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## CONTENTS

“Muslims” and “Islam” in Middle Eastern Literature of the Seventh and Eighth Centuries AD: An Alternative perspective of West European oriental scholarship.....	1
MARCIN GRODZKI	
Zionist Restitution of the Ugly Jew’s Image: The Case of Theodor Herzl.....	17
ARTUR KAMCZYCKI	
Aśoka, the Buddhist <i>Samgha</i> and the Graeco-Roman World.....	35
KLAUS KARTTUNEN	
Christians in the Qur’ān: Some insights derived from the classical exegetic approach.....	41
HAGGAI MAZUZ	
One More Time on the Arabized Nominal Form <i>Iblīs</i> .....	55
JUAN PEDRO MONFERRER-SALA	
Describing the Ruin: Writings of Arabic notaries in the last period of al-Andalus .....	71
MARÍA DOLORES RODRÍGUEZ GÓMEZ	
Larger than Life: Prayer during wartime in Islamic law.....	103
NESYA RUBINSTEIN-SHEMER	
Using Feudalism for Political Criticism and for Promoting Systemic Change in China .....	127
TARU SALMENKARI	
Weapons of the Storm God in Ancient Near Eastern and Biblical Traditions .....	147
JOANNA TÖYRÄÄNVUORI	
Book Reviews.....	181

# DESCRIBING THE RUIN: WRITINGS OF ARABIC NOTARIES IN THE LAST PERIOD OF AL-ANDALUS

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## ABSTRACT

This article analyses a series of Arab notarial documents from the fifteenth century, with the aim of studying the damage and defects that were observed in some buildings in the city of Granada and making an inventory of them.<sup>1</sup> The material comes from the main archives of Granada (the Archives of the University of Granada, the Archives of the Cathedral of Granada, the Municipal Historical Archives of Granada, etc.). The majority of these manuscripts are written in Arabic, and some still remain unpublished. The damages were primarily caused by disrepair or even a total lack of drainage system, overlapping construction of outbuildings, visual intrusion, smoke, or proximity to sources of pollution (e.g. baths, stables, bakeries, latrines). In most cases, they resulted in buildings falling into a state of complete ruin. This research provides new information that could be taken into account in future studies of Islamic architecture and urbanism, and it is a clear example of notarial Andalusí practice in the fifteenth century, especially with regard to the use of very specific language in their records.

## RESUMEN

Este artículo analiza una serie de documentos notariales árabes del siglo xv con objeto de estudiar los daños y desperfectos observados en algunos edificios de la ciudad de Granada e inventariarlos. El material procede de los principales archivos de Granada (Universidad, Catedral, Archivo Histórico Municipal, etc.). La mayoría de estos manuscritos está escrita en árabe, y algunos aún permanecen

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<sup>1</sup> This work comprises part of the objectives of the Research Project “Teoría y práctica notariales en la Granada nazarí y mudéjar a través de los documentos arábigo-granadinos” (FFI2009-09897/FILO). I really appreciate the anonymous reviewers for their excellent reviews of my article.

inéditos. Los daños estaban provocados principalmente por el deterioro en el sistema de evacuación de aguas o su ausencia, edificaciones superpuestas, intrusión visual, humos, proximidad con fuentes de polución (baños, establos, hornos, letrinas) y, en la mayoría de los casos, se observan edificios en un completo estado de ruina. Esta información proporciona nuevos elementos que podrían ser tenidos en cuenta en futuros estudios sobre la arquitectura y urbanismo islámicos, y es un claro ejemplo de la práctica notarial andalusí en el siglo XV, en relación con el uso de un lenguaje muy específico en su redacción.

## 1. INTRODUCTION

In María del Carmen Villanueva's introduction to her edition of the list of *hubus* of Granada in 1527, she describes the state of the city at that time:

el aspecto que presentaba Granada en algunos barrios debía ser desolador. En el presente libro se nos habla con frecuencia de mezquitas y rábitas derribadas amén de casas en el mismo estado o vueltas a reedificar.<sup>2</sup>

But this state of deterioration was seen just a few years after the conquest of Granada, when the city began to undergo a process of transformation and settlement by people accustomed to living in larger accommodations than was the custom for the previous Muslim inhabitants.<sup>3</sup> Thus, the list of *hubus* of the mosques in the capital in the year 1505 mentions a number of buildings (e.g. houses, bathrooms, stables, hen houses, *ribatāt*, mosques, *ġuraf*, and *maṣārī*) in ruins (*Habices* 1961: 27, 73–74, 78, 105, 116–119, 132–133, 136, 138–141, 143, 147, 156, 158, 160, 179, 207, 213–214, 221–222), not to mention those that were “vacant and without doors” (i.e. abandoned), a situation that undoubtedly had a negative impact on their state of preservation.

In some recently edited and translated Arabic notarial documents that discuss contractual operations carried out during the fifteenth century on town properties in Granada (Rodríguez Gómez 2007; 2008; Rodríguez Gómez & Domínguez Rojas 2008), we can find details of the damage and deterioration of these buildings, with a set of particular expressions used to describe them.<sup>4</sup> Some of these expres-

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2 ‘certain neighbourhoods in Granada were in a desolate state. In this book we are told frequently that mosques and synagogues, in addition to houses, were in a state of ruin or needed rebuilding’. (*Casas* 1966: 2)

3 On this process of adaptation that finished by the destruction of many houses, the testimony of Hieronymus Münzer is very illustrative (Feldkirch, Austria, 1437 or 1447; Nüremberg, Germany, 1508). He visited the city two years after it fell to the Christians (Münzer 1987: 48).

4 There is the possibility that these phrases were characteristic of the trade of builders, by means of whom they would be incorporated to the notarial language. In Tunisia in the 14th

sions are very specific to these documents and are not encountered elsewhere in any of the variety of sources consulted or in any of the different dictionaries or glossaries used, not even those of that specific period,<sup>5</sup> at times making their exact meanings very difficult to define.<sup>6</sup> Translations into old Spanish (“Romance”) of documents that were made shortly after the Christian conquest are an invaluable reference for understanding some expressions, but they do not contain all of these references. Because of the lack of a Granadian-Andalusi Arabic dictionary, the study of these translated documents, many of which lie unpublished in the archives, will undoubtedly be of great value when seeking to clarify the meaning of these expressions, which provide significant information about the subject presented here.

Actually these materials may be described as *rara avis*, due to the rarity of their preservation (perhaps also because of the rarity of their production), even more so in the Islamic West. Jean-Pierre Van Staëvel (2008: 5) said as much when he wrote:

Or, les sociétés urbaines de l’Occident musulman médiéval nous ont laissé peu de témoignages écrits à même de nous renseigner sur une certaine réalité matérielle et symbolique concernant l’habitat et l’habiter. Les documents d’archives sont en effet quasiment inexistantes ; les sources spécifiques disponibles ailleurs – on pense notamment à celles, nombreuses, qu’a pu mettre à profit Jean-Claude Garcin pour dresser, de l’histoire urbaine du Caire, un tableau si riche – sont quasi inexistantes pour les villes de l’Occident musulman.<sup>7</sup>

The aim of this paper is to shed light on the damage that beset the buildings of Granada during the fifteenth century, using information contained in a selection of Arabic notarial documents produced at that time and *romanceados* documents (translated into Romance language) produced in the sixteenth century, which

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century, an emblematic case of a master builder giving legal advice is known. This is Ibn al-Rāmī (d. 734/1334), who wrote the *Kitāb al-ʿIlān bi-ahkām al-bunyān*, a work on legislation with regard to construction. He was consulted as an expert in the matter by the judge Ibn ‘Abd al-Raffī (d. 733/1333). In preparation of his work, he relied on the *Kitāb al-Qaḍā’* by the Andalusi Ibn al-Imām al-Ṭuḥfī (d. 386/996). On these personages, Van Staëvel’s recent publication in 2008 of the *Kitāb al-Qaḍā’* is very valuable. While it includes an extensive and updated bibliography, however, we did not find any of the expressions in these *kutub al-bunyān*.

5 The lexicons and dictionaries consulted are: the *Glossarium Latino-Arabicum* (late 12th century); the vocabulary attributed to Martí (d. after 1286), *Vocabulista in arabico*; de Alcalá, who published in 1505 his *Vocabulista arauigo en letra castellana* and *Arte para ligera mente saber la lengua arauiga*; de Guadix (who lived in 1593), *Diccionario de arabismos*; González (c.1665–c.1735), *Interprete arabico*; Ibn Manzūr (1232–1311?), *Lisān al-ʿArab*; Dozy, *Suppléments*; Lane, *An Arabic-English Lexicon*; Corriente, *A Dictionary of Andalusi Arabic*; Corriente, *Diccionario de arabismos*.

6 A situation of linguistic tension between daily colloquialisms and upper-class language created what is called “average Arabic”, according to María Jesús Viguera (1982: 77), as revealed in the case of the Mudejar documents.

7 In n. 13, the author gives an interesting bibliography on the exceptional nature of the archive documents.

refer to events of the previous century.<sup>8</sup> Undoubtedly, the collected data will lead to more in-depth studies on architectural and city planning issues, which exceed the scope of this work.

It is noteworthy that the collections of notarial documents contain a significantly higher number of records of rural properties compared to urban properties. Coupled with the overall scarcity of preserved documents, this has inevitably led to a limited selection. Hence the information collected should not be used to make general conclusions about the urban landscape of Granada – much less be taken by itself – without considering other, mainly archaeological, sources.

Also noteworthy is the considerable quantity of data retained in the Arab notarial documents relating to damages and easements in buildings known as *maṣārī*, a type of *ḡurfa* or upstairs room that is independent from the lower level.<sup>9</sup> Nevertheless, I think this is more of a coincidence than an actual proclivity of these types of buildings to suffer damage. The truth is that the construction of a second story involved a series of relationships of mutual dependency between those living upstairs and those below, and these could generate quite a few disputes, particularly with regard to damage to the foundation, roof, gutters, privacy, and so on.

