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Mechanisms of social dependency in the early Islamic Empire

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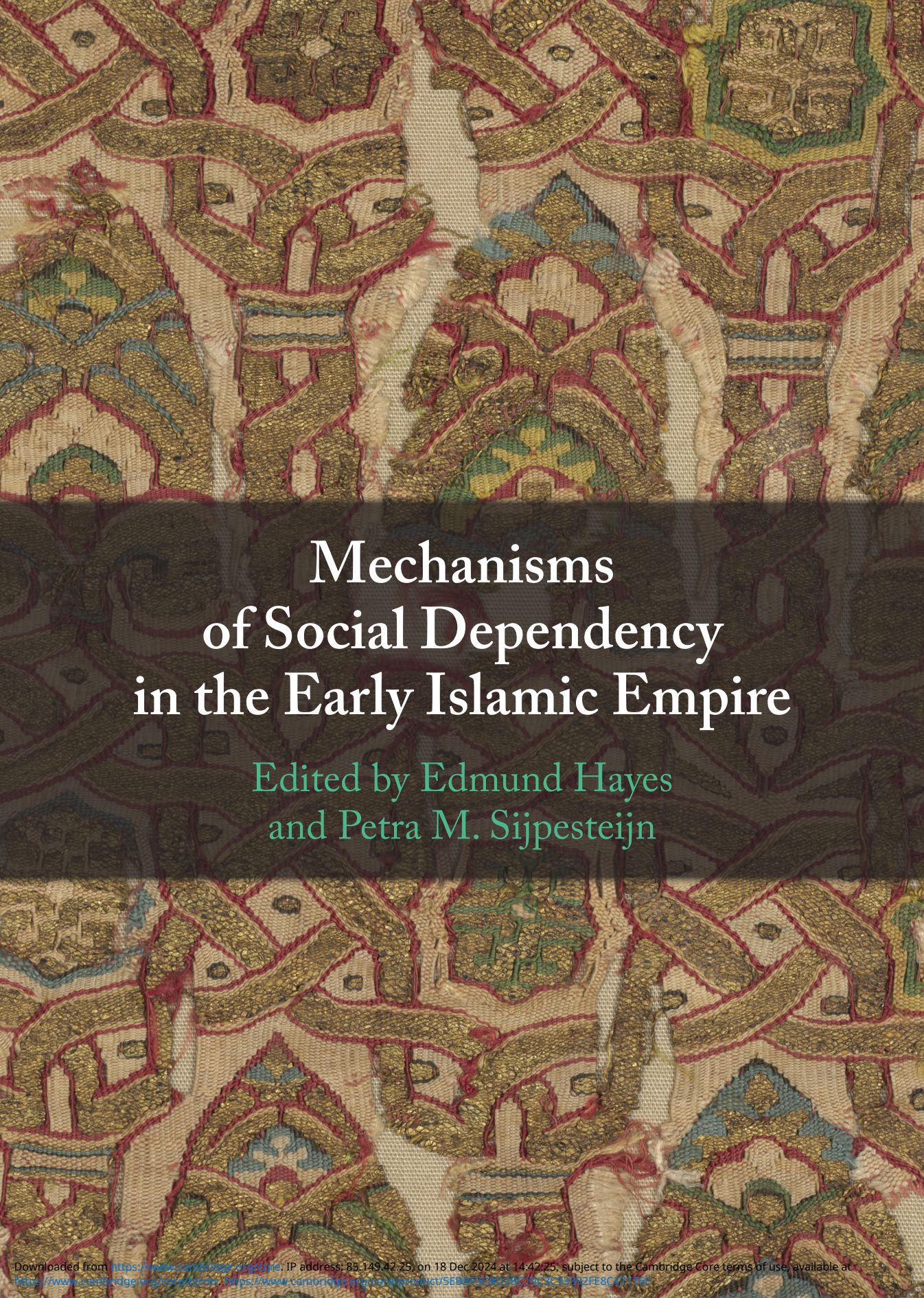

Mechanisms of Social Dependency in the Early Islamic Empire

Edited by Edmund Hayes and Petra M. Sijpesteijn

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Mechanisms of Social Dependency in the Early Islamic Empire

The success of Islamic imperialism in the period from the conquests to the Ayyubid dynasty has traditionally been explained as purely the result of military might. This book, however, adopts a bottom–up approach which puts social relationships and local power dynamics at the centre of the Islamic empire's cohesion. Its chapters draw on sources in diverse languages: not just Arabic but also Greek, Coptic, Syriac, Hebrew, and Bactrian, showing how different linguistic communities intersected and contributed to a connected yet diverse empire. They highlight how not just literary and historical texts but also physical documents and archaeological evidence should be incorporated into writing histories of the late antique and early medieval Middle East. Social institutions and relationships explored include oaths; petitions, decrees, and begging letters; and financial frameworks such as debt and taxation. This title is also available as Open Access on Cambridge Core.

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The transliteration of languages other than Arabic, Persian, and Turkish follows the Library of Congress transliteration guide (www.loc.gov/catdir/cpso/roman.html). Languages (such as Bactrian) that are not included in this chart follow the transliteration common in the respective field. Arabic, Persian, and Turkish words and phrases follow the system used in the *International Journal of Middle East Studies* (IJMES) (www.cambridge.org/core/journals/international-journal-of-middle-east-studies/information/author-resources/ijmes-translation-and-transliteration-guide). Unlike the IJMES guidelines in historical contexts, Arabic and Persian personal and place names are transliterated according to their medieval forms, except for very common place names such as Alexandria (not al-Iskandariyya) or Damascus (not al-Dimashq). Greek, Coptic, or Latin names of places are added to the Arabic names when relevant. When no Arabic equivalent is known for a place, only the Greek, Coptic, or Latin is mentioned. In other words, the Greek and Coptic equivalents of Arabic toponyms are not always provided. Modern place names are only mentioned when referring to the modern location, for example, in reports on finding places or archaeological activities.

If not otherwise specified, dates given in this volume are Common Era (CE) dates. If two dates are provided (e.g. 17/639), the first one is the year according to the Muslim Hijra calendar (AH) and the second, the CE date. Only one CE date is given even when the Muslim year falls in two CE years, unless an author has specifically added a second year. For dates preceding the year 1 AH, only the CE date is provided.

Papyrus and paper document editions are referenced with the abbreviations of the *Checklist for Arabic Documents* (www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html) and the *Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca, and Tablets* (https://papyri.info/docs/checklist). Translations of edited documents follow those of the original publications unless indicated by the authors. Otherwise, authors have used their own translations.

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Introduction: The Ties that Bound the Societies of the Islamic Empire

EDMUND HAYES AND PETRA M. SIJPESTEIJN

This volume aims to mark a shift in the way we study the history of the early Islamic empire and its regional successors in the Umayyad and Abbasid period (with one paper introducing a broader chronology by focusing on the thirteenth century). The central thesis of this volume is that the early Islamic empire was tied together by networks of social dependency that can be tracked through the linguistic and material traces of interconnectivity in our sources – the traces of the 'ties that bind' society.[1] These relations between individuals and groups are an important part of what made the early Islamic empire and held it together. The publication emerges from several years of conversations about how to formulate a holistic approach to the early Islamic empire in the framework of the research project Embedding conquest: naturalising Muslim rule in the early Islamic empire (600–1000) funded by the European Research Council.[2] While there have been various small-scale case studies on social relationships in early Islam, especially in relation to philanthropy and care of the poor,[3] patronage of scholars and the arts,[4] religious

This volume is the outcome of the conference: 'Ties that Bind: Mechanisms and Structures of Social Dependency in the Early Islamic Empire', which was organized in Leiden from 3 to 6 December 2019. The conference and the editorial work on the volume was supported by the European Research Council under Grant number 683194.

1 While 'dependency' is often used with a negative connotation, here we do not assume it to be intrinsically oppressive, though in some cases dependency relationships may be so. See Keir Martin, 'Dependence', *Cambridge encyclopedia of anthropology*, http://doi.org/10.29164/21-dependence, accessed 1.11.2022. See the section, 'The Ties that Bind', below.

2 For a full description of the project, see https://emco.hcommons.org/. This work was supported by the European Research Council under Grant number 683194. We would like to thank the EmCo team, Alon Dar, Reza Huseini, Birte Kristiansen, Cecilia Palombo, and Eline Scheerlinck for their comments on earlier drafts. Any remaining mistakes remain, of course, our own.

3 See e.g. Zachary Chitwood and Esther Möller (eds.), *Foundations and the power of giving. Christian, Jewish and Muslim perspectives* (Leiden: Brill, 2020); Adam Sabra, *Poverty and charity in medieval Islam. Mamluk Egypt, 1250–1517 (*Cambridge: Cambridge University Press, 2000).

4 E.g. Sonja Brentjes, *Teaching and learning the sciences in Islamicate societies (700–1800)* (Turnhout: Brepols, 2018); Judith Pfeiffer, *Politics, patronage and the transmission of knowledge in 13th–15th-century Tabriz* (Leiden: Brill, 2013); Jocelyn Sharlet, *Patronage and poetry in the Islamic world. Social mobility and status in the medieval Middle East and Central Asia (*London: I. B. Tauris, 2011); Ana Akasoy, *Philosophie und Mystik in der späten Almohadenzeit. Die Sizilianischen Fragen des Ibn Sabʿīn* (Leiden: Brill, 2006).

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interaction and conversion,[5] client–patron relations,[6] and, in the political realm, on ruler–subject relations,[7] rarely do these studies set their frame of reference at the level of the empire itself.[8] In this volume we aim to demonstrate how the very particular relationships that emerge from focused case studies can and should be understood as constituent parts of the early Islamic empire as a whole. Indeed, it is precisely through the granular particularity of individual cases that we can see the practice of empire.[9] Focusing on the language used by our sources to describe relations and interactions (see also

[5] E.g. Mohamed Meouak (ed.), *Biografías magrebíes. Identidades y grupos religiosos, sociales y políticos en el Magreb medieval (*Madrid: CSIC, 2013); Ragnhild Johnsrud Zorgati, *Pluralism in the Middle Ages. Hybrid identities, conversion and mixed marriages in medieval Iberia* (New York: Routledge, 2012); Uri Simonsohn, *A common justice. The legal allegiances of Christians and Jews under early Islam* (Philadelphia: University of Pennsylvania Press, 2011); Dominique Valérian (ed.), *Islamisation et arabisation de l'occident musulman médiéval (VIIe–XIIe siècle)* (Paris: Publications de la Sorbonne, 2011); Dorothea Weltecke, *Minderheiten und Mehrheiten. Erkundungen religiösen Komplexität im mittelalterichen Afro-Asien* (Berlin: De Gruyter, 2020).

[6] E.g. Monique Bernards and John Nawas (eds.), *Patronate and patronage in early and classical Islam* (Leiden: Brill, 2005); Roy Mottahedeh, *Loyalty and leadership in an early Islamic society* (London: I. B. Tauris, 2001).

[7] Alain George and Andrew Marsham (eds.), *Power, patronage and memory in early Islam: Perspectives on Umayyad elites* (Oxford: Oxford University Press, 2018); Jürgen Paul, *Herrscher, Gemeinwesen, Vermittler. Ostiran und Transoxanien in vormongolischer Zeit* (Beirut & Stuttgart: Steiner Verlag, 1996); Jürgen Paul, *Lokale und imperiale Herrschaft im Iran des 12. Jahrhunderts* (Wiesbaden: Reichert Verlag, 2016); Julien Loiseau, *Les Mamelouks XIIIe–XVIe siècle. Une expérience du pouvoir dans l'Islam médiéval* (Paris: Seuil, 2014); Andrew Marsham, *Rituals of Islamic monarchy: Accession and succession in the first Muslim empire* (Edinburgh: Edinburgh University Press, 2009).

[8] E.g., a standard, overview work (the *New Cambridge History of Islam.* Volume 1, *The formation of the Islamic world, sixth to eleventh centuries*, edited by Chase Robinson. Volume 2, *The western Islamic world, eleventh to eighteenth centuries*, edited by Maribel Fierro. Volume 3, *The eastern Islamic world, eleventh to eighteenth centuries*, edited by David O. Morgan and Anthony Reid, all published in 2010) does not include a chapter on social relations, nor does that form a prominent part of the discussion throughout the volumes. This is in contrast to work on the late Roman empire, European medieval world and medieval China. See e.g. Arnaldo Marcone, 'Late Roman social relations', in Averil Cameron and Peter Garnsey (eds.), *The Cambridge ancient history,* Volume 13, *The later Roman empire, AD 337–425* (Cambridge: Cambridge University Press, 1997), 338–370; Peter Heather, 'State, lordship and community in the West (c. AD 400–600)', in Averil Cameron, Bryan Ward-Perkins and Michael Whitby (eds.), *The Cambridge ancient history,* Volume 14, *Late antiquity* (Cambridge: Cambridge University Press, 2001): 437–468; Ian Morris and Walter Scheidel (eds.), *The dynamics of ancient empires: State power from Assyria to Byzantium* (Oxford & New York: Oxford University Press, 2010); and the classic Ramsay MacMullen, *Roman social relations, 50 BC to AD 284* (New Haven: Yale University Press, 1974).

[9] *Doing* empire, as Tom Tölle calls it. 'Early modern empires: an introduction to the recent literature', in *H-Soz-Kult, Kommunikation und Fachinformation für die Geschichtswissenschaften*, www.hsozkult.de/literaturereview/id/forschungsberichte-2021, accessed 15/4/2021. Tölle reiterates the call for focus on practising imperial agents rather than their self-proclaimed goals as formulated by Anne Laura Stoler, Carole McGranahan, and Peter C. Perdue in the introduction to their edited volume *Imperial formations* (Santa Fe: University of Santa Fe Press, 2007).

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Language and Rhetoric below), and what they show of the modes, expressions, and conditions that governed communication and interaction, we aim to understand the driving forces behind the early Islamic empire as extending beyond motives of economy and conquest.[10]

Before we proceed, then, it is appropriate to define both how we understand the early Islamic empire, and what kinds of approaches are taken here to study it. In this introduction, we lay out, through a series of sub-headings, some key approaches and themes that structure this volume. The final three of these sub-headings, 'Communities', 'Institutions', and 'Interpersonal Ties', also serve to divide the chapters of this book into broad thematic sections. It must be understood, however, that regardless of this division, all chapters deal with multiple modes of connecting and communicating in the early Islamic empire and its successors. Thus, most of the chapters in this book speak to types of connection beyond the broad section in which they have been placed.

Understanding the Empire: Late Antiquity and Empire Studies

The plurality of its inhabitants' ethnic, religious, and regional identities is generally considered to be the constitutive characteristic of any empire. And understanding how an empire managed its diverse populations is key to understanding its characteristic features. The Islamic empire was no exception, reaching from the Atlantic Ocean to the borders of China, albeit not all under the direct political control of the caliph during the period under study. The linguistically, religiously, ethnically, and culturally heterogeneous population may have been headed by Arabic-speaking political, legal, religious, and military elites, but it was ruled by a diverse administrative

[10] See Peter Webb's criticism of Robert Hoyland's materialist view on the Arab conquests focusing mainly, in his eyes, on economic factors (Peter Webb, 'March of Islam' *Times Literary Supplement*, 13 March, 2015, review of Robert G. Hoyland, *In God's path: The Arab conquests and the creation of an Islamic empire (*Oxford: Oxford University Press, 2017)). Traditional historical overviews mostly present the conquests as a series of political events. Cf. Hugh Kennedy, *The great Arab conquests: How the spread of Islam changed the world we live in* (London: Weidenfeld and Nicolson, 2007); Fred Donner, *The early Islamic conquests* (Princeton: Princeton University Press, 1982). Michael Mann's classical study on legitimacy (*The sources of social power*, volumes 1–4 (Cambridge: Cambridge University Press, 1986–2013)) identifies four sources of social power: ideology, economy, military and politics. Mann's model has been criticised for ignoring a politics of identity, including inherited identities such as kinship, but also imagined and created identities, as a source of legitimacy and the presence of power networks in society. Cf. Anatol Lieven's review of *The sources of social power,* volume 4 in *International journal of politics, culture and society* 29 (2016): 209–214; John A. Hall and Ralph Schroeder, *An anatomy of power: The social theory of Michael Mann* (Cambridge: Cambridge University Press, 2006).

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and governmental class of secretaries, scribes, and tax-collectors, both as a residue from the empires that preceded it and because diversity fitted Islamic imperial policy.[11] Especially Persian but also other local languages, literatures, and aesthetic expressions soon played at least as important a role as Arabic in cultural and literary production. The majority of the population throughout this period was not Muslim but Christian, Jewish, Zoroastrian, and to a smaller extent Hindu, Buddhist, and other.

A key contention of this volume is that the coherence and longevity of the Islamic empire is to be explained by the way in which it was successfully embedded within the social networks of the societies it brought together. That is, an enduring and geographically far-flung political unity encompassing a very diverse population was achieved by integrating numerous networks of interpersonal relations both in formal and informal institutions.[12] This new insight is built on two scholarly developments.

The first scholarly development we draw upon is the insight of empire studies that empires are not ruled by top–down force alone, but that legitimacy and stability are created in various ways, both top–down and bottom–up.[13] It has become clear that while institutions such as the caliphate, law, the military, religious leadership, and their various infrastructures are crucial elements of government, understanding the functioning of the early Islamic empire takes us far beyond the courts, academies, monasteries, and

[11] Petra M. Sijpesteijn, 'A multilingual policy. The early Islamic empire and its many languages of governance', in Antoine Borrut, Manuela Ceballos, and Alison M. Vacca (eds.), *Navigating language in the early Islamic world: Multilingualism and language change in the first centuries of Islam*, 43–88 (Turnhout: Brepols, 2024).

[12] For formal structure, see e.g. the *walā'* system integrating clients, converts, and freedmen into a fictional tribal system (Patricia Crone, *Slaves on horses. The evolution of the Islamic polity* (Cambridge: Cambridge University Press, 1980)). For the porous tribal structure incorporating many more than those connected through bloodlines, see also **Leube**'s contribution to this volume. Ties of kinship in the early caliphate are examined in another publication of the project: Birte Kristiansen and Cecilia Palombo (eds.), 'Ties of kinship', special issue of *Medieval encounters*. *Ties of kingship and Islamicate societies,* special issue of *Medieval Encounters* 29 (2023). For informal structures, see e.g. the role that local elites played as power and cultural brokers in the early Islamic empire (Uriel Simonsohn and Luke Yarbrough, https://iias.huji.ac.il/cultural-brokerage-pre-modern-islam, accessed 1/3/2021). See also Cecilia Palombo's dissertation showing Christian religious leaders playing instrumental roles in the Muslim administration of Egypt centuries after the establishment of Muslim rule in the province, 'The Christian clergy's Islamic local government in late Marwanid and Abbasid Egypt', unpublished PhD dissertation (Princeton University, 2020).

[13] Krishan Kumar, *Empires. A historical and political sociology* (Cambridge: Cambridge University Press, 2021); Gregory E. Areshian (ed.), *Empires and diversity: On the crossroads of archaeology, anthropology, and history* (Los Angeles: Cotsen Institute of Archaeology Press, 2013); Jane Burbank and Frederick Cooper, *Empires in world history: Power and the politics of difference* (Princeton: Princeton University Press, 2010); Karen Barkey, *Empire of difference. The Ottomans in comparative perspective* (Cambridge: Cambridge University Press, 2008).

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palaces to an arena in which all inhabitants of the empire participated in shaping it.[14] The practices of empire that we aim to access through our case studies include not only the actions and expressions of imperial agents, the secretaries, tax-collectors, agents of law and order, and the body of governing personnel, but extend into the fabric of society. Several of the papers in this volume deal with connections at the lowest, visible, social layers, showing, however (because actors from higher levels of society were involved or because interactions mirror those at different hierarchical strata), that these are not isolated phenomena but form a continuum with similar interactions throughout society. The individuals who figure in the credit-related documents studied by **Palombo** and **Hoyland**, for example, are largely unknown, but they belonged to elites as well as lower social layers, involving legal and economic institutions and private persons. The legal transactions they are involved in, moreover, intersect with the legal debates conducted by jurists at urban courts and academies.[15] The letters and petitions that **Sijpesteijn** and **Zinger** present were exchanged between 'middle- and lower-class' individuals otherwise not known from the historical record, but these texts show striking similarities with the correspondence of political rulers and their agents. **Bauer** and **Hayes** discuss the (emotional) content of administrative decrees, but private letters exchanged between anonymous individuals lower down the social hierarchy also show that rhetorical devices between sectors of society clearly overlapped.

The second development that has influenced our approach is the increasingly nuanced understanding of the interconnectedness of the larger world of which the Islamic empire was a part. This interconnectedness is both synchronous and diachronic. Recent decades have seen a salutary shift towards seeing the early Islamic Middle East not as a fundamentally new framework but as the heir and continuation of the late antique world in which it was embedded.[16] This development has a number of important consequences that should be highlighted. First, the legacy of the eastern Roman

[14] Regina Grafe and Alejandra Irigoin, 'A stakeholder empire: The political economy of Spanish imperial rule in America', *Economic history review* 65 (2012): 609–651; Myles Lavan, Richard E. Payne, and John Weisweiler, *Cosmopolitanism and empire: Universal rulers, local elites, and cultural integration in the ancient Near East and Mediterranean* (Oxford: Oxford University Press, 2016).

[15] See e.g. Petra Sijpesteijn, 'Good governance in theory and practice. Comparing Abū Yūsuf's *Kitāb al-Kharāj* with papyri', in *The historian of Islam at work. Essays in honor of Hugh N. Kennedy*. Maaike van Berkel and Letitia Osti (eds.) (Leiden: Brill, 2022), 183–200.

[16] See e.g. the works published as part of the series 'Studies in late antiquity and early Islam' (SLAEI), formerly published by Darwin Press, Princeton, and recently recontinued by Gerlach Press. See also the ERC-funded consolidator grant (Grant agreement ID 8666043) 'The Qur'an as a source for late antiquity' with PI Holger M. Zellentin (Tübingen University) running from 2020 to 2025.

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and Sasanian empires that predated the rise of Islam long continued to be important. This legacy is evident throughout the volume. Many contributions to this volume indicate that it is not desirable to ask black and white questions such as 'Is x institution derived from Arabia or from pre-Islamic late antiquity?' for the pre-Islamic Arabian forms and institutions spread by the empire were themselves already formed in communication with the broader world of late antiquity. Thus, **Hoyland**'s contribution suggests that debt slavery was a product of a late antique Mediterranean world of which (Islamic) Arabia was a part; caliph ʿUmar ibn ʿAbd al-ʿAzīz (r. 717–720) and Muslim jurists developed ideas about debt slavery in accordance with the legal thinking of the time. This is not just the influence of the past, however, for the attitudes of Muslim jurists towards (temporary) debt slavery were influenced by evolving late antique Byzantine and Zoroastrian ideas as well as Arabian ones. Our sources show how Muslim ideas continued to develop, increasingly expressing disapproval of debt slavery, which is why ʿUmar's ideas, frozen in time in the letter studied by **Hoyland**, were 'forgotten' by later sources because they were outdated, reflecting an earlier, more pragmatic attitude towards temporary debt slavery. Meanwhile, **Berkes**' Arabic letter formulae that appear in Greek decrees show how Arab governors and their Greek-writing secretaries on the one hand continued older Greek chancery styles, while on the other hand they integrated innovative elements to signal the establishment of Arab rule. The subsequent appearance of these Arabic formulae in Coptic private correspondence indicates that this was not only a top–down process, but that Greek and Coptic letter-writers aimed also to signal close relations with the new rulers through epistolary formulae. **Schmidt**'s messengers in Islamic Egypt operated in languages and according to practices and routes inherited from the Byzantine empire, but new elements were introduced as well by the Arabs in need of controlling a diverse population with tools and institutions they inherited. **Vroom** observes that material culture in Sicily reflects political rule, with Byzantine amphorae slowly being replaced by Islamic ones as Islamic rule spread over the island. Local production and imported wares start to reflect Islamic models as economic zones follow military-political competition. **Sijpesteijn**'s and **Zinger**'s studies of the rhetoric of letters (Arabic ones from the 8th–9th centuries and Judaeo-Arabic ones from the 13th century respectively) show biblical and (ancient) Near Eastern themes interacting with specific medieval Egyptian historical and social contexts. **Huseini** shows how certain inhabitants of the Rob region of early Islamic Bactria turned to a neighbouring non-Muslim Turkic king to stop the disintegration of the household structures under the influence of Islam. When

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their converted elder brother refused to continue the Bactrian tradition of polyandrous cohabitation and joint ownership of the household's properties that legally bound them and instead approached the Muslim authorities, another brother tried to secure his socio-economic basis by appealing to non-Muslim authorities. Such examples show us that change or resistance to change is not always produced by ideological principles, and that the desire to hold on to existing structures can also be motivated by socio-economic concerns. Some social forms gave way to the pressure of new exigencies, while other late antique, pre-Islamic forms lived on as part of Islam or the broader imperial society. Meanwhile, **Palombo**'s approach is to examine the papyri from Islamic Egypt as a group on its own not in relation to what came before and after. In so doing, she aims to counter scholarship that has artificially separated linguistic traditions in early Islamic Egypt, studying them in the framework of the empires where these languages prevailed rather than in the context in which they occurred. **Palombo** does not deny a persistence of existing practices but purposely cuts with the Roman past, warning against 'overextending the gradual formation of Islam out of late antiquity'. There is no single story of the imposition of Arab or Muslim institutions, then, but a constant evolution of forms from various sources within an interconnected empire.

Multiple Approaches and Sources of History Writing

It has long been recognised that literary sources cannot be read as providing a transparent window onto the events of early Islam, or indeed events in general.[17] As a response, we have seen the rise in the importance of three broad kinds of studies. First, there has been an increased focus on documentary sources,[18] material culture, and archaeology, though scholars are moving beyond naive attempts to use such sources to merely disprove or verify elements mentioned in the literary sources. Second, scholars have turned to literary traditions that are considered to be at least partially independent, if not isolated, from Islamic historiography, including Greek, Coptic, Syriac, and Pahlavi, to mention just a few, acknowledging that

[17] Chase F. Robinson, *Islamic history* (Cambridge: Cambridge University Press, 2003); Fred Donner, *Narratives of Islamic origins* (Princeton: Darwin Press, 1998); Stephen Humphries, *Islamic history. A framework for enquiry. Revised edition* (Princeton: Princeton University Press, 1991).

[18] Here we make a contrast between 'documentary' sources, recovered through archaeology, and 'literary' sources, by which we refer to any written text that has been transmitted and copied in manuscripts and printed editions, without any aesthetic judgement implied by using this term.

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'Islamic' history cannot be written with recourse only to Arabic sources. Third, we have seen a proliferation of studies that argue for reading historical narratives not to reconstruct past events but to understand the meanings for their audiences and the intentions of their authors.

