Paper Instruments in Early African Economies and the Debated Role of the *Suftaja*

Instruments-papiers dans les économies africaines anciennes et le rôle débattu de la souftaja.

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Paper instruments have long been fundamental tools of exchange. By paper instruments I mean handwritten records, such as correspondence, ledgers, and contracts that eased the flow of information, the transfer of capital, property and obligations, and the enforcement of agreements. Historians have come to recognize the fundamental role of contracts in the organization of both public and private life (Williamson 2000). Clearly drafted and properly witnessed, contracts inscribed order in all dealings, from marital acts to property deeds. They also reduced the transaction costs of merchants, traders and their agents engaged in overseas and overland commerce. Contractual forms, which migrated across scriptural traditions and were adapted to local cultures, retained remarkable formulaic stability over the very long run. Once a popular financial contract among merchants of Africa and the Middle East, the *suftaja* was an early paper instrument that functioned as a check for long-distance payments and safe travel. Its use is attested in and out of Egypt from the eighth to the fourteenth century. Yet, mechanisms of financial transference of this kind may have been in existence centuries before this period.

Early African economies were prime sites of institutional innovation and diffusion, not least because of Egyptians' groundbreaking invention of the world's first writing paper. In a seminal book entitled *The World and Africa: An Inquiry into the Part which Africa has Played in World History*, W. E. B. Du Bois (1947) traces how Africans, from the Nile to the Niger River Valleys, from ancient to medieval times, founded far-flung civilizations buttressed

*. This essay has benefitted greatly from the critical readings of students and faculty of the Kevorkian Center's "Islamic Law and Society Workshop" (New York University, May 2016) and the Davis Center's "Law and Legalities Seminar" (Princeton University, February 2019). I am especially grateful to Guy Burak, Marina Rustow and Angela Creager for their insightful remarks, and the suggestions of Lysa Hochroth and the anonymous reviewers of this journal.

by sophisticated institutions before the rise of the West. He studied Africa's past as a continent not divided, but united by the Sahara and a network of rivers. Decades later, Cheikh Anta Diop (1974: xiv) echoed Du Bois when writing: "The history of Black Africa will remain suspended in air and cannot be written correctly until historians dare connect it to the history of Egypt. In particular, the history of languages, institutions and so forth [...]" This was a scholarly call to restore Ancient Egypt's place in African history, as a pushback to the distorted Hegelian view of Egypt as separate from "Africa proper." Still, the legacy of Pharaonic Egypt's economic institutions in Africa and beyond remains under-appreciated. From a methodological standpoint, this is explained in part by both the treatment of Ancient Egyptian civilization as an isolated exception in world history, and the reluctance of historians to decompartmentalize the study of Africa beyond the Saharan divide.

In the past decades, scholars seeking to explain the divergences in the development of world economies have focused on the presence or absence of institutions promoting economic growth. In a landmark article, several economic historians posited that before 1500 most regions of the world, including Africa, had comparable levels of economic growth and prosperity (Acemoglu *et al.* 2002; Akyeampong *et al.* 2014). In time, certain regions experienced a "reversal of fortunes" after the imposition of European extractive and exclusive institutions culminating in colonial systems that cemented patterns of structural underdevelopment. Implicitly inspired by Walter Rodney's (1972) thesis in *How Europe Underdeveloped Africa*, and informed by econometric methods, this research has been criticized for "compressing" history based on insufficient data (Austin 2008). Whatever its shortcomings, the "reversal of fortunes" theory prompts scholarly research into Africa's institutional and economic history prior to 1500 and in the very *longue durée*.

This essay offers a longitudinal reflection on one aspect of the institutional economic history of Africa: the use of paper instruments in commercial and financial transactions. It rests on the assumption that the reliance on writing paper was a significant factor in the development of complex economies (Lydon 2009a, b). I pay particular attention to early evidence of contracts for transferring funds, from Pharaonic Egypt to Northwest Africa's medieval period, that is, during the millennia when African societies manufactured paper. I draw attention to the remarkable stability in the formulation of contracts since Antiquity. I then focus on the development of the *suftaja*, a paper instrument Muslim jurists described and often debated since at least the tenth century. The essay examines points of contention regarding the lawfulness of the *suftaja* as a contractual tool of financial conveyance prevalent in pre-modern African and Middle Eastern economies. I draw on an informative manuscript

composed in 1966 by Ismā'īl ibn Shaykh Sidiya Bābā, a Muslim legal scholar from Mauritania, who reviewed an array of legal opinions on the *suftaja*. By documenting the history of early paper economies, this essay seeks to highlight the contributions of African societies to world economic history.

Paper Instruments in the Age of Papyrus

Naturally, the earliest paper instruments were drafted on papyrus, the world's first writing paper for over four millennia. Not only were Egyptians innovators of "paper economies," and their attendant institutional frameworks, including contractual formulae, but these systems were replicated far and wide.¹ To be sure, instruments including contracts, were also written on surfaces other than paper, such as leather parchment, pottery sherds (*ostraca*), wood and ivory labels, bones and stones. The hieroglyphic symbols for the papyrus scroll ( ), and the strung and sealed papyrus document, depicting how letters and contracts were bound, ( ), are attested since Egypt's First Dynasty, in other words, before 2500 BCE (Grohmann 1952: 1; Regulski 2009: 259). Scaraboid stamps were applied to clay bullae so as to seal letters and contracts. Featuring personal or standard logos, typically signifying popular pharaohs or deities, seals were strung and worn as jewelry, often mounted on swivels forming early signet rings. Sealing documents, an Egyptian innovation, added important features to paper instruments. It enabled privacy and secrecy by securing the written contents of letters and contracts. It also served anti-forgery and contract enforceability functions. This was especially the case for chirographs or duplicates whereby the second document was sealed for authentication in the eventuality of a contractual dispute. Other clay seals were strung on objects to inscribe ownership or provenance, and to control access, such as jars and baskets, or granary doors.

The earliest preserved Egyptian contract transferring rights to property, which is a house sale, has been dated to between the 4th and 6th Dynasties, circa 2500-2150 BCE (Botta 2009). An abridgement was transcribed on a stela from the original written on papyrus (Menu 1985). According to Bernadette Menu (1988), in Egypt's Early and Middle Kingdoms, most contracts were concluded orally, with the exception of real estate transfers and sales with added stipulations (such as loans, future sales and third-party assignments), which were the contracts most likely to be recorded in writing. From the

1. By "paper economies," I mean economic systems upheld by institutional environments reliant upon paper instruments for financial and commercial transactions, and the transference of obligations and property rights.

beginning of the 18th Dynasty (c. 1550-1290 BCE), recording contracts on paper became more normative and contractual formularies, while retaining basic features, took on local stylistic forms. After the invention and popularization in the seventh century BCE of the Demotic cursive script, tellingly called in Ancient Egyptian “writing for documents” (*sekh shat*), Egypt’s paper economy expanded. This may explain why evidence of Ancient Egypt’s paper instruments is sparse until this time. From Egypt’s Ptolemaic period onwards, the more voluminous record points to the remarkable structural stability of contractual models amid linguistic diversity (Peirce 1972; Depauw 2006; Keenan *et al.* 2014). One important invention, the origins and dating of which are subject to debate, is the above-mentioned creation of “double documents” and the sealing of the duplicate for authentication and enforcement.