Arab notarial contract documents do not typically offer a wealth of descriptive information about properties. Information is oversimplified and subject to preset legal formulas, highlighting only what is necessary for the legal act in question. With regard to the architectural data and city planning of buildings, the documents provide information about the deterioration of properties;<sup>10</sup> this had to be included in deeds of sale so that both the buyer and seller were informed before any formal acceptance was made. Thus, the Granadian lawyer Ibn Salmūn (d. 767/1366), the author of a notarial form closest to the time period of the documents under consideration, presents in his work *K. al-ʿIqd al-munazzam li-l-ḥukkām* a model sales contract for properties with a roof (*ribāʿ*) with obvious existing (*zābir*) or hidden (*ḥafī*) damage.<sup>11</sup> In addition to this sales protocol,

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8 It has been exhaustively analyzed from the old collection of the Archives of the Library of the University of Granada (BUG), described by Seco de Lucena Paredes 1970 and Zomeño 2001; the Archives of the Cathedral of Granada (ACG), described by Molina López 1993; and the Historical Municipal Archives of Granada (AHMG), in which all buildings with some damage have been selected. In addition, we include some documents from other different archives, selected in studies that use the source mentioned above.

9 In order to have a global idea of these constructions with independent access to the street via stairs, it is essential to consult the works of Torres Balbás (1950); Navarro Palazón & Jiménez Castillo (1996); Garcin (1997); Rodríguez Gómez (2010).

10 Brunschvig (1976: 10) showed the lack of theory of *fiqh* with regard to easements.

11 Ibn Salmūn, *K. al-ʿIqd al-munazzam* (partial transl. by Cano Ávila 1988). The vices appear in the section of the form that Pedro Cano Ávila defines as knowledge and acceptance of the item purchased (334). On p. 348, n. 77, he offers an extensive bibliography of Mālikī studies and others

damages and easements had to be specified in the property exchange contract, as well as in any other document that would involve a transfer of ownership. If this was not written down, contractual litigation could arise over the redhibitory defects (*‘ayb*, pl. *‘uyūb*) in order to determine the extent of damages and identify the parties responsible for addressing them. For this, the Muslim judges consulted a magisterium of experts (*ahl al-baṣar wa-l-ma’rifa* or “case experts”, according to the notarial forms), who visited the buildings and recorded their expert testimonies in writing as advice on rulings.

With regard to chronology and the timeframe defined here, the operations were conducted throughout the fifteenth century, with the oldest writings dating from 15 Ramaḍān 842/1 March 1439 and the most recent signed 14 Ša’bān 904/19 March 1499. Most of the writings were written in the second half of the fifteenth century. This timing is very interesting because it coincides with the transition between two different societies: the decline of Islamic Granada and the early years of the emergence of Christian Granada. The transition from a Nasrid to a Mudejar population, with the complexity posed by the coexistence of groups dominated by Christians and others by collaborators, reflects significant potential in the data from such sources.

The damages that beset these buildings are mainly related to the structures themselves, described as “buildings in ruin” (*ḥirba*, *ḥirba mutahaddima*) that require “repair and renovation” (*li-l-ḥall wa-l-binā’*) from the foundation up (*wa-l-iqāma min al-aṣl*). Many of these buildings were in very bad shape (they appear in the list of buildings detailed below: see nos 1, 3, 4, 6, 7, 9, 12, 13, 14, 15, 16, 17, and 18).

Whether they were in a state of ruin or not, several cases had evidence of other defects, mainly poor drainage, both inside and out, including a lack of nearby sewer pipes, drainage ditches or cesspools to collect wastewater (nos 2, 3, 4, 5, 6, 7, 8, 9, 13, 15). Other damage occurred in properties shared by neighbours, such as dividing walls and latrines (nos 3, 9, 11); this led to lawsuits for lack of maintenance, intentional damage, making repairs or modifications without the neighbours’ permission, and so on. Additionally, damage was caused by pollution from other buildings. In particular for bathrooms (no. 13), there were problems of smoke, humidity, and even noisy bathers; latrines (nos 5, 15) obviously had bad odours, in addition to, for example, dampness and unsanitary condition; stables (nos 3, 10) also had bad odours, as well as vibration and damage to walls possibly caused by animals; and extra constructions at homes (no. 14) were cited for noise and the possibility of inducing landslides on neighbouring farms.

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that deal with these architectural and urban vices.

On the other hand, in addition to the damage of the above establishments (which were particularly prone to cause damage to neighbouring buildings), the notarial records analysed damage caused by adjacent buildings, such as those caused by visual intrusion (nos 5, 13), smoke (no. 5), and construction over another's property, such as rooms (no. 14), a *sābāt* (an elevated passage that connects buildings on both sides of the street) (no. 9), and possibly one more, which is difficult to define because of the poor condition of the document and the poor handwriting of the notary (no. 11). Finally, insect pests like bedbugs (nos 13, 14) were also considered, as infestations were evidence of the deteriorating state of a building.

## 2. BUILDINGS OF GRANADA WITH DAMAGE: IDENTIFICATION AND ANALYSIS

A fundamental contribution and important part of this work, included below, is the detailed inventory of buildings. These are studied in chronological order, since in some cases the same farms appear in documents with different dates, allowing us to observe the progression of damages. Also noted is the location of each building within the city and neighbourhood and, obviously, the damages described in the writings.<sup>12</sup>

1. House in ruins (*ḥirbat al-dār*)<sup>13</sup> located in al-Rawḍa (la Rauda) neighbourhood, on the edge of al-Bayyāzīn (the Albaicín).<sup>14</sup> The Albaicín was one of the highest and most important walled districts of Granada, located on very steep terrain. Regarding this district, see Seco de Lucena Paredes (1975: 149–150). Its population was mainly devoted to farming and livestock, as is documented in the anonymous chronicle written c.1540 (*Nubḍat al-‘aṣr* 1940: 16 edn, 19 transl.).

This is a simple sales document (*bay‘*) in both structure and content, written on 15 Ramaḍān 842/1 March 1439. The building was adjacent to a trash heap belonging to an unknown person (*masqaṭ li-l-ḡayr*). To the north was an alley (*zuqāq*), to the east was a cemetery (*al-maqbara*),<sup>15</sup> and to the west was something

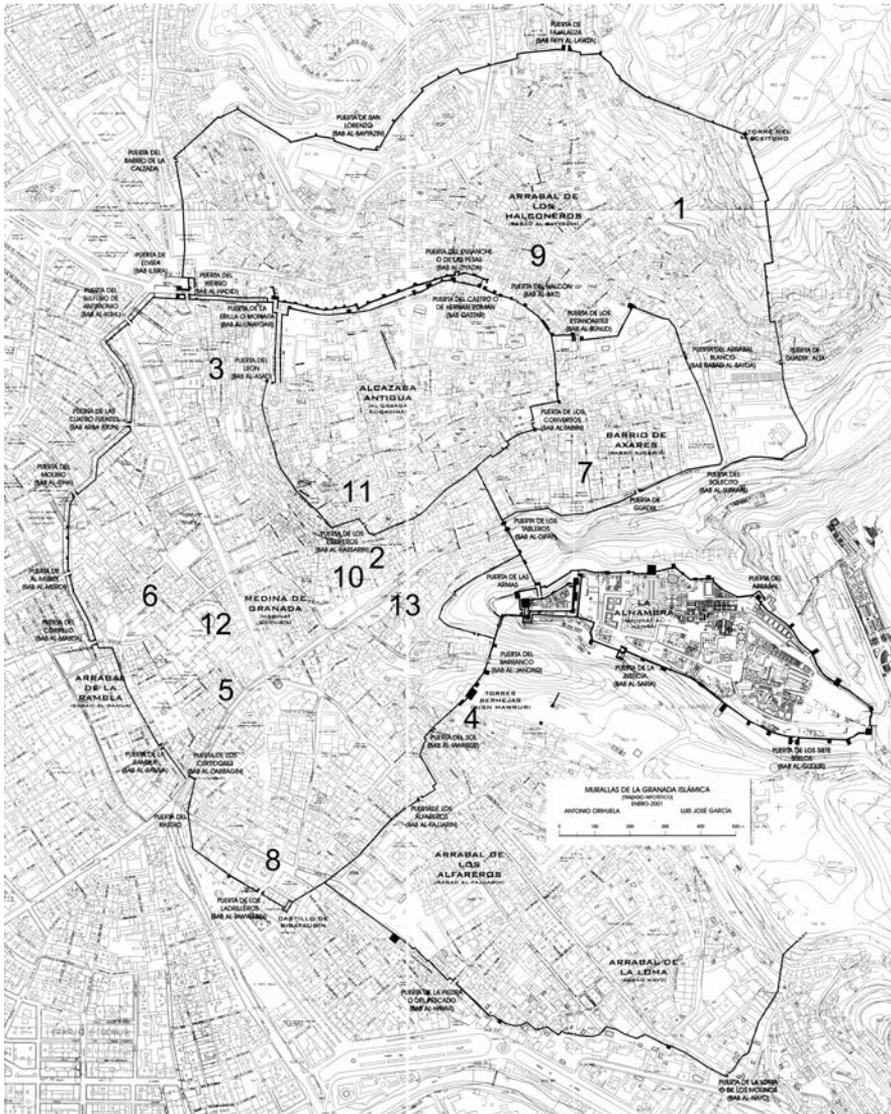
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12 Due to limitations of space, it is not possible to provide here full editions and translations of the texts analysed in this inventory. However, complete translations are provided for passages containing an explanation of damages.