Each of these interpretive frameworks is present in our volume. At the heart of our research lies the conscious combination and comparison of documentary, material, and literary sources to write history. Very often, specialists of documents or material culture and specialists of literary texts circulate, publish, and think in different domains. This is slowly changing, but still there is insufficient dialogue between specialists of historiography and intellectual history, and specialists of material culture. This volume seeks to promote and intensify the dialogue between these fields. This is not always easy. Courtly culture and belles-lettres often seem a world away from the down-to-earth documents dug up from the trash heaps of the Fayyum or Bactria. There is, moreover, still a strong tendency amongst document specialists to consider material evidence as unmediated, direct, and therefore neutral and objective. Archaeology, material culture, and documents have, however, their own complex sets of interpretive challenges – not least because their explanation relies heavily on, again, historical sources and the researcher's subjective view.[19] But it is precisely such a breadth of perspective that a holistic vision of the early Islamic empire requires. Moreover, the literary and documentary evidence portray different but interconnected worlds, with individuals regularly travelling between them. This means that we must continue to build an effective set of methodologies both for working on literary and material sources and also for combining their insights. In this volume, **Leube** incorporates archaeological information about early Islamic cities in his understanding of historical accounts about Kufa to understand the spatial dynamic of tribal politics. **Vroom** uses archaeological, in particular ceramic, finds to contribute to the historiography of the Islamic conquest of Sicily. **Hoyland**, **Palombo,** and **Bauer** combine legal

[19] Methodological discussions of the potential and limits of material sources for the study of Islamic history are limited. In their introduction to *The Oxford handbook of Islamic archaeology* (Oxford: Oxford University Press, 2021), the editors Bethany J. Walker, Timothy Insoll, and Corisande Fenwick 'problematize the relation between Islamic archaeology and history'. Insights from ancient history are useful. For the misguided view that papyri offer an unmediated perspective on history, see Roger S. Bagnall, *Reading papyri, writing ancient history. Second edition* (London: Routledge, 2019). Petra Sijpesteijn discusses similar issues in her chapter on Arabic papyri in Roger S. Bagnall (ed.), *The Oxford handbook of papyrology* (Oxford: Oxford University Press, 2011), 452–472. Similarly, Christopher Howgego shows how coins can be used responsibly as a source for history writing in *Ancient history from coins* (London: Routledge, 1995).

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documents, recording forced labour or debt slavery and marriage, respectively, with legal and theological writings to understand how legal prescriptions and descriptions, and socio-economic considerations, intertwine. **Zinger** integrates moral arguments presented in private letters with ethical debates in other sources. **Vanthieghem** and **Hayes** study both decrees preserved on papyrus and such documents cited in chronicles and Hadith works to understand how their typologies follow each other.

The shift towards the narratological analysis of the meanings of historical stories has its own challenges and limitations. Narratological approaches have been salutary in encouraging a more holistic view of the function and nature of our literary sources and what they were trying to achieve. However, the idea that historical narratives are, at heart, about meaning-creation not fact-recording does not really give us a way out of the methodological conundrum. To comprehend the meaning of narratives, we must understand the societies in which such narratives circulated and the technologies and media through which they were transmitted. Attempting to understand societies where these narratives were produced and circulated leads to the same historiographical dilemmas because we will have to use the same historical sources in order to do so. What is the way out of this vicious circle? Historical inquiry is ultimately provisional and requires a process of modelling rather than settling upon definitive conclusions. To the extent that historians of the early Islamic empire now acknowledge this, we can say that we have moved beyond revisionism to a productive synthesis of different approaches towards the complex societies under the microscope, in which the narratological and historiographical analyses are aware of the material and documentary, and vice versa.

Language and Rhetoric

The analysis of rhetorical devices is a prominent element of many studies in this volume, allowing us to see how the ethical-political programmes of actors in the early Islamic empire were expressed both in documents and literary texts. The analysis of both the meaning and the social function of language is a key method for applying the acknowledgement that both facts and meanings can be studied in an integrated fashion. Thus, **Gordon** analyses the narratives describing the pledge of allegiance made to the son of Aḥmad b. Ṭūlūn (r. 868–884) as an example of literary meaning-making aimed at proposing certain ethical truths that the audience of these texts was to draw from history; but also as a reservoir of information about how the Ṭūlūnid political

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project was presented to contemporaries. In **Gordon**'s view, historical narratives operate like mirrors-for-princes with an ethical-normative dimension. While they narrate the creation and maintenance of ties at historical moments, they also reinterpret and reproduce how these ties are to be understood as they are received by future generations. **Lucas** looks at the complex history of a state letter that caliph Hishām (r. 724–743) is purported to have sent to his disobedient governor of Iraq, Khālid ibn al-Qaṣrī (in office 724–738), studying the role this letter played in narratives of the dismissal of this governor. She links her historiographical investigation with the way in which such letters embodied the ties that linked a caliph to his governor, arguing that the preservation and literary elaboration of such letters derives from their meaning as exemplary political gestures.

In **Hoyland**'s discussion of documentary evidence and literary sources, the temporary enslavement of free people for debt, which had initially been considered as a practical solution, was met with mounting disapproval that influenced later jurists' writings. Such literary discourses are resources for the conceptualisation and performance of social ties in a literary context, informing the ethics of behaviour in society. Understanding their literary nature does not render such texts useless as sources for the study of how these relations operated in society but rather allows us to study them as reflections on social processes.

Several of the studies in this volume focus on language as constitutive of and performative of social relations.[20] Language plays a key role in creating relations of social dependency. Thus, the language in documents not only describes relationships but can also be actively performative of social relations, creating and reinforcing ties by appealing to certain principles. Through a focus on language and the rhetoric of dependency, we can talk about meanings and we can model social structures; and, more importantly, we can talk about how these aspects were intertwined. Language is socially embedded: both documents and literary texts had an audience and a function which, when analysed, can tell us much about both producer and recipient.

The multiplicity of languages that appears in the contributions reflects the linguistic and cultural diversity of the populations participating in the Islamic empire. Rhetorical methods were shared across linguistic

[20] This is a continuation of both the profound consequences of the linguistic turn for the humanities and of a much older tradition: the philological humanistic tradition. Cf. Sheldon Pollock, Benjamin A. Elman and Ku-ming Kevin Chang (eds.), *World Philology* (New Haven: Harvard University Press, 2015).

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domains, as the Greek and Arabic decrees studied by **Bauer** and the Arabic, Coptic, and Judaeo-Arabic letters presented in **Sijpesteijn**'s and **Zinger**'s papers make clear. **Palombo** studies Coptic and Arabic loan agreements as well as other genres of texts to study credit mechanisms as a social institution in the Islamicate medieval world. **Bauer** demonstrates how a history-of-emotions approach more often associated with literary production can be applied to documentary material, including Arabic letters from governors, showing how emotion relates to Islamic rule in Egypt. Emotional language establishes hierarchical relations between ruler and ruled and husband and wife. **Berkes** looks at Greek and Coptic papyrus letters and processes of Arabicisation to understand how using religiously neutral language in administrative letters created a tie between Muslim rulers and Christian Egyptians following the establishment of Arab rule in Egypt. The presence of the Arabic expressions in translation is also reflective of historical processes of Arabicisation and the expansion of Muslim administrative rule. These studies reflect a society in which linguistic elements and conceptual units circulated across language boundaries, where multilingual environments and the sharing of cultural models prevailed.

A linguistic lens may be applied to see how contemporary historical sources describe social-dependency relations. For example, **Pierre** provides an analysis of the development of definitions of community boundaries against a background of inter-religious contact. By examining Muslim and Christian prescriptions (in multiple languages) for communal interaction, he deals with the rhetoric of preserving religious group identity and purity in the context of the complex social interactions within which these discourses arose. **Palombo** examines discourses on debt in Fusṭāṭ and other urban centres through the repeated use of technical words and formulae across literary and documentary texts.

Quite apart from imperial structures, the populations of the empire were diverse and characterised by numerous local institutions and forms of behaviour, and so an understanding of the broader links that tied the empire together also requires research using expertise in different local languages and forms: Greek, Coptic, Bactrian, Syriac, as well as the imperial idiom of Arabic. Several contributions (**Berkes**, **Hoyland**, **Huseini**, **Palombo**, **Pierre**, **Schmidt**, **Sijpesteijn**, **Zinger**) include material in different languages, but the volume as a whole is an attempt to bring the different linguistic domains of the early Islamic empire into discussion as well.

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The Ties that Bind

This book applies a social-historical lens to consider not only top–down political decisions and policy changes as the drivers of historical change but also phenomena that emerge from a broader social base. The key framework we focus on is social interdependency as expressed through both personal and group relations. It is our contention that ties of patronage, family, friendship, dynasty, and religion and the overlapping and intersecting networks they formed crucially shaped the early Islamic empire.[21]

What ties exactly are we talking about? The definitions of a social 'tie', 'relationship' or 'connection' are manifold.[22] Here, in order to open a broad conversation among contributors, and with the field in general, we work with a broad definition of social ties as comprising processes, mechanisms, or categories that pattern interactions among entities (primarily, here, individuals or groups) in a way that generates lasting, visible, and mutual expectations for behaviour. These connections may be embedded in various forms of discourse or institution, including legal or formal, informal, vernacular, or implicit. They are often normative, that is, generating binding expectations for behaviour that may result in the loss of social capital if violated. Connections in the Islamic empire could be formed horizontally between more or less equal individuals or peer groups but extended also vertically along relations of patronage such as teacher–student, parent–child, and master–follower. They were created, enforced and invoked from the top–down and from the bottom–up. Connections could follow from physical contact, realised through human exchange, via conquest (**Vroom**) and messengers (**Schmidt**), or via material objects, such as letters (**Bauer**, **Berkes**, **Hayes**, **Sijpesteijn**, **Vanthieghem**, **Zinger**), legal contracts (**Bauer**, **Gordon**, **Hoyland**, **Huseini**, **Palombo**), or the circulation of material objects within the economic sphere such as amphorae (**Vroom**). Other relations resulted, however, from perceived solidarities, cultural appeals, ideologies, and communal identities based on imagined associations and abstract notions of inter-relatedness. Material aspects can still play a role in such relations. The Kinda from Kufa presented by **Leube** incorporated

[21] See Notes 9 and 11 above for the argument around seeing beyond conquest and commerce as the driving forces of empire.

[22] Note that we use the terms 'ties', 'connections', 'relations', and 'relationships' promiscuously in this introduction. Each might be developed theoretically at some length, but that is not our aim here. For further discussion about the debate in anthropology and sociology over what constitutes a social tie, see e.g. Marilyn Strathern, 'Relations', *Cambridge encyclopedia of anthropology*, www.anthroencyclopedia.com/entry/relations#h2ref-3, accessed 1.11.2022.

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'strangers' in an imagined tribal unit, allowing them to benefit socially and economically. Aḥmad ibn Ṭūlūn used economic means to enforce loyalty to his ruling house in Egypt, as **Gordon** argues. **Palombo** sees communities of agents involved in a multiplicity of interpersonal credit exchanges.

Among all this diversity of subject material there are a number of elements that we can identify as common concerns when we analyse these different types of relationships: the responsibilities, rights, and expectations that bind the parties into a relationship. These aspects can be made explicit but often remain implicit in their language and effects. Some ties are conceived of as more permanent than others, while in some there may be ambiguity, as in **Gordon's** oath of allegiance, whose binding effects appear fragile because of the political context. Once established, ties can be broken, but often at the cost of social capital, as **Gordon** suggests. **Hurvitz** shows how the loyalty of the Sunni populace of Baghdad for the Abbasid caliph remained ideologically important but was placed under pressure when the caliph's ability to protect and lead was under question. Other contributions examine how connections are ignored, dissolved, or redirected. **Leube**, for example, shows tribal loyalties being replaced by political ones. While ties can be broken or re-created, we must not therefore dismiss them as meaningless or 'merely' rhetorical. The rhetoric of interconnectivity is not empty but part of the very stuff that makes up social realities.

In conceiving this volume we have primarily focused on social relations that are actively acquired and intentionally cultivated and maintained, as opposed, for example, to kinship ties or those formed by family enterprises and professions passed from parent to child.[23] In other words, we study long-term social interactions that are to some extent formalised or conventionalised in language. However, the boundaries between types of ties can be blurry. Intentionally acquired contracts or ties of loyalty or reciprocity constantly interact and overlap with inherited ties, overarching cultural conventions or a broader ethos of group solidarity.[24] Social ties are founded

[23] Mottahedeh makes this distinction between inherited and acquired ties in *Loyalty and leadership in an early Islamic society* (Princeton: Princeton University Press, 1980). The 'Embedding Conquest' research group responsible for this volume also organised a conference in December 2021 on the role of kinship in the early Islamic empire. In this volume, kinship ties play a role in the contributions of **Zinger, Sijpesteijn** and **Leube.** See also the research group dedicated to Kinship and Community in the Early and Medieval Islamic Mediterranean at the Haifa Center for Mediterranean History, https://hcmh.haifa.ac.il/index.php/academic-activity/research-groups/16-academic-activity/118-kinship-and-community-in-the-early-and-medieval-islamic-mediterranean. The proceedings of which were published as: Birte Kristiansen and Cecilia Palombo (eds.), 'Ties of kinship', special issue of *Medieval Encounters*. *Ties of kinship in Islamicate societies*. Special issue of *Medieval Encounters* 29 (2023).

[24] Marina Rustow, 'Patronage in the context of solidarity and reciprocity: two paradigms of social cohesion in the premodern Mediterranean', in Esperzanza Alfonso and Jonathan Decter (eds.),

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on different bases and fall into different categories, but one type of connection often overlaps with another and the operations of different social spheres can reinforce each other.

The case studies presented in this volume make it clear that the Islamic empire was characterised not by one particular kind of connection. A multitude of interacting and overlapping ties and networks were at work. These ties are visible in every corner of the empire, though often in different forms, and they were binding and impactful, albeit liable to be broken and renegotiated. Relationships are based on expectations. They come with rights and responsibilities but they need to be maintained and managed. The constituent members of a relationship need constant reminding of what this means for their behaviour, their dealings with other members of the relationship and with those outside it. Relations are not static but are constantly subject to reformulation, redirection, extension, and contraction. Relations can be broken to establish new ones, even if this is sometimes traumatic and costly.

The relations described in this volume are almost always hierarchically constructed. Community leaders, governmental officials, or family members hardly ever form totally equal relationships amongst the stakeholders of the empire. Some of these relationships – such as those between the caliph and his governors, a master and his slave, a husband and his wife, a father and his son – were more asymmetrical than others. But even a client can hold his patron to account for certain forms of protection and help. A petitioner clothes his request in rhetorical forms conveying supplication but also entitlement. A debtor and creditor are interdependent in their financial relationship. And even a rebel can ask for justice at his trial. In other words, because these individuals interacted with each other not randomly but within the confines of established relations, however many and diverse such relationships they may have maintained simultaneously, they were never entirely powerless, nor were they reduced to guessing the rules of the game of social interdependency.

Patronage, production, and transmission of texts in medieval and early-modern Jewish cultures, (Medieval church studies 34) (Turnhout: Brepols, 2014), 13–44. It is worth noting that our intention in this volume is to address both relationships between individuals and between or within groups, considering these levels as part of the same intertwined whole and thus subject to the same mechanisms that build the connections and ties that form the social fabric holding society together. This approach contrasts somewhat with works that focus primarily on communities as a distinctive societal factor, such as Sabrina Feickert, Anna Haut, and Kathrin Sharaf (eds.), *Faces of communities. Social ties between trust, loyalty and conflict* (Göttingen: V&R Unipress, 2014) and Rutger Kramer and Walter Pohl (eds.), *Communities and empires in the post-Roman and Islamic world. c. 400–1000 CE (*Oxford: Oxford University Press, 2021).

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It is the expectations and rules that we aim to discover by examining the patterns of interactions between individuals and groups. Taken together, these expectations form the key to understanding the workings of the early Islamic empire.

Interpersonal Ties

Ties between individuals are the foundation of the social-dependency structures discussed in this volume, but this section collects chapters in which these interpersonal ties are particularly visible. These ties can take various forms. As mentioned above, this volume focuses more particularly on ties that could be engineered or acquired through intentional activity, rather than ties that an individual was born into. However, it must be acknowledged that particular, localised, interpersonal ties were always and everywhere constructed with reference to larger, *longue-durée*, societal structures which anchored these interpersonal ties. Thus, for example, reciprocity and patronage are realised with reference to kinship via both parental and marriage relations (**Bauer**, **Gordon**, **Zinger**); while contractual obligations (**Gordon**, **Hoyland**, **Palombo**) and economic dependency (**Hoyland**, **Palombo**, **Zinger**) fit into larger legal and political frameworks; and petitioning relationships (**Sijpesteijn, Zinger**) are forged within deeply ingrained attitudes to moral duty, obligation, and reciprocity. While we are grouping the relationships discussed in this section under the rubric of the 'interpersonal', then, much of their meaning and force arises from their embeddedness in larger communal or institutional patterns that generated particular expectations in individual cases.

Interpersonal ties could intersect with ties to one's community in two major ways. First, because ties to individuals might equate to ties to one's community; for example, in **Zinger**'s case, the responsibility of a son towards his father involved the values of the Jewish community in thirteenth-century Cairo as a whole. The father sent letters to his relations in an attempt to reach his runaway son. In these he referred to the son's abuse of the parent–child relationship and his ruining their business relations by making bad commercial decisions during his flight. The father also saw his son's defiance of the standards of proper comportment for a young Jewish man in Cairo as a failure to perform his duties towards the family and the local community. Thus, by defying the expectations of the one-to-one relationship with his father, the son by extension abused his membership in the community of Jewish merchants. As **Gordon** shows, when Egyptian elites

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withdrew their support for the ruler's son, Abū al-Jaysh Khumārawayh, despite the oaths of allegiance they had publicly and privately sworn, they cut the ties that bound them personally to an unfit ruler. In the historian al-Balawī's (fl. later tenth century) contemplation of the ethical and emotional aspects of loyalty and personal interconnections underwriting a ruler's position, this story goes beyond that of the relation between specific members of Egypt's elite and the province's ruler, as the actors become types within the moral evaluation of ruler–supporter interactions in an Islamic imperial context.

Interpersonal ties thus intersect with community relations as individuals share the ideological and cultural commitments of a community, expressed in the language of shared communal values. When petitioners approach a potential patron, they can draw upon cultural expectations to forge a personal relationship, as **Sijpesteijn** shows in her analysis of claims of aloneness and helplessness used by letter writers in eighth- and ninth-century Egypt.

Personal relations are frequently structured by formal and informal institutions. This is well demonstrated by the contributions of **Hoyland** and **Palombo**. **Hoyland** discusses the changing attitudes towards (temporary) debt slavery amongst Muslim and other contemporary jurists. Debt slavery resulted from an obligation which itself followed from financial interaction between two parties. Unable to pay off a debt to their creditor, individuals could enter a (temporary) relation of legal slavery to repay their debts through physical labour. **Palombo** presents lending practices involving members of monastic communities as recorded in legal, papyrus documents from Egypt. Legal deeds, with the whole apparatus of scribes, secretaries, and ultimately the legal courts, in which many of the debt agreements were recorded, supported and formalised the relationship of personal dependency between debtor and creditor, between slave and master. Although the two parties to a legal deed could establish or abolish, with mutual agreement, their legal obligations without interference from legal personnel, their ties by definition extended beyond the personal to involve the institutions of the law. **Palombo** understands credit transactions as an institution in the sense of a set of social regularities, composed of numerous regular interpersonal interactions which, taken together, generated expectations for behaviour. Interpersonal debtor–creditor relations included individuals who participated in formal institutions such as Christian monasteries. A final way in which these relations flow into the institutional is the interaction with taxation.

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Institutions

Institutions can be defined in various ways, including in a more formal sense and a less formal sense.[25] This volume documents the existence of different levels of institutions that structured the lives of the inhabitants of the early Islamic empire. The contributions grouped in the 'Institutions' section of the book focus more particularly on the ties forged in the context of governmental and administrative structures. For political rulers, the question of how to ensure loyalty or at least adherence from their subjects was a recurring issue. The contributions in this section show the concrete instruments and political mechanisms that the ruler had at his disposal to tie his subjects (elites as well as the lower layers of society, and groups as well as individuals) to his person and to the institutions of rule.

One of the main points that the contributions highlight is that relations between the ruler and the ruled needed constant attention and active maintenance. **Gordon** and **Lucas** both show that political loyalty cannot be assumed but has to be expressly established. Caliph Hishām's letter to his governor of Iraq, Khālid al-Qaṣrī, discussed by **Lucas**, displays how a ruler interacted with one of his intermediaries, and what arguments he used to evoke the obligations existing between them. Letters were, in fact, a key tool to connect a ruler to his representatives, working beyond the communication of information contained in them to establish ties of intimacy, trust, and loyalty. This function is also discussed in the papers of **Berkes** in the 'Communities' section and by **Bauer**. The decrees, discussed by **Bauer**, sent by the Egyptian governor Qurra ibn Sharīk (in office 709–715) to the local district head, appeal to rules of good governance transcending the specific dynamics of the correspondence between these two men. Such conventions engage with an empire-wide framework involving a set of expectations that governed the caliphal, political project as a whole. **Vanthieghem** discusses a special form of administrative letter: the Abbasid decree. His contribution fills a lacuna in our understanding of the development of the form of Arabic decrees. While the formulary of decrees has been studied for the Fatimid

[25] There is no universally accepted definition of 'institution', and it tends to be used on a spectrum of lesser to greater informality. See Eduardo Manzano, 'Why did Islamic medieval institutions become so different from Western medieval institutions?', *Medieval worlds* 1 (2015): 122. Scott notes that 'Institutions are social structures that have attained a high degree of resilience [and are] composed of cultural, cognitive, normative, and regulative elements that, together with associated activities and resources, provide stability and meaning to social life).' William Richard Scott, *Institutions and organizations: ideas and interests*, 3rd edition (Thousand Oaks, CA: Sage, 2008), 48.

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and Mamluk periods, no systematic work has been done to identify the formulary of the decree genre for earlier periods. **Vanthieghem** combines information from papyri and literary sources to reconstruct a typology that existed across the Islamic empire, illuminating the presence of the Abbasid state in all provinces of the empire. **Hayes** similarly analyses a set of letters written by a Shiʿi imam in response to questions or to disseminate policy directives, comparing them with extant letters on papyrus. This establishes, importantly, that the imams and their agents were running administrative and governmental institutions with practices comparable to those found in the contemporaneous Abbasid state. This does not mean that the imams' letters did not contain their own, unique elements tying the recipients to the community leader and to each other.

The role of messengers in delivering the letter to the right person was distinctive in the Shiʿi community examined by **Hayes**, but messengers played a crucial role in conveying information and goods reliably throughout the empire. **Schmidt** presents an overview, on the basis of Arabic, Greek, and Coptic papyrological material, of how an elaborate and reliable system of messengers was maintained. Sometimes armed, conveying oral and written messages as well as goods, collecting services and materials for the sender, the messengers in Egypt operated in the private and public spheres. **Schmidt**'s discussion of the armed messengers who transported tax revenues and other items suggests the ways in which the business of managing a populace was dependent upon the existing institutions which bound individuals together horizontally, as well as providing tools for the conquerors to exert their influence over the institutions they inherited and adapted. A third concrete instrument at the rulers' disposal was the *wafd,* the delegation of members of the provincial ruling elites to the caliph's court. **Huseini** looks at how a political ruler, in this case Kera-tonga, the Turkic king of Kadagstan in eastern Bactria, offered protection to inhabitants otherwise subject to the Abbasids. The protection document **Huseini** studies not only shows that the Turkic king's legal and moral authority continued to apply to his formal citizens, but that he maintained connections further afield with petitioners from within 'conquered' Abbasid domains appealing to him.

Legal and economic structures played a role in tying people into the Muslim state. Rulers applied economic means in an attempt to maintain connections to and ensure loyalty from their subjects. Rulers deliberately distributed booty, lands, and jobs to secure the ruling elite's loyalty. **Gordon** shows that the handing out of financial favours was a strategy for Aḥmad ibn Ṭūlūn to attempt to secure the continued loyalty of Egyptian

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elites to the dynasty he founded. Economic assets could be employed to obtain positions of leadership, as the Kinda tribesmen **Leube** presents did very effectively. Conversely, the Ismaili followers of the Fatimid caliph were urged to make financial donations to obtain special religious knowledge and thereby to demonstrate a higher degree of loyalty, as **Walker** shows in his discussion of one of the ways in which the Fatimid caliphate established its rule in the beginning phase of its existence as an empire. **Huseini** explores how local Bactrian families simultaneously displayed a political alliance to the Muslims through payments of taxes to the new rulers and a moral alliance to the Turkic ruler by turning to him for support in legal disputes.

In societies in which religion reinforces political legitimacy, political ties will often have a religious component, though its articulation is not always expected, as **Walker** shows in his study of how the Fatimids balanced the demands of their Ismaili convictions against a commitment to ruling a religiously diverse population. The Fatimids, whose religious policy when they first began to rule in Ifrīqiyya was relatively less tolerant and accommodating, encountered the fierce opposition of an entrenched Maliki establishment. The Fatimids were thus forced to adopt a more practical approach to ruling a majority non-Ismaili population, while even so focusing a separate policy aimed at recruiting initiates to its Ismaili *daʿwa* and maintaining their religiously based devotion and loyalty.

Many of the techniques discussed above that rulers used to establish loyalty and support amongst their constituencies operated concurrently. Political, economic, and religious factors worked together, as the contributions of **Leube, Walker,** and **Gordon** highlight. The public and the private, moreover, often overlapped in establishing or appealing to dependency networks involving the authorities. Public figures were deeply invested in networks of familial and personal obligation, warning us against underestimating (and misjudging according to 'modern' standards) the degree to which public and private spheres in government overlapped. **Schmidt**'s messenger networks served private as well as official needs. However, the mixing of private and public interests was sometimes considered inappropriate, as the measures to limit opportunistic behaviour by **Schmidt**'s messengers show. Aḥmad ibn Ṭūlūn attempted to transfer public and private pledges of allegiance made during his lifetime to his descendants in an ultimately unsuccessful attempt to secure the Ṭūlūnid house, **Gordon** argues.

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Communities

The chapters grouped together in the 'Communities' section of this book all illuminate important dimensions of the ways in which life for the inhabitants of the early Islamic empire was shaped by their membership in and commitment to one community or more of shared belonging. Community can be thought of at different levels: for example, at the level of a shared locale; shared structures; or shared values.[26] Each of these can generate group identity that operates as a strong connector, encouraging individuals to reach for shared goals, protect common interests, and conform to desired policies. But such ties can also be used to control group members, dictate their behaviour, and compel allegiances. How community boundaries are defined and by whom, on what basis group membership is granted, and how boundaries are policed are all crucial questions for community members, as the cases presented in this section make clear.

