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Apocalypse, empire, and universal mission at the end of antiquity: world religions at the crossroads

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Citation

Shaddel, M. (2024, September 10). *Apocalypse, empire, and universal mission at the end of antiquity: world religions at the crossroads*. Retrieved from <https://hdl.handle.net/1887/4082983>

Version: Publisher's Version

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Note: To cite this publication please use the final published version (if applicable).

Appendix I: The Fiscal Rescript of ‘Umar II ibn ‘Abd al-‘Azīz

From the servant of God ‘Umar ibn ‘Abd al-‘Azīz, commander of the believers, to the governors:

1) God the most high sent Muhammad, peace and blessings be upon him, ‘with guidance and the true religion so as to make it triumphant over all other religion, even if the polytheists be averse’ [Quran 9:33, 48:28, and 61:9]. Indeed, God’s religion which He sent Muhammad, peace and blessings be upon him, with is His scripture, wherein He instructed him that God is to be obeyed concerning it, that His commands should be followed, that what He forbade should be avoided, that His ordinances are to be upheld, that what He made a religious duty should be observed, that what He made permissible has to be made licit and what He designated impermissible made illicit, that His dues be acknowledged, and that adjudication ought to be rendered per that which He commanded. Anyone who follows God’s guidance is redeemed and he who veers off ‘has drifted away from the right path’ [Quran 2:108]. Amongst the acts of obedience to God that he revealed in His scripture is that humanity, in its totality, be called to Islam, that the gate of *hijra*¹ be opened to all the Muslims,² that *ṣadaqa* and the fifths be administered according to God’s decrees and rules, and that people seek a living with their wealth in the land and on the sea unhindered and without being taken to account.

2) As to Islam, God sent Muhammad, peace and blessings be upon him, to the totality of humanity and said: ‘We surely sent you as a bearer of good tidings and a warner’ [Quran 34:28], adding: ‘say: o people, I am God’s messenger to you all’ [Quran 7:158]. Concerning the status of the polytheists, God commands the believers that ‘if they repent and offer prayers and give the *zakāt*, they are your brothers in religion’ [Quran 9:11]. This is His decree, following it is obeying God and abandoning it is a sin against God. So call on them to accept Islam and order concerning it, for God said: ‘who is better in words than he who calls to God, performs good deeds, and

¹ All the references to the *hijra* and *muhājirūn* in the document are to the notion of settling in garrison towns as discussed earlier rather than to the classical notion of ‘emigrants’ as those Meccans who immigrated to Medina with Muhammad.

² The word used is *ahl al-islām*, which could also be understood as ‘the inhabitants of (the abode of) Islam’, but the phrase is evidently used in Article 4 in reference to Muslims. What is more, ‘Umar’s words make it clear that he had no intention of allowing non-Muslims to settle in the garrison towns without converting.

proclaims “I am one of the Muslims”?’ [Quran 41:33].³ Thus, as of this date, any Christian, Jew, or Zoroastrian from the *jizya* payers who converts to Islam and mingles with the mass of the Muslims in their abode and abandons his erstwhile abode receives the same rights and has the same duties as the Muslims and it is incumbent upon Muslims to allow him in and treat him as an equal. The only caveat is that his land and abode remain as part of that which God has bestowed as *fay*⁴ upon the Muslims collectively, but if they have converted to Islam before God opened up said land to the Muslims, then it remains theirs. Otherwise, it is what God has bestowed as *fay*’ upon the Muslims collectively. Anyone who is in a state of war as of today shall be first called to Islam before being fought. If he converts to Islam he shall have equal rights and duties with the Muslims and remain in possession of what he owns of family and wealth. If he belongs to the people of the book and elects to retain his religion on payment of the *jizya*, we accept that from him.

3) As to the *hijra*, we allow it to any nomad who makes the *hijra* after selling his livestock, moves from his abode of nomadism to the abode of *hijra*, and participates in the war against our enemies. Anyone who does so shall be entitled to that which the *muhājirūn* are entitled to of what God has bestowed as *fay*’ on them, for God was describing the believers (in general) when He mentioned the *fay*’: he stipulated that it belongs to the poor and the *muhājirūn*: ‘those who joined in the abode and belief before them’ [Quran 59:9] and ‘those who came afterwards’ [Quran 59:10], then said: ‘and the others from amongst them yet to join them’ [Quran 62:3]. The *muhājirūn* used to fight without stipends nor would any rations be issued to them, but God will increase their means and give them great victories and to those of their beloved brethren who imitate them and follow them in their good deeds, God will reward him in the hereafter and great victories in this world.