13 Seco de Lucena Paredes (1970: nos 17, 223–224) reads *ḡurfa* instead of *ḥirba*.

14 BUG, doc. BHR Box C-27 32999 (50); edn, transl. and study by Rodríguez Gómez & Domínguez Rojas 2008: nos 1, 191–194.

15 In line with what I explained in Rodríguez Gómez & Domínguez Rojas 2008: 192, n. 63, I consider that this cemetery was the Rawḍat Numayl, located in the neighbourhood today called la Rauda.



Neighbourhoods and walled districts of Granada mentioned in the text (map of Orihuela Uzal 2001; I thank the authors of the plan for permission to use it). 1: Neighbourhood of al-Rawda; 2: Neighbourhood of al-Ḥaṭṭābīn; 3: Neighbourhood of al-Sanaḍ; 4: Neighbourhood of al-Mawrūr; 5: La Platería; 6: Neighbourhood of Abū l-ʿAsī; 7: Walled district of Aḥṣārīs; 8: Walled district of Bāb al-Ṭawwābīn; 9: Walled district of al-Bayyāsīn; 10: Neighbourhood of al-Qaššāšīn; 11: Walled district of al-Qaṣaba al-Qadīma; 12: Neighbourhood of the Great Mosque; 13: Neighbourhood of Raṣīf al-Ḥaḡḡāmīn.

described with an unidentified word that might be the *iry* ('stable') property of al-Azdī.

The damaged property was a house in ruins. Though these were not specified, presumably there was enough deterioration to consider the house as demolished.<sup>16</sup>

2. A *maṣriyya* located in al-Ḥaṭṭābīn al-Maḥrūqa.<sup>17</sup> The neighbourhood of al-Ḥaṭṭābīn ('the Woodcutters') was one of the most central and commercial neighbourhoods of Granada, whose al-Ḥaṭṭābīn al-Maḥrūqa plaza ('the Burned Plaza of the Woodcutters') occupied the site of La Plaza of Saint Gil. It was one of the neighbourhoods of the medina located on level ground.<sup>18</sup>

This document, which has several notarial affidavits, includes damage in the sales contract, dated 16 Ša'bān 846/20 December 1442. The *maṣriyya*, as stated, was located in the neighbourhood of al-Ḥaṭṭābīn, in the medina of Granada itself, bordered to the south by Abū Sitta's inn (*funduq* Abī Sitta), to the north by an alley, to the east by al-Ḥassū and to the west by al-Ṣammūdī.

According to the law, it was necessary to specify the defects and/or easements of estates. In this case, they are described using terms that I could not find in dictionaries or glossaries, even as highly specialised as they are, or other documentary sources outside of the notarial records.<sup>19</sup> The phrases containing these expressions are: *wa-'ullima (al-muštari) bi-anna-hi bi-šaaq wa-baaq muḥarrab markūb fa-raḍiya-hu bi-dālik wa-iltazama-hu*. The problem lies in defining what is meant by *bi-šaaq wa-baaq muḥarrab markūb*. Damage can also be seen, with variations in wording, in buildings nos 3, 9, 15, and 16. I think the key issue appears in the record of sale of building no. 9, a *maṣriyya* in the *ḥammām* al-Sarrāḡīn ('Leather Craftsmen's Bath'), which specifies *bi-šaaq wa-baaq masrabat al-sabīlayn muḥarraba markūba*. Without a doubt, *masrabat al-sabīlayn*

16 Although in this article we use *hirba* with the meaning of 'building site' (Lane 1968 II: 716; Corriente & Ferrando 2005: 297), it is necessary to explain that it also meant 'hen house'. In fact, in a version translated into Spanish by the public translator Bernardino Xarafi (specifically in the translation made on 26 June 1515 of the Arabic document in which appears property no. 16 of this article), the term 'hen house' is used for the Arabic *hirba* (Santiago Simón 1987: 263). In the lexicons of the Granadian Pedro de Alcalá (published in 1505), who was very well acquainted with the Arabic dialect of Granada, the term *hirba* is documented with the meaning of 'hen house' and 'place without roof' in the translation made on 26 June 1515 (Alcalá 1988: 55), as well as in the vocabulary attributed to Raimon Martí (d. after 1286) (1989: 94).

17 BUG, doc. BHR Box C-027 (84), 33033. 92 Luque; edn, transl. and study by Rodríguez Gómez 2008: no. 1, 562–569.

18 Regarding this neighbourhood, see Seco de Lucena Paredes (1975: 77–78). A study of its mosque can be found in Gallego Roca (1991).

19 They do not appear, for example, in specialised dictionaries like Corriente 1997, nor in more precise lexicons and dictionaries about the vernacular Granadian Arabic in which these documents were written, like the one of Alcalá 1988 and 1989, and Diego de Guadix 2007.

means ‘the channeling of the two pipes’ and forms a noun phrase with *muḥarraba markūba*, which suggests that they describe two different defects; that is, after *bi-ṣāqq wa-baqq* the conjunction *wa* (‘and’) is implicit. Regarding the significance of this phrase, which literally means ‘with crack and bug’, I think it coincides with what appears in a document translated into Romance language (house no. 13), where a house is described as *que ay en ella muchas hendiduras, en que ay muchas chinches* (‘that it has many cracks, which are full of bugs’). The document, translated on 30 April 1506, so close to the fifteenth century, should guarantee the reliability of this translation. Regarding *masrābat al-sabīlayn muḥarraba markūba*, I think *muḥarraba* could mean the same as *ḥirba* (i.e. something that has been ruined or destroyed).<sup>20</sup> The participle *markūba*, which qualifies *muḥarraba*, comes from the root *r-k-b* (meaning ‘to ride (a horse), ride in a means of conveyance, dominate, commit, place something somewhere’ etc.). I think it was used with the sense of something that has been ridden or mounted a lot, meaning very well used,<sup>21</sup> so my version of this fragment referring to building no. 9 is: “and (the buyer) had been informed that (the building) was full of cracks and bugs, (and) the two waste-water pipes were cracked from use. (The buyer) was pleased and decided to accept it (in that state).”<sup>22</sup>

Once you have arrived at this version, it is much easier to approach the expression *bi-anna-hi bi-ṣāqq wa-baqq muḥarrab markūb*, which describes building no. 2. From what we have seen before, the translation should be: ‘(the building) was full of cracks and bugs, (and) cracked (or deteriorated) from use’.

3. A *maṣriyya* near the al-Baṣīlī mosque, in al-Sanad (El Zenete) neighbourhood.<sup>23</sup> This neighbourhood, like the previous one, was located in the medina of Granada, in an area of steeply inclined ground, from which it gets its name, “the Slope”. The name Zenete is preserved today on a street of Granada situated in the same location it occupied in the fifteenth century, with an entrance on the slope of Alhacaba.<sup>24</sup>

20 Lane (1968 II: 717) includes this same term with the meaning of ‘slit’.

21 In the translated document previously mentioned (corresponding to house no. 13) that dates from 30 April 1506, there appears the phrase *los caños de la dicha casa están çerrados y quebrados* (‘the pipes of the mentioned house are blocked and broken’). Although *muḥarrab* could be identified with *quebrado* (‘broken’), I have not found a convincing justification to identify *markūb* with *çerrado* (‘blocked’).

22 I thank Professor Federico Corriente for his valuable comments regarding the version of the translation presented here.

23 BUG, docs BHR Box C-027 (47), 32996 and BHR Box C-027 (91), 33040-VI. 33 Luque; edn, transl. and study by Rodríguez Gómez 2008: nos 3–4, 571–578.

24 For this neighbourhood and al-Baṣīlī’s mosque, see Seco de Lucena Paredes (1966: 43–45; 1975: 57–58).

This *maşriyya* appears in two deeds of sale that are virtually identical: the buyer in the first document is the seller in the second, five years later. The notary of the second contract must have had the first contract at hand, because there was little variation between the two documents. This makes us think that the owner who first purchased the farm ended up selling it after a while, without renovating the building. The *maşriyya* in question was near the al-Başīlī mosque, in the al-Sanad (the Zenete) neighbourhood of Granada, bordered to the south by Ṭazāla, to the north by al-‘Aşşāb, to the east by a ravine (*al-ğurf*) and an alley (*al-zuqāq*), and to the west by an alley and Ṭazāla. The *maşriyya* must have been on a steep incline, as confirmed by the presence of a ravine on its boundaries and the topography of the neighbourhood. The first document was dated 2 Dū l-qa‘da 853/17 December 1449, and the second on 15 Şawwāl 858/8 October 1454.

These documents contain some of the more substantial evidence for the study undertaken here, since the notary was careful to state, in writing, specific types of property damage. As stated, the second document is almost a copy of the first, except it does not include damage to a nearby stable; this omission could have happened by neglect. Thus, the clerk begins by noting that the property is *li-l-bīnā wa-l-işlāḥ*, an expression used by Granadian notaries to say “in need of repair and restoration”. Then some of the features of the previous building (no. 2) were noted, with this *maşriyya* being considered as *bi-şaaq wa-baaq muḥarraba markūba miṭmarat al-mirḥāḍ*. Evident here is new information, referring to the cesspit (*miṭmara*) of the latrine (*mirḥāḍ*); although the exact problem or what it caused is not specified, in building no. 15 we see a possible example of this type of damage: a cesspool with no water drainage pipes (*dūn mağrā-hu*). Accordingly, one can assume that the *maşriyya* “(was) full of cracks and bugs, was deteriorated from use and (there was a problem with) the cesspool of the latrine”.