However strictly group boundaries are drawn in our sources, they were invariably porous in practice. Group composition was dynamic, as the example that **Leube** presents of the Kinda in Kufa, who absorbed non-tribal members, shows. Paradoxically, boundaries were seemingly drawn more sharply the more frequently they were crossed. Christian–Muslim socialisation was exactly what gave rise to rules limiting such interaction in the first and second Islamic centuries in Iraq, as **Pierre**'s chapter suggests. Individual group members were, moreover, sometimes motivated to make connections outside their community, creating alliances in addition to or in competition with those of the community. Kinda tribal leaders made political coalitions with the caliph's agents against fellow tribesmen, as **Leube** indicates. The Coptic-writing Egyptians who incorporated Arabic greeting formulae in their letters, discussed by **Berkes**, explicitly wanted to display their loyalty to the new Muslim-Arab rulers. The credit agreements that **Palombo** presents show interpersonal relations, sometimes forming groups of individuals bound through financial interactions, cutting across other religion- or region-based groups.

It was when under stress that the ties binding communities were pulled tighter and the boundaries drawn more firmly, resulting in the construction or radicalisation of community oppositions, as several papers in this section show. **Pierre** discusses how Christian authorities introduced rules on eating the slaughtered animals and marrying the wives of other communities, as anxiety over intermixing in the social sphere rose. Muslim

[26] See Nigel Rapport and Joanna Overing, 'Community', in *Social and cultural anthropology: the key concepts,* ed. Nigel Rapport (London: Routledge, 2000), 60–61.

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jurists responded with similar interdictions aimed at excluding members of existing religions. **Hurvitz** shows that Hanbali rioters behaved with increasing hostility in the streets of Abbasid Baghdad as they felt the caliphs' ability to ensure the security of the realm on general, and Sunni religious principles in particular, weaken. It was the assurance of Sunni group protection that bound Sunni/Hanbali subjects to the Abbasid caliphs, and the loss of confidence in that assurance led them to draw a sharper line around themselves and their beliefs. As **Vroom**'s potters and traders in Sicily show us, while Mediterranean trade activity continued to take place across political borders after the Muslim conquest of the island, political subordination and loyalties left obvious traces in the material record.

So what were the ties that connected communities? The presentations in this section discuss tribal (**Leube**), economic-political (**Vroom**), and religious (**Hurvitz**, **Pierre**, **Berkes**) factors. Shared identities evolved to support group interests, sometimes with deliberate pressure from above based upon ideological and imagined solidarities. In several cases economic motives played a role in tying members into the community. **Leube** shows how Kinda tribal leaders made use of economic assets to establish their position. **Vroom**'s amphorae circulated in trade networks but nevertheless aligned according to the political-military competition between the Muslims and Byzantines. Christian Egyptian officials in Muslim service were under economic pressure as the administration slowly changed its languages and personnel. It is this dynamic in the administration that **Berkes** uses as a background to the spread of Arabic greeting formulae through Greek and Coptic letters. But politics also intersected in these group identities, as was already mentioned in relation to the contributions of **Leube** and **Hurvitz**. This could lead to unexpected alliances, as is explored by **Hurvitz**, whose contribution highlights how the ideals of Hanbali activists in Baghdad were sometimes at odds with the ruler whose legitimacy underpinned their world view. Group solidarity based on shared cultural, religious, ideological, and political values and goals, creating ties that extended beyond personal connections, obviously played an important role in binding community members, but so did reciprocal relations, such as patronage and other interpersonal relationships, as group members were connected to individuals within and outside the group in (co)dependency.

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Taken together, the papers in this volume show the variety of ties of social dependency that worked in and sustained the early Muslim empire. These

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ties did not just arise organically to be exploited but had to be initiated, defined and subsequently cultivated and reinforced through discourses of dependency, responsibility, and identity. The examples cited in this volume's chapters continually demonstrate the performative nature of the ties that bind society, which had to be created or maintained through repeated assertion.

The language of our sources not only describes these relationships but also shapes and colours them, whether it is in the direct form of a speech or letter, or through a literary discourse surrounding the relationships described. The relations surveyed in this volume were formed along familial, economic, political, religious, and material lines and often involved several elements. Similarly, in order to mobilise an existing relationship for specific goals, appeals were made to a multitude of arguments. Moreover, ties between groups and individuals were not static but constantly evolved under the influence of historical and personal circumstances and as the interests of the constituent parties changed. Pragmatic, reciprocal relations and those based on appeals to group solidarity were intertwined, as individuals made references to ideological and cultural norms that were prevalent in the definition of social groups but also helped to structure interpersonal relations in the private and institutional spheres. Most importantly, the ties described held their constituent parties in a relation of codependency in which each held expectations of rights and responsibilities towards the other. Although many relations were asymmetrical, power was never totally unchecked.

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PART I

Personal Ties

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1 Ties of Unfreedom in Late Antiquity and Early Islam: Debt, Dependency and the Origins of Islamic Law

ROBERT HOYLAND

Introduction

In this chapter I will be looking at a rather amorphous tie of dependence, one that is not formally recognized either in social or legal circles. It is an interpersonal personal tie, one that occurs between free persons, but where one party has, due to force of circumstance, become so dependent upon, or obligated to, another that they might be considered to have effectively surrendered their liberty, either temporarily or permanently. That is, I will be talking about those who were designated free yet nevertheless came to forfeit their freedom for a time, submitting themselves to another person, such as an employer, creditor, slave-dealer or potential patron, possibly even a well-wisher. Modern scholars often call this voluntary slavery or contractual slavery, contrasting it with chattel slavery,[1] or, more recently, "unfreedom," using this term to characterize the diverse forms of dependency and control experienced by those who are not legally classed as slaves.[2] This situation involved a different sort of tie to that between master and slave, which was closely regulated and defined by the law and recognized by Scripture. It was a more uncertain and ambiguous tie, for it was disapproved of by lawyers, which meant that it was only cursorily treated by them, lacking the clear definitions and protections afforded to slaves and their owners.

[1] Referring to those who were born slaves or captured during warfare, though other means of enslavement, such as kidnap, even though illegal, were common. For some examples see Jelle Bruning, "Slave Trade Economics in Abbasid Egypt: The Papyrological Evidence," *Journal of the Economic and Social History of the Orient* 63 (2020): 684–90.

[2] The classic study is Jacques Ramin and Paul Veyne, "Droit romain et société: les hommes libres qui passent pour esclaves et l'esclavage volontaire," *Historia: Zeitschrift für Alte Geschichte* 30 (1981): 472–97; see also Morris Silver, "Contractual Slavery in the Roman Economy," *Ancient History Bulletin* 25 (2011): 73–132. I should note here that I will chiefly be using legal sources, which are an imperfect indicator of social realities and are usually shorn of the personal details of the cases that they present. The "poor" are a theme in Christian literature, so that gives us an additional perspective, but this is much less the case in Islamic literature. Unfortunately, Zoroastrian legal sources are few, offering us only occasional hints about the nature of "unfreedom" in the Sasanian Persian Empire, and so I will be drawing principally on Roman sources for the late antique situation.

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The forfeiter was in a more vulnerable position, given that he/she was likely to be low on the social scale, or at least to have fallen low, but the would-be buyer of a free person, even if the latter was willing, could also be in a precarious position, since such transactions, unless conducted for charitable reasons, could attract sanction from the authorities. Moreover, given that free status was usually deemed to be inalienable, it could potentially be reclaimed, leaving the buyer out of pocket or even facing reprimand. We are therefore talking about ties of dependency – "ties that unequally bind" as Cecilia Palombo nicely puts it in her chapter below, playing on the main theme of this volume – but also about ties that were not properly regulated and that might be disapproved of or even disavowed.

Such surrender of liberty by a free person was often the result of some form of destitution or exploitation, though it could also be chosen out of a pragmatic recognition that short-term subservience or indentured service might be a route to achieve long-term advancement. For those with no fixed or liquid assets, the most obvious thing that they had to offer was their own labor or that of those under their charge. This could be utilized in a variety of ways, such as security for a loan, as a substitute for interest on a loan, as compensation for a debt that one could not pay off, or simply to obtain enough food to eat. If one desperately needed money and could not find a person willing to lend money in return for labor, one's only option might be to sell oneself, or a family member, directly to a slave dealer or at a slave market. Such action was evidently perceived as a last resort, since we most often read about it in accounts of famines and disasters when it is listed as one of the signs of the dire straits that people found themselves in. A famine in fifth-century Vandal Africa was so bad, says Victor of Vita, that "some wished to exchange their freedom and that of their children for permanent servitude, and they could find no way to do this," evidently because food was too scarce to make such an exchange possible. And the setting for a story of three tribesmen who sold themselves to the caliph Marwān I (64–65/684–85) was imagined as "a time of hunger."[3]

However, a free person's liberty might be curtailed in more subtle ways. For example, in some areas of economic life employers had such power over their workers that it constrained the latter's freedom of movement. In a ruling of the Roman emperor Justinian (r. 527–65 CE), for instance, the supposedly free *coloni* (farmworkers resident on an agricultural estate)

[3] Alice Rio, "Self-Sale and Voluntary Entry into Unfreedom 300–1100," *Journal of Social History* 45 (2012): 666 (Victor); Abū Faraj al-Iṣfahānī, *Kitāb al-Aghānī* (Cairo: Dar al-Kutub, 1927–74), 10:73 (Marwān; I am grateful to Simon Pierre for this reference).

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are referred to as "belonging to them (the estate owners) by law." This may simply reflect the perception of labor as property, but it does at the very least imply a dilution of the workers' free status and suggests that freedom and unfreedom were sometimes not so rigidly separated and that unfreedom could take many forms besides outright enslavement. It could also happen that the powerful would drag those in straitened circumstances or of ambiguous status into slavery, as was the case for a certain Martha and her extended family in sixth-century Egypt, whose plight is recounted in a lengthy document from Aphrodito, written by someone who fervently declares Martha to be of free status despite those seeking to enslave her.[4] In short, this tie of dependency was found in many different contexts – social, legal and economic – and took many different forms, which makes it well worth studying, and we will attempt to explore here some of the ways in which it played a role in the late antique and early Islamic Middle East.

Unfreedom from Late Antiquity to Early Islam

Since the problem of free persons driven to give up their liberty is an enduring one, it helps, when examining it, to take a broad view, and to this end I will here adduce examples and perspectives from the late antique period as well as the early Islamic period. Pursuit of this approach has often been hampered by the widespread notion that the emancipatory efforts of the Prophet Muḥammad and his companions led to a radical break with the past.[5] It is not just Middle Eastern scholars who have pushed this view, but also Western scholars. For example, Bernard Lewis declares that Islam brought "major changes" to unfreedom in the ancient world, for "it became a fundamental principle of Islamic jurisprudence that the natural condition, and therefore the presumed status, of mankind was freedom."[6] This is echoed by Harald Motzki, who quotes one Muslim jurist's statement that "a freeborn person is not a slave," in support of his contention that: "This principle of classical Islamic jurisprudence differs in its clarity and radicalism from the pre-Islamic legal systems of the Near East and the Mediterranean,"

[4] Discussed by Judith Evans Grubbs, "Slave and Free at the End of Antiquity," in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt*, ed. Sabine R. Huebner *et al.* (Berlin: de Gruyter, 2020), 187–89.

[5] An influential early example is Ali A. Elwahed, *Contribution à une théorie sociologique de l'esclavage* (Paris: Albert Mechelinck, 1931), 111–35, who is followed by, among numerous others, David Graeber, *Debt: The First 5000 Years* (New York: Melville House, 2011), 274–75.

[6] *Race and Slavery in the Middle East* (Oxford: Oxford University Press, 1992), 5–6.

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thus constituting a "discontinuity between the Islamic and pre-Islamic legal systems."[7]

However, even a brief perusal of the relevant primary sources makes clear that there is much common ground in the attitudes towards freedom and unfreedom in the Roman and Islamic cultures of the Middle East. The Latin legal maxim that "a free person cannot be assigned a price" (*homo enim liber nullo pretio aestimatur*) matches well the Arabic maxim: "a free person is not to be bought or sold" (*al-ḥurr lā yubāʿu wa-lā yushtarā*) or more simply "the free are not for sale" (*lā yubāʿu l-aḥrār*).[8] Furthermore, both Roman and Islamic societies lived with the paradox of valuing freedom but being unable to do without the labor of the unfree.[9] The latter category was in theory confined to slaves, and it is

[7] *Analysing Muslim Traditions. Studies in Legal, Exegetical and Maghāzī ḥadīth* (Leiden: Brill, 2010), 125. Although both Lewis and Motzki make very grandiose claims, the Islamic legal tradition refers very rarely to "freedom." The statement that "freedom is a basic principle" of mankind (*al-aṣl huwa al-ḥurriyya*) is limited to a very few specific cases, in particular that the penalty of flogging might be reduced a little for free persons (e.g. Burhān al-Dīn al-Marghīnānī, *al-Hidāya fī sharḥ al-bidāya*, ed. Ṭalāl Yūsuf, Beirut: Dār Iḥyāʾ al-Turāth, n.d., 2.360) and that a foundling should be presumed free unless there is evidence to the contrary (e.g. ʿAlāʾ al-Dīn al-Kāsānī, *Badāʾiʿ al-ṣanāʾiʿ fī tartīb al-sharāʾiʿ*, Cairo: Dār al-Kutub al-ʿIlmiyya, 1986, 6.197). Note the observation of Franz Rosenthal on this point: "The problem of freedom found little positive attention in legal works … We cannot discern any tendency among jurists to go beyond technicalities and to see freedom and slavery as something more than legal facts" (Franz Rosenthal, *The Muslim Concept of Freedom Prior to the Nineteenth Century*, Leiden: Brill, 1960, 33–34). Cf. also Irene Schneider, "Freedom and Slavery in Early Islamic Time," *al-Qanṭara* 28 (2007): 355–57.

[8] Olivia F. Robinson, *The Criminal Law of Ancient Rome* (Baltimore: Duckworth, 1995), 32–33. The Arabic maxim occurs in our earliest *ḥadīth* collections; e.g. Saʿīd b. Manṣūr, *Kitāb al-Sunan*, ed. Ḥabīb al-Raḥmān al-Aʿẓamī (Bombay: al-Dār al-Salafiyya, 1982), 2:336 (no. 2803, *kitāb al-jihād*); Ibn Abī Shayba, *Kitāb al-Muṣannaf*, ed. Kamal Y. al-Ḥūt (Beirut: Dār al-Tāj, 1989), 6:524 (*kitāb al-siyar*); ʿAbd al-Razzāq al-Ṣanʿānī, *Kitāb al-Muṣannaf*, ed. Ḥabīb al-Raḥmān al-Aʿẓamī (Beirut: al-Maktab al-Islāmī, 1983), 10:194 (nos. 18798–99, *kitāb al-luqṭa*).

[9] Compare the view expressed in the famous *Book of Ethics* of Nāṣir al-Dīn al-Ṭūsī, trans. George Michael Wickens (Abingdon: Routledge, 2011), 181 (discourse 2, section 5): "Where this class of people (slaves) does not exist, the doors of ease are fast shut … Accordingly, due thanks should be offered for the existence of this company: they should be regarded as the pledges of Almighty God." Jonathan Brockopp, "Slavery in Islamic Law: An Examination of Mālikī Jurisprudence" (PhD Dissertation, Yale University 1995), 181, notes that Islamic law "seems exclusively concerned with common household slavery," giving the impression that Roman and Islamic societies were very different in the deployment of unfree labour, but he argues that in fact there was "increased use of slaves as soldiers, entertainers and bureaucrats" (ibid. 181). They were found in industrial and agricultural settings too; see e.g. Mohamed Talbi, "Law and Economy in Ifriqiya (Tunisia) in the Third Islamic Century: Agriculture and the Role of Slaves in the Country's Economy," in *The Islamic Middle East, 700–1900*, ed. Abraham L. Udovitch (Princeton: Darwin Press, 1981), 209–49, and Alexandre Popovic, *The Revolt of African Slaves in Iraq in the 3rd/9th Century* (Princeton: Markus Wiener, 1999).

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accordingly on this latter category that almost all legal and moral attention was directed: tightly defining the ways in which slavery could occur (primarily by birth to slave parents and in the course of war via capture of and tribute from enemies), regulating carefully the sale and purchase of slaves, and mitigating their exploitation (emphasizing the importance of treating slaves well,[10] establishing procedures for manumission and forbidding the enslavement of free citizens/monotheists,[11] and so on). Yet, although Roman and Islamic jurists devised strict definitions in order to suppress any blurring of the distinction between free and unfree and to regulate any movement between the two states, both were obliged to confront the phenomenon of free persons becoming unfree for a time, as we shall see below.

In sum, there is good reason to posit some degree of continuity between the practices and attitudes of late antique and early Islamic society in regard to unfreedom, and it is through the lens of such continuity that I shall approach this topic. I do not have in mind here the apologetic/polemical question of the degree to which Islam effaced or continued Greco-Roman civilization, whether its culture or economy or both, but rather the continuity that in social theory would be called path dependency.[12] This is the idea that processes become institutionalized and reinforced over time, ways of doing things become routinized the longer that they are practised. Facts on the ground, new realities, such as a change in leadership at the top, will of course lead to changes in these practices and processes, but it will often be slow, more akin to the turning of a supertanker than the tacking of a sailing boat.

[10] E.g. Bryson (1st c. AD), *Oikonomikos Logos*, §§62–63 (in Simon Swain, *Economy, Family and Society from Rome to Islam*, Cambridge: Cambridge University Press, 2013, 12): "The man must protect his slaves as he protects his limbs … When he thinks of what they have suffered, he realizes that if he suffered something like it, he would prefer to be assigned a master who would be gentle to him and treat him with kindness"; E. Sachau, *Syrische Rechtsbücher* (Berlin: G. Reimer, 1907), 3:86–87 (Ishoʿbokht 3.10.3: owners should be fair and just to their slaves); Q 4:36: "Be good to parents, relatives …. and slaves (lit. what your right hands possess)."

[11] This last condition is very widespread in human history, i.e. that you do not enslave your own people (however that is perceived); the Old Testament already specifies that "you may buy male and female slaves from among the nations that are around you" but "over your brothers, the people of Israel, you shall not rule" (Leviticus 25.44–46).

[12] James Mahoney, "Path Dependence in Historical Sociology," *Theory and Society* 29 (2000): 507, defines path dependency as "historical sequences in which contingent events set into motion institutional patterns or event chains that have deterministic properties." Peter Brown once told me that he liked to think of "the stickiness of social institutions," which I think captures the concept nicely.

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Self-Sale in Late Antiquity and Early Islam

In theory, freedom was inalienable in Roman law. As the emperor Diocletian declared in one of his rescripts: "The law is firm that free persons cannot be made slaves, with their condition changed by any private pact or business transaction."[13] Nevertheless, many Roman jurists acknowledged the reality of self-sale by the free. Often quoted in illustration of this is the observation of Aemilius Papianus (d. 212 CE) that, due to the large volume of slaves being traded, "we frequently out of ignorance buy free persons."[14] In general, this would not be regarded as a legally valid transaction, and where it was established that the person being sold was freeborn, the law could be used to restore such persons to their liberty. However, "if someone over twenty years of age allows himself to be sold with a view to sharing in the price (*ad pretium participandum*)"[15] or "for the purpose of becoming a steward (i.e. of an estate: *ad actum/negotium gerendum*)," then he/she would forfeit their free status. This is because the self-seller is effectively committing fraud, that is, "when he made himself out to be a slave and so procured his sale with the purpose of deceiving the purchaser."[16] And he/she may well, therefore, have to return to the purchaser the price that the latter had paid.[17] Yet the general disapprobation of the sale of free persons made this a suspect transaction and meant that participants in the trade had to be cautious. Everyone agreed that it was wrong for someone to buy a free person when aware of the latter's free status,[18] but there is some hesitation over whether it mattered if the slave dealer knew or not. Ulpian of Tyre (d. ca.

[13] Justinian, *Code*, trans. Fred. H. Blume, published posthumously online by Timothy Kearley at www.uwyo.edu/lawlib/blume-justinian/, accessed 30/4/2020, 7.16.10; cf. ibid., 7.16.6 (Emperor Valerian, 253–60): "Not even if you had voluntarily stated in writing that you were a slave, and not free, would you thereby have prejudiced your right (to freedom)."

[14] Justinian, *Digest*, trans. Alan Watson (Philadelphia: Penn University Press, 1985), 41.3.44; note the reference in ibid. 21.1.17.12, to "a place frequented by those who declare themselves for sale."

[15] Ibid. 1.5.5 (Marcian); cf. ibid. 40.12.7 and 28.3.6.5 (Ulpian): a will is voided if the testator falls into slavery "by being captured by the enemy or if, being more than twenty years old, he has allowed himself to be sold with a view to becoming a steward or sharing in the price." The ruling is also found in Sachau, *Syrische Rechtsbücher*, 1.1.26, 1.2.37, 1.3.73, noting that those under twenty years of age could even in this case still be restored to freedom.

[16] Justinian, *Digest*, 40.12.16 (Ulpian, who continues: "However, if the man sold was under the compulsion of force or fear, we shall say that he was innocent of fraud").

[17] Ibid. 40.12.18 (Ulpian): "A free man who has been sold as a slave with his knowledge is therefore liable to the purchaser as regards the sum he gave."

[18] E.g. ibid. 18.1.6: "You cannot wittingly buy a freeman or anything the alienation of which you know to be forbidden" (Pomponius quoting "the younger Celsus"); cf. ibid. 40.12.22.3: "If the purchaser knew that the man was free only at a later stage, this will not prejudice him, since he was ignorant at the time of purchase. But if he knew at the time, the fact that he later conceived doubts will be of no assistance to him."

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228 CE) was of the opinion that: "If a buyer knowingly buys a free person, this gives rise to a capital charge against him under the *lex Fabia* on kidnapping (*plagium*), to which the seller *also* is liable if he sells a person knowing him/her to be free."[19] However, some jurists were more indulgent. For example, Licinius Rufinus (d. after 238 CE) states: "The majority of jurists have held that there can be a valid purchase of a free man if both vendor and purchaser are unaware of his status, *as also* where the vendor knows but the purchaser does not. But if the purchaser knowingly buys a free person, there is no valid purchase."[20] This left room for connivance between the would-be self-seller and the slave dealer, and possibly also with the purchaser if he declares that he "believed" the seller's declaration or pleaded ignorance.

Muslim jurists felt the same antipathy towards the sale of free persons as their Roman counterparts and were generally of the same view that freedom was inalienable. Thus, when the Meccan scholar Ibn Jurayj (d. 150/767) asked his teacher ʿAṭāʾ b. Abī Rabāḥ (d. 115/733) about a free person who affirmed that he was a slave (so that he might be sold), he received a blunt reply: "A free person does not become a slave" (*lā yakūnu al-ḥurr ʿabdan*), and a similarly firm judgment – "free persons are not to be sold" (*lā yubāʿu al-aḥrār*) – is given by the Kufan ʿĀmir b. Sharāḥīl al-Shaʿbī (d. ca. 110/728) and the Medinan Ibn Shihāb al-Zuhrī (d. 125/742).[21] However, Muslim jurists also had to deal with the realities of the widespread and frequent occurrence of this phenomenon, and so, while many were very much opposed to it, others ruled that making a formal declaration of one's slave status did make one a slave and so able to be sold.[22] The expression used by the self-seller in this case – "he affirms his slave status" (*aqarra bi-l-ʿubūdiyya*) or "he affirms that he is a slave" (*aqarra bi-annahu ʿabd*) – is evidently a recognized and formalized one,[23] suggesting that such types of sale were a fairly common occurrence despite the disagreement about its legality.

[19] Ibid. 48.15.1 (italics mine).

[20] Ibid. 18.1.70 (italics mine).

[21] ʿAbd al-Razzāq, *Muṣannaf*, 10:194 (nos. 18800: ʿAṭāʾ, 18798: al-Shaʿbī, 18799: al-Zuhrī).

[22] E.g. Ibn Abī Shayba, *Muṣannaf*, 4:529 (*bāb al-ḥurr yuqirr ʿalā nafsihi bi-l-ʿubūdiyya* in *kitāb al-buyūʿ*): ʿAlī says: "If someone affirms his own slave status, then he is a slave," but al-Shaʿbī says: "A free person does not make himself a slave by his affirmation of slave status," which is akin to the ruling of Diocletian and that of Valerian cited above.

[23] An *iqrār* (affirmation or acknowledgement or confession of something, e.g. of debt or paternity) has legal force; Mathieu Tillier suggested to me that the use of this legal term may mean the affirmation was performed in court, or it may be that it was part of the procedure for slave-sales at market. Note that the verb used in Syriac for this action, *awdī*, has the same semantic range as Arabic *aqarra* (for an example of its use see Sachau, *Syrischer Rechtsbücher*, 1.3.73, from laws of Constantine, Theodosius and Leo: *mawdē d-ʿabdā-w*).

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Muslim jurists also had to deal with the situation of a free person who conspires with a vendor to sell himself on the basis that "the price is (shared) between me and you" (*al-thaman baynī wa-baynaka*),[24] the equivalent of the Roman *ad pretium participandum*.[25] The Basran Qatāda b. Diʿāma (d. 117/735) reports both an accepting position, imputed to the caliph ʿUmar b. al-Khaṭṭāb (d. 23/644): "He becomes a slave, since he has affirmed his slave status of himself" and the sale can go ahead, and a hardline position, attributed to the caliph ʿAlī b. Abī Ṭālib (d. 40/661): "He does not become a slave and the seller is punished with amputation (*qaṭʿ*)."[26] The Kufan Sufyān al-Thawrī (d. 161/777) also determines that a man selling a free person should be punished, though opting for discretionary punishment (*taʿzīr*) rather than amputation,[27] and notes that "the sale is void" (*lā bayʿa lahu*).[28] Al-Zuhrī goes a step further and rules in the case of "a man who sold a free person and said 'the price is (shared) between me and you'" that "they are both punished and the price is returned to the buyer."[29] But what if the vendor had absconded and was no longer to be found? The Basran al-Rabīʿ b. Ḥabīb (d. c. 175/791) offered a pragmatic solution when he was questioned about just such an event:

> A man bought a person on the market, having been told that he was a slave. Later on, the purchaser found out that the man was a free person. Now he could not find the vendor again who had sold the man to him. Al-Rabīʿ ruled: "The purchaser does not own the man, but he can let him work (*yastasʿīhi*), if he does not get his money, as though the man had

[24] E.g. ʿAbd al-Razzāq, *Muṣannaf*, 10:193 (no. 18794).

[25] Cf. Sachau, *Syrischer Rechtsbücher*, 1.2.37: "If a free man says of himself that he is a slave, when asked, and conspires with a vendor, then, if he is 20 years old, he loses his freedom …, especially if he has received half of the price" (*yatīrāʾīt dēn en pelgeh d-ṭīmā nsab*).

[26] ʿAbd al-Razzāq, *Muṣannaf*, 10:194 (no. 18796); ibid., 10.195 (no. 18806), has the same text, but cited from Ibn Jurayj, and with the addition that Ibn ʿAbbās said: "He (the seller) should not receive amputation, but rather something similar to it, namely imprisonment (*al-ḥabs*)." Ibn Abī Shayba, *Muṣannaf*, 5:532, cites Ibn ʿAbbās' ruling "concerning two free men one of whom sold the other" that "the sale is revoked, both are punished, but neither by amputation." Note that ʿAlī is quoted in support of both sides of the debate (see n. 22 above).