Commercial papyri found on Elephantine Island facing Aswan in Upper Egypt, hereafter the “Aswan Geniza,” yield much information about early paper instruments. Dating from the fifth century BCE, this corpus consists of letters and contracts, including double documents, written primarily by Jews in Aramaic and Demotic. Contracts contain the standard boilerplate features, namely the listing of the date (regnal year, month and day), parties, clauses, transference, payment and/or price, oath taking (with invocation of a divinity) and witnesses. Bezalel Porten (2011: 11-2, 18), one of the preeminent interpreters of the Aswan Geniza, notes the elements of continuity in contractual formulation, textual regularity and scriptural reproduction. He concludes that, despite different religious and linguistic variations, “legal procedures and formulary bear striking similarity.”

Other scholars have pointed to the ways in which Egyptian models influenced practices outside of Egypt. Eugène Revillout (1897: xix-xx; 2018 [1902]), one of the first Egyptologists to study Demotic and Greek contracts, recognized areas where Greek law and later Roman law were modeled on Egyptian law. Noteworthy too are the conclusions drawn by papyrologist Jaroslav Černý (1952: 21-22) about the borrowing in Roman official correspondence from New Kingdom epistolary practices. New research demonstrates the antiquity and influence of Ancient Egyptian contractual models. Based on various sources, including the Aswan Geniza, Alejandro Botta (2009) studied basic clauses attested in legal traditions expressed in different scripts, from Demotic and Aramaic, to Hebrew and Arabic. About the most basic clause, “to grant or deny rights to something,” he concludes that “there is Egyptian evidence going back to the earliest stages of Egyptian history of the use of this formula that argues for an Egyptian origin” (*ibid.*: 92; Porten 2011: 19-21). He found the same to be true of the clauses for contractual withdrawal or abandonment of property. Through the conduit of Aramaic, these

two elementary legal concepts entered usage in Mesopotamia and beyond (Botta 2009: 95). Therefore, some basic Egyptian paper instruments and legal formulary circulated via cross-cultural exchange and were replicated in other parts of the world. Botta's research overturns the prevailing view that Semitic legal traditions (Neo-Babylonian and Neo-Assyrian) shaped Egyptian legal formulary.

To date, few Ancient Egyptian sources documenting financial conveyances have come to light. Two Demotic papyri from the Aswan Geniza, dating to the Ptolemaic period, are of particular interest as they document financial transfers foreshadowing *suftaja*-type arrangements (Porten 2011: 317-318, 326-327). The first, dated to 205 BCE, is a letter acknowledging receipt of money to be delivered to a third party ("you caused these letters to be brought [...] You sent (word) on account of this money [...] They are placed on account within the monies concerning which you sent (word) to me [...]"). In a second letter, dated earlier (223 BCE), the writer denies having received a payment on behalf of a third party, as his correspondent had reported in a previous letter. In both instances, payments to third parties were executed in bilateral exchanges, which is the basic financial-transfer mechanism of the *suftaja*. More material from Ptolemaic Egypt, written in Greek and dated to the first half of the first century BCE, describes financial transfers. Recovered from recycled papyri used to craft mummy cartonnage, these short missives contain elements that resemble how *suftajas* were executed. They are essentially third-party orders of payment, such as "Pay to Sarapion the agent of Theon four copper talents [...]" (Bagnall & Bogaert 1975: 84). This particular collection bears witness to the use in Egypt of paper instruments for the execution of long-distance payments. It stands to reason that tools of financial conveyance would have become more prevalent with the widespread adoption of coinage. Ancient Egyptian economies were partially "monetized" since at least the mid-third millennium, as they operated on metal units of account and exchange (gold, silver and copper), but also grain (namely barley). Starting in the sixth century BCE, some coinage was introduced by Persians and Greeks, but it gained currency in the course of the Ptolemaic period.

Given North Africa's extensive networks of trade, fueled in part by the international demand for East African (Nubian) and, much later, West African gold, it is worth pondering how far papyrus circulated within Africa. To be sure, the inroads into the rest of the continent that papyrus-use may have made are determined by the practices of scriptural cultures (Lydon 2018). While the evidence is slim, papyrus was utilized, albeit in restricted contexts, elsewhere in Africa. To the south of Upper Nubia, administrators in the Kingdom of Kerma (which flourished from the third to the second millennium BCE) handled

and produced sealed documents (Smith 1996, 2018). However, the bulk of the clay seals unearthed so far in Kerma appear to have been used to lock containers. The Kingdom of Napata that succeeded Kerma also relied, to some extent at least, on the papyrus economy, as did its offshoot, the Kingdom of Meroe, namely in public administration (Rose 2000; Rilly 2007).² Papyrus may have been imported by the Kingdom of Axum, which enjoyed close relations with the Coptic Church in Alexandria after the king's fourth-century conversion to Christianity. Moreover, literate Jewish or Muslim communities in Greater Ethiopia (like those in Yemen across the Red Sea) must have written on papyrus, although no evidence has yet come to light.

Phoenician merchants operated in a paper economy, and papyrus was among the many trade items they supplied to the ports of the Mediterranean, including in North Africa. Tangible evidence of paper instruments from Carthage (Tunisia) is derived from a cache of some 4,762 clay imprints of seals, or bullae, excavated in a Phoenician temple built in the fifth century BCE. Studied by Taoufik Redissi (1999: 4), they "preserve still the trace of woven papyrus fibers, and one or several (2 or 3) grooves; these grooves across the width [of the clay bullae] are evidence of the seal bindings that were rolled around the papyrus." These seal stamps would have been affixed to legal paperwork and deposited in the temple for safekeeping. Inscribed with mainly Egyptian iconography, hieroglyphic writing and motifs, most seals, which Redissi believed were mounted on swivel rings, would have originated from Egypt. While this material confirms the operation of a paper economy in Carthage, questions remain about the types of paper instruments or trading activities that it may have facilitated.