The document goes on to say that the toilet was shared with their neighbour, al-‘Aşşāb (*wa-mirḥāḍu-hā muştarak ma‘a al-‘Aşşāb*), explaining that the south wall of the farm was shared with Ṭazāla, another neighbour (*wa-l-ḥā‘iṭ allaḍī bi-l-ğīha al-qibliyya muştarak ma‘a Ṭazāla*), and that between the *maşriyya* and the latter’s house was a ditch that collected the irrigation runoff from a plantation (*wa-bayna al-maşriyya al-mabī‘a wa-bayna maskan Ṭazāla qanāt li-mā‘ al-ğirs*). Finally, in the case of the first document, it states that a stable was next to the *maşriyya* and the Ṭazāla house, and it caused some problems for the *maşriyya* (*wa-bi-l-maşriyya al-mabī‘a iry bi-qurb maskan Ṭazāla wa-bi-maskan Ṭazāla iry yaḍribu-hā*), after which both parties followed the familiar formula of accepting the property under the conditions detailed in the contract (*fa-raḍīya-hā ka-dālik al-muştarī wa-iltazama-hā*).

4. A *ġurfa* in El Mauror (al-Mawrūr) neighbourhood.<sup>25</sup> Located within the walls of the medina, it was near the Alhambra, at the top of the hill where the Torres Bermejas ('Red Towers') were built. Nowadays, El Mauror is part of the Realejo, a neighbourhood of Granada (Seco de Lucena Paredes 1975: 88).

As delineated by the buyer, the *ġurfa* had al-Balansī to the north and east, and an alley to the west. The document that describes the building is again a sales contract. It was signed on 1 Muḥarram of an unknown year, since the last digit is unrecognisable, although we do know it would be in the fourth or fifth decade of the ninth century (between 29 March 1446 and 12 January 1453). The contract specifies that "the property was in ruins and should be demolished in order to be re-built", using the recurrent expression *ḥirba mutahaddima li-l-ḥall wa-l-binā'*. Indeed, I believe the term *li-l-ḥall wa-l-binā'* corresponds with the Spanish *está en estado de se derrybar e tornar a labrar* ('in a dilapidated state, needing rebuilding'); this phrase appears in the translation of a document of exchange for the house on al-Šawṭār Street (no. 13), which we will see later.

After detailing these defects, *masrabat al-mirḥād dūn maḡrā-hu* was added;<sup>26</sup> that is to say, 'the pipeline of the latrine had no outlet for sewage', implying that the cesspool had to be emptied manually. As an example of this practice, we should look at the *faqīh* Ibn 'Abdūn (1948: 121–122, § 88) from Seville, who wrote at the beginning of the twelfth century: "It is so ordered that those emptying cesspools must not befoul the streets or use baskets that leak. If you use buckets, it would be better."

5. A *maṣriyya* in El Mauror, the same neighbourhood as the previously mentioned *ġurfa*.<sup>27</sup>

In the case of this *maṣriyya*, damages are detailed in two expert reports (*wuqūf*) on redhibitory defects (*'uyūb*); the dates are illegible in the reports, but they were certainly written after 11 Muḥarram 857/22 January 1453, the year in which the seller of the property – who in turn was the responsible party for repair of the redhibitory defects – acquired this property (see part 1b of this document). The property was

25 ACG (not catalogued), corresponding to document no. 1a of the description of Molina López 1993; edn and transl. by Rodríguez Gómez 2007: nos 1a, 221 (Arabic text) and 229–230 (transl.).

26 The term *maḡrā* is defined by Raimon Martí (1989: 66, s.v. *majrā*; with the variant *mijarā rajári*) as *conducto de letrina* ('pipe of latrine'). It is used by Pedro de Alcalá (1988: 33) with the meaning of *alvañar, espiradero de agua, madriz de las cibdades* ('drain, sewer of the water, sewer of the cities'). See also Corriente (1997: 95). For more information on the evacuation of water from the buildings, see Navarro Palazón & Jiménez Castillo (1995; 2007: 176–192; 2010) and Vidal Castro (2004: 120–121; 2000: 117–120).

27 ACG (not catalogued), corresponding to docs nos 1c and 1d of the description of Molina López 1993; edn and transl. by Rodríguez Gómez 2007: nos 1c, 1d, 222 (Arabic text) and 231–232 (Spanish transl.).

bordered to the north by the seller, al-Qarīna, to the east by an alley (*al-zuqāq*) and to the west by al-Sāfir. It was unique in that it had a *ġurfa*, as discussed below, which indicates the complex architectural configuration of these buildings in the final years of Islamic urbanism in the capital of the kingdom of Granada.<sup>28</sup>

Despite the terrible state of deterioration of the paper and the careless handwriting of the writer, it was possible to retrieve some important material for this study. It is no wonder if the buyer felt cheated by the seller: the sales contract does not specify any damages, but numerous irregularities were noted by the experts after their inspection of the property. Thus, one reads, *mağrā l-sarb bi-l-zuqāq bi-l-ġiba al-šarqiyya min-hā wa-huwa yar/yur [...] wa-yaḍribu-hā*, which means ‘the drainage ditch of the alley and the eastern border [...], and this caused the deterioration’. Unfortunately, I was unable to determine why the ditch damaged the property, since the descriptive word was at the edge of the paper and had been torn off. Since the *mašriyya* was a building on a top floor, its deterioration by a street’s drainage ditch can only be explained by the steep slope of the land on which the property stood, which is characteristic of the Mauror neighbourhood.

The experts continue their report by adding *wa-bi-maskan al-Balansī al-maḍkūr mirḥād bi-asfal madāriġi-hā huwa ayḍan yaḍribu-hā*, meaning ‘in the aforementioned al-Balansī house there is a latrine located beneath the stairs (to the *mašriyya*), which also causes damage’.

They also claim to have seen *bi-maskan al-Balansī la-wuqqida al-ḥaṭab yašʿad min-hā al-duḥḥān bi-ṭiqān ġurfat al-mašriyya wa-yaḍribu-hā*, meaning ‘if you light a fire in the al-Balansī residence, the smoke rises and flows into the windows of the *ġurfa* of the *mašriyya*, causing damage’. It appears that the experts forgot to detail their observation of the damages, so they wrote in the right margin of the page, on the same date as above (*fī taʿrīḥi-hi*), declaring that *bi-maskan al-Balansī ṭāqan [wašifan maḍkūran?]*<sup>29</sup> *yatakaššafa min-hā ʿalā ṭ[īqā]*<sup>30</sup> *ġurfat al-mašriyya al-maḍkūra*,<sup>31</sup> meaning ‘there is a window in the al-Balansī residence [described above?], from which you can see into the windows of the *ġurfa* of the aforementioned *mašriyya*’. They then continue to describe other obvious damage as follows: *wa-ṭāqan bi-maskan a[l-Sā]fir yatakaššafa min-hā ʿalā l-ṭiqān al-maḍkūra*

28 Contrary to what was believed until recently, these constructions were not characterized by their architectonic uniformity, at least in al-Andalus, as shown by Navarro Palazón & Jiménez Castillo (1996), and more recently in Rodríguez Gómez (2010).

29 As explained above, the handwriting in general is very bad, as is the state of conservation of the document. For this reason, the interpretation of these words is not reliable.

30 Although the paper has broken on these letters, I think this version is very likely, if we consider the context. I have corrected here the *ṭāq* of Rodríguez Gómez (2007).

31 Illegible word, but it does not add anything of special importance to the phrase.

*wa-dālika* ‘ay[b] *yahifā* ‘ind al-taqīb ‘al[ā] l-‘arīf wa-lā *yahifā* [bi-ṭūl]<sup>32</sup> *al-mudda*, meaning ‘and there is a window in the al-Sāṭir house from which you can see the windows above; this is a problem that remains hidden from the inspection of the experts, but cannot remain hidden much [longer]’. Thus terminates the claim.

6. A house located near the Šušūna mosque (*bi-mašǧid Šušūna*), in the Albaicín (al-Bayyāsīn).<sup>33</sup> This mosque was one of three in the Rauda neighbourhood, where house no. 1 was located. According to Seco de Lucena Paredes (1975: 149; 1966: 50), the Church of Santa Isabel de los Abades was built on top of this mosque in 1525. The church has since vanished, and all that remains of the mosque is its water cistern, now named after the church. It is important to remember that this was all built on land with a very steep slope.<sup>34</sup>

The damage recorded in the bill of sale is dated 16 Rabīʿ II 859/5 April 1455. The boundaries of the house are difficult to know because of the handwriting of the notary, who wrote without diacritical marks and so quickly that the letters are not very clear, but we do know that the southern boundary was an alley where the entrance was located (*al-zuqāq ḥayt al-bāb*), to the north was the street (*al-zanaqa*), and to the west lived Ibn Faraǧ, a neighbour.

The document describes the building as old (*qadīm al-bināʾ*),<sup>35</sup> specifying that it was in ruins and needed repair and reconstruction; the familiar formula *li-l-bināʾ wa-l-iṣlāḥ* is used, and the claim closes with *dūn maǧrā-hu*, meaning that the building’s latrine (like that of *ǧurfa* no. 4) had no drain for the sewage system.<sup>36</sup>

7. Set of stores in la Platería (‘The Silverworks’), in the city of Granada.<sup>37</sup> This is one of the first references that exist about this place (the earliest information regarding its location dates back to the 16th century), placing it in El Zacatín (al-Saqqāṭīn), opposite the main entrance to the Alcaicería (al-Qayṣāriyya).<sup>38</sup>

32 The paper is broken in this place. However, the word can be restored since in the *mašriyya* no. 10 it is also used with the same sense, *wa-lā yahifā bi-ṭūl al-mudda*.

33 BUG, BHR Box C-027 (22) 32971, unpublished. It was described in Seco de Lucena Paredes (1970: no. 34, 230).

34 In a relation of *hubus* of 1503, this mosque is called Gima Xoxona (Hernández Benito 1992: 260), while in 1505 it is referred to as Ximaxona (*Habices* 1961: 182, no. 3).

35 The paper is torn at this word. Together with the fact that the notary writes without diacritical marks, this has prevented identification.

36 While these characteristics, like the first one, do not appear in the description of the document made by Seco de Lucena Paredes, I have been able to observe them after a direct examination of the writing.