[27] I.e. he does not class it as a *ḥadd*, a punishment fixed in the Qurʾan for crimes against God (including theft, which ʿAlī presumably found analogous to the sale of a free person), but rather as a matter for which a judge might select a punishment as he saw fit.

[28] ʿAbd al-Razzāq, *Muṣannaf*, 10:193 (no. 18795).

[29] Ibid. 10:193 (no. 18794); Ibn Abī Shayba, *Muṣannaf*, 5:532 (*kitāb al-ḥudūd*), specifies "a painful punishment." Thus also Abū ʿAlī al-Hāshimī, *al-Irshād ilā sabīl al-rashād*, ed. ʿAbd Allāh al-Turkī (Beirut: Muʾassisat al-Risāla, 1998): "Whoever affirms that he is a slave (*aqarra bi-annahu ʿabd*) and is sold, and subsequently it is established that he is a free person, the sale of him is void and he is punished, and the price must be returned to the purchaser from the one who took it from him (i.e. the vendor); and if the one avowing his slave status took some of the price, he must return it."

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affirmed his slave status, despite being a free man *(kaʾannahu aqarra bi-l-ʿubūdiyya wa-huwa rajul hurr)*."[30]

The case of free women selling themselves seldom features in Roman law, it being presumably assumed that, where such a situation arose, it was covered by the same regulations as those governing male self-sellers.[31] In Islamic law it is also rare, but we do occasionally encounter it as a distinct category.[32] An interesting example is provided by the Iraqi Muḥammad al-Shaybānī (d. 189/805), who gives an example of a man who buys a woman thinking she is a slave, has sex with her and then becomes aware that she is a free person. He reports that the jurists of Medina argued that if the buyer knew she was a free woman when he had sex with her then he owed her a dowry, but if he did not know then he did not owe her anything. However, al-Shaybānī cites his teacher Abū Ḥanīfa in support of the view that she should be given a dowry whether the buyer knew or not of her free status, presumably wishing to retrospectively legalize the relationship as though it were a marriage.[33] In this instance no information is given at all about the circumstances behind the woman's self-sale. Occasionally, however, we get a glimpse of the harsh realities that might underlie such events. In a report from the Basran jurist Yaḥyā b. Saʿīd al-Qaṭṭān (d. 198/813), for instance, al-Ḥasan al-Baṣrī (d. 110/728) is asked "about a man who saw a girl for sale in the market who tells him that she was kidnapped (*masrūqa*)" and he replied: "she may be bought and she is given no dowry" (i.e. he treats her as a slave); al-Qaṭṭān said that he questioned Qatāda b. Diʿāma about that decision and he answered that he disliked it.[34]

Sale of Family in Late Antiquity and Early Islam

In Mediterranean and Middle Eastern societies a father had extensive powers over the members of his household, but, in the late antique period at least, this did not generally extend to the right to sell them, though

[30] Ersilia Francesca, "Un contributo al problema della formazione e dello sviluppo del diritto islamico" (PhD Dissertation, University of Naples, 1994), Appendix 8.

[31] Sachau, *Syrische Rechtsbücher*, 1.1.26, 1.2.38, 1.2.79, 1.3.74.

[32] Ibn Abī Shayba, *Muṣannaf*, 5:532, gives us the case of a woman selling her willing sister, whose buyer then has sex with her; the judgment is that both women are punished, and that the seller gets a refund but should make a small donation to the woman he bought.

[33] *Al-ḥujja ʿalā ahl al-madīna*, ed. Mahdī Ḥasan al-Kīlānī al-Qādirī (Beirut: ʿĀlam al-Kutub, 1983), 3:196 (*bāb al-rajul yashtarī jāriyatan fa-yaṭaʾuhā thumma yaʿlamu annahā ḥurra*). The report is discussed by Schneider, "Freedom and Slavery," 374–75.

[34] Ibn Abī Shayba, *Muṣannaf*, 4:463 (*bāb fī rajul raʾā jāriya tubāʿu fa-qālat innī masrūqa* in *kitāb al-buyūʿ*).

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Zoroastrian law allowed it for cases of destitution where the family's very survival was at stake (*adwadād*).[35] Certainly, in the case of wives, there are very few mentions of their sale and where it is reported it is usually accompanied by strong disapproval. Thus, Augustine, Bishop of Hippo, recounts in outraged tones how one of the Church's tenant farmers sold his wife "not because of any fault on her part, but stirred solely by this feverish pestilence (of greed)."[36] In Islamic law this issue also crops up only rarely; where it does so, the standard ruling is that both receive an exemplary punishment.[37] An obvious follow-up question to this is: "What should be done in the case of a man who sells his wife and the buyer has sex with her and she bears his child?" When this was put to Sufyān al-Thawrī, he replied that "she is returned to her husband, there is no dissolution of their union and both the woman and her husband receive a discretionary punishment."[38] Ibn Shubruma (d. 144/761) disagreed with this opinion, however, when asked by the Umayyad governor Yūsuf b. ʿUmar (Governor of Iraq 120/738–126/744) for his verdict on just such a case. He approved the discretionary punishment of the husband but he rejected any form of punishment of the wife. Unusually for these relatively dispassionate legal texts, one gets a sense of Ibn Shubruma's distaste for such behavior, adducing the words of the Prophet at the farewell pilgrimage: "You have taken them (your wives) in the trust of God (*bi-amānat Allāh*)," so concluding: "She is in our view a trust that he (the husband) has betrayed."[39]

The inalienability of free status in Roman law applied in theory to children as well. Emperors Diocletian (284–305 CE) and Maximian (286–305 CE) state the matter very clearly: "It is plain law that children cannot be transferred by parents to another, either by sale, gift, pledge, or in any other manner."[40] And this was forcibly reiterated by Constantine the Great

[35] Farrokhmart i Wahraman, *The Book of a Thousand Judgements*, trans. Anahit Perikhanian (Costa Mesa: Mazda, 1997), 33.6–9, 13–17; Maria Macuch, *Rechtskasuistik und Gerichtspraxis zu Beginn des siebenten Jahrhunderts in Iran: Die Rechtsammlung des Farroḫmard i Wahrāmān* (Wiesbaden: Harrassowitz, 1993), 244–45, 247–51.

[36] Augustine (St.), *Letters. Volume VI (1*–29*)*, trans. Robert B. Eno (Washington DC: Catholic University of America Press, 1989), 79 (no. 10*, ca. 422 CE).

[37] Ibn Abī Shayba, *Muṣannaf*, 5:531, citing al-Ḥasan al-Baṣrī and Ibn ʿAbbās (*yuʿāqabān wa-yunakkalān*), though in the following case in ibid., al-Ḥasan wrote regarding the same situation to ʿUmar b. ʿAbd al-ʿAzīz, who ruled that both should receive a discretionary punishment and a spell in prison (note that the couple wore *zanānīr*, implying they were non-Muslims).

[38] ʿAbd al-Razzāq, *Muṣannaf*, 10:195 (no. 18804): *tuʿazzaru ʾl-marʾa wa-zawjuhā*. Ibn Abī Shayba, *Muṣannaf*, 5:531, specifies an exemplary punishment: *yuʿāqabān wa-yunakkalān* (reported from Qatāda from al-Ḥasan al-Baṣrī and Ibn ʿAbbās).

[39] ʿAbd al-Razzāq, *Muṣannaf*, 10:195 (no. 18805), where it is noted that Yūsuf then "gave the man a beating harsher than amputation."

[40] Justinian, *Code*, 4.43.1; cf. ibid. 7.16.1: "By stating that you sold your freeborn sons, you acknowledge having committed an illegal and dishonorable act" (Emperor Antoninus).

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(306–37 CE) in one of his rescripts: "It is not at all permissible for freeborn children to be reduced to slavery at a price and it is not sanctioned by our untroubled age."[41] Yet there is occasional recognition that extreme hardship might require some stretching of the law, as long as the basic principle that freedom could not be alienated was respected. A fifth-century ruling illustrates well this attitude: "Whoever, under threat of extreme necessity or for the sake of sustenance, sells their own children, shall not prejudice their freeborn status. For a free man has no price. Thus children cannot be given as pledge or insurance … though parents may rent the labor of their children."[42] And the Christian focus on the poor as a social category deserving of attention means that we have many sources that lament the plight of those so impoverished that they were driven to sell their offspring just to survive.[43]

Constantine the Great seems to have made an exception for a newborn child (*sanguinolentus*, i.e. still bloody from the birth), but again only by reason of economic hardship: "If anyone on account of poverty, want and support shall sell a newborn son or daughter, the sale shall be valid only in such cases and the purchaser shall be permitted to obtain its service." Yet even then, "the person who sold or alienated the child, or anyone else, may reclaim it to its freeborn condition, if he offers the price which it is worth, or a slave of equal value in its place."[44] A couple of years later, Constantine decided to clarify a closely related matter, that of infants exposed/abandoned (*expositi*) by their parent(s) for reasons of poverty, shame or the like, who might then be found (i.e. foundlings) and reared by those wanting a child, servant and so on. According to classical law, the child's birth status, whether free or slave, should be maintained by whoever discovered and reared them, but of course their status would often not be known, and it was all too easy for them to be added to the slave supply irrespective of their origins. In order to avoid arguments and lawsuits over this, Constantine therefore ruled: "Whoever takes a male or female that has been cast out of

[41] Cited by Kyle Harper, *Slavery in the Late Roman World AD 275–475* (Cambridge: Cambridge University Press, 2011), 399.

[42] *Sentences of Paul*, 5.1.1, cited by Harper, *Slavery*, 412, who gives very useful discussion of the topic of the sale of children in his Chapter 10. See also Cam Grey, "Slavery in the Late Roman World," in *The Cambridge World History of Slavery, Volume 1: The Ancient Mediterranean World*, ed. K. Bradley (Cambridge: Cambridge University Press, 2011), 491–92.

[43] Ibid. 410–11, on the sermons of Basil of Caesarea and Ambrose of Milan. More examples are given by Christian Laes, "Child Slaves at Work in Roman Antiquity," *Ancient Society* 38 (2008): 267–71, and especially Ville Vuolanto, "Selling a Freeborn Child: Rhetoric and Social Realities in the Late Roman World," *Ancient Society* 33 (2003): 169–207, who points out that the extent of the practice is difficult to determine because descriptions of people selling their children were a way of signalling extreme economic duress.

[44] Justinian, *Code*, 4.43.2.

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a household with the knowledge and consent of the father or master, and raises it to strength with his own provisions, he shall hold it under that same status which he wished it to have when he collected it, whether he wishes it to be a child or a slave"; that is, the one who adopted the baby could choose whether to be its parent or its owner.[45]

As regards sale of children in early Islamic times, it is clear that the practice was deemed generally illicit, but the consequences differed depending on whether they were minors or not. In the early legal compilation of ʿAbd al-Razzāq (d. 211/826) there are two main examples. The first goes back to the Medinan Saʿīd b. al-Musayyab (d. 94/712), who is questioned about a man who sold one of his children, to which Saʿīd responded:

> If he sold a child who had reached maturity and who had consented to that, then, if it is a female — and if the purchaser had sex with her — she will be given the *ḥadd* punishment and the father will receive a painful punishment and have to give back the price for her (that he had been paid). A child (resulting from this relation) has the status of a legitimate child. If it is a male (being sold), who has reached maturity, he and his father will receive a painful punishment and the father must pay back the price for him.[46]

And the second example goes back to al-Zuhrī:

> A man sold his daughter and the buyer had sex with her. Her father said: "Need impelled me to sell her" (*ḥamalatnī al-ḥāja ʿalā bayʿihā*). Both the father and the daughter are to be flogged 100 lashes each if the girl had reached maturity. The price is returned to the buyer, but he has to give to her a dowry for having had intercourse with her. However, the father has to pay it back to him as a fine, unless the buyer knew that she was a free person; then he still owes the dowry, the father does not have to pay it back to him as a fine, and the buyer also receives 100 lashes. If the girl was not of age, then the father is given an exemplary punishment (*nakāl*).[47]

In cases involving a daughter, the distinction between marrying off and selling off is fuzzy, or at least we are not given enough information to discern the underlying realities.[48] It is interesting that the quotation above includes the mitigating plea from the father that he was driven to this by

[45] For the quotations on *expositi* in this paragraph and further discussion see Harper, *Slavery*, 404–409.

[46] ʿAbd al-Razzaq, *Muṣannaf*, 10:195–96 (no. 18807).

[47] Ibid. 10:194 (no. 18797); Ibn Abī Shayba, *Muṣannaf,* 5:532. Both this and the previous report are discussed by Schneider, "Freedom and Slavery," 370–73.

[48] This is discussed with examples from a different period in Harald Motzki, "Child Marriage in Seventeenth-Century Palestine," in *Islamic Legal Interpretation. Muftis and their Fatwas*, ed. M. Khaled Masud *et al.* (Cambridge, MA: Harvard University Press, 1996), 129–40.

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necessity; although it is extremely rare to be given personal motives in these legal texts, one can imagine that sad stories of "need" form the background to many of the decisions of self-sale and sale of family members.

On the subject of infants, Islamic law did not consider their sale separately from that of children in general. It did, however, have a lot to say about the abandoned infant (*manbūdh*) or foundling (*laqīṭ*). There were some jurists who followed the Constantinian idea that it could be raised either as a free person or a slave according to the wish of the finder.[49] A few claimed that they should be deemed slaves,[50] but the view that won out was that they should be regarded as free, which was ascribed to a number of authorities, including the caliphs ʿUmar b. al-Khaṭṭāb, ʿAlī b. Abī Ṭālib and ʿUmar b. ʿAbd al-ʿAzīz (d. 101/720) (in a letter to the people of Mecca).[51] It was particularly scholars of the Ḥanafī law school who argued for this, and it is among them that we find the justification for this position in the assertion of the fundamental freedom of mankind.[52]

Debt Bondage in Late Antiquity and Early Islam

Debt, as David Graeber has powerfully argued, is as old as civilization. However, although it may well have begun as a means of exchange in the earliest communities (you give me something I need, putting me in your debt, and so I will reciprocate later with something you need), it had a tendency, especially in more hierarchical societies, to entrench the quasi-enslavement of the poor to the rich.[53] An explicit example of this is given in the complaint of farmworkers to Nehemiah (5:4–5 NLT): "We have had to borrow money on our fields and vineyards to pay our taxes. We belong to the same family as those (who are wealthy), and our children are just like theirs. Yet we must sell our children into slavery just to get enough money to live. We have already

[49] Ibn Abī Shayba, *Muṣannaf*, 4:438 (*k. al-buyūʿ*) from Ibrāhīm al-Nakhaʿī (d. 96/715).

[50] Ibid. 4:439 (*hum mamlūkūn*), also from Ibrāhīm al-Nakhaʿī.

[51] Ibid. 4:438–39, including again Ibrāhīm al-Nakhaʿī.

[52] See n. 7 above and Mohamad S. Sujimon, "The Treatment of the Foundling (*al-laqīṭ*) According to the Ḥanafīs," *Islamic Law and Society* 9 (2002): 358–85.

[53] Graeber, *Debt*. In chapter 2 he demonstrates the falsity of the pervasive notion that barter was the main mode of exchange before the invention of money; rather, informal systems of credit and debt were the norm within communities and barter mainly took place only among strangers or communities that rarely interacted. The quasi-slavery nature of creditor–debtor relationships is a feature of dependency theory, which is used to explain why it has been difficult for many less-developed countries to catch up with rich Western countries. See also Arietta Papaconstantinou, "Credit, Debt and Dependence in Early Islamic Egypt," *Travaux et mémoires* 20 (2016): 613–42 (note ibid. 617: "My aim is to investigate … the role of credit and debt in the creation and maintenance of hierarchy and dependence).

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sold some of our daughters, and we are helpless to do anything about it, for our fields and vineyards are already mortgaged to others." Thus, indebtedness could lead to loss of liberty. If one had pledged oneself or a family member as security for a loan, then failure to repay that loan when it fell due could put one at the mercy of one's creditor, and at the very least result in continued servitude until the requisite sum could be raised.

We encounter a wide variety of such scenarios in the documentary record. An interesting example is provided by the case of a certain Barlaas, from a village in the vicinity of Dura Europos, who, in 121 CE, borrowed 400 drachmas from the local governor, Phraates, signing a contract specifying that: "In lieu of interest on the above money, Barlaas, staying with Phraates until the time of repayment, will perform for him the services of a slave (*parexetai autōi doulikas chreias*), doing everything which is ordered him." The loss of liberty for the period of the loan is clear in the clause specifying that Barlaas may not "absent himself, neither day nor night, without the permission of Phraates." The contract concludes with the stipulation that if he does not repay the money on the appointed day "Barlaas will remain with Phraates, performing the same services according to the above provisions until the repayment of the money."[54] This was a popular sort of arrangement, which involved the borrower, or a member of their family, "staying with" (Gr. *Paramonē*) the creditor for a time to carry out tasks for the latter. Although it could be beneficial to those who had no assets to pledge, it is easy to see how the borrower, even though retaining the legal status of a free person, could easily fall into a condition of long-term, or even permanent, unfreedom, unable to ever earn enough money to repay the capital on the loan.[55]

This fate befell a girl and her mother in fifth-century Dunhuang: they had to herd domestic animals for a Chinese creditor, because their male escort had run off leaving debts unpaid, and so they had to stay as surety until their father/husband sent the funds to pay the debt and release them.[56] And in late sixth-century Egypt, Menas, a bath-attendant, died leaving a debt unpaid with the result that his young daughter Prokla, whom he had used as a guarantee, had to supply "all slavish and useful services" to the

[54] Quotations are from the translation given in Michael Rosotvtzeff and C. Bradford Welles, "A Parchment Contract of Loan from Dura-Europos," *Yale Classical Studies* 2 (1931): 7–8.

[55] Grubbs, "Slave and Free," 188–90, gives other examples from the fifth and sixth centuries CE and observes that "*paramonē* could become permanent quasi-slavery."

[56] Nicholas Sims-Williams, "The Sogdian Ancient Letters," https://depts.washington.edu/silkroad/texts/sogdlet.html, no. 3, accessed 23/4/2020.

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creditor.[57] Sometimes, however, the arrangement seems to have been voluntary, as when a woman who was a professional weaver in third-century Egypt agreed to do weaving and general housework for another woman to pay off the interest on a debt of three talents incurred by her father.[58] In most of the cases involving children it is difficult to ascertain the level of duress and hardship that was involved. We are usually just told that the child's labor was "in lieu of all interest payments" (*anti tōn toutōn tokōn*) on a loan or debt, or some such reason, and that he/she generally stayed at the house of the creditor "remaining with him and performing every kind of work enjoined upon him."[59] It might well be that the situation was in some cases akin to an apprenticeship, meaning that, as well as the loan that the parents received, the child would receive training, and usually their food and clothing, but in many cases it is likely that the child was treated as something of a drudge.[60]

Possibly falling into this latter category is the arrangement that is recorded in a late seventh-century papyrus from Nessana, near Gaza, which concerned, so Westermann argues, a financial arrangement between a certain al-Aswad b. ʿAdī and a priest named Kyrin, who seems to have received a loan of fifty solidi from al-Aswad or incurred a debt of fifty solidi to him and had offered his son to remain with al-Aswad as surety or in lieu of interest on the sum borrowed. The son would very likely have performed various tasks for al-Aswad until such time as his father could pay back the money to release him. The papyrus records the repayment of the fifty solidi to al-Aswad, who remits twenty solidi to Kyrin as charity, and the removal of the restriction on the son's freedom of movement and the claims of al-Aswad or his heirs on either of them.[61]

Using free persons as security for a loan seems to have been permitted in Zoroastrian law.[62] It was discouraged in the later Roman Empire, but we

[57] For her story see Grubbs, "Slave and Free," 190, who also gives an example of a contract from the same time and place where the whole debt was cancelled after four years of service as "a steadfast *familaris* slave (*katadoulos*)."

[58] William L. Westermann, "The Paramone as a General Service Contract," *Journal of Juristic Papyrology* 2 (1948): 28.

[59] Ibid. 36.

[60] The donation of children to monasteries in early Islamic Egypt may well be an example of this, though it is presented in terms of voluntary gift-giving; see Arietta Papaconstantinou, "*Theia oikonomia*. Les actes thébains de donation d'enfants ou la gestion monastique de la pénurie," *Travaux et mémoires* 14 (2002): 511–26.

[61] Ibid. 47–50. See further my "P. Nessana 56: a Greek-Arabic Contract from Early Islamic Palestine and its Context," *Jerusalem Studies in Arabic and Islam* 51 (2022): 133–48.

[62] Farrokhmart i Wahraman, *Book*, 57.12–58.3; Macuch, *Rechtskasuistik*, 393-95, 400–406. Macuch takes the MP phrase: "I take PN *pad tan*/as a body" to mean *als Schuldknecht*/as

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know from warnings against it that it did happen, and was perhaps even widespread, as is implied by the following edict of the emperor Justinian (527–65):

> We learn of the following impious conduct in various provinces, namely that creditors dare to detain children of debtors as pledges or use them for servile labour or lease them out. We entirely forbid this and direct that if a man does anything of that kind, his debts shall not only become void, but he shall pay an equal amount to the person whom he detains or to his parents, and he shall further be subjected to corporal punishment by the magistrates of the places, for so daring to detain a free person for a debt, or to lease him out or to hold him as a pledge.[63]

The same situation likely obtained in the Islamic Empire, where the question of what to do in the case of the pawning of a free person was discussed by a number of legal specialists with evident disapproval of the practice.[64]

If the debtor had not given any security, then, in the case of default, recourse was first made to a debtor's property to settle their debts.[65] If that proved insufficient, or if the debtor refused that option, recourse might be made to their person, whether by imprisonment, forced labor or sale. The three options would usually only result in temporary loss of liberty. Sale sounds more permanent, but it tended to mean sale of a person's services for a fixed duration, as is found already in the Law Code of Hammurabi (§117): "If anyone fails to meet a claim for debt and sells himself, his wife, his son and daughter for money or gives them away to forced labour, they shall work for three years in the house of the man who bought them, or the

a debt-slave, in the sense that this would be time-limited servitude with a view to working off the debt (ibid. 406, no. 17: "Dem Gläubiger Farroḫ wird der Schuldner Ādurfarrbay für begrenzte Zeit, in der er seine Obligationen abarbeiten kann, als Schuldknecht ausgeliefert").

63 Justinian, *Novels*, no. 134.7, trans. Fred H. Blume, published at http://www.uwyo.edu/lawlib/justinian-novels/, accessed 23/4//2020. Note that selling a child is not mentioned and it may well be that the laws of Diocletian and Constantine cited above had reduced the outright sale of children in favor of the sale of their labor.

64 E.g. Ibrāhīm al-Nakhaʿī is asked about "a free man who affirms slave status so that he may be pawned" and rules: "If the free man is pawned and affirms that (he is a slave), he remains a pawn until he extricates himself, as he deceived them" (ʿAbd al-Razzāq, *Muṣannaf*, 10:194, no. 18801; cf. Ibn Abī Shayba, *Muṣannaf*, 4:482, *kitāb al-buyūʿ*).

65 This is often supported by reference to the example of how Muḥammad dealt with the spendthrift Muʿādh b. Jabala (ʿAbd al-Razzāq, *Muṣannaf*, 8:268–69, no. 15177), who racked up huge debts, and "the Prophet sold all of his (Muʿādh's) property for the sake of his debt until he had nothing left" (*ḥattā qāma bi-ghayr shayʾ*), though many lawyers allowed a debtor to keep enough for their basic sustenance.

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proprietor, and in the fourth year they shall be set free."[66] Something akin to this had existed in the early Roman Empire, the nexus contract, whereby a free man, on account of money which he owed, "'bound' his labour like a slave until he should pay off (*dum solveret*) the debt."[67] By the late antique period Roman law books only tend to talk about the sale of property to settle debts, and imprisonment as a last resort, but not about claims against the person of the debtor or of his family. However, references in literature suggest that in reality many of the older practices continued.

ʿUmar II's Rulings on Defaulting Debtors and the Origins of Islamic Law

Documents and literary sources make it clear that imprisonment was commonly used in the Islamic world to pressure defaulting debtors and their families to pay up, and indeed that it seems to have become the preferred method when the proceeds from sale of assets were insufficient.[68] However, other strategies were also employed, especially in the first century or so after the Prophet Muḥammad, as is indicated by a letter of ʿUmar II (99–101/717–20) regarding debt default.[69] It is transmitted by the Egyptian jurist al-Layth b. Saʿd (d. 175/791) and it was written in reply to a request from ʿIyāḍ b. ʿUbayd, an Egyptian judge (93–100/712–19), for his opinion on three cases involving persons with debts that they could not pay. The second and third cases are the most pertinent:

[66] This is the translation of Leonard William King (1915), available at https://www.sacred-texts.com/ane/ham/, accessed 29/4/2020; for discussion see Gregory C. Chirichigno, *Debt-Slavery in Israel and the Ancient Near East* (Journal for the Study of the Old Testament Supplement Series 141) (Sheffield: Journal for the Study of the Old Testament Press, 1993), ch. 3.

[67] Varro, *The Latin Language*, 7.105, cited and discussed by Morris Silver, "The *Nexum* Contract as a 'Strange Artifice'," *Revue internationale des droits de l'antiquité* 59 (2012): 228.

[68] Irene Schneider, "Imprisonment in Pre-Classical and Classical Islamic Law," *Islamic Law and Society* 2 (1995): 158–60; Petra M. Sijpesteijn, "Policing, Punishing and Prisons in the Early Islamic Egyptian Countryside," in *Authority and Control in the Countryside: From Antiquity to Islam in the Mediterranean and Near East*, ed. Alain Delattre, Marie Legendre and Petra M. Sijpesteijn (Leiden: Brill, 2018), 558–59; Mathieu Tillier and Naïm Vanthieghem, "Un registre carcéral de la Fusṭāṭ abbaside," *Islamic Law and Society* 25 (2018): 22–23. See also Rosenthal, *Muslim Concept*, 48–49 ("It was the general practice for the creditor to apply to the courts to have the debtor sent to debtor's prison," but he/she might be freed if their "indigence was established beyond a doubt").

[69] For a discussion of ʿUmar II's letters and their authenticity see Sean Anthony, "A 'Rediscovered' Letter of the Caliph ʿUmar b. ʿAbd al-ʿAziz: The Epistle on the Conquest-Revenue," in *Rulers as Authors in the Islamic World*, ed. Maribel Fierro *et al.* (Leiden: Brill, 2024). 47–88 and also Matthieu Tillier's article cited in n. 72 below.

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with him heading for the well.[70] His slave died while he (the master) was left with a lot of debt and no money. You placed him in the hands of the creditors until you received my instruction on the matter. So order that man to work off his debt and order the creditors to look after him well until/so that he settles what he owes and he may not be sold.

