aleppo and assist them. The situation in Aleppo was so critical at that time that Ilqazi refused the request and preferred to return to Mardin, but Ibn Khashab and other dignitaries persuaded

him to stay and help the city (Ibn al-‘Adim 1425 AH, 2:387). Ilqazi could improve the economic situation in Aleppo to some extent and relied on Turkmen forces to fight against the Crusaders. Ilqazi and the Turkmen army proved their effectiveness in the battle of Sarmada. Ibn al-‘Adim’s account, along with the effectiveness of the Turkmen army, highlights the role of the Shiite judge in the war against the Crusaders (Ibn al-‘Adim 1425 AH, 2:389).

It is not a common occurrence in Islamic history to witness a Shiite jurist bolstering the resolve of the Turkish Sunni army in the domain of jihad, but this was exemplified in the “Sarmada” battle, which marked one of the first Muslim victories over the Crusaders. The historian of Damascus, Ibn al-Qalanisi, extolled this victory (Ibn al-Qalanisi 1983, 2:320), and were it not for the spirit of unity and solidarity between the Sunnis and the Twelver Shiites, such a victory would not have been possible (Shengeeti 2016, 164).

Despite this victory, Ilqazi did not stay in Aleppo for long and his successors did not prioritize the city’s well-being. At this time, the Crusades inflicted more damage upon the city, as there was no ruler to negotiate ransom with them. This was worsened by periodic famines that plagued the city. It was in this time that Abu l-Fadl ibn Khashab, a Twelver Shiite judge, emerged. Under his leadership, the city’s chiefs were Ibrahim al-Furat, Maki ibn Gharnas, and Salman ibn Abderrazak al-Ajlani al-Balsi. It is only in 518 AH, amidst war and turmoil following Ilqazi’s departure and during Dubays’ siege of the city, that Ibn Khashab’s name appears as a chief (Ibn al-‘Adim 1425 AH, 2:421). However, the author believes that his role was temporary and did not include the headship of Ahdath. Moreover, there is no mention of Fazāil ibn Sai‘d ibn Badi‘ being dismissed from his position as the head of Ahdath during this time. Probably, Ahdath had been separated from the governor of Aleppo for a while, and thus the judge assumed the role of chief. Other chiefs led Aleppo between 518 and 570 AH, Aleppo had other chiefs. Shengeeti and others believe that there were two Ahdath groups in Aleppo: a Sunni group led by Ibn Badi‘ and a Shiite group led by Ibn Khashab (Shengeeti 2016, 161). However, it is unclear which sect Ibn Badi‘ followed according to Ibn al-Qalanisi’s history of Damascus (Ibn al-Qalanisi 1983, 2:302).

Once again, in 518 AH, Abu l-Fadl ibn Khashab involved in political and military activities. In this year, Baldwin II, accompanied by several Muslims led by Dubays ibn Sadaka, besieged Aleppo. As mentioned in the section on famine, Aleppo found itself in a dire situation (Ibn al-‘Adim 1425 AH, 2:421). At this time, the Shiite judge extended an invitation to the Sunni Turkish ruler of Mosul, Aq Sanghar Barsaqi, to take control of Aleppo, while also seeking cooperation the Sunni and Shiite judges of Aleppo in this diplomatic endeavor. Aleppo’s ambassadors in this diplomatic mission were the Sunni Abu Ghanim Muhammad ibn Hibatullah ibn Abi Jarada and the Shiite Naqib Abu Abdullah ibn al-Jali (Ibn al-‘Adim 1425 AH, 2:422). They initially

traveled to Mardin with Tamratash ibn Ilqazi, but when he realized the poverty of Aleppo, he refused to offer assistance (Ibn al-‘Adim 1425 AH, 2:422). The crucial aspect of this diplomatic mission was the Crusaders’ acknowledgement of the role of judges in political affairs. During one of these journeys, news of the departure of Aleppo’s ambassadors reached the Crusaders who apprehended and interrogated and some of them: “Where is your judge? And where are your noble ones??” (Ibn al-‘Adim 1425 AH, 2:422). For Europeans residing near Aleppo at the time, the judges’ position was evident.

Disappointed with Tamratash, the judge and the Naqib of Aleppo left for Mosul. Aq Sanghar Barsaqi was bedridden at that time but was fortunate enough to recover a few days later, heading towards Aleppo (Ibn al-‘Adim 1425 AH, 2:423). When he approached the city, the Crusaders retreated (Ibn al-Qalanisi 1983, 2: 338). Following their escape, Judge Ibn Khashab incited Aq Sanghar to pursue the enemy, but due to the unstable situation in Aleppo, Aq Sanghar rejected the judge’s opinion (Ibn al-‘Adim 1425 AH, 2:424). Aq Sanghar entered Aleppo more easily than Ilqazi and brought an end to unrests.