4) With regard to the *ṣadaqa*, God, blessed and exalted is He, made it obligatory and enumerated those who are entitled to it when some people rebuked their prophet because of it and advanced charges against him, saying: ‘and some of them chastise you on account of the *ṣadaqa*, if they are given something from it they will be contented but if not they will be aggrieved’. Upon this God, blessed and exalted is He, stated: ‘the *ṣadaqa* is for the poor and the needy and those who collect

³ In translating quranic citations I have opted for certain later construals of them which ‘Umar obviously had in mind given the context, rather than what they likely meant in their historical and textual context within the Quran.

⁴ The best understanding of the *fay*’ in this sense is the net wealth of the conquered lands.

them and for the conjoining of hearts as well as the slaves, debtors, in God's path, and for the wayfarers. That is a divinely ordained duty and God is knowledgeable and wise' [Quran 9:58-60]. The messenger of God, peace and blessings be upon him, imposed the *ṣadaqa* on property: produce, livestock, gold, and silver. The *ṣadaqa* shall be collected as the messenger of God, peace and blessings be upon him, determined and made obligatory. No one shall be wronged or oppressed and no nepotism shall be exhibited concerning it, nor shall those entitled to it be deprived of it. Its administration is to be handed over to individuals who enjoy popular approval from amongst the Muslims and they are to distribute it as God ordered them. Their appointment should come from the leader as is appropriate and the leader shall stay aloof of the *ṣadaqa* administration on account of that which encumbered many a leader.

5) Concerning the fifths, previous leaders disagreed about its administration and duly received criticism from certain quarters. It was subsequently administered according to what was alleged to be binding precedents, but we examined it and discovered that it is to be treated in the same fashion as the *fay'* in the book of God almighty, without there being any conflicting verses about it. 'Umar ibn al-Khaṭṭāb, may God have mercy on him, issued a ruling regarding the *fay'* which had the approval of the Muslims: he instituted stipends and rations to be paid to them and decreed that the sum-total of the payments should not exceed the total revenues. He also decreed a share for orphans, the poor, and wayfarers in it and ordered that the revenues from the fifth should be added to the revenues from the *fay'* and that the fifth should be pooled with the *fay'* and be spent on the same expenditures that God had deemed suitable for the *fay'*. He thus decreed to avoid it out of fear of confusion about it, so follow the example of a just leader, for the two verses, the verse on the *fay'* and the verse on the fifth, are in concord, as God states: 'what God bestowed from the denizens of the cities on His messenger as *fay'* belongs to God, the messenger, close kin, orphans, the poor, and wayfarers' [Quran 8:41, 59:7]. This is what God has stipulated for the fifth and we decree that all (of the *fay'* revenue and fifth) be pooled and become *fay'* for the Muslims and that they should not suffer differential treatment, for 'it should not become a plaything of the wealthy amongst you' [Quran 59:7].

6) We rule that protected pastures belong to all Muslims, for they used to be declared protected and the beasts collected as *ṣadaqa*⁵ would be left to graze there to strengthen the Muslims and

⁵ The *ṣadaqa* referred to here is different than that mentioned elsewhere in the text. The *ṣadaqa* discussed elsewhere in the edict refers to what scholars usually call 'alms' but it was an obligatory tax exacted from the Muslims by the early Islamic state (cf. Article 10 below, where

for the benefit of those entitled to *ṣadaqa*. But they became abused and some people raised their voices in criticism because of that. We believe that the annulment of their protected status is the best course of action for that is how they originally were. The leader is in this matter just another one of the Muslims, for it is an aid that God sends down to His servants and they have equal rights to it.

7) There is no benefit in the *ṭilāʿ* for Muslims as it is an intoxicant that is merely called *ṭilāʿ*. God has indeed created many ritually pure edibles and drinks as an alternative to *ṭilāʿ*. I have found out that some people claim that ‘Umar, may God be pleased with him, declared it licit and some of the best of our past masters drank it. When ‘Umar was brought some *ṭilāʿ* that was boiled to the point of fermentation he asked if it was *ṭilāʿ* by which he meant the *ṭilāʿ* of camels, and when he tasted it he declared ‘there is no problem in drinking this’. Then the people followed suit and many of the righteous drank it. But they only drank it before it was used as an intoxicant, whilst the messenger of God, peace and blessings be upon him, stated that ‘any intoxicant is forbidden to believers’. I do not wish to see the evildoer leading the righteous person astray and therefore we stipulate that all Muslims avoid it and consider it illicit. I believe that this is one of the most important gates to error and the one that I am most afraid of becoming a plague that will affect all Muslims.