كتبتَ تذكر أن رجُلًا ابتاع رقيقًا، فانطلق بِهِ عامدًا إلى البأْر، فأُصيب رقيقه عَلَيْهِ دَين كثير ولم يبقَ لَهُ مال. فجعلته فِي أيدي الغُرَماء حتى يأتيك أمري فِيهِ. فمُر ذَلكَ الرجُل فليسعَ فِي دَينه وأُمُرْ غُرَماءه فليرفقوا بِهِ حتى يقضي الَّذِي عَلَيْهِ ولا يُباع.

(You mention) that among them (your cases) was a man who bought female slaves on credit and with interest. Then he sold for cash what he had bought for only a third of the price or a part of it. You say: His situation continued thus until his debt grew to 300 dinars and you say: His partners came to me asking that he be sold for their benefit.[71] You mention that you handed him over to them until you received my instruction. So (here it is): Order that man to work off his debt; he is responsible until he has settled it. The creditors may not sell him; rather, order them to look after him until/so that he pays what he owes.

(وتذكر) أن منهم رجلًا يبتاع الولائد بالنَّظِرة بالمال المرتفع ويبيع بالنقد الَّذِي يشتري بثُلُث الثمن أو ببعضه، وتقول: فلم يزَلْ ذَلكَ شأْنه حتَّى ترابى عَلَيْهِ من الدين ثلاثمائة دينار. وتقول: جاءَني أصحابه يسألوني أن يُباع لهم. وتذكر أنك جعلته فِي أيديهم حتى يأتيك أمري. فمُر ذَلكَ الرجُل فليسْعَ فِي الَّذِي عَلَيْهِ ويسأل حتَّى يقضي ولا يُمكَّن غُرَماؤه من بيعه ومُرْهم فليرفقوا بِهِ حتى يُؤَدّي ما عليه.[72]

ʿUmar's judgements include the same three points in each case: the debtor cannot be sold (*lā yubāʿu*, i.e. to raise money to settle the debts), the debtor should work to pay off the debt (*fa-l-yasʿa*) and the creditors should treat the debtor well while he is working for them (*fa-l-yarfuqū bihi*).

[70] The text has *al-baʾr*, but this is likely a miscopying of a place name. Note that I have translated the next word as "his slave" (*raqīquhu*), though the text has "his companion" (*rafīquhu*), which I take to be a typographical error.

[71] Literally "that he be sold for them," presumably meaning either that he should be sold in a slave-market to raise money to pay his debts, or, as Motzki, *Analysing*, 195–96, suggests, that he should be handed over to his creditors so that they could sell him. It is unclear whether ʿUmar's prohibition of selling is given to underline a general principle (free people should never be sold), or in reaction to a prevalent practice, or, as Motzki says, as a response to the situation in the pre-Islamic and early Islamic Ḥijāz.

[72] Muḥammad b. Yūsuf al-Kindī, *The Governors and Judges of Egypt*, ed. Rhuvon Guest (London/Leiden: E. J. W. Gibb, 1912), 336–37. Note that in this last sentence I omit the words "God Almighty and Exalted" (*Allāhu ʿazza wa-jalla*) which come after *yuʾaddī* "he pays", as I think they are misplaced. I unfortunately had no access to Mathieu Tillier's translation of al-Kindī's text due to the Covid-19 lockdown, but I would urge readers to consult it. See also his "Califes, émirs et cadis: le droit califal et l'articulation de l'autorité judiciaire à l'époque umayyade," *Bulletin d'études orientales* 63 (2015): 165–84, for a survey of ʿUmar II's legal correspondence, which he largely regards as authentic.

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The letter is given in full by the Egyptian scholar Muḥammad b. Yūsuf al-Kindī (d. 350/961) with a formal introduction, conclusion and a date (Dhū l-Ḥijja 99/July 718), and other scholars quote the same three points, even if briefly and piecemeal, in reports going back to ʿUmar. Thus the ruling that "a free person is not sold in the case of bankruptcy" (*lā yubāʿu ḥurr fī iflās*) is attributed to a written ruling of ʿUmar II by Makḥūl (d. 118/736).[73] And the observation that if he declared someone bankrupt "he would hire him out" (*ājarahu*) is reported of ʿUmar by ʿAmr b. Maymūn (d. ca. 147/764), who is sometimes quoted with the additional comment that ʿUmar placed the debtor in very menial work as a rebuke (*kāna yuʾājiru al-mufallis fī amhan ʿamal li-yuwabbikhahu bi-dhālika*).[74] Moreover, al-Layth b. Saʿd, the transmitter of ʿUmar II's letter in al-Kindī's book, records a similar ruling on the authority of the Egyptian mufti ʿUbayd Allāh b. Abī Jaʿfar, who was appointed by ʿUmar: "He (the judge) should not imprison (*lā yaḥbisu*) the bankrupt, but rather should let him work off his debt (*yasʿā fī daynihi*).[75] It seems likely, then, that these judgments on debt bondage go back to ʿUmar II directly, or at least, if one wants to be more sceptical, to one of his appointees in the judiciary.[76]

The fact that ʿUmar's letter can be tied with a reasonable degree of certainty to a fairly specific time makes it a good test case for trying to understand the decisions of early Muslim lawmakers presented above. Were they consciously looking to prevailing practice in the region or were they seeking in their minds to establish a new Islamic formulation, or perhaps both? The letter has been considered in this vein by Irene Schneider and Harald Motzki, though with rather different answers.[77] The former points to

[73] Ibn Abī Shayba, *Muṣannaf*, 4:545 (*kitāb al-buyūʿ*).

[74] Ibid. 4:536 (*kitāb al-buyūʿ*); ʿAbd al-Razzāq, *Muṣannaf*, 8:267 (no. 15173, *kitāb al-buyūʿ*); Ibn Ḥazm, *al-Muḥallā bi-l-āthār* (Beirut: Dār al-Fikr, n.d.), 6.480 (also from ʿAmr b. Maymūn: *kāna yuʾākhiru l-mufallis fī sharr ṣanʿa*).

[75] Ibid. 6:480. Motzki, *Analysing*, 200, says that *yaḥbisu* here means not imprisonment but rather the arrest of the debtor so that the creditors "could do what they liked with him as if he was a slave." However, Sijpesteijn, "Policing, Punishing and Prisons," 558, points out that incarceration was a common response to non-payment of debts, less to punish than "to force the prisoner to pay the money he owed, either from his own assets or through the help of a third party." See also the references in n. 68 above.

[76] ʿUmar II is also said to have recommended sharing a debtor's money and property among his creditors (e.g. Ibn Ḥazm, *Muḥallā*, 6:480), but it is not explained whether that was prior to or instead of the debtor being hired out.

[77] Irene Schneider, *Kinderverkauf und Schuldknechtschaft* (Stuttgart: F. Steiner, 1999); Harald Motzki, "Der Prophet und die Schuldner. Eine ḥadīṯ-Untersuchung auf dem Prüfstand," *Der Islam* 77 (2000): 125–208, and followed up by "Ar-radd ʿalā r-radd – Zur Methodik der ḥadīṯ-Analyse," *Der Islam* 78 (2001): 147–63. Both articles were revised and translated into English in his *Analysing*, 125–208 and 209–29, which I shall cite here.

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ʿUmar II's childhood with his father in Egypt as a time when he could have "become familiar with debt bondage" and favors the idea that "it had its roots in late antique legal practice."[78] The latter stresses ʿUmar's education and period of governorship in Medina and asserts that "if the judgement (of ʿUmar) refers to an older legal practice at all, then it would be to that of the Arabs of the Ḥijāz."[79] At first glance, Schneider's argument that ʿUmar II's ruling is a continuation of pre-Islamic Near Eastern practice seems convincing, and she supports it with examples of debt bondage from the pre-Islamic Near East.[80] But Motzki objects that parallels are not proof and that it is unlikely that the creditors (whom Motzki says must have been Muslim Arabs) "would have followed the legal customs of non-Muslim Egyptians."[81] He then concludes: "The caliph's (i.e. ʿUmar II's) judgement should thus be seen in the context of the transition from the pre-Islamic legal practice of the Ḥijāz to an Islamic legal practice that only gradually evolved throughout the first/seventh century."[82]

Motzki seems here to be driven by his conviction that Islamic law must originate in the Ḥijāz, but I will run with it for the moment in order to present his argument. Motzki stresses that in his opinion "'ʿUmar II is not legitimizing a pre-Islamic legal practice (debt bondage), but rather abolishing a more severe practice (debt slavery) that existed in the Ḥijāz in pre- and early Islamic times."[83] The evidence for this latter claim is twofold. First, there are accounts of debt bondage in the Ḥijāz (e.g. al-ʿĀṣ b. Hishām of the clan of Makhzūm works off a debt for Muḥammad's uncle Abū Lahab) and of sale of debtors (Muḥammad allows a debtor called Surrāq, who fraudulently acquired livestock, to be sold to recompense his creditor).[84] Second,

[78] Schneider, *Kinderverkauf*, 154 and 304.

[79] Motzki, *Analysing*, 200–201.

[80] Schneider, *Kinderverkauf*, 290–303; the examples are drawn from all the major cultures of the pre-Islamic Middle East, from ancient to late antique times, and are only similar in very broad terms.

[81] *Analysing*, 198; note that this is simply assumed by Motzki, not demonstrated.

[82] Ibid. 201.

[83] Ibid. 201. Motzki, like many other scholars, distinguishes between debt slavery and debt bondage, the former entailing sale of the person/permanent loss of liberty and the latter involving only the person's labor/temporary loss of liberty. It should be stressed, however, that these distinctions are blurry. On the one hand, the fact that freeborn status was deemed inalienable in the Roman and Islamic worlds meant that even if a debtor was sold, it did not affect his/her legal status, and there was usually the chance of redemption. On the other hand, a period of temporary forced labor could become long-term depending on the conditions of the loan contract (e.g. whether the labor counted towards the sum borrowed, or only towards the interest, leaving the principal still to be paid).

[84] Though this is a complex *ḥadīth* that has an interesting connection with Exodus 21.37 and 22.2. Note that Muḥammad is also quoted as saying that the one who sells a free person will

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there is the Qurʾan itself, which appears, says Motzki, to be "grappling with the issue of debts."[85] It urges creditors not to impose compound interest on loans (Q 2:275–79; cf. 3:130).[86] Then it continues (2:280):

> If someone has difficulty (paying their debt), grant a delay until (he is) in ease; that you act charitably is better for you (*Wa-in kāna dhū ʿusratin fa-naẓiratun ilā maysaratin wa-an taṣaddaqū khayrun lakum*).

This is followed by two long verses about the importance of having debt agreements written down and witnessed. In short, concludes Motzki, there is no reason to dismiss Muḥammad's Ḥijāz as a venue for debates over debt bondage, as Schneider does, and it makes perfect sense to assume that it is precisely these developments in the Ḥijāz that informed ʿUmar II's decision to forbid the sale of persons in debt in favor of the milder sanction of working off one's debts.[87]

Muḥammad is portrayed as both endorsing and rejecting the sale of persons and debt bondage, presumably being deployed as the sanction by both sides of later discussions.[88] Qurʾan 2:275–83 does suggest, though, that the problem of indebtedness was debated in Muḥammad's Ḥijāz and that there was a tendency towards greater clemency towards debtors. But it is ʿUmar II, or one of his judicial appointments, who is the earliest authority to give a formal ruling on the topic. Motzki is right to say that ʿUmar is not just endorsing pre-Islamic practice but is making a deliberate decision. Sale, imprisonment and hiring out had all been applied to the problem of defaulting debtors in the pre-Islamic Near East, even if sometimes against the prevailing law of the time, but ʿUmar decides to exclude the former two and to approve the third option. "What would have motivated the caliph to choose this milder procedure?" asks Motzki. "The most plausible answer,"

face his ire on the day of resurrection.

85 *Analysing*, 179.

86 Motzki argues, with reference to Q 3:130 (*lā taʾkulū l-ribā aḍʿāfan muḍāʿafatan*) that *ribā* "does not mean any interest on loans that one was unable to repay in time … but interest that multiplied upon expiry of the loan period, in other words: usurious interest" (p. 182). This was also prohibited by Justinian, but already at the First Council of Nicaea in 325 AD (canon 17) there had been condemnations of taking any interest at all (e.g. a cleric found to be taking interest – *tokous lambanein/usuras sumere* – will be deposed).

87 *Analysing*, 180–87. One could argue that it is the Qurʾanic injunction to be charitable (*taṣaddaqū*) that explains why al-Aswad remitted as charity (*ṣadaqa*) a part of the payment Father Kyrin made to him, as recorded in *P.Nessana* III 56, or it could of course be that by his day, after centuries of emphasis by Christianity on charitable giving, it had become expected of the better off to remit a part of a final payment for release of a slave or debtor.

88 Or, as traditionalist scholars would say, he endorsed it but then "the revelation of Qurʾan 2:280 abrogated his previous *sunna*" (Motzki, *Analysing*, 189).

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he says, is "Muḥammad's revelation in general and the revelation of Qurʾan 2:280 in particular."[89] However, ʿUmar does not call on the creditors to give the debtors more time or a charitable remission, as urged by Qurʾan 2:280. So what was ʿUmar thinking? He is not really following prophetic precedent, as Motzki claims, or simply endorsing pre-Islamic practice, as Schneider maintains. It looks like he is making an ad hoc pragmatic decision, recognizing that debts need to be paid and creditors satisfied, but adopts a merciful attitude inasmuch as he rules out the harsher solutions of selling or imprisoning the debtor and urges that a debtor working off his debt should be treated well. It appears as though he means this to serve as a precedent, that is, free debtors should never be sold, but should always work to pay off their debts and be dealt with humanely while doing so. In sum, he seems to act as though he, as caliph, has the right to make law, acting like a Roman emperor responding to a legal inquiry, his letter serving as a decree.[90]

One might argue, with Motzki, that ʿUmar was swayed by the general tenor of the Qurʾan's (and Muḥammad's) more clement attitude towards indebtedness, or we might look at the bigger picture and say that this was itself in line with the move away from the sale and forced labor of debtors (whether by their creditors or by their own selves) in the late antique Middle East and towards debt forgiveness and imprisonment. Presumably, it is this overall moral shift that explains why ʿUmar's endorsement of debt bondage did not find favor in classical Islamic law manuals. By the time of Abū Jaʿfar al-Ṭaḥāwī (d. 321/933) it seems to be all but forgotten: "We do not know any scholar who supported the hiring out of the insolvent debtor so that he can settle his debt from his wages except for Ibn Shihāb al-Zuhrī."[91] Rather, the correct procedure in this situation would be, he says, that of the Prophet (in Qurʾan 2:280): deferment and charitable remission.

[89] *Analysing*, 201–202.

[90] I.e. a *decretum*, "a verdict given in a legal procedure," the emperor acting in a judicial role, usually consulting first his *consilium*, which included jurists (A. J. Boudewijn Sirks, "Making a Request to the Emperor: Rescripts in the Roman Empire," in *Administration, Prosopography and Appointment Policies in the Roman Empire*, ed. Lukas de Blois, Leiden: Brill, 2001, 122). Of relevance here are the arguments of Joseph Schacht (*The Origins of Muhammadan Jurisprudence*, Oxford: Clarendon Press, 1950, 190) that "Muhammadan legal science started in the later part of the Umaiyad period, taking the legal practice of the time as its raw material and endorsing, modifying or rejecting it" and of Patricia Crone and Martin Hinds (*God's Caliph*, Cambridge: Cambridge University Press, 1986, 49), that "originally all caliphs formulated law in their capacity as caliphs." Their arguments are taken up and refined by Mathieu Tillier in his "Califes, émirs et cadis," and *L'invention du cadi: la justice des musulmans, des juifs et des chrétiens aux premiers siècles de l'Islam* (Paris: Editions de la Sorbonne, 2017).

[91] *Sharḥ mushkil al-āthār*, ed. Shuʿayb al-Arnaʾūṭ (Beirut: Muʾassisat al-Risāla, 1994), 5:141. Muḥammad b. al-Ḥasan al-Ṭūsī (d. 460/1067) says that Abū Ḥanīfa, Shāfiʿi, Mālik and "most jurists" were against it, but he is able to cite a few more early authorities who favored it: Aḥmad b. Ḥanbal, Isḥāq b. Rāhawayh, ʿUmar b. ʿAbd al-ʿAzīz, ʿUbayd Allāh b. al-Ḥasan

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Yet in reality, of course, this is unlikely to have been the dominant procedure – not all creditors could have afforded to forgive their problematic debtors even if many wished to do so – and papyri and literary sources suggest that prison became the favored option, which was also not of immediate benefit to the creditor.[92] So why did working to pay off one's debts drop out of favor? Motzki makes the interesting observation that: "Among the early Muslims, the proponents of debt-slavery or of the compulsory working-off of debts in the service of the creditor are almost exclusively persons who held positions as judges … The opponents of such forms of personal execution were mainly from among the 'theorists', the legal scholars who developed their opinions largely independently of legal practice, often in purely scholarly environments."[93] Classical Islamic law became, therefore, suffused with "the ethical ideal of Qurʾanic revelation," edging out compromises with harsh realities.

Conclusions Regarding the Origins of Islamic Law

In some respects, both Motzki and Schneider make valid points: there is no reason to say that moral discussions about debt bondage could not take place in the Ḥijāz, and, since the Ḥijāz had been in contact with Roman Arabia for half a millennium by the time of Muḥammad, it is plausible to infer that the debt-related policies of early Muslim authorities were informed by pre-Islamic practices. But their accounts are also flawed in many respects. In particular, both present their arguments in a strongly dichotomous framework, as is all too common in the writings on the origins of Islamic law: either Islamic law was born in Muḥammad's Ḥijāz or it grew out of the pre-Islamic Middle East, and the two are seen as somehow mutually exclusive.[94] And both tend to present the objects of their study – the late antique world and the early Islamic world, late Roman law and Islamic law – as distinct and coherent entities that could borrow from and influence one another.

al-Anbārī and Sawwār b. ʿAbd Allāh al-Qāḍī; he himself is against it (*law aflasa man ʿalayhi al-dayn lā yuʾājar li-yaktasiba*) as there is no evidence for it and God ordered deferment not earning (*al-Khilāf fī l-aḥkām*, ed. ʿAlī al-Khurasānī *et al.*, Qom: Muʾassisat al-nashr al-islāmī, 1990, 3:272, *kitāb al-taflīs*).

92 Thus Sijpesteijn, "Policing, Punishing and Prisons."

93 *Analysing*, 202.

94 Compare the review/rebuttal by Wael Hallaq, "The Use and Abuse of Evidence: The Question of Provincial and Roman Influences on Early Islamic Law," *Journal of the American Oriental Society* 110 (1990): 79–91, of Patricia Crone, *Roman, Provincial and Islamic Law* (Cambridge: Cambridge University Press, 1987).

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In recent years there has been a reaction against "explanatory models that turn culture into static binary encounters, characterized by 'conflict', 'resistance', 'influence', 'assimilation', 'acculturation' or 'appropriation'."[95] The preference has been, rather, for more organic models that take better account of the shifting, complex and blurred natures of societies and institutions. This seems to me a better approach for dealing with imperial legal systems, which are by no means monolithic but rather teem with regional variations and local archaisms,[96] with disparities between provincial and empire-wide rulings and gaps between theory and practice, with disagreements between jurists and judges and differences between conservatives and progressives, and so on. And it is an approach that makes particularly good sense when dealing with broad social issues like unfreedom, which all three Abrahamic religions, if not all societies, had to contend with.[97] Motzki's attempt to isolate the early Islamic engagement with unfreedom seems, therefore, somewhat fruitless. On the other hand, Schneider ignores the fact that this phenomenon results from very widespread problems (debt default and poverty) with a limited range of possible solutions. Impoverished and/or indebted people have in many times and places, including in our modern world, felt/been compelled to give up their free status and sell their labor, at least temporarily, in order to ensure the survival of themselves and their dependents. In such a situation, the recurrence of similar practices does not necessarily imply direct borrowing or influence, but rather the constraining factors of environment and resources, as well as the fact that inhabiting a shared geographical space without rigid borders will inevitably lead to some convergence in social behavior and cultural norms.

Thus, this investigation into the nature of freedom and unfreedom confirms the conclusions of a growing body of studies that there is no major shift or "discontinuity" in the socio-legal landscape of the late antique

[95] Michael L. Satlow, "Beyond Influence: Towards a New Historiographic Paradigm," in *Jewish Literatures and Cultures*, ed. Anita Norich and Yaron Z. Eliav (Providence RI: Brown Judaic Studies, 2008), 38.

[96] There are examples of legal practices enduring for millennia; see Patricia Crone and Adam Silverstein, "The Ancient Near East and Islam: The Case of Lot-Casting," *Journal of Semitic Studies* 55 (2010): 423–50; Hannah Cotton, "Continuity of Nabataean Law in the Petra Papyri," in *From Hellenism to Islam: Cultural and Linguistic Change in the Roman Near East*, ed. eadem *et al*. (Cambridge: Cambridge University Press, 2009), 154–74.

[97] In Judaism, for example, the problems of debt-slavery were mitigated by periodic clean slates; cf. Deuteronomy 15:1–2: "At the end of every seven years you must declare a cancellation of debts. This is the nature of the cancellation: Every creditor must remit what he has loaned to another person" and ibid. 12–14: "If your fellow Hebrew – whether male or female – is sold to you and serves you for six years, then in the seventh year you must let that servant go free. If you set them free, you must not send them away empty-handed. You must supply them generously from your flock, your threshing floor, and your winepress."

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and early Islamic Middle East.[98] I hope also to have demonstrated that the continuities we observe should not be understood solely, if at all, in terms of Muslim jurists borrowing from or being influenced by late antique lawyers but also, or more so, in terms of shared cultural assumptions, norms and perspectives and the same technological and environmental constraints. However, Muslim authorities, in the course of adapting and reacting to this common legacy, introduced innovations and slowly developed a new way of doing things, and what we would call Islamic law was the result of this gradual transformation.[99] This point is made by a number of contributors to this volume, in particular by Cecilia Palombo in her chapter below with regard to the regulation of credit and debt. It has also been well illustrated by Mathieu Tillier in his excellent book on Islamic judges and justice, in which he succinctly concludes: "The first generations of Muslims used the materials available in the conquered lands. They did not borrow them, or, if they did draw upon them, that was accompanied almost immediately by a transformation, in the same way as the ancient columns redeployed in mosques do not make the latter a borrowing from late antique culture."[100]

Conclusions Regarding Unfreedom in Late Antiquity and Early Islam

But what does the occurrence of this particular tie of dependence tell us about the nature of social dependency in the early Islamic Empire? In a very general way, it reveals the structures of inequality in that society. However, wealth on its own only confers indirect power over others; to convert that indirect

[98] E.g. Andrew Marsham, "Public Execution in the Umayyad Period: Early Islamic Punitive Practice and its Late Antique Context," *Journal of Arabic and Islamic Studies* 11 (2011): 101–36, and Petra M. Sijpesteijn, "Shaving Hair and Beards in Early Islamic Egypt: An Arab Innovation?", *Al-Masāq* 30 (2018): 9–25. Note that both scholars appeal for the phenomena they study in their articles to be placed in the context of an "Islamic Late Antiquity" (pages 123 and 24 respectively), citing Tom Sizgorich, "Narrative and Community in Islamic Late Antiquity," *Past and Present* 185 (2004): 9–42.

[99] The fact that the legal system of the Arabian conquerors took a while to evolve into what we would recognize as Islamic law does not mean that there was a "legislative vacuum of the first century or so after the conquest" (Papaconstantinou, "Credit, Debt," 615). In some ways the opposite was true, for the indigenous legal systems initially remained in place and then additionally there were the rulings of Muslim generals, governors and caliphs, who either directly made legal decisions themselves or appointed others to do so.

[100] *L'invention du cadi*, 581. This topic is also fruitfully discussed with regard to administration in Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth Century Egyptian Official* (Oxford: Oxford University Press, 2013), 64–80.

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power into direct control certain mechanisms are needed, mechanisms like self-sale and debt bondage, which concede to the rich direct power over those in straitened circumstances. Such mechanisms are, of course, found in numerous societies across the world, and we do not have the sort of quantitative data that would allow us to say if the situation was better or worse in the early Islamic polity. What we can discern, however, is differences in response to this situation by the state. The power to command and control people is generally felt by the state to be its prerogative, and so a state will try to limit or regulate mechanisms of direct control that operate between its own subjects outside of its authority.[101] Slaves were excluded from citizenship and were regulated and legislated for, so they did not pose a challenge, but unregulated control of free-born subjects by other free-born subjects effectively amounted to private power outside of the state's purview and so did constitute a threat to the state's claims to be the principal determinant of the lives of its subjects. One might argue that states are big creators of unfreedom in the sense that they limit our freedom of action in many different ways, but they do so, rightly or wrongly, in pursuit of a larger aim – enforcing justice, ensuring distribution of wealth, safeguarding public safety and so on – and as governing entities distinct from the governed, so they did not contract interpersonal ties of the sort I have been talking about.[102]

Indeed, states sought to reduce or disrupt these informal ties of dependency in a variety of ways: by limiting the duration of the tie, as in ancient Babylon, by cancelling all debts every seven years, as in ancient Israel,[103] by abolishing the practice of "lending on the (security of the) body" as in ancient Athens,[104] by reducing the indebtedness of small farmers to large landowners in medieval Byzantium,[105] or by allowing the reimbursement of the debt (and not just the interest on the debt) through labor, as we saw with the rulings of Justinian the Great and ʿUmar II. In the case of self-selling, the state sought either to enforce bans on the practice or to encourage a philanthropic response from religious

[101] That it was in the interest of states to limit debt slavery is argued by Alain Testart, "The Extent and Significance of Debt Slavery," *Revue française de sociologie* 43 (2002): 173–204.

[102] Pre-modern states had the means to acquire slaves by capture or purchase for large-scale military and economic projects (see n. 9 above for agricultural slaves in Islam), which was a less contentious option than cajoling its free citizenry. Many made occasional resort to forced labor of their subjects, but, in the early Islamic case at least, this was time-limited and remunerated (Sijpesteijn, *Shaping*, 180), and so did not compromise the free status of those so coopted.

[103] See the quote from the code of Hammurabi above and n. 97 above.

[104] Edward Harris, "Did Solon Abolish Debt-Bondage?" *The Classical Quarterly* 52 (2002): 415–30.

[105] Daphne Papadatou, "*Antichresis* in Byzantine Law," *Revue des études byzantines* 66 (2008): 209–20, who points to a number of legal measures, such as limiting rates of interest, blocking transfers of land from debtors to creditors, abolishing *paramonē* arrangements in cases of default. The aim seems to have been to prevent large landowners swallowing up the land of small farmers.