There is no reason not to suspect that some papyrus rolls made their way to western or central Africa, especially after trans-Saharan travel accelerated with the adoption of the camel in the first centuries of the first millennium. The Libyan trade network of the so-called Garamantes practiced a scriptural tradition (proto Tifinagh), and perhaps made some use of papyrus. Ostraca inscribed in so-called Vulgar Latin and Latino-Punic, and dated to the mid-third century CE, were excavated in Roman camps located in northern Libya. One ostrakon (O. Bu Njem 71) informs that the Garamantes on occasion carried "letters" to Roman officials (Marichal 1992). Whether these letters were written on ostraca or papyri, and whether some may have been drafted by Garamantes using their own script, may never be known. Certainly, papyrus was used throughout Roman Africa in administration and commerce. A papyrus ledger, for example, documents a sustained trans-Saharan trade in textiles between Egyptian market towns such as Oxyrhynchus, the Libyan

2. I thank Jeremy W. Pope for this information.

Sahara, and central-western Africa (Guédon 2017). Centuries later, commercial exchanges by camel caravans continued along transversal Saharan routes, connecting the economies of the Nile and Niger River Valleys. Trade relations prevailed between Egypt and the West African Sahel from the heyday of the Ghana (Wagadu) Kingdom and through the mid-fourteenth century. But not until the first centuries of the Muslim era do sources describe the use of paper instruments in those markets. To be sure, documents were written on papyrus or parchment in northern Africa even after the tenth century when modern paper began to supplant papyrus. The spread of Chinese-invented paper manufacturing occurred at a fast pace, once Muslims acquired the technology in the eighth century. Paper production began in Africa in the following century, when first Cairo, in the East, and later Fes, to the West, became the main centers of production. Increased access to paper accelerated the development and growth of paper economies beyond those hitherto dependent on Egypt's papyrus.

The earliest Arabic papyri instruments were found in Egypt. The contractual formulary of Muslims point to Egyptian textual genealogies in formatting and function. However, as Geoffrey Khan (2008) notes, Islamic contractual models were not always adopted directly *in situ*, but often through the interplay with older Egyptian models reworked outside of Egypt, such as in the Khurasan region. The epistolary and contractual traditions of Arabic writers would be refined or modified by Muslim jurists during the Abbasid period.³ The Cairo Geniza, a treasure trove of Jewish trade records from the early medieval period, contains a fair number of instruments written on papyrus and later paper, including *suftajas*, often embedded in letters in Arabic and Judeo-Arabic. From the mid-tenth century onward, paper permanently replaced papyrus for drafting documents. For reasons having to do with preservation, we know far less about early or medieval paper instrument-use in Muslim northwest Africa beyond descriptive information and prescriptive evidence derived from legal opinions and reference manuals detailing contractual rules.

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3. KHAN (2008: 887) identified two legal modifications in the early Arabic formularies: the use of a demonstrative sentence introducing the contract (e.g. "This is a deed...") and the listing of names without autographed witness clauses. This author's chief interest is to counter the view that Arabic formularies were directly copied from Coptic or Greek models, and therefore he is not necessarily concerned with the question of deeper origins. Still, he acknowledges that Arabic formularies may have been partially inspired by Aramaic contracts, which, as BOTTA's (2009) work suggests, themselves were influenced by older Egyptian models. On West Central African epistolary traditions in the early-modern period, see DEWIERE (2017).

Paper Instruments in Medieval Northwest Africa

Sometime in the eighth century, Muslims learned to manufacture modern paper, perhaps in the city of Samarkand (in the Khurasan region, present-day Uzbekistan). They would go on to play a great part in the rapid dissemination of this Chinese-invented technology. As per an often-misattributed quote by the ninth-century Iraqi scholar al-Jāhiz (d. 255/869), the “sheets of Egyptian papyrus are to the West (*al-Maghrib*) what Samarkand paper is to the East” (Karabacek 2001 [1887]: 7; ‘Awād 1948: 420). It indicates how modern paper was by the ninth century most commonly used in the Middle East, while papyrus remained the paper of choice in Egypt and perhaps elsewhere in North Africa. By the next century, factories in Fustat (Egypt) and Fes (Morocco), and possibly Tlemcen (Algeria), were producing linen, Esparto grass and hemp-based paper. Unable to meet African demand, Egypt still imported writing paper from the markets of Damascus and Baghdad in the mid-eleventh century, and merchants shipped it westward to the Maghrib by the camel load (Goitein 1967: 81, 199, 278).⁴ By this time, the region surrounding the Andalusian city of Shāṭiba, south of Valencia, had become an important zone of paper production and exportation. Still, documents on papyrus and parchment continued to be produced until sometime after this period.

Ibn Ḥawqal (d. 367h/978) provides the earliest evidence of a paper instrument in northwestern Africa. It was during his stay in Sijilmāsa, the trans-Saharan trade terminus in present-day Morocco, that he saw a debt instrument which he identified as a check (*ṣakk*). It was drafted some 60 camel-days to the south, in the West African city of Awdaghust (in today’s Mauritania), then the economic hub of the Ghana Kingdom. The document acknowledged a debt for the hefty sum of 42,000 dinars. Ibn Ḥawqal (1964: 65, 72, 80)⁵ alluded to this check thrice in his most important work, adding details at each mention. In the second mention, he writes:

I saw a check (*ṣakk*) [drawn in] Awdaghust certifying a debt owed to one of them [the people of Sijilmāsa] by one of the traders of Awdaghust, who was himself of the people

4. Based on the Cairo Geniza, GOITEIN (1961: 190-191) notes that: “In Tunisia, private letters and accounts were written on parchment well down into the middle of the eleventh century, while in the East the transition to paper must have been made about a hundred years earlier.”

5. The wording of the second mention has some scholars believe IBN ḤAWQAL (1964) actually saw the check in Awdaghust, or that he purposefully left it ambiguous so as to create the impression to his readers that he had indeed visited this West African market, when in fact he only reached Sijilmāsa (LEVIZION 1968).

of Sijilmāsa, in the sum of 42,000 dinars. I have never seen or heard anything comparable to this story in the East. I related this in Iraq, in Persia, and in Khurasan, where it was regarded as unusual.

Clearly, it was not the financial instrument that impressed Ibn Ḥawqal so much as the sheer size of the loan. At the rate of one gold mithqāl (approximately 4.25 grams) per dinar, this large debt represented close to ten kilograms of gold. The Ghana Kingdom controlled the most productive gold market in the known world at this time, and its ruler was held to be “the richest king in the world because of his treasures and gold reserves extracted since ancient times by him and previous rulers” (Ibn Ḥawqal 1964: 80).

Based on Ibn Ḥawqal’s text it is possible to ascertain the function of this paper instrument. Muḥammad ibn Abī Sa’dūn travelled from Sijilmāsa to Awdaghust, where he contracted a debt to the tune of 42,000 dinars from a man belonging to a family of Sijilmāsa named Abū Ishāq Ibrāhīm ibn ‘Abd Allāh (“the creditor and holder of the check” [*ṣāhib al-dayn wal-ṣakk*]). That debt was recorded in Awdaghust and the act was acknowledged by several witnesses (*shahada ‘alayhi al-‘udūl*). Ibn Ḥawqal called the paper instrument by the generic word *ṣakk* for legal document, deed or check (thought to be the origin of the word check or *chèque*). Several scholars claim that this so-called check was actually a *suftaja* (Mez 1937: 476; Lieber 1968: 233; Udovitch 1975: 10). Perhaps this was the case, although it is not entirely clear from Ibn Ḥawqal’s descriptions. In all likelihood, it was an order of payment by a drawer to a lender or banker of sorts, or simply a loan contract. What material the debt was written on goes unmentioned. It could have been drawn on a piece of paper imported from or via Egypt, or possibly manufactured in the early paper mills of Fes. But it is not improbable that it was recorded on parchment or perhaps papyrus. Previous authors, such as the late eighth-century Maghribi Ibn Faqīh, had described the direct trans-Saharan commerce between Egypt and Gao (Kawkaw), Ghana (Cuoq 1975: 54). But Ibn Ḥawqal noted a decline in traffic on this route after Ibn Tūlūn, who ruled Egypt from 254h/868 to 270h/884, reportedly forbade travel from Egypt to the Sudan.