8) Concerning the seas, we decree that they are to be treated in the same fashion as the land, for it says: ‘God is the one who subjugated the sea to you so that ships can navigate in it by His command, so that you may seek from His bounty’ [Quran 45:12]. So allow everyone to engage in trade in it and I am of the view that we ought not to restrict anyone’s access to it, for the land and the seas all belong to God who made them subjugated to His servants so that they may seek

ṣadaqa is a standard tax paid by Muslims and comparable to the *jizya* collected from non-Muslims; Sijpesteijn, *Shaping a Muslim State*, 181-199). This other *ṣadaqa*, however, is a tax charged on Arabian tribes already at the time of Muhammad (Donner, *Early Islamic Conquests*, 251-2) which continued to remain the standard tax category in Arabia even after the conquests (according to al-Ya‘qūbī, *Kitāb al-buldān*, ed. M. J. de Goeje [Leiden 1892], 313, at the time of his source the revenues of Medina came from the *ṣadaqa* tax and the decimal tax on date palms). The latter was most of the time comprised of produce and livestock (especially camels), and certain grazing grounds would be declared protected (*ḥimā*; see Harry Munt, *The Holy City of Medina: Sacred Space in Early Islamic Arabia* [Cambridge 2014], 28-31) and reserved for the grazing of the beasts thus collected.

a living from His bounty in it. Thus we should not get in the way between God's servants and their means of subsistence.

9) As to weights and measures, we believe that there are things concerning them that those dealing with them are aware of. Those constitute an injustice, for any irregularity in measures is an act of short-changing and insofar as there are any increases in weights they are certainly fraudulent. We therefore rule that all the measures and weights be uniform in all the regions.

10) Concerning the decimal tariff, we rule that it should be removed from all but foreigners, and it is to be charged only on foreigners, for indeed the *jizya* payers are comprised of three categories: landowners who pay their *jizya* out of the land, craftsmen who pay their *jizya* out of their income, and merchants who make a profit out of their capital and pay their *jizya* from it, and the regulations concerning all of these groups are the same. The Muslims, on the other hand, pay the *ṣadaqa* out of their wealth. Once they have paid it to the public treasury they are to be issued with a receipt and nothing else is to be demanded from them in that year.

11) As for customs duty, that is the injustice that God forbids where He says: 'do not do injustice to people in respect of their property and do not spread corruption on earth' [Quran 11:85], only that they have given it a different name.

12) We also decree that leaders do not engage in business and that no governor is permitted to do business in his own district. For when the emir engages in business he will inevitably act with partiality and will have to confront issues that are unbecoming even if he is adamant to avoid them.

13) We likewise decree that the right to the reclamation of the land is not to be sold, for indeed the buyer buys for himself and makes it his own private property⁶ which is detrimental to the (revenue of the) land and an injustice to the peasantry.

14) Refugees from amongst the peasantry who are found in another district and are still paying their *jizya* in their original district are to only pay that and its collection is the duty of the administrators of their original districts.

15) We also decree that corvee labour is to be abolished for the peasantry, for it will ultimately result in things that bring about injustice.

⁶ Ar., *yaqṭa'u li-nafsihi*, a reference to the practice of the issuance of land grants (*qaṭī'a*), in full ownership, by the state.

16) We rule that agrarian lands be returned to their original purposes. Their purpose was to provide for the subsistence of the totality of the Muslims and the affairs of the public take precedence.

17) The peasants' inheritance belongs to their kinsfolk or their fellow peasants who pay the *kharāj*. We decree that nothing shall be taken away from them unless it is done by an agent despatched by the leader to the district in question who makes a decision as he deems fit.

Peace be upon you.

Appendix II: al-Walīd II's Inscriptions in Quṣayr 'Amra

No. 1



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Text:

1. اللهم أصلح الوليد بن يزيد بما أصلحته عباد [ك] ا
2. لحق الفلحين واختصه بـ [ة] حَقَّق بولَى العالمين
3. ولا...ه جند يكتم؟ ما له أو يؤم...م اخ [ر؟] بقنع عند [ه]

Translation:

Our God! Make al-Walīd ibn Yazīd upright in the same manner you made Your true servants—those who do good—upright and bestow on him a bounty materialised as the *walāʾ* of the world. And... an army (?) that brings together what belongs to him (?) or confronts... with what makes him needless (?).

Commentary:

1. اللّيم is spelt with a *yā'* as mater lectionis for /ā/. The *mīm* is almost invisible, but comparing it to pre-restoration photos it seems that the restoration work may have done some damage to it.