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institutions or wealthy individuals. King Charles the Bald (d. 877 CE), for example, urged those who could afford it to buy impoverished self-sellers as an act of charity, and later, after they had performed some tasks, to release them: "and if someone says that he does not want to pay for a free man in a time of famine or for another necessity unless he gets to keep him as a slave forever, let him heed what the Lord tells him through his apostle: 'He who has the wealth of the world, and sees his brother is in need, and shuts up his bowels of compassion from him, the love of God dwells not in him' (I John 3.17)."[106]

In general terms, it is clear that in the medieval European and Middle Eastern worlds debt bondage and the sale of self and family became gradually more and more restricted. Allowing extra time for the payment of debts features in the Qurʾan and in most of the "Germanic" law codes. Creditors' recourse to the body of the defaulting debtor through sale or labor became increasingly curtailed in favor of distraint on the property of the debtor and use of imprisonment to pressure the family and friends of the debtor to contribute. There are three possible explanations for this shift across the whole of the post-Roman East and West: the emphasis of Christianity and Islam on charity and debt-forgiveness, the influence of Germanic and Arabian tribal law,[107] or the increased power of the early Carolingian and Abbasid Empires, which were able to exert greater judicial oversight of such matters as the maintenance of personal freedom and the regulation of debt collection. I suspect that the latter is the most important factor, but more research would need to be done before reaching any firm conclusions.[108]

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[106] Rio, "Self-sale," 670.

[107] On "the significant level of protection for private debtors" in Germanic law codes see Judith Spicksley, "The Decline of Slavery for Debt in Western Europe in the Medieval Period," *Atti delle Settimane di Studi e altri Convegni* 45 (2014): 468–72. This could be a way to explore Motzki's contention of an Arabian basis for Islamic debt law, but it would need to focus on material outside of the *Life* of Muḥammad, as the latter is too much shaped by later concerns.

[108] And the apologetic/patronizing notion that such things did not happen in Islamic society needs to be set aside, as it has meant that Islam is frequently left out of discussions of unfreedom. Thus Alain Testart states in his otherwise comprehensive assessment of "The Extent and Significance of Debt Slavery" that "Islam will not be considered here given that debt slavery goes against Islamic law" (ibid. 182). This is like saying that one will omit the US from a study of racism because racism is against US law.

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2 The Local Clergy and "Ties of Indebtedness" in Abbasid Egypt: Some Reflections on Studying Credit and Debt in Early Islamicate Societies

CECILIA PALOMBO

Introduction

This chapter discusses the role of Christian churchmen in the credit business and, more broadly, in creating and sustaining ties of indebtedness in the early Islamic empire. The sources I refer to were all written in Egypt and are dated or datable to the late Umayyad and the Abbasid periods (eighth and ninth centuries CE/second and third centuries AH). They come from modern collections created by assembling documents which were found and acquired in Egypt in the nineteenth and the early twentieth centuries.[1] However, I hope that my considerations may go beyond the features of that region and help us identify some of the mechanisms holding the early Islamic empire together as a space that was at once coherent and interconnected, and diverse and stratified. To express both interconnectedness and internal diversity I borrow the concept of "Islamicate" first elaborated by Marshall Hodgson; I will privilege this term whenever referring to sources, cultural products, and shared practices, with the aim of including multiple linguistic and religious groups and traditions.[2] My goal in this contribution is to move a further step towards contextualizing early Islamicate documents on debt in a broader conversation about historical expressions of indebtedness, particularly regarding the pre-modern Middle East, and

[1] The story of how the formation of those collections created ties of dependency between dealers, archeologists, workers, local communities, and international collectors – while also allowing successive generations of historians to think about debt in the past tense – is central to understanding the documents' place within historical practices of indebtedness but is beyond the scope of this paper. On the origin of document collections, see e.g. Zeynep Çelik, *About Antiquities: Politics of Archaeology in the Ottoman Empire* (Austin: University of Texas Press, 2016); Alice Stevenson, *Scattered Finds: Archaeology, Egyptology and Museums* (London: UCL Press, 2019). I discussed some of the sources and topics treated in this chapter in my PhD dissertation: Cecilia Palombo, "The Christian Clergy's Islamic Local Government in the Late Marwanid and the Abbasid Period" (PhD Dissertation, Princeton University, 2020).

[2] Marshall Hodgson, *The Venture of Islam*, *Volume I*: *The Classical Age of Islam* (Chicago: University of Chicago Press, 1977), 3–100.

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sustained by anthropological literature on the "debt–credit nexus."[3] With the help of a multilingual corpus of papyri, I will raise three methodological points that might help us approach practices of debt and credit in early Islamicate societies.

The first point pertains to credit's function as an institution, by which I mean, broadly following John Martin's definition, a series of regularized and patterned behaviors developed through interpersonal relations and given contents through shared discourses.[4] Credit, in this sense, is a good entry-point for studying the consolidation of specific modes of social interaction and dependency in the early Islamic period, cutting across various economic and religious groups. The documents discussed in this article show us the growth of reciprocal indebtedness through personal relationships, such as those connecting the Arab businesswoman Sumayya bt. Ṣabbāḥ al-Qurashī and her acquaintances, who repeatedly gave each other loans, witnesses, and guarantees. By focusing on two churchmen in Sumayya's dossier, and by comparing the corpus with contemporary documents of monastic production, I will highlight the presence of non-Muslim religious figures among those who engaged in the credit business.

The documents discussed below allow us to study credit as an institution grown out of both practices and discourses. In fact, they give us a glimpse of shared discourses about indebtedness and a sense of how local practices changed in relation to evolving Islamic legal institutions. Such discourses developed in part through the writings of scholars and jurists in Fustat and other important cities and in part through the repeated use of technical words and formulae across literary and documentary texts. The documents studied in this chapter come from a rural context, far away from the

[3] See Drucilla Barker, "Economics, Economic Anthropology, and Debt," *Journal of Cultural Economy* 9 (2016): 611–16; Gustav Peebles, "The Anthropology of Credit and Debit," *Annual Review of Anthropology* 39 (2010): 225–40; David Graeber, *Debt: The First 5,000 Years* (Brooklyn, NY: Melville House, 2011). In this chapter I rely extensively on research on debt documents started by papyrologists and scholars of late antiquity, especially Arietta Papaconstantinou's recent work on Greek and Coptic papyri, cited below. For a broader picture, this chapter should be read alongside Robert Hoyland's contribution on debt and dependency in this same volume.

[4] John Martin, *Social Structures* (Princeton: Princeton University Press, 2009). Nathan Hofer offers a similar approach to institutions, inspired by Martin's conceptualization: Nathan Hofer, *The Popularization of Sufism in Ayyubid and Mamluk Egypt, 1173–1325* (Edinburgh: Edinburgh University Press, 2015). On the study of institutions, see also the approach outlined in Eve Krakowski, *Coming of Age in Medieval Egypt: Female Adolescence, Jewish Law, and Ordinary Culture* (Princeton: Princeton University Press, 2017). I took inspiration from both these works while studying and reflecting on the function of early Islamicate institutions and documents.

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caliphate's centers of legal thought. In this respect, they are very different from the sources studied in this same volume by, for example, Nimrod Hurvitz. However, they may be related to the Islamic juridical culture of the time, with its norms, debates, and documentary traditions. Yet, the people figuring in those documents do not appear to act strictly in accordance with that juridical culture, either. Some of those characters were non-Muslims, some of them had church titles, and not all the contracts they signed belong to a recognizable legal type. These tensions suggest that we may frame the credit practices attested in the papyri – repeated, formalized, and interpersonal – as part of the development of debt as an *Islamicate* institution, one linking members of different social, religious, and professional groups, like the characters who appear in the documents cited below. Moreover, my analysis suggests that even in the early Islamic period Islamicate practices developed flexibly in relation to Islamic legal norms, and not in the absence of Islamic institutions, as it has sometimes been argued by over-extending the gradual formation of Islam out of late antiquity.

The second point I will raise with the help of the papyri pertains to the versatility of debt documents. Once the social institution of debt–credit is represented in documentary form, it takes various shapes. The dossier studied below includes different kinds of legal, administrative, and private documents written in Arabic and Coptic, also including elements of Greek. The corpus is a mix of document types and refers to various contractual moments, not all of which are retrievable to us. Some documents allude to further written agreements and to other moments at which the characters had exchanged some form of credit. I suggest that such versatility requires an effort of interpretation, a sensibility to consider as related to indebtedness not only the most recognizable loan contracts but also documents that "technically," due to their formulary, might fall into other categories. This flexibility seems especially important when studying multilingual corpora in which different scribal and legal traditions might blend or conflict, such as those discussed in this chapter and in the chapter by Lajos Berkes.

The third and final point pertains to credit's relation to a wide range of economic activities, going beyond impoverishment due to high taxation. Historians have long used credit as a lens to study hierarchies and power dynamics; the vertical ties that unevenly bind individuals to one another. At the same time, anthropologists have insisted that credit and debt are inseparable faces of the same relational structures, in which neither party is unequivocally either powerful or powerless, thus also shaping horizontal ties. Scholarship about the early Islamic period has often focused on

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the former type of ties by discussing the fragility of non-Muslim subjects before the authorities, especially due to taxes and requisitions. Although credit demarcates power differentials also within the non-Muslim population, these have been understood primarily as a result of changes brought about by Muslim conquerors upon non-Muslim subjects. Consequently, one notices a tendency in the literature to subsume different social fault lines into one major divide. Instead, the examples discussed below illustrate both vertical and horizontal ties, such as those connecting local churchmen to their surroundings. In reading Arabic and non-Arabic papyri as interrelated expressions of the same historical context, I will highlight instances of dependency based on kinds of communalities that did not always start and end with ethnic-religious or confessional identity. As I argue below, by the early Abbasid period we see local churchmen and monastic headmen engaging in money exchanges with members of their local communities. Providing financial support to those in need was one but not the only way in which Christian leaders participated in credit services. Moreover, their presence in the credit business as religious officials appears subordinate to other aspects of their visibility in the sources, such as their association with local merchants and administrators. Indebtedness reinforced interpersonal ties. Rather than allowing people to occasionally cross communal divides, we may think of such ties as contributing to creating communities of people with overlapping interests or goals. These newly formed yet temporary communities cut across the boundaries of *other* existing communities, such as those defined by religion, tribal groups, cities, monasteries, or ecclesiastical structures – many of which are discussed in other contributions to this volume – but they were not less real than any one of those. In this respect, the role of local churchmen in providing and accessing credit seems worth exploring, as we see them moving between religious, administrative, and business circles alike.

Credit and Early Islamic History

Because they intersected several interest groups, local churchmen are interesting also for another reason: they provide us with a different view of the credit business than that offered by long-distance trade. As I explain below, some Christian churchmen and monks in Abbasid Egypt did business with merchants and landholders – thus contradicting a view that sees them as primarily concerned with high taxes targeting the non-Muslim population – but they engaged in credit at a very local level. This makes

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them an interesting case-study for approaching the evolution of credit in everyday life through a variety of economic activities.

It is worth briefly mentioning that, in general, the study of credit in the pre-modern Middle East has been related especially to the history of long-distance trade and the rise of markets and banking systems. The terms for the debate have been determined by studies on the economic and social histories of early modern Europe and the Ottoman empire, with a focus on the role of trade in the emergence of capitalist economies. It is in those fields that both traditional and innovative paradigms of pre-industrial economic history have first taken shape, including the role of credit in moving capital.[5] Credit has been shown to be central to the rise of banking systems in various pre-industrial societies in the early modern period and to the politics of mercantile as well as early colonial powers.[6] It was also pinpointed as a key instrument sustaining cross-cultural and trans-regional exchanges, especially along sea routes, as studied by Francesca Trivellato and others.[7] Such maritime exchanges include those business partnerships that have left a trace in the Cairo Geniza, attesting to trade connections across the Mediterranean and the Indian Ocean especially from the eleventh to the thirteenth centuries CE/fifth to seventh centuries AH.[8] Before the Ottoman period, it is therefore Geniza experts interested in the history of trade who have discussed more

[5] For an overview of these debates, see Fahad Bishara, "Histories of Law and Economic Life in the Islamic World," History Compass 18 (2020): 1–10; Cecilia Palombo, "Studying Trade and Local Economies in Early Islamicate Societies: Responses to the 'Long Divergence' Debate from Islamic History," *Cromohs: Cyber Review of Modern Historiography* 24 (2022).

[6] Some important recent studies of credit in pre-modern societies are Laurence Fontaine, *The Moral Economy: Poverty, Credit, and Trust in Early Modern Europe* (Cambridge: Cambridge University Press, 2014); Pascale Ghazale, *Fortunes urbaines et stratégies sociales. Généalogies patrimoniales au Caire, 1780–1830* (Cairo: Institut Français d'Archéologie Orientale, 2010); Ariel Salzman, *Tocqueville in the Ottoman Empire: Rival Paths to the Modern State* (Leiden: Brill, 2003); Fahad Bishara, *A Sea of Debt: Law and Economic Life in the Western Indian Ocean, 1780–1950* (Cambridge; Cambridge University Press, 2017). My considerations on debt in this chapter were inspired in various ways by these works.

[7] Francesca Trivellato, *The Familiarity of Strangers: the Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven: Yale University Press, 2009); Francesca Trivellato, Leor Halevi, and Cátia Antunes (eds.), *Religion and Trade. Cross-Cultural Exchanges in World History, 1000–1900* (Oxford: Oxford University Press, 2014).

[8] On trade and the Geniza, see the classical S. D. Goitein, *A Mediterranean Society. The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza. Volume I: Economic Foundations* (Berkeley: University of California Press, 1967), Part 3; S. D. Goitein and Mordechai Friedman, *Indian Traders of the Middle Ages: Documents from the Cairo Geniza. The "India Book"* (Leiden: Brill, 2008). See Jessica L. Goldberg, *Trade and Institutions in the Medieval Mediterranean: The Genizah Merchants and their Business World* (Cambridge: Cambridge University Press, 2013).

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extensively the use of credit in Islamicate societies. Comparatively, little is known about how credit worked before the "classical Geniza period" and among people who were not active in the long-distance trade, such as the local businesspersons and churchmen mentioned in this chapter, whom we see traveling short distances only.[9]

However, we know that credit was important also in sustaining the economy of the early caliphates, and not only for merchants. Fanny Bessard has noticed the important role of money changers in the urban economies of the early Abbasid caliphate.[10] There are a few preliminary but important studies on everyday credit based on documentary papyri. Jennifer Cromwell, Tomasz Markiewicz, and Arietta Papaconstantinou have studied Greek and Coptic documents regarding moneylending from Roman and early Islamic Egypt and to a lesser extent Palestine. Instead of mercantile networks, these studies shed light on village life and land-based economies. Both Arietta Papaconstantinou and Terry Wilfong have pointed out the key role played by women creditors and borrowers, such as a moneylender called Koloje, who worked in the pawn business together with her relatives in Umayyad Egypt; she is one of the main characters in Wilfong's study of the town of Jeme.[11] Focusing on papyri in Coptic and Greek, Papaconstantinou has discussed their degree of continuity with norms and practices attested in Egypt before the Muslim conquests, in particular, the application of Roman Justinianic laws on private loans. The conversation on debt practices based

[9] Scholarship on trade is comparatively less developed for the centuries preceding the Fatimid period, when more documents on trans-regional and sea trade become available. For the period before the Fatimids, see the classical Kirti N. Chaudhuri, *Trade and Civilization in the Indian Ocean: An Economic History from the Rise of Islam to 1750* (Cambridge: Cambridge University Press, 1985); and Fanny Bessard, *Caliphs and Merchants: Cities and Economies of Power in the Near East (700–950)* (Oxford: Oxford University Press, 2020).

[10] Bessard, *Caliphs and Merchants*, 203–14.

[11] Arietta Papaconstantinou, "Women in Need: Debt-Related Requests from Early Medieval Egypt" in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt* (*Millennium Studies* 84), ed. Sabine R. Huebner *et al*. (Berlin/Boston: De Gruyter, 2020), 195–207; Arietta Papaconstantinou, "'Choses de femme' et accès au crédit dans l'Égypte rurale sous les Omeyyades," in *Le saint, le moine et le paysan: mélanges d'histoire byzantine offerts à Michel Kaplan*, ed. Olivier Delouis, Sophie Métivier et Paule Pagès (Paris: Publications de la Sorbonne), 551–62; Arietta Papaconstantinou, "A Preliminary Prosopography of Moneylenders in Early Islamic Egypt and South Palestine," *Travaux et mémoires* 16 (2010): 631–48. On Koloje and her town, see Terry Wilfong, *Women of Jeme: Lives in a Coptic Town in Late Antique Egypt* (Ann Arbor: University of Michigan Press, 2002); and Terry Wilfong, "The Archive of a Family of Moneylenders from Jēme," *American Society of Papyrologists* 27 (1990): 169–81. See also Jennifer Cromwell and Eitan Grossman "Condition(al)s of Repayment: P.CLT 10 Reconsidered," *The Journal of Egyptian Archaeology* 96 (2010): 149–60.

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on the papyri has developed especially with and among historians of the Roman empire and through comparisons with Roman sources.[12]

Thus, we find that, at one end of the historiographical spectrum, the study of credit in early Islamicate societies is connected through trans-regional trade to the history of early modern empires and the rise of capitalism; at its other end, it is connected through the study of Greek and Coptic papyri to the history of the Roman empire. At both ends, historians of the early Islamic period have adopted concepts and categories of debt mainly through the filter of the economic history of empires.[13] In addition, the link with Roman history has marked disciplinary boundaries based on linguistic expertise. Case-studies on debt in the early Arabic papyri do exist. For example, Arabic debt documents from the Umayyad and the Abbasid periods have been edited by Yusuf Raġib and by Khaled Younes; Mathieu Tillier and Naïm Vanthieghem have recently analyzed a group of Arabic debt records on papyrus by relating them to the recording procedures of the *qāḍī*'s office.[14] However, in most studies, non-Arabic and Arabic documents have

[12] Arietta Papaconstantinou, "Credit, Debt, and Dependence in Early Islamic Egypt," *Melanges Jean* Gascou, ed. Jean-Luc Fournet and Arietta Papaconstantinou. *Travaux et mémoires* 20 (2016): 613–62. On credit in the Roman empire, see e.g. François Lerouxel, *Le marché du crédit dans le monde romain (Égypte et Campanie)* (Rome: École française de Rome, 2016). Referencing patterns in recent publications can help us map the centrality of Classics, Roman history, and European history in the study of documents from the early Islamic period, including about credit. Meanwhile, in Area Studies much literature about Islamic credit has developed through political science and economic anthropology. Here, historical precedents have been often used to identify institutional constraints to economic performance. On the place of Islamic law in these debates, see Bishara, "Histories of Law." Moreover, several recent studies on Islamic credit focus on contemporary Islamic banking and trade financing, often including references to Islamic classical law. See e.g. the historical surveys collected in Mohamed Ariff, Munawar Iqbal, and Shamsher Mohamad (eds.), *The Islamic Debt Market for Sukuk Securities. The Theory and Practice of Profit Sharing Investment* (Northampton: Edward Elgar Publishing, 2012), Part 1; see also Benaouda Bensaid, Fadila Grine, Mohd Nor, and Mohd Yusoff, "Enduring Financial Debt: An Islamic Perspective," *Middle East Journal of Scientific Research* 13 (2013): 162–70.

[13] In turn, economic historians of the Roman empire have often engaged directly with the history of capitalism and modern state formation. In this regard, neo-institutional economics seems to have become the most influential approach; see e.g. Taco Terpstra, "Neo-Institutionalism in Ancient Economic History: The Road Ahead," in *A Research Agenda for New Institutional Economics*, ed. Claude Ménard and Mary Shirley (Northampton: Edward Elgar Publishing, 2018), 233–40.

[14] See Yūsuf Raġib, *Marchands d'étoffes du Fayyoum au IIIe/IXe siècle d'après leurs archives (actes et lettres): Volume 1* (Cairo: Institut français d'archéologie orientale, 1982), 13–29; Khaled Younes, "An Arabic Acknowledgment of a Debt on Papyrus," *Archiv für Papyrusforschung und verwandte Gebiete* 62 (2016): 195–202; Mathieu Tillier and Naïm Vanthieghem, "Recording Debts in Sūfyanid Fusṭāṭ: A Reexamination of the Procedures and Calendar in Use in the First/Seventh Century," in *Geneses: A Comparative Study of the Historiographies of the Rise of Christianity, Rabbinic Judaism and Islam,* ed. John Tolan (New York: Routledge, 2019), 148–88;

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been treated separately, and the development of debt practices in Coptic and Greek texts from the early Islamic period has been decoupled from that of Islamic law, the focus being primarily on non-Muslim subjects. Overall, such disciplinary boundaries have contributed to establishing an artificial correlation between Arabic texts (and their producers) and Islamic law and Islamic legal practices, and between non-Arabic texts (and their producers) and pre-Islamic cultures and Roman legal practices. This obfuscates the reality of practices related to Islamic rule and law that were shared across linguistic and religious groups while also manifesting a great degree of variation at the local level.

In this chapter I wish to add to the existing literature by combining Arabic and non-Arabic papyri about indebtedness. I will not focus on Roman or other late-antique precedents, which have already been studied by other scholars, shifting the attention more markedly towards Islamicate cultures. Going back to everyday credit practices with the three points outlined above in mind – credit-and-debt as a social institution, a versatile documentary practice, and a diverse economic strategy – I want to attempt a different approach, one that departs from the conceptual separation of early Islamicate societies into conquerors and conquered people. To this end, I have chosen as my case-study documents related to credit and debt and involving Christian religious figures, like monks, or figures who had a role in the church. These illustrate well two key features of early Islamicate sources about credit: multilingualism and an inconsistent but lively interaction with Islamic law.[15]

The documents mentioned in this chapter may be divided into two groups out of convenience. The first group concerns businesspersons who lived or worked in the region of Madinat al-Fayyum, in southern Egypt, in the early Abbasid period, including two churchmen. This group of papyri includes documents found in the Fayyum and transferred to the museums of Berlin and Paris in the 1870s and 1880s: the so-called "first finds." Several documents among the "first finds" concern the textile trade and have

Mathieu Tillier and Naïm Vanthieghem, "Un registre carcéral de la Fusṭāṭ Abbasside," *Islamic Law and Society* 25 (2018): 319–58.

[15] The documents are cited according to the Arabic Papyrology Database's system (APD) and the Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca, and Tablets (published on Papyri.info). Translations in the chapter's main text are my own; however, whenever I cite a document's edition, the reference is also to its translation by the editor. Names are transliterated as close as possible to the way in which they appear in the documents. For place names and modern Arabic names, I follow the Library of Congress' simplified transliteration system with no diacritics.

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been studied by Yusuf Ragib.[16] Other Arabic private and business letters mentioned below became part of the Rainer collection in Vienna in the late nineteenth century, while yet others remained in Egypt and are now found at the Dar al-Kutub and other archives in Cairo. Some were published by Adolf Grohmann in a volume later completed by Raif G. Khoury.[17] The origins of the "first finds" from the Fayyum were not properly recorded. Many artifacts associated with that region were acquired by private collectors and then by foreign institutions without transmitting much information about the real conditions of their finding and purchase. At times this makes it hard to identify the documents' geographic origin. The fact that the Egyptian authorities at the time tried to prevent the export of some of those materials suggests that, at least in part, the Fayyumic documents were taken outside Egypt without the necessary permissions.[18] The second group of sources used in this chapter consists of documents from the Umayyad and the Abbasid period that are associated with monastic contexts. Some of the monastic documents mentioned below contain references to the city of al-Ushmunayn (about four days' travel from the Fayyum) as well as other Egyptian towns.[19] Many monastic documents from the early Islamic period have been linked to the area of al-Ushmunayn by modern scholars although their provenience (i.e., finding spot) and provenance (i.e. ownership chain) are often unknown, leaving doubts about their exact origins and transfers. For example, the papyri now in Manchester associated with Lord Crawford's purchases (some of which are mentioned below) came partly from al-Ushmunayn and partly from the Fayyum, and because of how they were

[16] See Mirelle Adda-Paris, "Les collections de papyri arabes du Louvre," *Revue du Louvre et des musées de France* 28 (1978): 69–72; Ragib, *Marchands*, Vol. 1, ix–xx, and the texts edited in Vol. 4 and Vol. 5; NaïmVanthieghem, "Les archives des marchands d'étoffes du Fayyoum revisitées I. Un nouveau *ḏikr ḥaqq* du marchand Abū Hurayra," *Archiv für Papyrusforschung und verwandte Gebiete* 60 (2014): 212–17.

[17] Georges R. Khoury, *Chrestomathie de papyrologie arabe. Documents relatifs à la vie privée, sociale et administrative dans les premiers siècles islamiques. Retravaillée et élargie* (Leiden: Brill: 1993).

[18] The purchase and export of the "first finds" from the Fayyum were accompanied by generic stories about local farmers and "bedouins" coming upon the objects by chance. Such stories form a veritable literary genre in the trade in antiquities; nonetheless, they are still often related by the institutions holding the documents, providing little additional information. Part of the "first finds" was acquired by the Egyptian Museum after being confiscated by customs authorities in Alexandria before it could be smuggled abroad. See Adda-Paris, "Collections"; Ragib, *Marchands*, Vol. 1, i–xi. On the dispersal of papyri, see Stevenson, *Scattered Finds*, 10–11; Todd Hickey and James Keenan, "At the Creation: Seven Letters from Grenfell, 1897," *Analecta Papyrologica* 28 (2016): 351–82; Usama Gad, "Papyrology and Eurocentrism, Partners in Crime," *Eidolon: Special Issue on the Papyrus Thefts* (2019).

[19] I calculated the distance on the "al-Thurayya Gazetteer": https://althurayya.github.io/.

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originally acquired it is not easy to distinguish between the two lots.[20] My examples concerning credit will also include documents associated with the monastery of Bawit, near al-Ushmunayn, and documents found on the site of Dayr al-Balaʾiza, near Asyut.[21]

Thus, I will be referring to papyri from the Umayyad and the early Abbasid periods that, dispersed in several collections, may be considered as a corpus for the purposes of this chapter only in that they originate in a somewhat circumscribed region and relate to the topic of indebtedness, also telling us about the role of churchmen in the credit business. It is only when we consider and study such various and multilingual sources together, despite the reality of their physical dispersal, that they reveal their significance as diverse expressions of the same historical context and as a key to study early Islamicate institutions.

Sumayya bt. Ṣabbāḥ and Her Social Circle

Dramatis personae:

Sumayya bt. Ṣabbāḥ al-Qurashī, a notable woman in Madinat al-Fayyum

Her brother, ʿAbd Allāh b. Ṣabbāḥ al-Qurashī

Her husband, the merchant Abū Yaʿqūb Isḥāq b. Ibrāhīm, also known as "the broker" (*al-simsār*)

Their children, Yaʿqūb, Isḥāq, and Baraka

Two agents working with Isḥāq b. Ibrāhīm

Businesspersons in the couple's social circle, including Maymūn al-Khawlānī and Saʿīd b. Ismāʿīl al-Qurashī

The moneylender, Maymūn (al-Khawlānī)

The deacon Sāwīrus, identifiable as the middleman Sāwīrus son of Fāna (or in Coptic, Seuēros son of Bane)

[20] Walter E. Crum, *Catalogue of the Coptic Manuscripts in the Collection of the John Rylands Library* (Manchester: Manchester University Press, 1909), "Introduction."