More evidence on the reliance on paper instruments in medieval trans-Saharan trade is contained in a *fatwā* penned by the Tunisian jurist al-Qābisī (d. 403h/1012). It discusses the use of a *qirāḍ* partnership between a North African merchant and his commercial agent, which “was drawn up in writing and properly witnessed” (Brett 1983: 433). The *qirāḍ* is a limited-liability agreement known in Latin parlance as the *commenda*. It is a joint-venture contract whereby an investor provides the capital or merchandise and an itinerant agent executes its sale in a distant market. Together with the *sharika*,

or resource-pooling investment contract, it was the most common partnership agreement used in Saharan caravan trade in the modern period (Lydon 2005, 2009b).⁶ Al-Qābisī's *fatwā* discussed the case of an agent who traveled for trade to Tadmekka (today's Essouk in northeastern Mali), and then on to Kumbi Saleh ("Ghana") and later Awdaghust, where he resided for over a decade. When he returned to his unnamed North African hometown, where the *qirāḍ* had been drawn, he was so indebted that the local *qāḍī* (judge) took hold of his possessions to distribute among his debtors. The *qirāḍ* investor inquired if it was legal for him to recover his capital after such a long time-lapse. Al-Qābisī answered in the affirmative, but not before condemning the practice of drafting *qirāḍ*s for trade to the "*Bilād al-Sūdān*" (or Land of the Blacks), where he argued that contractual enforcement was compromised by the fact that this region was not part of the abode of Islam (*ibid.*; Ibn Abī Zayd 1945: 318-319). Such religious opinions did not necessarily constrain the commercial activities of Muslims.

The eleventh-century al-Bakrī related that rulers of the neighboring Kingdom of Gao (Mali) held a signet ring (presumably inscribed with an official seal) that was passed down, along with a sword, and a copy of the Qur'ān, as part of the instruments of royal power (Levtzion & Hopkins 2000: 87). A century later, in the mid-twelfth century, the famed geographer Abū 'Abd Allāh Muḥammad al-Idrīsī reported on the use of *qirāḍ* agreements in Gao, based on oral sources. He described how local merchants entered into partnership agreements with foreign merchants: "They mix with the merchants, sit in their company, and take shares in their wares [partaking in the profit] by way of the *qirāḍ* ('*alā jiha al-muqārada*)" (Al-Idrīsī 1957: 12). Some of these agreements may have been recorded on paper, since the material was now more readily available. By the time Ibn Baṭṭūṭa traveled on caravan to Mali in 1352, the use of paper instruments was common. Describing trans-Saharan trade between Sijilmāsa (Morocco) and Walāta (Mauritania), he explained the activities of his caravan's commercial scout (*takshīf*) whose job it was to enter markets, such as Walāta, ahead of the pack:

[...] with *people's letters to their associates* there, so that they may rent houses for them and come out to meet them with water for a distance of four days' travel. Anyone who has no associate at Iwālātan *writes to one of the merchants* there who is known for his honesty and he acts as his partner in the matter (Levtzion & Hopkins 2000: 283, emphasis added).

6. The *qirāḍ* is the subject of a fair number of legal opinions composed by northwestern Muslim scholars. See *Al-Majmu'a al-Kubrā*, vol. 10, Y. WULD AL-BARA' (2006-2007: 4405-4443, 4907-4938).

Fourteenth-century traveling merchants made extensive use of commercial correspondence in North and West Africa, in addition to contracts such as the *qirāḍ*. They would have relied on other paper instruments for financial transfers, including the *suftaja*, discussed next. The famed Emperor of Mali, Mansā Mūsā (d. 738/1337), contracted a large debt with several merchants in Cairo on his return from pilgrimage. The sources disagree on the debt's exact size, but not on the fact that portions were negotiated at exorbitantly high interest rates (according to fourteenth-century geographer al-'Umārī, he borrowed 300 dinars and returned 1000, which amounts to a loan with an interest rate of 233 percent).⁷ Clearly, the Islamic interdict on usury did not deter its practice among Muslim merchants. It is not known whether this debt contract was recorded in writing, yet the Malian imperial chancery evidently held a paper supply for its diplomatic and commercial correspondence.

The *Suftaja* and its Known History

In Mansā Mūsā's time, the *qirāḍ*, the *ṣakk* and the *suftaja* were common paper instruments among literate Muslims and Jews of northern Africa. As a form of debt contract, the *suftaja* enabled the transfer of funds among merchants located in distant markets who performed services as international money lenders within established trade networks. The *suftaja* served essentially two purposes. First, it was a means to send payments or settle debts across long distances; a function akin to a wire transfer. Second, like a traveler's check, it facilitated travel unencumbered by hefty and bulky amounts of cash. It is this second function that is most remarked upon by early Muslim jurists, as seen below. The *suftaja*, and the subject of debt transference (*hawāla*) more generally, have long fascinated Muslim scholars, but also Western researchers starting with Richard Grasshoff (1899), who reviewed various Arabic sources.

The basic *suftaja* mechanism is best described by way of an example. A merchant is traveling on business by caravan between Awdaghust and Sijilmāsa. To safeguard his capital he purchases in Awdaghust a *suftaja* in exchange for a fee from Merchant A who has a relative and/or business partner, Merchant B, located in Sijilmāsa. *A priori*, merchants A and B have established *ex-ante* a relationship of trust, involving the exchange of long-distance financial and commercial services. The traveler deposits his capital with Merchant A, in the presence of witnesses, pays a fee, and receives in

7. LEVTZION & HOPKINS (2000: 269). Ibn Khaldūn, for his part, claims the total amount borrowed by Mansa Mūsā was in the order of 50,000 dinars (*ibid.*: 323). There are conflicting reports as to whether all of the debt was reimbursed.

exchange a *suftaja*. This document, often in the form of a letter, instructs Merchant B to pay to the traveler the exact amount of capital. Upon arrival at destination the traveler cashes in the check. The same device was used to make long-distance payments except that the letter, containing the payment instructions, traveled via messenger. Upon reception, Merchant B executed the payment to a third party. A *suftaja* payment by Merchant B could settle in full or in part a pre-existing debt owed to Merchant A. Viewed another way, as was often the case among legal scholars discussed below, the traveling merchant or the party seeking to make an international payment, gives a “loan” to Merchant A that was reimbursed or disbursed elsewhere by his associate Merchant B to either a traveler or a fourth party. Since Merchants A and B regularly correspond and transact, their financial balances are cleared in the course of such bilateral exchanges.