37 General Archives of Simancas, Casas y Sitios Reales, leg. 10, fol. 197; edn by Malpica Cuello & Trillo San José 1992: no. 15, no. 17, 383–385.

38 Archives of the Abbey of the Sacromonte, *Libro del Becerro*. In this book on the properties of the Abbey of Sacromonte (Granada), the name of this place appears several times. As an example, the book contains a notarised deed that corresponds to a ‘Title of possession from a store to the

Much later, in his map of Granada (1787), Tomás López would draw a small entrance to the Alcaicería, in 1843 named “the Silversmiths” (Torres Balbás 1949: 447–448, see also Garzón Pareja 1972: 73). The possibility that in the fifteenth century the Silverworks was already located in this area is reinforced by the fact that the Nasrid family, who acted as the buyers of the property discussed here, used to buy and sell stores in the Alcaicería, as did the Sultan of Granada Abū Naṣr Sa’d (1454–1462 and 1463–1464) during the same dates on which these sales contracts were written.<sup>39</sup>

The documents in question are two deeds in translation made in Toledo on 15 July 1525; the Arabic originals are missing. They are a survey report and expert appraisal of the properties (dated 15 Rabīʿ II 864/8 February 1460)<sup>40</sup> and the sales records of those buildings (dated 18 Rabīʿ II 864/11 February 1460).<sup>41</sup> The properties were owned by the Royal Crown, and were acquired by Abū l-Ḥağğāğ Yūsuf and Abū ‘Abd Allāh Muḥammad (later known as El Zagal, who governed from 890–892/1485–1487), the sons of Sultan Abū Naṣr Sa’d. The fame of these buildings was such that, after the properties were identified, it wasn’t necessary to describe their boundaries.

The documents only describe that the shops belonged to the Silverworks, that they were located in Granada, and that there were six shops “in ruin” (an adjective that completely describes their condition).

8. A *maṣriyya* on Abenlapache (Ibn Labbāğ) Street, in central Granada.<sup>42</sup> Seco de Lucena Paredes (1975: 63–64) places this street in the central neighbourhood of Abū l-‘Āṣī, one of the most prosperous areas of the city, in the flattest part, abutting the neighbourhood of the Grand Mosque to the south.

This document is one of the rare cases where we have the Arabic original and its translation into Spanish, which greatly facilitates the interpretation of the original text. The damage appears in a purchase agreement dated 17 Ramaḍān 871/22 April 1467, while the translation was dated 9 June 1548. The *maṣriyya* was

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great door of the Alcaicería that leads to the Silversmiths of the Zacatín” from 18 February 1617. The first known reference to this store was made on 4 June 1566. My thanks for this information go to Lorenzo Luis Padilla Mellado, who has completed the transcription of these valuable documents (still awaiting publication).

39 In particular, one is a sale of two stores, dated 10 Ṣafar 865/24 November 1460 (Barrantes Maldonado, “De los Beni Nasr o Naserías de Granada”, appendix B to *Las Ilustraciones de la Casa de Niebla* II (Memorial Histórico Español 663), *apud* Torres Balbás 1949: 439, n. 3).

40 The public translator is wrong because he identified year 864 of *hiğra* with 1458 of the Christian era.

41 This time the public clerk who makes the translation gives the incorrect year, 1462.

42 Archives of the School of “Niñas Nobles” of Granada (not catalogued); edn, transl. and study by Seco de Lucena Paredes 1943: no. 1, 420–424.

bordered to the south by an alley (*zuqāq*) over which there was a *tarbīʿa*,<sup>43</sup> to the north by Hunayda bint Maḥfūz, to the east by a passageway (*mamarr*), and to the north by Ibn Yaʿīš and the mosque.

The Arabic text says *muṣarrafa-hā yunṣarrifu li-l-maḡarr li-ḡiha al-qibliyya min-hā*, which is translated into Spanish as *el despidiente de la casa* [*sic* in the original, instead of the *maṣriyya*] *va a la madre que va por hazia la parte del mediodía della* ('the runoff of the house flowed towards the *madre* that flowed southward'). Here I think the damage is caused by the proximity of the building to the *maḡarr*, a term which is defined by Pedro de Alcalá as *raudal venage del agua* ('a stream of flood water'; Alcalá 1988: 32), and is translated as *madre* by the scribe Juan Rodríguez, who performed this trade from 1507 until the mid-sixteenth century (on this important translator, see Feria García & Arias Torres 2005: 212–213). With regard to the meaning of the word *madre*, taking into account that the Arabic-Spanish dictionaries translate *maḡarr* as 'drain, ditch, canal', this coincides with one of the meanings given by the *Dictionary of the Royal Academy of Spanish Language* for the term *madre* as *Acequia principal de la que parten o donde desaguan las hijuelas* ('main channel that distributes or from which flows secondary channels'). This meaning is emphasised by the use of "Acequia madre. Alcantarilla madre" ('main channel, main sewer') in the dictionary of María Moliner (1973 II: 302). Apparently, with this main channel being too close to the house, obvious damage could arise (e.g. humidity caused by leaks, as well as other things if it was a sewage channel).

9. The *maṣriyya* of the *ḥammām al-Sarrāḡīn* ('Leather Craftsmen's Bath'),<sup>44</sup> located in the central neighbourhood of al-Ḥaṭṭābīn previously cited (building no. 2). The *maṣriyya* was at the entrance to the *zanaqat al-Ḥurra* ('Street of the Lady'), it also coincides with the name of *darb al-Aṣrāf* ('Cul-de-sac of the Descendants of the Prophet'), the highest level of the bathhouse.

The numerous defects that plagued this building are specified in the purchase agreement, dated 17 Šawwāl 880/13 February 1476. The *maṣriyya* was bordered to the south by a dead end street (*zanaqa ḡayr nāfiḍa*), to the north by the wife

43 In Spanish, we found *tarbea* as *sala grande* ('a big lounge') or *quadra de casa* ('a block of houses') in Alcalá (1989: 597); Corriente (1999: 453); *Diccionario RAE*, among others. But in this case, the sense of 'squared place' would be more logical; this is also found in Alcalá (1989: 597), who mentions *cuadrada cosa* ('a squared thing'), and in Corriente (1999: 453), who mentions *pieza cuadrada* ('a squared room'). It does not appear, however, in *Diccionario RAE*, not even in the edition of 1739, showing that it was already an obsolete word. This term appears in its Spanish version as *casa en obras* ('a work house') in the present article, probably reflecting its squared shape (no. 14, *maṣriyya* in al-Falyfa street, where it says that nearby there is *una casa donde se hace obra, que se llama Tarbyha* ('a work house that is called Tarbyha').

44 ACG (not catalogued), corresponding to Molina López 1993: no. 2; edn and transl. by Rodríguez Gómez 2007: nos 2, 222–223 (Arabic text), 232–233 (Spanish transl.).

of al-Ġāzī, to the east by an unknown person (*li-l-ġayr*), and to the west by a passageway (*mamarr*).

The building had to be in a sad state, as it begins with a list of damage with the aforementioned formula *wa-l-‘ilm inna-hā li-l-ḥall wa-l-binā’ wa-l-iqāma min al-aṣl*, meaning ‘with knowledge (on the part of the buyer) that it needs repair and restoration to be rebuilt from the ground up’. It continues with another well-known expression, *bi-šaaq wa-baaq masrabat al-sabīlayn muḥarraba markūba*, which, we recall, has been translated as ‘(the building) was full of cracks and bugs, (and) the two wastewater pipes were cracked from use’.

With respect to the two pipes that are referred to, they are drains for rain-water and sewage, as described by the German traveler Jerónimo Münzer (1987: 47–48), who visited the city two years after it capitulated.

The next problem was caused by poor water drainage from the street, listed as *al-mā’ al-sarūb yamurru bi-izā’i ḥayṭāni-hā wa-yadribu-hā*, literally ‘channelled water flowing over its walls and causing damage’. This damage came from additional construction over another property, as *taḥta-hā sabbāt wa-qaṣā’imu-hā ‘alā l-farš*, meaning ‘beneath (the *maṣriyya*) there is a *sabbāt*, and parts of it are under the pavement (of the *maṣriyya*)’.<sup>45</sup> Moreover, ‘some of its walls are shared’ (*wa-ba’d ḥayṭāni-hā muštaraka*).

Also specified as damage is *wa-qanawāti-hā min al-qarmad*, a defect that is difficult to identify due to the vague translation of the word *qarmad* and the few inexplicit descriptions of the notaries regarding damage and imperfections. Indeed, Pedro de Alcalá (1988: 165, s.v. *querméda*, and 63, s.v. *ḡagua al-carméd*), the author of the glossary closest to the Granada Arabic used in these writings, defines *qirmīda* as ‘clay tile’ and *ḥawā’ al-qarmūd* as *socarren del tejado*, meaning that part of the eaves protruded from the roof. Federico Corriente (1997: 425, s.v. *querméda*) also identified the word *qarmad* as ‘roof tile’ in his *A Dictionary of Andalusī Arabic*. According to these interpretations, which refer to the rain gutters,<sup>46</sup> we do not clearly understand the problem – since this type of material is suitable for such use – unless the problem originated from poor construction of the gutters. On the other hand, if the gutter in question was a downspout for water from an upper level or terrace, then the damage would be obvious (because tile is not a suitable material for this purpose).<sup>47</sup> Finally, the list concludes with

45 The identification of *farš* with ‘pavement’ appears in Dozy (1968 II: 253).

46 Gutters were also made with tile on outdoor patios, orchards or gardens, as seen in some stair railings of the Alhambra, but I do not think this is the case with this building. I am very thankful to Antonio Orihuela Uzal of the Escuela de Estudios Árabes de Granada (CSIC) for the information that he kindly provided to me about the materials used in the different canalisations from the buildings.