[21] Many monastic documents were acquired in Egypt and moved abroad in the nineteenth century and the first half of the twentieth century and are now held in collections in Vienna, London, Oxford, Manchester, and other places. On this topic, see e.g. Elizabeth O'Connell, "Greek and Coptic Manuscripts from the First Millennium CE Egypt (Still) in the British Museum," in *Proceedings of the 28th International Congress of Papyrology, Barcelona* 2016, ed. Alberto Nodar and Sofía Torallas Tovar (Barcelona: Publicacions de l'Abadia de Montserrat, 2019), (esp. 72–74); Cecilia Palombo, "Archives of Local Governance, Monastic Libraries, Dispersed archive" (forthcoming). On Bawit, see especially Sarah Clackson, *Coptic and Greek Texts Relating to the Hermopolite Monastery of Apa Apollo* (Oxford: Griffith Institute, Ashmolean Museum, 2020). Other relevant publications are cited below.

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A businessperson or landholder, Andūna, identifiable as the deacon Andūna (or in Coptic, Antōne)

The merchant Muslim b. Yasār (or Bashshār) al-Madīnī, who was possibly an acquaintance of the merchant Isḥāq b. Ibrāhīm, the notable Andūna, and the deacon Sāwīrus

At the center of the dossier studied in this chapter I have put a woman called Sumayya bt. Ṣabbāḥ al-Qurashī. Sumayya had married a merchant known from several documents from the Fayyum, called Isḥāq b. Ibrāhīm, who dealt in barley, flax, wheat, and other materials. It seems that they lived in Madinat al-Fayyum but had interests also elsewhere, because the documents in which they are named sometimes mention places outside that region, such as Fustat, the capital of Egypt. Sumayya's separation from Isḥāq in the year 801 CE/185 AH has left a trail of Arabic documents. One of these is a legal acknowledgment testifying that Sumayya received seventy *dīnār*s (standard gold coins) from her husband.[22] The document echoes Qurʾanic instructions on inheritance and divorce. Sumayya "received a share" (*qabaḍat thamanahā*, or perhaps *thumunahā*, "her eighth share," as in Q 4:12) which had been calculated considering "what remained" (*fī mā baqiya*) probably of her dower or marital gift, and after subtracting what had been settled (*mimmā yuqarru*) for her younger children. This mention of the children' share is one of the dossier's internal references: other documents drafted on the same piece of papyrus mention Sumayya's three children's allowance (*nafaqa*) in cash and wheat units.[23] Sumayya and the children received their shares from two agents in the presence of three witnesses. A receipt for the agents was recorded separately.[24] These contracts allude to indebtedness in two main ways. First, through the payment that Isḥāq b. Ibrāhīm owed to his wife and the allowance he owed to his children we are reminded of the debts intrinsic to the institution of marriage. We understand that Isḥāq was absent when the money was paid out, though probably still alive, but it is well possible that the documents reflect an arrangement different from divorce, such as a temporary separation.[25]

[22] Chrest.Khoury II 10 (= PERF 646 A). Digital images of this document are available on the website of the Österreichische Nationalbibliothek.

[23] Chrest.Khoury II 11, 12, 13, 14 (= PERF 646 B, C, D, E).

[24] Chrest.Khoury II 11 (= PERF 646 B).

[25] On marriage and indebtedness, see Yossef Rapoport, *Marriage, Money and Divorce in Medieval Islamic Society* (Cambridge: Cambridge University Press, 2005). The reference is to Q 2:27–37, 4:12. The documents concerning Sumayya and her husband are not divorce contracts but they do suggest that the couple had divorced. At the same time, they echo Q 4:12, about inheritance. It seems unlikely that Isḥāq b. Ibrāhīm had died at the time these contracts were written because they refer to an allowance he still owed to his family (*nafaqa*)

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Second, through the use of Qurʾanic terms we are reminded of the "debts and bequests" which were subtracted from Sumayya's share before she could receive it.[26] Moreover, as noticed by Brinkley Messick, the use of the Arabic contractual formula "she received her share" (built on the stems *q-b-ḍ* and *th-m-n*) echoes the Qurʾanic instruction on the writing of debt acknowledgments.[27] Further and more explicit debts emerge from the dossier when we consider not only the couple but also their social circle.

One key feature of this small dossier is that it concerns the dealings of a group of acquaintances, providing us with an example of how the threads of credit among friends and close associates intersected with business as well as private affairs. All the witnesses in the contract concerning Sumayya's share appear to be relatives and business partners of the couple. Besides the two attorneys working for her husband Isḥāq, we find Sumayya's brother, ʿAbd Allāh b. Ṣabbāḥ al-Qurashī. A third witness is Maymūn b. Ismāʿīl al-Khawlānī; he is a signatory also in a separate receipt concerning Sumayya's children's allowance, written on the back of the same document. It seems likely that this Maymūn knew and did business with Isḥāq because he appears in at least one contemporary business letter from Madinat al-Fayyum regarding the wheat trade.[28] The two witness statements by ʿAbd Allāh b. Ṣabbāḥ and Maymūn al-Khawlānī were written on their request by somebody else, called Saʿīd. Rather than a scribe hired for the occasion, this was probably another acquaintance of Sumayya's: Saʿīd b. Ismāʿīl al-Qurashī, from Sumayya's and her brother's tribe, signed as a witness in another document concerning Sumayya and her husband's settlement.[29] Finally, a fourth person, who seems to be called Sawīrus, "wrote his witness on Sumayya's behalf" (*kataba shahādatahu ʿalā sumayya*). These individuals appear also in other documents regarding business in the Fayyum in the early ninth century CE/late second and early third century AH, and many of them are found giving or asking for credit. Thus, we

and because his name appears in later letters from the same collections. One possibility is that Sumayya's separation from her husband was temporary, due to his travels as a merchant, as was suggested to me by Naïm Vanthieghem. Based on other Arabic documents, it is possible that the lacuna occurring in the text contained a reference to Sumayya's marriage gift (*ṣadāq*). This was sometimes partly repaid at the moment of divorce or inheritance: see Krakowski, *Coming of Age*, 241–64; Rapoport, *Marriage,* 12–30, 69–88. A similar language is used in other Arabic documents regarding marriage and divorce: e.g. *P.Cair.Arab.* 48, *P.FahmiTaaqud* 5, *P.MarriageSeparation* 14.

[26] See Rapoport, *Marriage*, 24–25.

[27] Brinkley Messick, *Sharīʿa Scripts: An Historical Anthropology* (New York: Columbia University Press, 2017), 347–72, 385–401.

[28] *Chrest.Khoury* II 11 (= PERF 646 B); *P.RagibLettres* 6.

[29] *Chrest.Khoury* II 14 (= PERF 646 E).

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may tentatively identify Maymūn al-Khawlānī, the wheat merchant, with a moneylender (*al-ṣarrāf*) called Maymūn who lived in Madinat al-Fayyum in the same years; he is mentioned in a receipt dated to the year 819 CE/203 AH in which another member of the al-Khawlānī tribe signed as a witness.[30] Sumayya's husband Isḥāq b. Ibrāhīm may well be the same merchant who appears in various business letters regarding the textile trade in the Fayyum with the name Abū Yaʿqūb Isḥāq b. Ibrāhīm, "Yaʿqūb's father."[31] Abū Yaʿqūb Isḥāq b. Ibrāhīm is identified as *al-simsār*, "the broker," in a business letter concerning some merchandise sent from Fustat to Madinat al-Fayyum, using a word which was sometimes used for moneychangers.[32] As part of his profession, Isḥāq "the broker" and Maymūn "the moneylender" might have provided credit to other merchants. In addition, we see these merchants getting involved in each other's family lives, as during a separation.

The second feature worth highlighting about this group of individuals is that it was heterogeneous, signaling that credit could help people establish ties across social and confessional divides. Some people in the dossier are mentioned with Arabic names and *niṣba*s (attributes) referring to their family and tribal affiliation. Some names sound decidedly Muslim, like ʿAbd Allāh; but others are not distinctively Muslim, like Isḥāq. In a document from 845 CE/230 AH, Isḥāq b. Ibrāhīm carries the *niṣba* al-Baghdādī, indicating that his family was originally Iraqi. This is a witness statement written for Yaʿqūb b. Isḥāq b. Ibrāhīm al-Baghdādī to release of all debts a *mawlā* (client, servant) called Hārūn who had been previously attached to his father, Isḥāq b. Ibrāhīm. I think these two may well be identified with Sumayya's child and husband.[33] The lack of distinctively Muslim names in Isḥāq's family and the connection with Iraq suggests that perhaps they were of Jewish origins.[34] Two witnesses in the dossier, ʿAbd Allāh and Saʿīd,

[30] *P.Alqab* 33.

[31] See Rāġib, *Marchands* Vol. 1, p. xii, n. 1. We know that one of Sumayya and Isḥāq's son was called Yaʿqūb.

[32] *P.Marchands* V. For other letters mentioning Abū Yaʿqūb, see Rāġib, *Marchands,* Vols III, V, and V/1.

[33] *P.Khalili* II 100. As this papyrus is unprovenanced, its geographic origin is also unknown. On witness statements, see Geoffrey Khan, "The Opening Formulas and Witness Clauses in Arabic Legal Documents from the Early Islamic Period," *Journal of the American Oriental Society* 139 (2019): 23–40.

[34] Scholars have often argued that Jewish families migrated from Baghdad to western provinces in the early Abbasid period, but the phenomenon's extent and impact have been recently questioned by Phillip Ackerman-Lieberman, "Revisiting Jewish Occupational Choice and Urbanization in Iraq under the Early Abbasids," *Jewish History* 29 (2015): 113–35. See also Petra M. Sijpesteijn, "Visible Identities: In Search of Egypt's Jews in Early Islamic Egypt," in

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signed with the *niṣba* al-Qurashī, indicating affiliation with the prestigious Quraysh family. This suggests that Sumayya's family belonged in an elite group of local notables in Egypt.[35] Instead, the witness Sawīrus bears a recognizably Christian name.

For the purposes of this chapter, Sawīrus occupies a notable place in the dossier because he was the person chosen to write Sumayya's own witness statement. Other documents suggest that he was a deacon. The threads connecting Sawīrus to Sumayya's social circle show us two main ways in which churchmen were involved in credit services: namely, through local business partnerships and through favor exchanges among acquaintances, often crossing confessional divides. Sawīrus and Sumayya appear together in another Arabic document from the Fayyum, a receipt dated to the year 845 CE/231 AH, when Sumayya must have been a senior woman.[36] We do not know how she used the seventy *dīnār*s paid out by her husband, but we may speculate that on occasion she was able to invest her money by providing cash to local landholders – similarly to Koloje in Coptic documents from Jeme in the Umayyad period as well as many other women creditors in later Arabic documents, like those studied by Yossef Rapoport.[37] Here, we find Sumayya paying Sawīrus on behalf of someone else, a landholder called Andūna.[38] Sawīrus is qualified by the title *babā,* which in the Arabic

Israel in Egypt: The Land of Egypt as Concept and Reality for Jews in Antiquity and the Early Medieval Period, ed. Alison Salvesen, Sarah Pearce and Miriam Frenkel (Leiden: Brill, 2020), 424–40.

35 On the Quraysh in the early Islamic period, see e.g. Patricia Crone, *Medieval Islamic Political Thought* (Edinburgh: Edinburgh University Press), Ch. 17. On the display of notable family affiliations in the papyri, see Petra M. Sijpesteijn, "Establishing Local Elite Authority in Egypt through Arbitration and Mediation," in *Transregional and Regional Elites: Connecting the Early Islamic Empire*, ed. Hannah-Lena Hagemann and Stefan Heidemann (Berlin: De Gruyter, 2020), 387–406. We find mentions of the Quraysh's authority also in the literary papyri; see Nadia Abbott, *Studies in Arabic Literary Papyri, Volume I* (Chicago: University of Chicago Press, 1957), Fragment 5; another example (MS Or.P365) was edited by Karim Samji, "Studies in Arabic Literary Papyri" (MA Thesis, University of Utah, 2008).

36 See Krakowski, *Coming of Age*, 41–47. Based on European documents, Fontaine has suggested that in pre-modern societies women's ability to invest their private assets was conditioned by the law in relation to their life cycle. The end of their married life appears to have been a crucial factor: see Fontaine, *Moral Economy,* 124–32. By parallel, we might speculate that Sumayya had the opportunity to act as a creditor after separating from her husband.

37 See Rapoport, *Marriage*, 22–26.

38 This document, now at the University of Milan, was acquired during the Italian archeological campaigns in the Fayyum in the 1930s. See Achille Vogliano, "Rapporto preliminare della IVa campagna di scavo a Medînet Mâdi (Milano: R. Università di Milano)," *Annales du service des antiquités de l'Égypte* 38 (1938): 533–49. Because the spelling of names varied from one scribe to another, I believe we may identify the woman in this document with Sumayya b. Sabbāḥ despite the fact that here her name is unconventionally spelled Sumayyā with an *alif* (the form "Simiyyā," chosen by the editor, Vogliano, seems unattested).

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papyri frequently corresponds to the Coptic *papa*: this honorific title was given to priests and deacons and it informs us that Sawīrus was a Christian notable connected to the church.[39] The money was meant for taxes imposed on Andūna's lands in Narmoute in the Fayyum, and it was paid out to a tax-collector. However, in the document the payment was framed as a personal loan: the formula "paid through the hands of" (*ʿalā yaday*) indicates Sumayya's mediation as a creditor. Thus, in this case, it seems that a previously contracted debt was redirected towards tax duties by the hands of an acquaintance.

The more documents we add to the dossier about Sumayya's social circle, the more loans we find. Andūna and Sawīrus figure together in another receipt concerning the restitution of a large debt of forty *dīnār*s.[40] This document, now in the Rylands Library, is part of a group of unprovenanced papyri perhaps acquired by Lord Crawford in the nineteenth century, mentioned above. This is a bilingual document written in four hands, in Coptic and Arabic. It contains two statements and two witness signatures, partly aligning with Islamic legal requirements.[41] The first statement was written in Coptic by Antōne, "the humblest deacon," the son of the late Herakleidēs, from Hō (which might indicate an area of Madinat al-Fayyum); his name in Arabic is Andūna.[42] The second statement was written in Arabic by Muslim

[39] The Coptic honorific title *papa* is always found preceding the name of the person carrying it. See Tomasz Derda and Ewa Wipszycka, "L'emploi des titres *abba, apa* et *papa* dans l'Egypte byzantine," *Journal of Juristic Papyrology* 24 (1994): 23–56 (esp. 54–56). I exclude that *babā* in this text was a misspelling or an equivalent of the Arabic patronymic *abū* because such a usage would be inconsistent with Arabic and Coptic papyri.

[40] *P.Ryl.Copt.* 214. See Papaconstantinou, "Credit," 619. This is a remarkably high loan. For comparison, in a recently published register of imprisoned debtors, half of the complaints concerned debts for two *dīnār*s or less: Tillier and Vanthieghem, "Registre carceral."

[41] This document has been generally treated as if it were very early, but I think it is likely to come from the Abbasid period. While it is not dated, it displays paleographic features typical of the eighth century CE/second century AH. One of the signatories in this bilingual document has a Coptic name of Greek origin, Asygkrite son of Theodore. The second one has an Arabic name, but he also writes in Coptic; he was perhaps called Nijāh. A phonetic transliteration of the witness' name would give *niqyeh ptērkouman*. Based on the *niṣba*, he has been identified as an Arab translator (*al-tarjūmān*), though there are various problems with this reading. One problem is that we do not know that "translator" was considered a professional title at that time. While there are attested uses of the verb *tarjama,* most of the instances recorded in the Arabic Papyrology Database come from the Fatimid period. I could trace only one other early papyrus in which the scribe might have used "translator" to indicate a profession: P.CtYBR inv. 2718, edited by Khaled Younes, "Joy and Sorrow in Early Muslim Egypt: Arabic Papyrus Letters" (PhD Dissertation, Leiden University, 2013), 240–41.

[42] Andūna's town may be identified either with the southern ancient town of Hiw in southern Egypt or with the region of Madinat al-Fayyum, based on its ancient name's overlap with the area of a sanctuary; see the data recorded on the "Trismegistos" database for the toponym *hw*.

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b. Yasār al-Madīnī. Al-Madīnī is here the mediator advancing the money on behalf of Sawīrus b. Fāna; the borrower's name was also given in Coptic as Seuēros son of Bane. While the Coptic portion of the text identifies Andūna as a deacon, in the Arabic portion he is called *al-ṣāḥib*, indicating a notable or a merchant.[43] These two statements have the effect of releasing (*bariʾa*) Sawīrus from his debt.

At a closer look, Sawīrus b. Fāna is always mentioned next to local notables. Besides his connection to Sumayya (from the Quraysh tribal group in Egypt), there are a few administrative letters in Coptic in which he figures as an intermediary occasionally working for the Arab governors of al-Ushmunayn in moving goods, transferring money, and traveling with animals. The individuals he served were administrators with prestigious names, such as a member of the influential al-Lakhmī group.[44] As a middleperson, he possibly travelled between al-Ushmunayn and the Fayyum; traveling within the province was, after all, not at all uncommon in Umayyad and Abbasid Egypt.[45] Besides signing as a witness in the acknowledgment for Sumayya, his name may be tentatively found among the witnesses of various sureties in Coptic next to deacons and priests. This is a hint that

[43] The Arabic title *ṣāḥib* is sometimes attributed to local administrators. Famously, this title was given to the Christian administrator Basileios, who supervised the region of Ishquh, in several letters sent from the office of the governor of Egypt Qurra b. Sharīk in the early Marwanid period; they were edited by Nadia Abbott in 1938 and by Jafir Abu Safiyya in 2004. Basileios was a "pagarch," a regional governor. For this reason, it has been suggested that the deacon Andūna was also a Christian "pagarch." However, the title in itself does not indicate a role in the administration; it seems unlikely that a churchman could work as a pagarch, and by the early Abbasid period all higher administrators nominated by the governor of Egypt were Muslims. More generally, *ṣāḥib* could denote a notable person, a landlord, an "owner," or a merchant. For example, Isḥāq b. Ibrāhīm was also called *ṣāḥib* in some letters from the Fayyum. On early Islamic administrative titles, see Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth Century Egyptian Official* (Oxford: Oxford University Press, 2013).

[44] *P.Ryl.Copt.* 117. This Coptic document is unprovenanced but has been associated with al-Ushmunayn by modern editors. There, the higher administrator Yazīd b. ʿAbd al-Raḥmān issues an order of payment in cash for Seuēros of Bane. Someone called Yazīd b. ʿAbd al-Raḥmān appears again as a witness in a legal surety in Arabic. He signed once with the tribal *niṣba* al-Lakhmī: *P.Chrest.Khoury* I 77. It is possible that this Yazīd b. ʿAbd al-Raḥmān al-Lakhmī was a regional governor at some point in the early Abbasid period. In fact, several members of the al-Lakhmī group served as administrators in Umayyad and early Abbasid Egypt, as well as in Ifrīqiya: see Abū ʿUmar Muḥammad al-Kindī (d. 350/961), *Akhbār wulāt Miṣr; Akhbār quḍāt Miṣr*, ed. Muḥammad Ḥ. Ismāʿīl and Aḥmad F. al-Mazīdī (Dār al-kutub al-ʿilmīya, 2004): W*ulāt*, 77, 90, 98.

[45] See e.g. Alain Delattre, "Checkpoints, sauf-conduits et contrôle de la population en Égypte au début du VIIIe siècle," in *Authority and Control in the Countryside: From Antiquity to Islam in the Mediterranean and Near East (6th–10th Century)*, ed. Alain Delattre, Marie Legendre, and Petra M. Sijpesteijn (Leiden: Brill, 2018), 531–47.

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he might have served repeatedly as a reliable witness, though in different contexts, now for Muslim and now for Christian notables.[46]

While doubts remain about the origin of these documents, I have chosen to connect them because the fact that the same names recur over a span of about forty years, in documents which were acquired in the same modern collections and often related to the Fayyum findings, seems too striking to be a mere coincidence. Thus, we may conjecture that Sawīrus acted as a witness for Sumayya when she received money from her husband, the merchant Isḥāq b. Ibrāhīm; Sumayyā repaid Andūna's debt by covering his tax share for lands he owned or managed in the Fayyum; while Sawīrus' debt with Andūna was repaid through the mediation of a merchant, al-Madīnī, who possibly makes another appearance in the address of a business letter written for Isḥāq b. Ibrāhīm in the mosque of Madinat al-Fayyum (also mentioning the servant Hārūn).[47] Following Sumayya and her acquaintances, we have found a multilingual dossier involving people from different social groups, in which local notables and churchmen appear together because tied to one another by credit. The features of this dossier, combined with the information we gain from monastic documents, give me the opportunity to lay out three considerations regarding the study of documents from the early Islamic period which I hope may advance our understanding of credit and debt as an Islamicate institution.

Credit as an Islamicate Social Institution

We have seen that two characters among Sumayya's acquaintances, Andūna and Sawīrus, are given Christian religious titles. However, they do not appear to lend or borrow money *as* church representatives. For example, Andūna's title is mentioned only in the Coptic part of the bilingual debt acknowledgment, mentioned above; in Arabic, he is a *ṣāḥib*. In fact, those individuals' connection to other members of their social milieu is much more visible than their membership of religious or other collective organizations. In the dossier outlined above, personal connections are expressed through kinship terms and family names; moreover, people are related to one another because they repeatedly signed documents in the presence and on behalf of each other. This personal dimension of credit and debt, which

[46] Some documents in Coptic mentioning this character are *P.Lond.Copt.* 1167, 1168, 1169; *P.Ryl. Copt.* 117, 346. Others might be *CPR* IV 68, 79, 164; *P.Alqab* 106.

[47] *P.David-Weill Louvre* 8 (*P.Marchands* V 1/3).

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is observable in documents from various historical contexts, has sometimes led historians to underplay credit's relation to the law.[48] The debate is relevant also for early Islamic history, a period in which the uncertainty caused by the disappearance of the Roman state is sometimes exaggerated, leaving the existence of local communities and that of Islamic law almost on two different levels of reality. In particular, for the early period, non-Arabic documents and non-Muslim actors are often considered independently of developments in Islamic law. Sumayya's extended dossier as well as monastic documents from early Islamic Egypt underscore the personal and relational dimension of indebtedness. Thus, they can help us better understand how credit developed dynamically as an Islamicate institution together with, rather than in the absence of, Islamic law.

One way to exemplify this point is by looking at the Christian clergy's role in debt-related documents. Based on Greek and Coptic documents from the seventh to the tenth centuries CE/the first to the fourth centuries AH, Arietta Papaconstantinou and Tomasz Markiewicz have pointed out that in loan contracts recorded in Egypt after the Muslim conquest, the church and the monasteries do not appear to have played a significant role as moneylenders. The main juridical and financial body of the monasteries (an office usually called *dikaion*) rarely figures as the creditor in loan acknowledgments. In this sense, compared to documents from the Roman period, after the Muslim conquest the church was not a major creditor. Moreover, Papaconstantinou has shown that early Islamic documents no longer reflect the application of Justinianic laws on credit.[49] Such patterns signal a change compared to the pre-conquest situation. However, they have been read as an effect of the institutional void presumably caused by the Muslim conquests. For example, Papaconstantinou explained those changes in the documents' contents and formulary by noticing that in the early Islamic period credit transactions took place in the absence of central regulating authorities and that ecclesiastical institutions probably found themselves in a condition of increased fragility.[50] This analysis is based on the idea that the Roman state's retreat would have been followed by a prolonged situation of transformation and uncertainty. The question that many scholars

[48] On this debate, see Goldberg, *Trade*, 11–32; Bishara, *Sea of Debt*, 6–14, 58–80.

[49] Papaconstantinou, "Credit," 622–23; "Prosopography," 634; Tomasz Markiewicz, "The Church, Clerics, Monks and Credit in the Papyri," in *Monastic Estates in Late Antique and Early Islamic Egypt: Ostraca, Papyri, and Essays in Memory of Sarah Clackson,* ed. Anne Boud'hors, James Clackson, Catherine Louis and Petra M. Sijpesteijn (New Haven: The American Society of Papyrologists, 2009), 178–204.

[50] Papaconstantinou, "Credit," 615, 624.

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of late antiquity have explored is the extent to which we may prolong the formation of institutions that may be recognizably Islamic amidst the continuation of late-antique traditions. In addition, in the literature we find a general sense that at the beginning of Islamic rule local communities, mostly made of non-Muslim people, were substantially independent or even self-regulating, although also socially fragile and disproportionately burdened by the state.[51] There seems to be a widespread assumption that non-Muslim people would not normally interact with Islamic legal practices, or even that for a long time there was no Islamic law to interact with; consequently, activities including moneylending might end up looking like something that non-Muslim people performed regardless of surrounding Islamic institutions, or perhaps as something that bound Muslim individuals in entirely different ways than it did non-Muslim ones.[52]

There are historical reasons to take into consideration the development of Islamic law from very early on when studying the non-Arabic papyri. Based on documentary sources, we know that it had been possible to resolve debt disputes by appealing to Muslim authorities since the beginning of Islamic rule. Already in the Sufyanid period, not long after the conquest, local judges and secretaries in Fustat were taking care of compiling

[51] As Papaconstantinou has noticed, the fiscal requisitions mentioned in the Greek and Coptic papyri have been "almost universally seen as the sign of Arab oppression of the conquered populations": Arietta Papaconstantinou, "Administering the Early Islamic Empire: Insights from the Papyri," in *Money, Power, and Politics in Early Islamic Syria. A Review of Current Debates*, ed. John Haldon (Burlington: Ashgate, 2010), 57–74, 67. Gladys Frantz-Murphy and Mohamed Saleh have independently argued that over-taxation was the main drive for conversion to Islam in early Islamic Egypt. However, it is more common to find references to the exceptionally vexing character of the Islamic administration being expressed by scholars only in passing; in other words, this has often been assumed, rather than shown, to be the case. Brief references to this idea may be found in the following works, among others: Giovanni Ruffini, *Life in an Egyptian Village in Late Antiquity: Aphrodito between and after the Islamic Conquest* (Cambridge: Cambridge University Press, 2018), 205–207; Shaun O'Sullivan, "Fiscal Evidence from the Nessana Papyri," in *Documents and History of the Early Islamic World*, ed. Alexander Schubert and Petra M. Sijpesteiin (Leiden: Brill, 2014), 50–93, 51; Nikolaos Gonis, "Arabs, Monks, and Taxes: Notes on Documents from Deir el-Bala'izah," *Zeitschrift für Papyrologie und Epigraphik* 148 (2004): 213–24, 213, citing Paul Kahle. This idea connects to another important historiographical concept, according to which the supposedly *de facto* autonomy of non-Muslim communities was to be followed later on by *formally* independent communities: see Uriel Simonsohn, *A Common Justice. The Legal Allegiances of Christians and Jews under Early Islam* (Philadelphia: University of Pennsylvania Press, 2011), 4–10.

