

The Status of Monks in Egypt  
under Early Mamlūk Rule:  
The Case of Ibn Taymiyya  
(With an Annotated Translation of  
Ibn Taymiyya’s *Fatwā* on  
the Status of Monks)

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Abstract

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The article examines relations between Christian monastics (firstly Copts and then Franciscans) and Muslims in Egypt during the Mamlūk period (c. 13–14<sup>th</sup> centuries), concentrating in particular on the controverted and changing status of monastics according to various Islamic legal sources. The questions debated by jurists were especially economic: the taxation of monastics, the ability of Christians generally to set up endowments for broadly social-charitable but not explicitly religious purposes, and the Christian use of lands conquered by Muslims. These questions grew more complex with the arrival of Franciscan mendicants, whose pattern of life did not follow the more stable and residential forms of monastic life common in Coptic practice. Ibn Taymiyya’s *Fatwā* on monks is analyzed closely, aided by the author’s translation of the same at the end of the article, to shed light on why relatively wealthy Christian endowments were, from 1354 onward, widely confiscated.



Many historians see the early Mamlūk period as a decisive shift in the history of the Islamization of Egypt. On several distinct occasions, Christians employed in prominent government positions were pressured to convert and many churches were shuttered or destroyed. This paper will focus on the legal status of Coptic monks under Mamlūk rule in the late thirteenth and early fourteenth centuries. The famous *fatwā* of Ibn Taymiyya on the status of monks is but one example of the ways Muslim jurists reconsidered the legal status of Christians in a period when social and economic pressures to convert to Islam increased dramatically. The complaint of the *fatwā*'s questioner and Ibn Taymiyya's response prompt us to revisit the realities of monastic life in the period. Did Coptic monks tend to live in reclusive, hermitic settings, or were they habitually mixing among the people as the questioner accuses? In connection with this, had the presence of Franciscan friars in Egypt, a form of vowed religious life new to the area, at all affected the debate among jurists about the nature of being a *rāhib*, or monk? This paper will provide a critical analysis of Ibn Taymiyya's *fatwā* in the context of jurists' debates on the issues raised by Christian monasticism and the realities of monastic life in the period.

The two key concepts pertaining to jurists' rulings on monks as individuals or on monastic communities, particularly Ibn Taymiyya's *fatwā*, are *waqf* and *jizya*. Regarding the former, a *waqf*, sometimes also called a *ḥabs* or *ḥubs*, is a charitable trust, an act of ongoing charity. A person, with the intention of committing a pious deed, declares part of his or her property unalienable and designates persons or public utilities as beneficiaries of its yields.<sup>1</sup> In principle, non-Muslims can and did found *waqfs*, but the purpose of the *waqf* must be lawful.<sup>2</sup> Therefore, Christians could not establish a trust for the building and maintenance of churches or monasteries, but *waqfs* established in favor of churches and monasteries for specific functions unrelated to *dhimmī* worship, like offering

<sup>1</sup> R. Peters, "Wakf," in *Encyclopedia of Islam. 2<sup>nd</sup> Edition* (hereafter *EI2*); Amy Singer, *Charity in Islamic Societies* (Cambridge: Cambridge University Press, 2008), 90–113.

<sup>2</sup> Peters, "Wakf," *EI2*.

hospitality to the poor or to travelers, could be valid.<sup>3</sup> The issue arises in Ibn Taymiyya's *fatwā* when he implicitly rejects the possibility of Christians establishing pious endowments on land conquered by force. A generation later, Mamlūk rulers surveyed Egypt and confiscated all Coptic *waqfs* in 1354.<sup>4</sup>

Many modern scholarly debates concerning the status of Christians under Islamic law relate to the taxes non-Muslims had to pay to their Muslim rulers. To understand Ibn Taymiyya's position, one must briefly examine the history of this taxation. In Egypt, the taxation system united payments in kind, generally levying upon all residents a *kharāj*, or land tax, of one dinar per *faddān* and upon non-Muslims a *jizya*, or poll tax, of two dinars per head.<sup>5</sup> The *jizya*, however, was not

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<sup>3</sup> Peters, "Waqf," *EI2*. Christians frequently used legal stratagems, sometimes thinly-veiled, to avoid the reality that their *waqfs* often were established to provide for their churches and monasteries. For example, commenting on the Mamlūk seizure of Christian lands in 1354, Yaacov Lev writes, "Nonetheless, the practice of creating pious endowments for religious and social aims and for the support of churches, monks, and feeding the poor continued in the Christian communities of the Middle East well into the modern period." Yaacov Lev, *Charity, Endowments, and Charitable Institutions in Medieval Islam* (Gainesville: University Press of Florida, 2005), 66–7; Singer, *Charity*, 99.

<sup>4</sup> The Mamlūk chronicler al-Maqrīzī describes this seizure of the Coptic *waqfs*; for a contemporary description, see Shaun O'Sullivan, "Coptic Conversion and Islamization of Egypt," *Mamlūk Studies Review* 10 (2006): 66; M. Perlmann, "Notes on Anti-Christian Propaganda in the Mamlūk Empire," *Bulletin of the School of Oriental and African Studies* 10 (1942): 855.

<sup>5</sup> In practice, *jizya* refers simply to the tax paid by free non-Muslim subjects of an Islamic government. In its root meaning, it refers to the compensation for the protection afforded. M.A. Muhibbu-Din, "Ahl Al-Kitab and Religious Minorities in the Islamic State: Historical Context and Contemporary Challenges," *Journal of Muslim Minority Affairs* 20 (April 2000): 119–21; Edward William Lane and Stanley Lane-Poole, *An Arabic-English Lexicon* (New York: F. Ungar Pub. Co., 1955), Book I, 422. By the 'Abbāsīd period, legal texts show a clear theoretical distinction between *kharāj* and *jizya*, but scholars debate precisely when and where this distinction developed. Claude Cahen and others observe that in both law and fact, the distinction was not universally employed in the first century after the conquest. Claude Cahen, "Djizya," *EI2*. Daniel Clement Dennett presents a strong case that, at least in the Egyptian context, the distinction was always present. He notes that in some cases each word is used in a more general sense, simply to mean "tax," but that context always makes it clear whether the author employs *kharāj* or