Suftajas were drafted for all kinds of financial and fiscal transactions. They facilitated the virtual transfer of cash among merchants, but also among family members, government officials and staff, including tax collectors. These included forwarding sums to commercial agents and inheritance beneficiaries, or to charities, such as donations to schools or religious foundations. *Suftajas* were delivered and redeemed for large and small sums by prominent, and not so prominent, merchant bankers, typically based in towns or cities. They probably functioned in restricted *niche* markets within the confines of exclusionary trade network systems.

The origin of the *suftaja* remains unknown. However, as previously noted, analogous mechanisms of financial conveyance were utilized in Ancient Egypt at least since the third century BCE. The hypothesis cannot be excluded that these devices were adopted in Egypt from foreign practices. In another context, a Sogdian letter exchanged along the Silk Road between Samarkand and China, dated to the fourth century CE, discusses the forwarding of a sum of money by way of a “transfer document,” reminiscent of a *suftaja* transaction (Sims-Williams 2001). Noting its pre-Islamic origins, ‘Abdullah ‘Alwi Haji Hassan (1997: 184) suggests that the first *suftaja*-type exchange among Muslims dates to a seventh-century transaction performed by the Prophet Muḥammad himself. According to a *ḥadīth*, Muḥammad would have sent to Zaynab, the wife of his companion ‘Abd Allāh ibn al-Mas‘ūd, fruit from Khaybar to Medina via a third party. Other *ḥadīths* document how the second caliph, ‘Umar b. al-Khaṭṭāb, refused to sanction third-party transfers unless the contract was “guaranteed by a suretyship” (*ibid.*). ‘Abd Allāh Ibn al-Zubayr (d. 73/692), another companion of the Prophet, regularly transferred funds from Iraq to Mecca through the intermediation of his brother using a mechanism akin to the *suftaja*, as reported in the *ḥadīth* recorded by ‘Aṭā’

ibn Abī Rabāḥ (*ibid.*). The Prophet's cousin 'Abd Allāh ibn 'Abbās endorsed such contracts if they did not contain unjust clauses or stipulations. As seen in the next section, the inclusion of stipulations in *suftaja* contracts was highly debated among Muslim legal jurists.

The etymology of the word *suftaja* (sometimes rendered *saftaja*), and its plural *safātij*, is also uncertain. A popular yet inconclusive explanation, offered by several medieval Muslim writers, is that the word stems partly from the Persian (*suft*) for solid, or firm (Grasshoff 1899: 16-19).⁸ Another unconvincing theory is that the "etymology of the term is allegedly from the Persian *sufta* "pierced," because the folded or rolled financial instrument was pierced in order to enable a cord to be passed through it, which was then sealed" (Izzi Dien 2012). Still, these etymological associations could be indicative of a Persian derivation. Muslims made use of this device but also Jews, who sometimes called it *diokni*, a word derived from Greek (Libson 2003: 97; Cohen 2017: 25-26). Whatever its origin, the word *suftaja* would have entered the Arabic language by the eighth century. Prior to this time, it may have been known by other names, including *ṣahīfa*, meaning folio or papyrus roll, but also used to describe a written loan. This is according to Yūsuf Rāḡib's (1991: 8) study of a seventh-century document (composed on a Latin parchment palimpsest), which is the earliest known commercial letter in Arabic. The letter appears to be an exchange between a merchant in Tunisia's al-Qayrawān (capital of the northern African province of Ifrīqiya) and his correspondent, located in al-Bahnasā, a town two hundred miles south of Cairo (formerly known as the above-mentioned Oxyrhynchus). The merchant ordered him to issue a payment of 15 dinars to his carrier or messenger. In other words, the carrier was to present the letter to this financial agent to retrieve the said sum. As Rāḡib (1991: 4) explains, "the letter of credit therefore enabled itinerant merchants, by way of loans and credits, to transfer funds from place to place without the risk of transportation." Such financial transfers would have occurred in both directions between the markets of Egypt and Ifrīqiya (*ibid.*: 4-5). By the thirteenth century, the Persian encyclopedic compiler Abū 'Abd Allāh ibn Yūsuf al-Kātib al-Khwārizmī in his "Keys of the Sciences" (*Mafātīḥ al-'ulūm*), reported: "the *suftaja* is well known" (Grasshoff 1899: 36). By then, evidently, the paper instrument had become so popular as to require no definition.

Evidence from Egypt, Ifrīqiya and Iraq informs on *suftajas* in private and public transactions. Ninth-century sources document the use of *suftajas* in the Abbasid Caliphate for payments, including soldiers' wages, which were often issued and redeemed by Jewish bankers in Baghdad (Fischel 1968: 17-21).

8. I thank Edmund Herzig for precisions on the Persian language.

In a ninth-century Egyptian letter, preserved at the Louvre Museum, a merchant acknowledges having paid out a *suftaja* to a certain Abū l-‘Abbās in the amount of one hundred dinars—confirming the execution of the transaction (David-Weill 1965: 279-280). In another Egyptian letter from the next century, a merchant informs his correspondent about a *suftaja* he wrote on behalf of a certain woman for the amount of 40 dinars and 7 carats (Grohmann 1955: 113-114). Yet another Egyptian source, dated to 346h/958 and composed on fine paper, notes the issuance by a tax officer of a *suftaja* in the amount of 33 dinars for future payment of a land tax (Grohmann 1952: 225-226).

Information on *suftaja* transactions from the eleventh century onward is derived from a sample of letters and merchant ledgers contained in the Cairo Geniza collection, now preserved in various libraries and extensively investigated by Shelomo Dov Goitein. As he remarks, “the use of the *suftajas* was fairly well developed, especially inside Egypt itself, between Egypt and its immediate eastern neighbors, and between international centers such as Cairo and Baghdad” (Goitein 1967: 245). Interestingly, Goitein notes the absence of the mention of *suftajas* in transactions between Egypt and the Muslim West. However, he cites an eleventh-century letter from al-Qayrawān (Tunisia) in which a merchant demands that a third party in Fustat (Egypt) issue a *suftaja* (*ibid.*: 243). Moreover, he refers to a merchant letter from Tripoli, Libya, dated 1050, that describes the issuance of “a *ṣakka*, or note on 200 dinars to Fustat (Old Cairo)” (*ibid.*). This may indicate that to the West of Egypt the word *ṣakk* was used interchangeably. Some Geniza letters describe the challenges merchants faced in securing *suftaja* payments in distant markets, and even the case of a *suftaja* that was not redeemed “because the person on whom it was drawn disclaimed any obligation on his side toward the issuer” (*ibid.*: 244). Moreover, some sources suggest that late fees were incurred on *suftaja* payments not disbursed immediately upon reception (*ibid.*: 243).