بما أصلحته has been read *bi-l-ṣalāhiyya* by Imbert, but this is syntactically impossible, for in that case the word would be in the construct state, and could not assume the definite article. Moreover, the letter read as *lām* by Imbert is in fact an *alif*, what he has taken to be the base of *lām* perhaps a crack on the stone or a mistake. The base of the *bā'* is also too long compared to other *bā'*s, *yā'*s, and *tā'*s in the inscription, and there must be something after it in the damaged part, most likely a *mīm*. This gives us the formulaic expression *allāhumma aṣliḥ X bi-mā aṣlaḥtahu Y*.

عبادك: The *dāl* of *'ibād* is more visible in the pre-restoration photo of the inscription in Vibert-Guigue and Bisheh, *Les peintures de Quṣayr 'Amra*, plate 139.

2. The second word is evidently *al-fāliḥīn*, which Imbert has evidently not taken into consideration as a possibility and has emended it to *al-ṣāliḥīn*.

اختصه ببرحة: The *ṣād* looks exactly the same as the *ṣād* of *aṣliḥ* and *aṣlaḥta* in the preceding line— which Imbert has read as a mistake for *aḥāṭihu*, but this unlikely emendation would only make sense in the light of his reading of the word that follows as *burd*. This latter reading is also untenable because of the shape of the final letter. In his tracing (which is actually a redrawing of the inscription), Imbert has introduced an upward bent to it that does not exist in the inscription, and has blunted the angle of the letter in order for it to look like a *dāl*. But the letter is the exact same as the *ḥā'/khā'* elsewhere in the inscription. Therefore, I suggest to reconstruct it as *burḥa*. The formulaic expression *ikhtaṣṣa bi-* used of God is well attested, including in the Quran, where He *yakhtaṣṣu bi-faḍlihi man yashā'u*, 'bestows His grace on (lit., singles out with his grace) whomever He wills'.

حقيق: The first letter is a *ḥā'/khā'* followed by either a *mīm* or a *qāf/fā'* and then a word-final *qāf*, judging by its similarity to the word-final *qāf* of *al-ḥaqq* at the beginning of the line. The only possible reading in this context, then, would be *ḥaqqāqa*.

يولى has been read as يولى and seemingly confused with the form *yatawallā* by Imbert, but it is impossible for it to be a verb, even in his reading. Syntactically, it could only be either *tawallā* or *bi-walā'*, but semantically the latter is the more plausible option. Orthographically, *walā'* could

be spelt this way in a dialect that does not have the *hamza* glottal stop, with the /ā/ vowel being spelt with a *yā'* as a mater lectionis.¹ This is not implausible in the light of the orthographic idiosyncrasies of the inscription, such as the spelling of *allāhumma* as اللهم.

3. Not a single word in this line can be read with anything even remotely resembling certainty.

جند: This is evidently a *ḥā'/khā'* followed by a denticle and *dāl/dhāl*. The reading خلد suggested by Imbert is only possible if one were to assume that the long shaft of the *lām* has been effaced.

يكتّم: This too is a denticle followed by a *kāf*, denticle, and *mīm*. Note that the word-final *mīm* resembles the tailless *mīm* of *allāhumma*. *Yaktumu* would be an unlikely word here, and thus I have instead opted for *yakthumu*.

يؤم: A verb is required here, and therefore instead of *yawm*, à la Imbert, I read this as *ya'ummu*.

بقنع عنه: One would not expect a verb here, and therefore I have opted for *bi-* plus the verbal noun. The reconstruction *qana'* is suggested by the particle *'an* that follows.

No. 2



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¹ I owe this explanation to Ahmad Al-Jallad.

Text:

1. بسم الله الرحمن الرحيم [لا إله إلا]
2. الله [ه] وحده [ه] لا شريك له ... [محمد عبد]
3. الله ورسوله [صلى؟] الله عليه؟ ...

Translation:

1. In the name of God, the compassionate, the merciful, but Whom is there no
2. God. He is alone and has no partner... Muhammad is the servant
3. of God and His messenger, blessings be upon him.



Tracing, after Vibert-Guigue and Bisheh, *Les peintures de Qusayr 'Amra* © Frédéric Imbert

Commentary:

This inscription, although very damaged and difficult to read, is a very commonly attested formula, the Muslim expression of faith (*shahāda*) or some variant thereof, that makes its reconstruction fairly easy. The missing part of Line 2 is too spacious and would have perhaps accommodated more words than just the *muḥammad* and *‘abd* expected here.

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