47 In the Alhambra, it has been possible to observe an extensive network of ceramic pipes

a visual detriment, about which the notary writes *wa-l-takšif yallḥaqu-hā min al-amākin al-muḡāwira la-hā fi ḡanibi-hā wa-yadribu-hā*, meaning '(the inside of the *mašriyya*) can be seen from neighbouring buildings, and that is damaging'.

It is interesting to note that although there are two more documents related to the same property, it accounts for a total of eleven deeds, the last of which is dated 19 Rabī' II 904/4 December 1498 (Molina López 1993: no. 4, no. 6; Rodríguez Gómez 2007: no. 4, no. 6). Only in the first record do we find any damages specified. Perhaps this indicates that the damage was repaired or that the interested parties involved in commercial transactions did not make a special effort to have them written down, despite it being a legal requirement.

10. A *mašriyya* on the walled district of Aḥšāriš,<sup>48</sup> known today as the neighbourhood of San Pedro, situated on the left side of the Darro River, opposite the Alhambra.<sup>49</sup> Like the rest of the walled districts and neighbourhoods of the current Albaicín, it also stood on steeply inclined land.

This document consists of two writings, expert testimony (*wuqūf*) about the redhibitory defects of the *mašriyya*, signed 2 Dū l-qa'da 882/5 February 1478, and a notification of the testimony of experts for the defendant, dated 3 Dū l-qa'da 882/6 February 1478. The building was bordered to the south by al-Saltī, to the north by a passageway (*al-mamarr*), to the east by an alley (*zuqāq*), and to the west by Muḥammad ibn Kuḥḥāfa.

The expert's report stated that there was a stable in the house of Muḥammad al-Saltī, to the south of the *mašriyya*, and that its presence constituted a redhibitory detriment because it was already there prior to the sale of the property, although it was not noted at the time it was inspected by the buyer (*wa-su'ila min-hum nazar wa-'ayānū bi-l-ḡiha al-qibliyya min-hā iry bi-dār Muḥammad al-Saltī fa-nazara la-hum bi-datīl baṣari-him wa-ma'rifati-him an dālīka al-iry 'ayb qadīm aqdam min āḥir al-tabā'i' yaḥifa 'ind al-taqīb wa-lā yaḥifa bi-ṭūl al-mudda*). The notification of the defendant does nothing but confirm the presence of the stable.

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formed by sewers (Orihuela Uzal & García Pulido 2008: 149), and in the ruins of Siyāsa the use of inserted ceramic tubes in the walls (like drainpipes) has been documented (Navarro Palazón & Jiménez Castillo 2007: 183).

48 BUG, BHR/Box C-027 (29), 32978; edn, transl. and study by Rodríguez Gómez 2008: no. 5, 577–581.

49 According to Seco de Lucena Paredes (1975: 127–131), the district extended from north to south between San Juan de los Reyes Street and the Carrera del Darro, and from east to west between approximately the Chapiz hill and the street that begins in The Gate of the Boards (Bāb al-Difāf). For the wall, see Orihuela Uzal (2001: 126–129), and attached plan.

11. A *maşriyya* on al-Marīnī Street, on the edge of Bāb al-Ṭawwābīn (“The Gate of the Brickmakers”),<sup>50</sup> located in the area that today is occupied by the central plaza of Mariana Pineda. This walled district was named after one of the gates in the wall that surrounded the city and extended from both sides of it (Seco de Lucena Paredes 1975: 95–97).<sup>51</sup>

The document consists of four affidavits, two deeds of sale, a deferred payment and a debt cancellation. The writing which specifies the damage is the first, chronologically speaking (6 Šawwāl 885/9 December 1480), a sales contract selling a *maşriyya* located on al-Marīnī Street, inside Granada, bordered to the south by Abū Ḥaddād, to the north by Ibn Sa‘īd, to the east by the street and the west by the seller, who was the stepfather of the buyer.

The damage specified in the contract is presented in the correct place, when it states that the buyer has inspected the property, knows the defects it has, and has declared herself satisfied with the property and formally accepted it: *wa-ba‘d al-naẓar wa-l-taqīb wa-l-‘ilm bi-an taḥta-hā ladā l-bā‘i‘ [rab‘ dār?] ṣağīra fa-raḍiyat-hā wa-iltazamat-hā*, which Seco de Lucena Paredes (1961: 75) translates as *previo el conocimiento de visu por parte de la compradora respecto de lo comprado y de que supiese que dicha finca sufre la servidumbre de que, por bajo de la almacería y por la parte del vendedor hay un cuarto de casa pequeño, servidumbre que acepta, obligándose a respetarla*.<sup>52</sup> With regard to this translation, I think the term *cuarto de casa* (*rab‘ dār*, ‘room of a house’) is highly doubtful. In the original, the handwriting is very difficult to understand; no diacritic marks are visible, and the characters have become very blurred with the passage of time. I must say that the documents provide no other means of helping us to understand what the exact problem was, but supposing that the problem was caused by sharing property with the owner of the room below the *maşriyya*, it may have been the case of a contested right-of-way (if there was a hallway belonging to the owner on the ground floor and the staircase to the *maşriyya* led from it).<sup>53</sup>

Later in the text, after the date and just before the signing of the witnesses (as if they had forgotten to specify it in the correct place, and it was noticed just before the signatures were made), another defect of this building was introduced: *wa-mirḥāḍu-hā muštarak ma‘a mirḥāḍ al-bā‘i‘ wa-l-riḍā*, meaning ‘and his latrine

50 BUG, BHR Box 069 (5-33); edn and transl. by Seco de Lucena Paredes 1961: no. 39, 71–72 (Arabic text), 75 (Spanish transl.).

51 The name of this district remains in evidence in the name of the Bibataubín Plaza and Palace.  
52 ‘prior knowledge *de visu* on the part of the buyer regarding their purchase and with the knowledge that the property comes with a specific easement that, beneath the *maşriyya* and for continued use of the seller, is a small house room, an easement, that once accepted must be respected’.

53 In Rodríguez Gómez 2010, I point out the existence of this type of easement in *maşārī*.

is shared with the seller's latrine, (which she accepted) with satisfaction'.<sup>54</sup> Keep in mind that the seller, who was also the buyer's stepfather, had an adjoining property to the west of the *maşriyya*; in other words, the former owner designated that the latrine was to be used by his two adjacent buildings, becoming shared property after the sale of the *maşriyya*.

12. A *maşriyya* of the Ibn 'Amīra/'Umayra mosque in El Albaicín,<sup>55</sup> whose location is still unknown (Seco de Lucena Paredes 1966: 51; although this work is already a classic, I have not found any updated information that offers new data on this mosque.).

The document consists of a single deed. It is a sales contract dated 19 Dū l-ḥiğğa 886/8 February 1482, the subject of which is a *maşriyya* in a major state of disrepair, abutting an alley to the south, an alley with the *maşriyya*'s entrance to the north, a road (*ṭarīq*) named 'Umar al-Ḥusrī [al-Murṭī?]<sup>56</sup> to the east, and another alley to the west.

The text is quite explicit in describing the *maşriyya*'s ruinous state, as it includes the following statement immediately before the signature of witnesses: *wa-l-maşriyya al-mabṭ'a mutahaddima li-l-binā' wa-l-işlāḥ wa-l-iqāma min al-aşl, fa-raḍiyya-hā al-muştārī ka-dālik wa-iltazama-hā*, that is to say, using the familiar phrases, 'the *maşriyya* being sold is deteriorated and (requires) repair and renovation to be rebuilt from the ground up. The buyer was pleased to accept it (in that state)'.<sup>57</sup>

13. and 14. A house on Çahetar Street in Granada (no. 13) and a *maşriyya* on al-Falyfa Street (no. 14).<sup>57</sup> The house was adjacent to the Mosque of al-Caxixín, from which we know that it was located in the neighbourhood of al-Qaşşāşīn ('The Chairmakers of Bulrush'), on the little plaza of the Chairmakers.<sup>58</sup> At this point, I find a problem. According to Seco de Lucena Paredes, al-Şauṭār Street (which I think corresponds to what was translated into the Romance language as Çahetar) passed through the nearby neighbourhood of the Grand Mosque.<sup>59</sup> I think that it should be added that the route of said street in this neighbourhood

54 This phrase does not appear in the edition and translation of Luis Seco de Lucena Paredes.

55 BUG, BHR Box C-027 (77), 33026; edn, transl. and study by Rodríguez Gómez 2008: no. 6, 582–585.

56 This word is not very clear because of the bad handwriting of the notary.

57 Archivo de la Real Chancillería de Granada, cabin 3, file 1194, piece 1; edn and study by Osorio Pérez & Peinado Santaella 2002: no. 3, 202–204.

58 Seco de Lucena Paredes (1975: 79) describes this neighbourhood and also mentions its mosque, located to the west of al-Ḥaṭṭābīn, another small neighbourhood mentioned previously.

59 Seco de Lucena Paredes (1975: 66–68) gives their version on the layout of this street and emphasizes that it disappeared due to the construction of the Royal Chapel.

also passes through al-Qaššāšīn. Of al-Falyfa Street, all we know (from the document) is that it was located somewhere inside Granada.

This is the Spanish translation of a property exchange of two estates. The Arabic original, which has not survived, was signed on 15 Rabīʿ II 887/3 June 1482. The document is extremely valuable because of its detailed description of the damage affecting both buildings. For this reason, it's best to present it exactly as it appears in writing:

Trocó Fátyma, fija de Mahomad// Alzahabí, con Fátyma, fija de Aly Alhadid, en la forma siguiente. Que la dicha Fátyma, fija del Dahabí, dio a la dicha Fátyma, fija del Hadid, las casas que ella ha e tyene en la calle que dizen del Çahetar, dentro de Granada; que han por linderos: a la parte del mediodía la mezquita que dizen del Caxixín, y a la parte del norte la calle, y a la parte del oriente el Damaxquí, y a la parte del occidente el Mudéjar. Y en equivalencia de las dichas casas le dio la dicha Fátyma, hija del Hadid, vna maçería que ella ha e tiene en la calle Real, que se dize al-Falyfa, dentro de Granada; y ha por linderos: a la parte del mediodía casas de Vleyme, y a la parte del norte la calle pública, y a la parte del oriente la casa del Bazty, y a la casa del occidente casas del Zarryha [...]