Relying on *suftajas* to avoid handling or sending cash had many advantages. The *suftaja* operated in the age before paper money, when bullion and coins were the primary currencies. Since they were not transferable, *suftajas* did not become an impersonal means of exchange. Arguably, the *suftaja* functioned as a monetary alternative. As Abraham Udovitch (1979: 268) explains, based on the Geniza archives, *suftajas*:

were as good as money; the bearer could expect to redeem his *suftaja* for cash immediately upon arrival at his destination, since a daily penalty was assigned for any delay in payment. There is no indication that these *suftajas* were transferable or negotiable. Only the person to whom they were made out could cash them, and only in the place where they were assigned.

The dinar was the most common international denomination among medieval Muslims, and it featured prominently in *suftajas*. Dinars had minting and market specificities, including Maghribi and Baghdadi variants, and were pegged to the local price of gold. Goitein (1967: 242) claims that *suftaja* payments differed from bills of exchange since no currency exchange was involved (see also Udovitch 1979). However, redeeming a *suftaja* in the exact specie in which it was issued may have been impracticable given the variety of dinars and other currencies circulating in North African and Middle Eastern markets. Besides, the prevailing interdict in Islamic law against engaging in arbitrage, and therefore potential usury, by disbursing loans in a currency or kind other than that in which they were originally contracted, may have shaped how *suftajas* were drafted but not necessarily how they were executed.

Other paper instruments were also employed to record credit transactions such as the *ṣakk*, as already noted, but also orders of payment or IOUs recorded on pieces of paper, generically referred to as *ruqʿa* in Geniza sources, which were transferable and negotiable (Goitein 1967: 245-246). Another common instrument to move money was the *ḥawāla* or debt-swapping mechanism (from which the French word *aval* is derived). From the Arabic for “transfer,” as in “change place,” the *ḥawāla* was a form of long-distance payment through the transference of a claim, and often the subject of a separate chapter in Islamic legal manuals. For Grasshoff (1899), the *ḥawāla* represented the delegation of credit, which he saw to be a contractual component of the *suftaja*. The Shāfiʿī jurist Aḥmad b. Naqīb al-Maṣrī (d. 769/1368) defined it as follows, “an agreement that transfers a debt from one person’s responsibility to another’s” (Ibn Naqīb al-Maṣrī 1997: 412). Put simply, A is indebted to B, but has a claim on C, and so A transfers his claim on C to B to settle the debt. By transferring obligations to settle debts, this transaction was advantageous for all parties. Like the *suftaja*, the *ḥawāla* required intimate knowledge of the market of indebtedness and the availability of liquidity. In principle, the *ḥawāla* represents a debt-swapping mechanism which was more flexible than the simple *suftaja*. Over time, it came to encompass a wide range of financial assignments among dispersed communities, including the transference of the remittances of migrant workers. It attracted the attention of the United States government in the wake of 9/11 when it was discovered that terrorist activity was financed by way of the *ḥawāla*. The *suftaja*, for its part, fell out of use several centuries ago, as explained in the next section.

The Debated Role of the *Suftaja*

Since the medieval period, Muslim scholars from different Sunni legal schools (or *madhāhib*), discussed the lawfulness of the *suftaja* and the analogous financial device, the *hawāla*. Evidently, they sought to determine if such instruments conformed to the spirit of the divine law with its interdict on usury (*ribā*). Meaning increase, addition or growth, *ribā* refers to the premium a borrower pays to a lender in addition to the principle, as a condition for a loan or an extension of its due date. What constituted usury and how it could be avoided was a central concern in Islamic jurisprudence. As Udovitch (1979: 257) remarked, “the frequent, copious, and vehement reiteration of the prohibition against usury in medieval Islamic religious writings has been interpreted by some scholars as indirect testimony to its equally frequent violation in practice.” The fact that it could involve the payment of fees, or that it could profit the contracting parties disproportionately, were among the chief reasons Muslim scholars debated the legality of the *suftaja*.

A Muslim scholar named Ismā‘īl ibn Sidiya Bābā (1900-1988) deliberated on the *suftaja* long after this financial instrument had become obsolete. He was a prominent legal scholar in what is today’s Islamic Republic of Mauritania. Known as “Smā‘īl” to his contemporaries, he was the grandson of the renowned Sufi Shaykh Sidiya “al-Kabīr” (1188-1285/1774-1868).⁹ Sometime in the late 1920s or early 1930s, Smā‘īl began practicing as a *qāḍī* in the oasis town of Boutilimit (where his clan came to settle in the eighteenth century). Smā‘īl was a keen scholar of the economy, judging from the legal subjects he treated. Among these were questions about the lawful exchange of various kinds of livestock and other domestic animals, such as transactions in young for older camels. He also wrote about usury, monetary exchange, partnership agreements and so on. The Sidiya family library, partially digitized, contains many of his writings.¹⁰

In 1966, Ismā‘īl ibn al-Shaykh Sidiya Bābā (hereafter Smā‘īl) penned a six-page manuscript on the *suftaja* entitled “The abundant writings on the lawfulness of the *suftaja*” (*al-anqāl al-muntija ḥilli al-suftaja*).¹¹ It reviews

9. I thank Abdel Wedoud Ould Cheikh for the information contained in this section.

10. A sizeable portion of these texts are digitized as part of the Boutilimit collection of the West African Arabic Manuscript Database (WAAMD). Created in 1987 by Charles Stewart, it holds over 100,000 folios of material from the private library of Haroun Ould Sidiya in Boutilimit, Mauritania. Titles and descriptions are available online: <<https://waamd.lib.berkeley.edu/about/collections/boutilimit>>. The original microfilms and digital copies are held at the University Library of the University of Illinois, Urbana-Champaign.

11. WAAMD Microfilm no. 1235 98/12. All unattributed quotes in the remainder of this article are from this source. I thank Mohamedou Ould Meyine for his precious help with the translation and the identification of legal sources.

the works of several dozen jurists and lexicographers from the tenth to the nineteenth centuries. What prompted this reflection is unclear. However, that the subject matter of long-distance finance would be of interest to this legal scholar is not entirely surprising given the nature of the Saharan commercial environment in which he was brought up; an economy where historically paper instruments facilitated camel caravanning, as seen above. Still, the *suftaja* had long ceased to be common in this region and elsewhere in the Muslim world.

The author begins by noting the two pronunciations of the word that can be spelled either *suftaja* or *suftāja*, with the plural being *safātij*. He then mentions the theory that it is a Persian loan-word (*fārisī mu‘rab*). Later in the text, he provides additional details, citing a nineteenth-century Ḥanafī work (*Radd al-Muhtār ‘alā al-Dur al-Mukhtār* by Muḥammad al-Amīn b. ‘Umar ibn ‘Ābidīn [1198-1252h/1784-1836]) that claims it stems from the Persian word *suft* “which means something solid (*shay’ muḥkam*),” on account of the specific nature of this instrument. As suggested above, this partial etymological explanation is not entirely convincing. Smā‘īl provides the following definition for the first function of *suftajas*, or what one of his sources calls “the *suftajas* of the road” (*safātij al-ṭarīq*):

[...] it is a written document (*kitāba*) by a creditor (*ṣāhib al-māl*) to his agent (*li-wakīlihi*) to pay money (*mālan*) on credit (*qarḍan*) to guarantee his safety from the dangers befalling along the road (*suqūṭ khaṭar al-ṭarīq*). And its plural is *safātij*.