Since Ridwan’s reign from 488 to 522 AH, Aleppo faced frequent turmoil, leading to a reliance on smaller rulers to maintain stability. In these insecure circumstances, anyone capable of defending against the Crusaders was deemed legitimate by the people. Thus, when Emad al-Din arrived in Aleppo, he was welcomed with open arms. Emad al-Din appointed Amir Aswar, one of his trusted rulers, as the emir of the city. In 526 AH, the King of Jerusalem launched an attack on Aleppo, and Amir Aswar led the defense. Though initially defeated, he eventually won over the Crusaders (Ibn al-Athir 1992, 25:185). According to Ibn al-‘Adim’s account, Judge Aba Ya’li ibn al-Khashab was killed in a battle between Muslims and the Crusaders. Since the judges of Banu Khashab in Aleppo were predominantly Shiites, this person was most likely a Shiite as well. His presence on the battlefield shows that during the stable period of Zengid, both Shiite judges and Sunni commanders continued to resist the crusaders (Ibn al-‘Adim 1425 AH, 2:446).

### **3.2. Livelihood-Commercial Activities**

When the Shiite judge of Aleppo, Abu l-Fadl ibn Khashab, invited Ilqazi ibn Artuk to rule over Aleppo, the issue of Mukus tax was resolved. Ilqazi treated the people of Aleppo kindly and was lenient with tax collection (Ibn al-Qalanisi 1983, 2:322; Ibn al-‘Adim 1425 AH, 1:403). Since Ibn Khashab played an important role in inviting Ilqazi to Aleppo, it can be inferred that his tolerance towards tax collection could have been a result of his request. Similarly, Aq Sanghar Barsaqi, who also came to Aleppo upon Ibn Khashab’s invitation, showed great interest in trade.

Among other things, the people of Aleppo demanded an end to the oppressive Mukus tax. According to fiqh, this tax was deemed “Haram” or forbidden, and its

negative impact was widely recognized. The sources regarded the Mukus tax as a form of oppression, and anyone who abolished it was considered just. For this reason, when Ibn al-‘Adim recounts Barsaqi’s abolition of this tax, he writes, “He eliminated injustice and Mukus, and established comprehensive justice, bestowing complete benevolence upon the people.” Ibn Khashab played an important role in inviting Barsaqi to Aleppo and accompanied him in the battles. Barsaqi’s invitation to Aleppo had positive consequences for the merchants. Therefore, a relationship can be found between the activist (Shiite judge) and the result (heeding the needs of the merchants) (Ibn al-Qalanisi 1983, 2:338), as the action of the Shiite judge served the interests of the merchants. It can be concluded that there was a relationship between the judge and the merchants, although sources are silent on this. Nur al-Din Mahmud Zengi had a great relationship with scholars and Sufis in 551 AH, and abolished all the tithe and coefficients of his lands because they were forbidden and unjust. These abolished taxes were worth 150,000 dinars (Ibn al-‘Adim 1425 AH, 2:485). However, as Stephen Heidemann points out, this led to an increase in trade during the Zangian and Ayubian periods (Heidemann 2003, 211)

## Conclusion

With the arrival of the Crusaders and the expansion of their territory, Aleppo was besieged by European forces. The Crusaders frequently looted Aleppo and its suburbs, which resulted in famine and epidemics in the northern Levant region. The threats to the trade routes and the collection of the Mukus tax put the trade in the North of Levant in a tight spot. The absence of a mighty political ruler after Ridwan and the inefficiency of his successors also left Aleppo vulnerable to destruction. Under these circumstances, the political actions of the judges of Aleppo helped the city remain under Muslim control until the arrival of Emad al-Din Zengi. A judge’s spiritual and social influence enabled Judge Abu l-Fadl ibn Khashab to provide security for the city during the political gap in Aleppo and the escalation of threats from the Crusaders by asking the Sunnis of Mardin and Mosul for help. The role of Aleppo judges in this period can be summarized in three aspects: (1) They were involved in convincing the surrounding rulers to take Aleppo in hand, (2) and creating motivation and a jihadist spirit to defeat the Crusaders, and (3) trying to secure the Jazira’s trade route to Aleppo and reduce or abolish the Mukus tax to improve the business condition in the north. The critical circumstances between 511 and 521 AH led to involvement of the Shiite judges in political and military affairs. After these years, powerful dynasties such as the Zengid, Ayyubid, and Mamluks had an obligation to defend the Islamic cities, and so, there was no political gap for scholars and judges to fill. The all-out threat to Aleppo at this time was also a factor in the unification of Shiites and Sunnis at this point in history.

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