E fue avisada e certificada la dicha Fátyma, fija del Hadid, quel agua que se beue pasa por la dicha casa e daña las paredes della, porque es el agua no linpia, que viene de Hadarro; e que las ventanas del Tomayhy descubren// la dicha casa; y los caños de la dicha casa están çerrados y quebrados; que ay en ella muchas hendiduras, en que ay muchas chinches; y que está en estado de se derrybar e tornar a labrar; e a la parte del Damayxquí ha menester haser vn reparo para defender que non se descubra la dicha casa; e sy el Mudéjar pusyere o edificare alguna pared, para çerrar e cubryr la vista de la dicha casa, que se faga a él otra tal a la otra parte.

Y en la misma manera fue avisada e çertificada Fátyma, hija de Dahaby, que la dicha maçería es vieja y está para caer, llena de chinches; y que vna casa donde se hace obra, que se llama Tarbyha, que está a par de la dicha maçería, le hace daño; y asimismo la vna cámara della está hedifycada sobre casa agena; y que cerca della está un baño de aguas que le hace daño.

If you look closely at the text, you can extract some very interesting data regarding the damage affecting these buildings. Thus, starting with the house across the street from Çahetar, we note that the text reads: *el agua que se beue pasa por la dicha casa e daña las paredes della, porque es agua no linpia, que viene de Hadarro*, meaning 'the drinking water runs near the said house and damages the walls, because it is not clean water, which comes from the river'. The canal that supplied the al-Qaššāšīn neighbourhood was called Romayla (also called Santa Ana), flowing from the Axares canal (or San Juan de los Reyes). After crossing *qanṭarat* al-Tāğ ('The Bridge of the Crown'), it supplied the neighbourhood and passed through Zacatín Street down to the plaza of Bibarrambla. Like the other canals of the

Darro, the head of this canal began above the city limits; further downriver, it became polluted with sewage (Orihuela Uzal & Vílchez Vílchez 1991).<sup>60</sup> Once inside the city, it flowed through covered culverts, reservoirs and pipes (Orihuela Uzal & García Pulido 2008: 146); therefore, the damage could have been caused by leaks in the main canal or by smaller branches coming off it. However, it is strange that the drinking water was not clean. It is possible that the expression *que se beue* may have been a misreading by the clerk translator, who mistook a word with the Arabic root *s-r-b* ('flow, run') with another root *š-r-b* ('drink, sip'), a confusion of consonants that was common in these texts, considering that the two roots differ only in their diacritic marks, which were often not written down by notaries. In this case, the translation would be 'piped water',<sup>61</sup> suggesting a sewage ditch leading to the river or non-potable water for irrigation.

The affidavit also shows that this house had a visual defect, when it says *las ventanas del Tomayhy descubren la dicha casa [...] e a la parte del Damayşquí ha menester haser vn reparo para defender que non descubra la dicha casa; e sy el Mudéjar pusyere o edificar alguna pared, para çerrar e cubryr la vista de la dicha casa, que se faga a él otra tal a la otra parte*, meaning 'el Tomayhy's windows expose the said house [...] and on el Damayşquí's side it is necessary a reform to prevent the exposition of the said house; and if el Mudéjar put or raised a wall to hide and block the view of the said house, the same would have to be done on the other side'. Here *descubrir* ('expose, reveal') is the translation of the verb *takaššafa*, in the sense of 'seeing the interior of something', used in the writing about buildings no. 5 (the *maşriyya* in Mauror) and no. 9 (the *maşriyya* of the *ḥammām* al-Sarrāḡīn, in al-Ḥaṭṭābīn).

Moreover, the house had serious problems that show it had been neglected, beginning with its pipeline system (e.g. *los caños de dicha casa están çerrados y quebrados*, meaning 'the pipes of the house are closed and broken'). Its structure was severely damaged with cracks and bugs, and it was *en estado de se derrybar e tornar a labrar* ('in a dilapidated state needing rebuilding'), an expression that may correspond to the Arabic *li-l-binā' wa-l-işlāḥ wa-l-iqāma min al-aşl* or one of its previously seen variants.

The other building in the exchange, the *maşriyya* on al-Falyfa Street, was also in a dilapidated state, to the extent that the record states *la dicha maçeria es*

60 See also Orihuela Uzal & García Pulido (2008, especially 142, where there is a plan with the route of this canal) on this subject.

61 As an example of this, cf. *supra* building no. 4, in which appears *masrabat al-mirḥāḍ* ('evacuation of waters of the latrine'); no. 5, in which appears the expression *mağrā l-sarb* ('drainage channel'); and no. 9, with *masrabat al-sabīlayn* ('canalization of the two pipes') and *al-mā' al-sarūb* ('canalized water').

*vieja y está para caer, llena de chinches* ('the said *maşriyya* is old and about to fall down, being full of bugs'). In addition, some accidental damage was found, as shown by *vna casa donde se hase obra, que se llama Tarbyha, que está a par de la dicha maşeria, le hase daño* ('a house under construction, called Tarbyha, is close to that *maşriyya*, causing damage to it'). Other issues were more permanent, like the case of building over the property line of an adjacent property (*la vna cámara della está hedifycada sobre casa agena*, meaning 'one of its rooms is built on someone else's home') or being inconvenienced by the nearness of the public baths (*çerca della está un baño de aguas que le hase daño*, meaning 'nearby there are public baths that cause damage').

15. House on *zanaqat* al-Furn ("Oven Street"), on the passageway of the *maşğid* al-Murābiṭīn ('Mosque of the Converts'), in al-Qaṣaba al-Qadīma ('The Old Castle').<sup>62</sup> This ancient *zīrī* fortress gave its name to a nearby walled district of the medina, which sits on steeply sloping terrain.<sup>63</sup>

The dilapidated building appears in a property exchange contract dated 7 Dū l-ḥiğğa 890/5 December 1485. Bordered to the south by Ibn Baqiya, to the north by the street, to the east by al-Dimaşqī and to the west by Mufaḍḍal, it was exchanged for a parcel of vineyards located in the agricultural district of Andar al-Şamal in the outskirts of Granada (Andarasemel, Peligros), whose name is translated as 'threshing floor of the North Wind'.<sup>64</sup>

The description of the damages specified in the relevant section of the standard formula (i.e. after the acceptance of the desired property by the buyer) is *wa-l-ilm bi-an al-dār al-maḥdūda bi-şaqq wa-baqq li-l-ḥall wa-l-binā* ('knowing that the house had cracks and bugs, (and should be) demolished and rebuilt'),<sup>65</sup> using the same expressions that were seen earlier to refer to the poor condition of the building. It also had other damage, caused by problems with the water pipeline, which are specified immediately after the previous sentence: *wa-mā' al-ğirs al-hābiṭ min maşabb Haşşān yaşubbu bi-saqfi-hā miṭmarat al-bustān dūn mağrā-hu, fa-raḍiyya-hā ka-dālik wa-iltazama-hā*. Luis Seco de Lucena Paredes translated

62 BUG, BHR Box C-69 (5–39); edn and transl. by Seco de Lucena Paredes 1961: no. 54, 97–98 (Arabic text), 104–105 (Spanish transl.).

63 Seco de Lucena Paredes (1975: 107–119) describes this district in detail, affirming that its heart was the mosque of al-Murābiṭīn that occupied the place of the present parochial church of San José.

64 On this agricultural area of the fertile Vega of Granada that at the time was the scene of the famous Battle of the Higuera (1431), see Jiménez Mata (1990: 128–129).

65 The version of Seco de Lucena Paredes is incorrect when it reads *wa-l-ilm bi-an al-dār al-maḥdūda hiya wuffiqa li-l-ḥall wa-l-binā*. I think that probably he was not very sure of this version, because he translated it as *saben que la casa deslindada [...] y construcción* ('they know that the demarcated house [...] and construction').

this as: *y que el agua del plantío que cae del vertedero de Ḥassān, vierte sobre su techo, salpicando del jardín sin que tenga canalización. Acepta también esto obligándose a tal servidumbre*, meaning ‘and irrigation water that flows from the weir of Ḥassān poured onto its roof, spraying over the garden because it wasn’t channeled. (The buyer) also accepts this easement.’ Actually, this piece is somewhat difficult to understand. Taking into account the archaeological excavations by Julio Navarro Palazón and Pedro Jiménez Castillo of the ruins of Siyāsa (Cieza, Murcia), dating from the eleventh to the thirteenth centuries, the authors note:

Lo vertido en los tejados se recogía, lógicamente, en los patios, que disponían de sumideros normalmente ubicados en un ángulo, y siempre en la cota más baja; si la vivienda contaba con jardín, y en consecuencia con un canalillo perimetral para evitar su inundación, el imbornal se emplazaba en uno de sus ángulos [...]. A partir de ahí la evacuación se hacía por medio de conducciones poco profundas a cielo abierto o, más comúnmente, mediante atarjeas (*sarb*) subterráneas [...].<sup>66</sup>

From my point of view, if we consider the above architectural model and assume that the notary could have omitted the conjunction *wa* (‘and’) before *miṭmarat al-bustān* (‘the garden storm drain’), a practice we have often seen elsewhere, then this paragraph makes sense. My proposed translation is: ‘irrigation water that falls from the weir of Ḥassān poured onto the roof (of the house), and the garden storm drain (*miṭmarat al-bustān*) has no pipe to drain the water (*dūn mağrā-hu*). (The buyer) was pleased and accepted it (in that state).’