The *suftaja* enabled the virtual transfer of a traveler’s money by way of a financial intermediary to eliminate the risk of journeying on perilous roads with conspicuous cash. As already noted, this function of the *suftaja* is comparable to a traveler’s check insuring the traveler against financial loss. The second function of the *suftaja* is defined as follows:

[...] a written document (*kitāba*) that is sent by the borrower (*muqtarid*) to his agent in a country in order to pay to the lender (*muqrid*) the equivalent (*naẓīr*) of what he took from him in his country.

Oftentimes, distinctions between these two *suftaja* transactions are not explicitly drawn in the sources Smā‘īl reviewed. Besides, his citations focus more attention on the *suftaja*’s use as a traveler’s check, than as a means of long-distance payment.

The text includes references to legal scholars of the Mālikī tradition, prevalent in the northern half of Africa and Andalusia, but also those belonging to other Sunni schools of law. Opinions on the lawfulness of this paper instrument,

which ranged from forbidden and reprehensible, to permissible, varied across schools of law. The main uneasiness with the *suftaja* contract was that it represented a cash loan (*qard*) from which asymmetric profit or benefit was derived, and as such, it was potentially usurious. From the popular work of the Egyptian Khalīl b. Ishāq al-Jundī (d. 767/1365),¹² to the later writings of al-Dardīrī (d. 1201/1787), also an Egyptian scholar, the predominant Mālikī position was that *suftajas* were permissible, especially in situations of necessity. As one source cited in Smā'īl's text put it: "if fear reigns (*in ya'uma al-khauf*) along most roads, then it is not forbidden but it becomes recommended to protect oneself or one's capital (*māl*), and even then it becomes necessary." From this point of view, then, the *suftaja* was permissible especially if trade routes were perilous and travelers risked being attacked and robbed. Smā'īl cites another Mālikī scholar who approved of its use for conveying the property of orphans. The well-known Maghribi jurist al-Qāḍī 'Iyāḍ (d. 544/1149), who served as judge in several localities, including the trans-Saharan market of Marrakech, opined: "the guardian can loan out the money of the orphan in one country and get reimbursed in another country in order to avoid the dangers of the road." This was permissible since "it is in the interest of everyone concerned." Al-Qāḍī 'Iyāḍ added the following comment, summarizing the Mālikī adage: "in the spirit of the law, what is beneficial without being prejudicial is not forbidden, to the contrary, it must be accepted as lawful." He then concluded that he was not aware of any texts declaring the *suftaja* unlawful, so therefore it must be considered permissible.

Smā'īl also cites Hanbalī scholars, including the Palestinian Ibn Qudāma al-Maqḍīsī (d. 620/1223), author of the classic Hanbalī manual of law *Al-Mughnī*. He opined that the *suftaja* was lawful only if all parties benefitted mutually and were in complete agreement. If the transaction was involuntary, as in the case of one party imposing on another the settlement of a debt in another country by way of a *suftaja*, then it was considered reprehensible. In his view, the *suftaja* "is permissible (*jā'iz*) only when it represents an advantage to both parties," by which he meant the issuer and the redeemer. Another major Hanbalī scholar, Taqiya al-Dīn Aḥmad b. 'Abd al-Ḥalīm Ibn Taymiya (d. 728/1328), shared this opinion. The question of the consent of all parties, namely the *suftaja* issuer, the holder and debtor (who redeems the *suftaja*), was underscored in these legal debates.

12. It must be noted that the verb form of *hawāla* and not the word *suftaja* is mentioned in Khalīl's *Mukhtaṣar*; as is the case in other foundational Mālikī texts. Several works quoted by Smā'īl refer to the *hawāla* contract. Among these is the fourteenth-century Hanbalī scholar Ibn Taymiya, who wrote that the *suftaja* was "similar in meaning to the *hawāla*."

Several Ḥanafī sources consulted by Smāʿīl considered the *suftaja* to be generally reprehensible (*makrūh*), but licit on condition. They reasoned that if the profit (the fee or the productive use of the loan) derived by the *suftaja* issuer remained unknown, that is to say not stipulated in writing, then the *suftaja* was acceptable. Other scholars opined that if the *suftaja* was a conditional loan with added stipulations, then it was not permissible. Indeed, in addition to the question of partners' consent, the issue of stipulations, namely covering profits or fees, was a matter of concern expressed by several legal scholars. According to one source (the unidentified author of *al-Fatāwī al-Sughrā*): "if the *suftaja* is a conditional loan then it is forbidden (*ḥarām*) and a loan with this condition is not valid, or else (in all other circumstances) it is lawful." Another scholar writes: "the reprehensible quality depends on whether the profit/benefit is stipulated or not (*al-manfaʿa mashrūʿa am lā*) [and] some say that if the profit is not stipulated then it is lawful." Some scholars also insisted that the *suftaja* was licit as long as the sum redeemed upon arrival equaled the initial amount paid for the check. In other words, the *suftaja* had to be free of charge. Still others scholars equated it to "a loan that generates a profit [which] is not licit," or disapproved of the *suftaja* "because it is a contract for profit." One Shāfiʿī author further compared the *suftaja* to forward sales, noting the potential profits derived from them.

The later sources consulted by Smāʿīl describe the *suftaja* as a thing of the past, replaced by other paper instruments of the modern era. The eighteenth-century Egyptian legal scholar Al-Ḍasūqī (d. 1230h/1815) wrote that "this is what today is called the *bālūṣa*." This term, stemming from the Spanish "póliza de garantía," refers to the letter of exchange, which became popular in the late medieval period and would supersede the *suftaja* (İnalçik 2012).

By the nineteenth-century, the Yemeni scholar Muḥammad ibn Aḥmad ibn Baṭṭāl al-Rakbī (quoted in Smāʿīl) remarked that the word *suftaja* had acquired new meaning to become synonymous with beauty: "If someone pens a text that people benefit from, one says that his writings are safātīj (*kutubihi safātiju*), to the point that a fresh (*i.e.* beautiful) face is called *suftaja*." The Lebanese Būtrus al-Bustānī, in his first modern dictionary (*Muḥaīt al-Muḥaīt*) compiled in the 1870s, also noted the expression "his writings are safātīj" (Grasshoff 1899: 21). A similar saying "the signature is as good as a *suftaja*," signifies the enforcement power of the handwriting of a reputable person, equating the word *suftaja* to trustworthiness (*ibid.*: 34). By this time, when derivatives of the term *suftaja* had entered idiomatic speech, the financial instrument was no longer in use. It was no doubt replaced by other devices, such as the bill of exchange, issued by merchants and bankers for transferring funds between cities and internationally with the spread of paper money. The *ḥawāla*, on the other hand, would endure as a mechanism operating beyond the purview of formal banks.

Smā'īl's manuscript bears witness to a keen scholarly interest in the *suftaja* across traditions and periods. It highlights the fact that opinions on the lawfulness or permissibility of the *suftaja* varied significantly. Ḥanafī and Shāfi'ī scholars tended to consider this financial instrument to be reprehensible, and this especially if it included stipulations and if it benefitted parties disproportionately. Hanbalīs opined that the *suftaja* was reprehensible only if the contract was imposed by the issuer. Mālikī jurists, on the other hand, generally did not consider the *suftaja* to be unlawful, but rather a useful instrument all around. These differences in opinion could have been determined by local practices, with the Mālikī doctrine prevailing from Egypt to Morocco, across the Sahara and in Iberia. Still, the general unease this particular paper instrument caused may stem from the fact that the *suftaja* belonged to a realm that legal specialists did not control. Indeed, they could only describe and opine, but not legislate on the customary practices of merchants and their clients. In Jewish law books, the *suftaja* was considered a device borrowed from Muslims and, as such, it represented “an alien object that gained recognition by virtue of merchant custom” (Westreich 2010: 415; see also Libson 2003; Cohen 2017). This is why the laws governing *suftaja* transactions were never clearly laid out since they belonged to *ḥukm al-tujjār* or the law of merchants. Arguably, the *suftaja* was a “legal alien” in both the Halakha and Islamic legal traditions for this very same reason. It would stand to reason, then, that just as in the case of the *ḥawāla*, the *suftaja* too is “one of the least understood financial transactions in Islamic law” (Bälz 2016). Another seemingly significant dimension, which was not debated by any of the scholars cited by Smā'īl, is the nature of such paper instruments in relationship to their legal personality and the conundrum posed by weight given to oral over written evidentiary sources (Lydon 2009a).

Smā'īl's essay, which divulges the *suftaja*'s contested nature, leaves little doubt as to the frequency of its use in former days. It also reveals how this paper instrument fascinated legal scholars, including himself, for why otherwise would he compose such a report so long after the *suftaja* had disappeared from use? Why, then, would he engage the subject at a time when even the name *suftaja* was barely remembered in Northwest Africa or elsewhere? Perhaps, Smā'īl was engaging in a form of legal antiquarianism. But it is not entirely improbable he may have been commissioned in 1966 to compile a report reviewing the various opinions on the *suftaja* to inform the state-building projects of the newly independent Islamic Republic of Mauritania. At the time, President Moktar Ould Daddad strove to “Islamize” public offices, starting with financial institutions. His government took a bold step a few years later by pulling out of the French Franc zone and creating a national currency. Mauritania's deep traditions of Islamic learning and legal

expertise notwithstanding, there does not appear to have been any particular preoccupation with the prohibition on usury in the banking sector until very recently. In fact, only a decade ago, in 2009, did Mauritians create the country's first "Islamic bank."

This reflection on the early use of paper instruments in Africa, from the earliest times until the medieval period, prompts the following conclusions. The institutional history of the ancient northeast and the medieval northwest reveals Africa's paper economies in operation since Pharaonic times. While the search for the origins of the *suftaja* mechanism of financial conveyance, which predates Islam, awaits a thorough investigation, it is not inconceivable that this financial instrument was devised in Ancient Egypt. This could have occurred either before or during colonial times, starting with the first Persian conquest in the sixth century BCE. If this is indeed the case, then it seems hardly coincidental that the earliest and most abundant sources for *suftaja*-use come from Egypt, an ancient site of institutional innovation and the first paper economy in world history. A longitudinal and linguistic approach could potentially inform about how contractual models migrated across scriptural environments. Still, the history of financial and commercial instruments deserves to be appreciated within the context of the history of papermaking. Legal scholars, from the tenth century to more recent times, remained surprisingly silent on the subject of writing paper. The age of modern papermaking, which widened access to paper both geographically and socially, was transformative. It expanded the reach of paper economies, and, in the process, the *suftaja*, the *ṣakk*, *qirāḍ* and other paper instruments common in Africa and the Middle East made their way across the Mediterranean Sea, starting with the port cities of today's Italian coasts (Grasshoff 1899; De Roover 1954; Schacht 1964; Udovitch 1979; Siegfried 2001). Such institutional migrations would contribute in no small way to the development of modern banking in early-modern Europe.

This information does generate further consideration of Rodney's above-mentioned thesis but in reverse, for the period before 1500 when Africa developed Europe. At the very least, it is hoped, this essay will encourage further research into the institutional footprint of the Ancient Egyptian economy in and out of Africa.

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ABSTRACT

This article provides a longitudinal reflection on the institutional history of African economies from the earliest times until the 1300s. It examines paper instruments or documents that facilitated exchange and the delegation of obligations, property and capital. The essay analyses the evidence from Pharaonic Egypt to medieval Northwest Africa, with a focus on paper instruments used in long-distance financial transfers. Medieval Muslim legal scholars described and oftentimes rigorously debated the nature of written contracts, including those used in finance. Based on a manuscript composed by a legal scholar from Mauritania, I examine Islamic debates concerning the lawfulness of the *suftaja*, a form of long-distance payment or check. By reviewing the history of early paper economies, this essay seeks to highlight the contributions of African societies to world economic history.

Keywords: Africa, Egypt, Mauritania, Sahara, ancient, check, contracts, economies, finance, institutional economic history, instruments, medieval, paper, papyrus, *suftaja*.

RÉSUMÉ

Instruments-papiers dans les économies africaines anciennes et le rôle débattu de la souftaja.— Cet article offre une réflexion inscrite dans la longue durée de l'histoire institutionnelle des économies de l'Afrique de l'époque antique jusqu'au XIV^e siècle. Il est axé sur l'utilisation des instruments en papier, c'est-à-dire tout document servant à faciliter les échanges et la délégation de droits, de propriété et de capital. De l'Égypte pharaonique à l'Afrique médiévale occidentale, l'article met en lumière l'utilisation des instruments papiers, et particulièrement ceux usités dans les transactions financières. Les juristes musulmans de l'époque médiévale décrivent et souvent débattent les paramètres des contrats, y compris les agréments financiers. À partir d'une lecture d'un manuscrit mauritanien, l'article passe en revue les opinions des juristes sur la légalité du chèque ou forme de paiement à long terme, connu sous le nom de *souftaja*. Cette étude des économies papier met en exergue les contributions africaines à l'histoire économique mondiale.

Mots-clés : Afrique, Égypte, Mauritanie, Sahara, ancien, chèque, contrats, économies, finance, histoire économique institutionnelle, instruments, médiéval, papier, papyrus, *souftaja*.