Finally, at a later date, when the document was reviewed before being signed by witnesses, damage that was not listed in the correct place with the rest was discovered. It was decided to add *wa-‘ullīma allaḏī šārat la-hu al-dār an bi-ḏuhr ḥaniyyati-hā mirḥāq al-Dimašqī, fa-raḏīya-hā ka-dālik*, which I translate as ‘the buyer knew that the latrine of al-Dimašqī was behind the *ḥāniyya*,<sup>67</sup> and was equally pleased (with the purchase), despite the potential for bad odours and moisture that might come from something as polluting as an adjacent latrine.

<sup>66</sup> ‘The runoff from the roofs was collected in the patios, which were the usual location for drains on a reentrant angle because the sewers were located on the lowest level; if the house had a garden it would have guttering around the perimeter to prevent flooding with a storm drain in one of the valleys [...] After that the water drained through shallow, open conduits or, more commonly, through underground culverts (*sarb*)’, see Navarro Palazón & Jiménez Castillo 2007: 182–183.

<sup>67</sup> *Sic* in the original, from the classical Arabic *ḥaniyya*, ‘arco, bóveda, interior’ (‘arc, vault, interior’) (Corriente & Ferrando 2005: 273), from which comes the Spanish word *albania*, with the sense of a part of a room separated from the rest by an arch, used at night like a bedroom. On this word, see Oliver Pérez 1996–1997.

16. A *maşriyya* of *rahbat Maşğid A'zam* ('The Plaza of the Grand Mosque'), in the interior of the capital.<sup>68</sup> It was a privileged area of the city, on level ground, close to, for example, many *souks*, the *qaysāriyya*, the madrasa, public baths, and *funduqs*.<sup>69</sup> In short, it was considered not only the religious centre of the city, but also the centre of commerce and culture in the society of Granada.

The document in question consists of two records: a property exchange contract, dated at the end of Muḥarram 898/12 November 1492, and a receipt showing positive balance of payment belonging to one of the parties in the exchange, put into writing on 29 Ğumādā I 899/7 March 1494.<sup>70</sup> The list of damage appears in the property exchange contract, where it is stated that the *maşriyya* was bordered to the south by al-Basṭī, to the north by a primary school (*al-mahḍara*), to the east by a public lavatory (*dār al-wadū*), and to the west by the plaza of the mosque, where its entrance was located.<sup>71</sup>

This is another example of a building in ruins that required repairs from the ground up. Damages are recorded in the proper place, after the acceptance of the item, as follows: *wa-ullimat al-şā'ira la-hā al-maşriyya inna-hā ḥirba muta-haddima li-l-ḥall wa-l-binā' wa-l-iqāma min al-aşl bi-şaaq wa-baaq fa-raḍiyat-hā wa-iltazamat-hā*, which I translate as 'the party intending to take ownership of the *maşriyya* was informed that it was in ruins, that it needed to be rebuilt from the ground up, and that it was full of cracks and bugs. She was pleased (with the *maşriyya*) and undertook to accept it'. As can be seen, the same expressions are again repeated to refer to the property in question as extremely deteriorated (to the point that it was best to demolish it and then rebuild it later).

17. Plot of a demolished house on the Byval Taguavín Plaza (Bāb al-Ṭawwābīn, present day Bibataubín), inside the city of Granada,<sup>72</sup> in a walled district where the *maşriyya* on al-Marīnī Street (no. 11) was also found.

In this case we have a translation dated 1 April 1506 of an Arabic sales contract; it was written on 9 Şafar 899/19 November 1493, but the original did not survive. The problem with the property was the state of ruin it was in, as clearly stated in the document, which reads: *El mercader Hamete Aben Haçén Almuxiquery vendió*

68 AHMG, file 4471, piece 2 (8); edn, transl. and study by Molina López & Jiménez Mata 2004: no. 8, 24–26.

69 Seco de Lucena Paredes (1975: 65–76) drew up a rich descriptive image of this neuralgic centre of the capital.

70 Although the year 897 appears in the original document, the editors and translators have detected the error and corrected it as 899, see Molina López & Jiménez Mata 2004: 26, n. 33.

71 On the boundaries of this *maşriyya*, see Seco de Lucena Paredes 1975: 65–66, n. 2.

72 Archivo de la Real Chancillería de Granada, cabin 3, file 1194, piece 1; edn and study by Osorio Pérez & Peinado Santaella 2002: no. 10b.

*al christiano Miguel de Aragón todo el solar de la casa derribada que es en la calle de la plaça de Byval Taguabín, dentro de Granada, que ha por linderos: Zayén a la parte del mediodía, e la calle a la parte del norte, e Alabyz a la parte del oriente, e Dorabia a la parte del occidente*, meaning ‘the merchant Hamete Aben Haçen Almuxiquery sold to the Christian Miguel de Aragón the entire plot of the demolished house on the Byval Taguavín Plaza in Granada, that has as its borders Zayén to the south, the street to the north, Alabyz to the east and Dorabia to the west’. It is very likely that the expression “the entire plot of the demolished house” is the Arabic *ğamīʿ ħirbat al-dār*, which is found in several of the documents outlined above and the one immediately following.

18. Plot of a demolished house (*ħirbat al-dār*) on the Riverbank of the Barbers (*raşīf al-Ĥağğāmīn*),<sup>73</sup> the name of a street that borders the Darro around the bridge of the Crown (*qaṇṭarat al-Tāğ*), the namesake of the neighbourhood where it is found (Seco de Lucena Paredes 1975: 78–79).

Of these two documents, no. 5 is a deed of sale signed 14 Šaʿbān 904/27 March 1499, and no. 6 is a record of ownership dated 6 Šaʿbān 904/19 March 1499. Both allude to the same item, a plot of a demolished house (*ħirbat al-dār*) that was on *raşīf al-Ĥağğāmīn* (‘The Riverbank of the Barbers’), bordered to the south by the Darro river, to the north by an alley, to the east by a fountain and to the west by *zanaqat al-Ĥāşiba* (‘The Street of the Accountants’). Neither of the two affidavits provides any details of the damage to the building.

### 3. CONCLUSIONS

The Muslim notaries living in Granada during the fifteenth century used a number of specific expressions to refer to damage affecting urban construction, to the point that they had to be written into any contract that would involve transfer of ownership. In most of the twenty documents analysed, it appears that the specific vocabulary and expressions remained unchanged for at least fifty years, suggesting that they became incorporated as part of the language of notarial records.

In the selection of documents presented here, the sales contracts are those that most frequently contain such information. In principle, this could be attributed to the greater abundance of this kind of writing in the collections of documents consulted, but no doubt it is also due to the demands of Islamic law that required a specification of damages for assets put up for sale. It should be noted that this

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<sup>73</sup> AHMG, file 4471, pieces 2 (5) and (6); edn, transl. and study by Molina López & Jiménez Mata 2004: nos 5 and 6, 18–21.

legal requirement was not always met, resulting in litigation between the parties. In fact, the scarcity of notarial records where such damages are listed is surprising, considering the volume of urban properties that were transferred. This could be an indication that this legal requirement was often omitted.

I think that such negligence, when it comes to detailing damages in the notarial deeds, can be seen in the documents that describe the state of the properties (nos 9 and 3 are the only two) that were sold on multiple occasions. Thus, it is noteworthy that in building no. 9, the *maṣriyya* of the *ḥammām* of al-Sarrāḡīn, only the damages that plagued the first sales contract (880/1476) are listed; they do not appear later on the two occasions when it was sold again (in 899/1493 and 903/1497). It does not seem possible that the owners of the building had completely repaired all of the serious damage, and presumably some defects were not corrected (due to the difficulty of repairing them). Therefore, it seems that the parties involved in the last contracts put no special interest in detailing the damage, or the notary, wanting to finish his work as quickly as possible, considerably simplified his work. Likewise, the other building that was sold twice, the *maṣriyya* near the al-Baṣīlī Mosque, in El Zenete (building no. 3), did not show any change in condition. In both contracts, separated by five years, we see the same damages (except for the presence of a stable, which does not appear in the second contract). It may be that during this time there were no repairs or modifications to the damages that affected the *maṣriyya*, but the fact that the second contract is practically a copy of the first suggests that perhaps those involved in this case also had no great concern about fulfilling this legal requirement, and that they were satisfied with a contract of sale that was a “carbon copy” of that made by the previous buyer when he purchased the property (with the exception that they forgot to include damage to the stable).

The buildings described here are distributed over thirteen neighbourhoods and walled districts of the city, with very diverse characteristics. They range from the most central and stately, located on level ground, such as the Grand Mosque, to others found in largely immigrant populations and dedicated to agriculture, located on mountain slopes, like El Albaicín. In most cases, and in virtually all neighbourhoods and walled districts, damage affecting the buildings was of such magnitude that they were considered as ruins, requiring to be rebuilt from the ground up. In some neighbourhoods built on a slope, there was the peculiarity that the upper levels of a house could be damaged by water runoff from the street. This gives an idea of the steepness of the slope. However, I believe that the volume of data we are dealing with here is not sufficiently representative to draw general conclusions about specific features of certain areas of the city.

It is curious that deterioration and damages primarily affected *maṣāriḥ*, compared to other structures (such as houses, although they appear more frequently in the legal documents). Nonetheless, I think this is simply by chance, since the damage we have seen cannot be considered to be exclusive to these properties.

The damages were very diverse, with those caused by water occurring most often. Other common damages, often as a result of the close proximity of adjacent buildings that affected the privacy of the home, include bad odours, noise, vibration, and visual intrusion, but most properties were in a state of extreme deterioration, necessitating their demolition. Some of the architectural issues observed could be explained by the population saturation that was taking place in Granada at that time, driving the proliferation of, for example, multiple stories, overlapping buildings, properties shared between neighbours, and rooms on the street. Undoubtedly, a more comprehensive study of the provided information will be required to take full advantage of the potential of these documentary sources.

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