[52] Various scholars have questioned whether, at the beginning, Islamic law had any impact outside major cities and garrison towns. In an influential article, Jeremy Johns argued that no recognizable Islamic institution can be identified in the documents before the caliphate of ʿAbd al-Malik: see Johns, "Archaeology." On this debate, see also Wael Hallaq, "The Quest for Origins or Doctrine? Islamic Legal Studies as Colonialist Discourse," *UCLA Journal of Islamic and Near Eastern Law* 2 (2002): 1–32.

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lists of imprisoned debtors and they registered complaints regarding private debts. From the 660s CE/40s AH, Arabic documents recorded private loans under the rubric of people's "right claim" (*dhikr ḥaqq*), a formula which would remain in use in legal documents during later centuries. Some early Islamic debt documents contain references to Islamic jurisdiction (*qaḍāʾ al-muʾminīn*) and perhaps also to an Islamic normative tradition (*sunna*).[53] By the Sufyanid period a petitioning system was already in place to manage private disputes and address complaints against local administrators.[54] The particular rhetoric employed in debt documents from the early decades of Islamic rule contributed to shaping a juridical discourse about legitimate and defendable rights as well as a legal discourse about indebtedness. But even if one insisted that initially this phenomenon interested only major cities like Fustat, while elsewhere a situation of uncertainty prevailed, the argument is unconvincing for later periods, such as under the Marwanids and the Abbasids, from which substantial corpora of non-Arabic papyri have survived.

I suggest that the interplay between everyday credit practices and contemporary institutions is better understood when we consider credit-and-debt as an Islamicate institution in itself, bearing in mind Martin's theorization mentioned above. By providing credit to each other, and by doing so in repeated and regulated ways, people sustained relations of mutual service that could last for decades; we have seen examples of these in the lifetime exchanges involving Sumayya, her family, the two deacons and the merchant al-Madīnī. They also expressed those relationships formally in writing. Instead of existing separately from Islamic law, the documents discussed above show us that the performance of credit by non-Muslim figures interacted with developing Islamic legal documents and norms – a point to which I will go back in more detail below. Even in phases of political transition, like after the Muslim conquest, it is difficult to understand how a credit transaction might be formulated and represented as a valid written contract without the support of co-evolving legal discourses and

[53] Jelle Bruning, "A Legal *Sunna* in *Dhikr Ḥaqq*s from Sufyanid Egypt," *Islamic Law and Society* 22 (2015): 352–74.

[54] See Petra M. Sijpesteijn, "Policing, Punishing, and Prisons in the Early Islamic Egyptian Countryside (640–850 CE)," in *Authority and Control in the Countryside. From Antiquity to Islam in the Mediterranean and Near East (Sixth–Tenth Centuries)*, ed. Alain Delattre, Marie Legendre, and Petra M. Sijpesteijn (Leiden: Brill, 2018), 547–88; Mathieu Tillier, "Dispensing Justice in a Minority Context: The Judicial Administration of Upper Egypt under Muslim Rule in the Early Eighth Century," in *The Late Antique World of Early Islam. Muslims Among Jews and Christians in the East Mediterranean*, ed. Robert Hoyland (Princeton: Princeton University Press, 2013), 133–56.

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infrastructures, which to that contract gave meaning, expectations, and consequences.[55] Moreover, credit intersected with other contractual forms of dependency between individuals, such as kinship, business partnerships, or marriage, many of which were normatively regulated in Islamic law and were being discussed by contemporary Muslim and non-Muslim jurists.

Credit and debt documents on papyrus can help us approach the documents differently. Papaconstantinou and Markiewicz have shown that after the Muslim conquest the monasteries stopped acting as big moneylenders, as mentioned. But their studies also show us that, since the Umayyad period, the ratio of individual creditors bearing religious titles increased. That is, there seem to be more monastic officials lending and borrowing money than there are monasteries overseeing the transaction. Moneylenders identified as clergy are mentioned in 16 percent of the early Islamic papyri analyzed by Papaconstantinou in an article from 2016. In that corpus, the number of religious officials lending money is second only to the number of moneylenders who bear no title other than kinship identifiers.[56] This suggests that, despite a general preference for not displaying professional titles at all (which, incidentally, is typical of the Arabic papyri), the moneylenders or the scribes writing for them might still chose to display a religious title. A second list of documents comes from Markiewicz's study, mentioned above. Here, about 66 percent of the documents in which the moneylender is identified as a churchman are either internally dated or assigned to the early Islamic period.[57] Thus, compared to the Roman period, there seem to be more mentions of churchmen and monks lending and borrowing money.

A first conclusion emerging from these studies is that in early Islamic Egypt there were moneylenders among the Christian clergy. This contradicts a view of the passage from Roman to Islamic rule as defined by social and financial fragility for the non-Muslim population, writ large. Even if a monastery did not often act as the creditor, its individual members might still be able to do so. Moreover, the scribes might choose or not choose to show the moneylender's or the borrower's affiliation to the church or to monasticism. Some churchmen were able to give out cash and move resources through credit. The deacon Andūna serves as an example, as he

[55] See Bishara, *See of Debt,* 9–14.

[56] Papaconstantinou, "Credit," 620.

[57] Markiewicz, "Church, Clerics, Monks," 192–93, 194–97. Almost half of the documents cited by Markiewicz in which the borrower is identified as a monk have been placed by their editors between the seventh and the eighth centuries CE (i.e. they are deemed to postdate the Muslim conquests).

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both received and provided credit; but going beyond Sumayya's circle, there are many loan agreements on papyrus in Greek and Coptic in which the creditor is identified as either a monk, a deacon, a priest, or a monastic headman.[58] At the same time, non-Christian religious figures gave credit, as well. Gladys Frantz-Murphy has suggested the hypothesis that Muslim religious scholars were involved in the Egyptian flax trade as creditors and middlemen (a business in which the merchant Isḥāq b. Ibrāhīm was also involved) and that, moreover, private landholders secretly invested in the textile industry's distribution system by letting religious leaders handle their assets.[59] In addition, Fanny Bessard has written about the religious careers of Muslim merchants in the Abbasid caliphate.[60]

We find accounts of Christian religious leaders borrowing money and demanding payments also in the literary texts. Some of these accounts are narrated in the *Siyar al-bīʿa al-muqaddasa*, a composite and stratified work on the Miaphysite patriarchate of Egypt.[61] The Abbasid sources which were later collected in the *Siyar* tell us stories of bribes in which religious leaders advance money in exchange for favors, such as to sway a legal trial's verdict. In other stories, caliphs and governors make donations and give gifts to Christian religious leaders to repay them for their help, for example, after successfully crushing a revolt. All these may be read as stories about indebtedness: religious and political leaders are represented as tied to each other through financial exchanges, be it in the form of money, material gifts, or the cancellation of debts.[62] In addition, such exchanges are sometimes connected to the clergy's involvement in business. For instance, we read the story of a bishop who was in charge of thirty-five monasteries in the Fayyum; he had received various honors as a form of compensation for

[58] E.g. *SPP* III 190; *P.KRU* 58; *BKU* I 67; *BKU* III 364, 365; *CPR* IV 54, 55. See the tables in Markiewicz, "Church, Clerics, Monks." Other examples are *P.Mon.Apollo* I 34, 37; *O.CRUM ST* 97, 310; *P.Sarga* 166; P. Mich. inv. 6860, 6863; possibly also NYU inv.cairo 95, 110, 213.

[59] Gladys Frantz-Murphy, "A New Interpretation of the Economic History of Medieval Egypt: The Role of the Textile Industry 254–567/868–1171," In *Manifacturing and Labour*, ed. Michael Morony (Aldershot: Ashgate, 2003), 119–42. For another historical context in which religious scholars became involved in credit, see Salzman, *Tocqueville*, 110–18.

[60] Bessard, *Caliphs and Merchants,* 251–60.

[61] On this complex source, see e.g. Perrine Pilette, "L'Histoire du Patriarches d'Alexandrie: Une nouvelle évaluation de la configuration du texte en recensions," *Le Muséon* 132 (2013): 419–50 ; Cecilia Palombo, "Lives of Patriarchs, Lives of Qadis: Reading the Abbasid Sources of the 'History of the Patriarchs' as Islamicate Texts," *Intellectual History of the Islamicate World* (2023, advanced articles): 1–29.

[62] Theories of gift exchange subtend anthropological literature on debt: Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies* (London: Cohen & West, 1954); for a critical overview of those theories, see Karen Sykes, *Arguing with Anthropology: An Introduction to Critical Theories of the Gift* (New York: Routledge, 2005).

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his services, thanks also to his good relations with local merchants.[63] Similar episodes were told also about *qāḍī*s. For instance, the judge ʿAbd Allāh b. ʿAbd al-Raḥmān al-Khawlānī had debts with a group of Jewish notables in Egypt.[64] In the literary sources, Muslim religious leaders seem involved in the same sort of exchanges which Christian writers attributed to church leaders. This is a first indication that the clergy engaged in credit similarly to other actors, including Muslim religious leaders, and that their involvement in credit was not disassociated from the development of Islamic legal or political institutions.

Thus, the contradiction mentioned above – less church, but more religious officials involved in credit, both in the papyri and in the literary sources – invites us to consider different explanations than institutional weakness (of the early Islamic state) and institutional fragility (of the church) to account for changed documentary practices after the Muslim conquests. The most likely explanation is that such changes were related to the development of Islamic legal institutions as well as that of Islamicate social institutions, which were flexibly conjugated depending on the context yet shared across multi-confessional groups.

Even when they mention churchmen or were written by monastic scribes, the extant documents show us that the practice of credit interplayed with Islamic legal principles and norms. In fact, these sometimes peak from behind scribal formulae even in non-Arabic documents about debt. It is tempting to see a correlation between the development of Islamic legal thought regarding credit and the changes we observe in scribal and documentary practices also in documents written in Coptic and Greek in the Umayyad and the Abbasid periods. First, one example comes from the use of witness formulae. Some legal contracts suggest that in the early Islamic period the older Greek-Coptic term *homologia* ("assent") started being used as a semi-equivalent of Islamic statements of witness. We find this symmetry clearly expressed in the two parallel statements of witness by al-Madīnī (Arabic, *shahida*) and the deacon Andūna (Greek, *homologei*) regarding the transfer of Sawīrus' debt, mentioned above.[65] Second, the semi-professionalization of reliable witnesses might be another sign that normative, patterned behaviors were spreading across confessional

[63] See e.g. the stories narrated in *HPE*, 197, 378; *HPSH*, 123–24, 154, 461–62.

[64] al-Kindī, *Quḍāt*, 240. Incidentally, this *qāḍī* belonged to the same tribal group as Maymūn al-Khawlānī, one of the witnesses in Sumayya's dossier, who might be identified as a moneylender (*ṣarrāf*) in the Fayyum; and as Jamīl b. Mūsā al-Khawlānī, who signed as a witness for that same *ṣarrāf* on at least one occasion: *P.Alqab* 33.

[65] Another example is P.Heid.Inv.Kopt 199, published by Lajos Berkes.

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and linguistic boundaries; individuals mentioned in Sumayya's papers, like the churchman Sawīrus, appear also elsewhere and repeatedly as legal witnesses, perhaps signaling a change in the way that witnesses were recruited. Third, one could mention that the very spread of written debt acknowledgments in Coptic occurred over the same period in which Muslim scholars based in Egypt like al-Shāfiʿī and the Ḥanafi al-Ṭaḥāwī discussed the importance of the debt acknowledgment as a document type (*iqrār*) and its legal implications.[66] As the sender of one letter in the dossier of the local administrator Nājid b. Muslim informs us, the governor of Madinat al-Fayyum and his business partners should take care of recording in writing all their loans because the *qāḍī* had demanded so.[67] Such demands might have had an effect also on the proliferation of non-Arabic contracts. Finally, in the papyri we can see a reflection of ongoing discussions among Muslim jurists regarding legal responsibility, namely, the responsibility attributed to individuals as opposed to that attributed to organizations.[68] Those discussions might provide an explanation for the disappearance of the monastery as a major moneylender in Islamic Egypt, one that escapes us when focusing on Justinianic law. Once we take into consideration Islamic law and Islamicate legal practices, the scarce visibility of the monastic *dikaion* in documents from the Islamic period starts making sense. Thus, a plausible explanation for changes such as the scribes' decision to represent the liability of either a juridical office (the *dikaion*, more common in the Roman period) or a physical person (the churchman, more common in the Islamic period) is not the disappearance of regulating institutions but rather the consolidation of different and differently performed institutions in a new political context. By thinking of credit-and-debt as an Islamicate institution, we may understand better the context in which those non-Arabic contracts were produced and situate them in the framework of a juridical culture that did not recognize the legal liability of abstract collectives and, instead, put much emphasis upon personal responsibility.

The creation of debt contracts, thus, was accompanied by a diversified discourse on indebtedness involving both jurists and scribes. As Fanny

[66] On the juristic circles of early Abbasid Egypt, see Ahmed El Shamsy, *The Canonization of Islamic Law: A Social and Intellectual History* (Cambridge: Cambridge University Press, 2013), 91–146.

[67] *P.MuslimState* 26.

[68] See Chafik Chehata, *Théorie générale de l'obligation en droit musulman hanéfite: les sujets de l'obligation* (Paris: Sirey, 1969); Valentino Cattelan, "Property (*Māl*) and Credit Relations in Islamic Law: An Explanation of *Dayn* and the Function of Legal Personality (*Dhimma*)," *Arab Law Quarterly* 27 (2013): 189–202.

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Bessard has argued, since the Umayyad period, "Islamic legal norms came to govern general economic behavior" through the "increasing influence of Islamic workshops, religious institutions, and authority in the regulation and administration of trade, retail, and crafts."[69] This same influence is visible in many documents concerning debts and loans among relatives and acquaintances, including churchmen and monks.

Credit as a Versatile Documentary Practice

We can trace the development of credit as an Islamicate institution also through the documents' language. The exchanges between Sumayya and her acquaintances were recorded in quite different document types. Based on their Arabic formulary, we might classify some of these as "receipts" or "quittances" (pl. *barāʾāt*) and others as "acknowledgments" (pl. *iqrārāt*). The receipt written for Iṣḥāq's attorneys after they paid out Sumayya's share, the one written for Sumayya regarding Andūna's land-taxes, and the one written for Andūna and al-Madīnī, all refer to themselves as *barāʾa*. Instead, the texts detailing Sumayya's and her children's maintenance and the family settlement are referred to as *iqrār*.

However, the separation between these document types is blurrier than modern editions and catalogues might suggest. Local scribes used "quittance" and "acknowledgment" as technical terms for recording receipts, legal statements, and sale contracts alike; they also used them to record the restitution of loans and the cancelation of debts.[70] In Coptic and Greek documents from the Umayyad and the Abbasid periods we find these same concepts being expressed through two older Greek legal terms: "surety" and "agreement" (*asphaleia*, *homologia*). These terms were often employed in debt and loan contracts. The Arabic concept of *barāʾa* was sometimes transferred to Coptic documents via the loanword *para*; while the same idea might be expressed by Greek and Coptic verbs meaning "releasing" or "quitting." This flexibility creates an interplay between pre-Islamic and Islamic legal categories, and between Arabic and Greek-Coptic legal terms.[71]

[69] Bessard, *Caliphs and Merchants*, 198.

[70] Two examples are found in al-Kindī, *Qudāt*, 257; and al-Ṭaḥāwī, Abū Jaʿfar (d. 321/933), *Kitāb al-buyūʿ min kitāb al-shurūṭ al-kabīr*, ed. Jeanette A. Wakin (Albany: State University of New York Press, 1972), 31. See Lahcen Daaïf, "La *barāʾa*: réflexions sur la fonction et l'évolution de la structure de la quittance," *Annales Islamologiques* 48 (2014): 3–60.

[71] See Gladys Frantz-Murphy, "A Comparison of the Arabic and Earlier Egyptian Contract Formularies. Part IV: Quittance Formulas," *Journal of Near Eastern Studies* 47 (1988): 269–80; Geoffrey Khan, "Remarks on the Historical Background and Development of Early Arabic

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Moreover, such lexical overlaps flex the boundaries between documentary types: a tax receipt might be conceived as a debt release, while an acknowledgment might be framed as a surety.

Besides their technical names, there are also other elements that make the documents versatile. In addition to sharing keywords across document types, some of the texts in Sumayya's dossier refer briefly to previous acknowledgments and to older requests, some of which might have not been written down at all. Like Sawīrus' debt with Andūna, the first moment of indebtedness was often situated in different temporalities than that of the document we are able to read, which the witnesses signed only after the debt had been repaid. When a guarantor was asked to mediate, their first assent to do so was placed somewhere, sometime else. We may thus assume that credit services remained mostly unwritten.[72] The same may be said of debts exchanged inside monastic communities. Most probably, only part of the debts contracted at a monastery were written down.

Moreover, the scribes might disguise the terms of agreement about a loan behind other kinds of transactions, making it difficult for us to identify a debt. First, dressing a loan as something else might serve the purpose of hiding interest gains. Arietta Papaconstantinou and Amin Benaissa have independently shown that, just like other moneylenders, monks and churchmen also applied interest on the money they lent or invested.[73] However, excessive interest gains were not allowed either in canon law or in Islamic law; in practice, therefore, the document producers often wrote the interest into the calculation of different rates. For example, an interest gain might be written into an acknowledgment (recording the moment of repayment) by mentioning a higher sum than the one the lender had actually paid out (at the often unrecorded moment of borrowing). Most documents mentioning monks and churchmen as either creditors or debtors in the Umayyad and the Abbasid periods refer to relatively modest loans. When the loan was measured in gold coins, it usually amounts to one, two, or minor fractions of a *dīnār*; the same sums recur also in debts contracted among lay people. As James Shaw has remarked, any mention of unusually

Documentary Formulae," *Asiatische Studien : Zeitschrift der Schweizerischen Asiengesellschaft = Études asiatiques: Revue de la Société Suisse-Asie* 62 (2008): 885–916.

[72] See Peebles, "Anthropology of Credit," 230–32; Messick, *Sharī'a Scripts*, 347-403; Abraham L. Udovitch, "Islamic Law and the Social Context of Exchange in the Medieval Middle East," *History and Anthropology* (1985): 445–65. Udovitch notices that the authors of the Abbasid period insisted that debt agreements be contracted in complete transparency and mutual understanding; however, the documents do not always reflect such norms.

[73] Papaconstantinou, "Credit"; Amin Benaissa, "A Usurious Monk from the Apa Apollo Monastery at Bawit," *Chronique d'Égypte* 85/169–170 (2010): 374–81.

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high sums should ring a warning bell, because they might mean that the interest was included in the repayment without written specification.[74] Second, an uncommonly high sum in debt documents might signal that the loan agreement concealed, in fact, a horizontal relationship between partners rather than a vertical one. Citing the jurist al-Sarakhsī (d. 1090 CE/483 AH), Abraham Udovitch has argued that inflated debts might indicate that the lender and the borrower were in a business agreement.[75] In such cases, somebody's debt was linked to the collection of either advance payments or pre-agreed shared profits. The application of *interest* rates on a loan might thereby overlap with the *profit* shares that two or more individuals had agreed upon as part of a business partnership, a work contract, or a sale.[76] Once again, this blurs the boundaries between document types, inviting us to look for debt relations also outside the most formal debt acknowledgments.

Based on what we know about the use of credit among merchants and business associates, it is possible that some Coptic contracts from the early Islamic period conceal business agreements. One example comes from the bilingual receipt cited above, concerning Sawīrus, Andūna, and al-Madīnī. The high sums, the names, and the titles in the document suggest that the restitution of forty *dīnār*s was part of a business agreement of some sort, and not a simple loan for a simple taxpayer, as the character of Sawīrus has been understood in previous studies. As a non-Muslim subject, Sawīrus might be cast too easily in a narrative of indebtedness due to high taxation. Rather than a tax-payer, Sawīrus looks like an intermediary serving two more affluent partners: a Muslim merchant, Ibn Yasār al-Madīnī, with a prestigious *niṣba* linking him to the sacred city of Medina, who was perhaps a partner of the *ṣāḥib* Isḥāq b. Ibrāhīm in the Fayyum; and a Christian notable, the *ṣāḥib* and deacon Andūna, who held lands in the Fayyum and knew Sumayya bt. Ṣabbāḥ, Isḥāq's wife.[77] This document is a good

[74] James Shaw, "The Informal Economy of Credit in Early Modern Venice," *The Historical Journal* 61 (2018): 632–42. On hidden interest rates, see also Fontaine, *Moral Economy*, 177–203. A few examples of unusually high loans in documents from the early Islamic period are: *P.Ryl. Copt.* 214; *BKU* III 365; *CPR* IV 63; *P.Heid.Arab.*I 10 (involving a priest). As another example, see Markiewicz, "Church, Clerics, Monks," 179.

[75] See Abraham L. Udovitch, *Partnership and Profit in Medieval Islam* (Princeton: Princeton University Press, 1970), 80. See also Godlberg, *Trade,* 113–15.

[76] See Udovitch, *Partnership*, 77–86, 106–10 (Hanafi law), 167–69 (Maliki law); Goldberg, *Trade*, 123–64; Phillip Ackerman-Liebermann, "Contractual Partnership in the Geniza and the Relationship between Islamic Law and Practice," *Journal of the Economic and Social History of the Orient* 54 (2011): 646–76.

[77] The document T-S 18.J2.7, from the Cairo Geniza, is a later example of this same phenomenon. There, we find a Christian deacon carrying gifts for two merchants and

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reminder that the occurrence of churchmen dealing with Muslim notables is not always a measure of the Christian population's social fragility. As the divide between debt acknowledgments and business contracts is sometimes blurry in the documents, due to their language, so was the divide between communities when people from different environments engaged in business transactions.

We find traces of business partnerships – or, at least, of discussions surrounding business – also in more ordinary debt documents on papyrus. Arietta Papaconstantinou has noticed that in Coptic and Greek documents from the early Islamic period the interest rates, when mentioned at all, are generally higher and more varied than they had been under Roman law. However, there are some constants in these varied sums; "when the interest can be calculated, it is generally 1/6 of the loan" (16.66 percent).[78] I think that this recurring pattern might indicate that the sums were not random and that monastic documents might reflect contemporary, ongoing discussions about what constituted legitimate profit according to Islamic legal norms. In fact, one-sixth is a proportion that recurs in accounts and legal opinions written by Muslim authors regarding the calculation of profit shares. In classical works of Islamic law, acceptable profit was often capped at one-sixth or one-eighth of the initial investment in order not to be considered usury. For comparison, in the Ottoman period the authorities would try to limit interest rates to between 15 percent and 20 percent, based on previous legal discussions.[79] There are noticeable overlaps between the discussion on the interest applied on loans and that on the interest resulting from pre-made business agreements. As for the monastic documents from early Islamic Egypt, it seems possible that the circulation of Islamic legal traditions regarding licit profit and usury, combined with the spread of scribal practices connected to the rise of Muslim merchants and entrepreneurs, affected the application of interest rates among non-Muslim

seemingly acting as a middleman. The document is cited in Roxani E. Margariti,"Aṣḥābunā l-tujjār – Our Associates, the Merchants: Non-Jewish Business Partners of the Cairo Geniza's India Traders," in *How Mediterranean Was Goitein's Mediterranean Society?*, ed. Norman Stillman *et al.* (Leiden: Brill, 2014), 47 n.21.

78 Papaconstantinou, "Credit," 615.

79 An average interest rate of 15% recurs in Ottoman court records according to Munther Alsabagh, "Before Banks: Credit, Society, and Law in Sixteenth-Century Palestine and Syria" (PhD Dissertation, UC Santa Barbara, 2018), 107–68; see also Astrid Meier, "Looking for Credit in Eighteenth-Century Damascus: A Case from the Court Records," *DYNTRAN Working Papers* n. 22 (2017). At the same time, the ratio of one-sixth recurs also regarding the division of profit shares: see Udovitch, *Partnership,* 63, 192–93; Safeer Naqvi, *The History of Banking and Islamic Laws* (Karachi: Hayat Academy, 1993), 194.

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scribes in various but not accidental ways. This might help us understand why, instead of writing down interest rates that in the Roman period would have been justifiable under Justinianic law, in the early Abbasid period the scribes were perhaps opting for rates (closer to one-sixth) which would be justifiable in the light of ongoing normative discourses.

In addition to concealing interest gains or profit shares, the scribes might disguise the existence of a loan altogether by describing it as something else, in such a way that confounds different document types. Likewise, a document described by modern editors as a loan contract might be concerned with other kinds of debts. Again, we can find some examples of such ambiguity in monastic documents. Tomasz Markiewicz has noticed that some documents classified as "loan contracts" by modern scholars appear to be concerned with other types of exchanges rather than loans. He cites the example of a Christian deacon who, during a division of inheritance dated to the year 713 CE/94 AH, appears indebted to his sister; and that of a monk who described his unpaid rent as a debt to the monastery (from the Roman period). Markiewicz points out that "loan contract" might be an inappropriate label for either text.[80]

Nonetheless, both situations concerned indebtedness. In the inheritance case from the Marwanid period, it seems well possible that the deacon's sister had been a creditor for her relative. Alternatively, we might explain the deacon's debt by bearing in mind an Islamic legal framework, in which a sister's inheritance share may be paid out only after all debts are cleared. The siblings need not even be aware of such Islamic norms for these to affect the language of legal contracts; in other words, the developing Islamic legal discourse on indebtedness might have influenced scribal practices even when the parties involved were not Muslims and did not directly appeal to Muslim judges. As for Markiewicz's second case, from the Roman period, rent payments can also imply debts. In later examples of the same phenomenon, Arabic contracts about agricultural work on rented lands sometimes allude to the restitution of advance payments. In such cases, the debt was collected together with the rent, allowing for a profit margin. For this reason, some Muslim jurists considered tax-farming to be a type of usury.[81]

[80] *P. Köln* III 153; *CPR* IV 29. See Markiewicz, "Church, Clerics, Monks," 180–81, 198; Esther Garel, "Éditer et rééditer les documents coptes fayoumiques du début de l'époque arabe, progrès et perspectives," in *Le Fayoum. Archéologie, Histoire, Religion*: *Actes du sixième colloque international, Montpellier, 26–28 octobre 2016*, ed. Marie-Pierre Chaufray, Ivan Guermer, Sandra Lippert, and Vincent Rendot (Wiesbaden: Harrassowitz Verlag, 2018), 202.

[81] Khaled Abou El Fadl, "Tax Farming in Islamic Law (*Qibālah* and *Ḍamān* of *Kharāj*): A Search for A Concept," *Islamic Studies* 31 (1992): 7.

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One example of how hidden debts might have been concealed inside rent contracts is found in the so-called *aparchē* contracts (meaning "first-fruits" or "first-crop"). These are a group of Coptic documents from the monastery of Bawit, in the region of al-Ushmunayn. To my knowledge, scholars have always situated them in the early Islamic period, while also invariably taking them out of their Islamicate context. Scholars have suggested that the payment in kind mentioned in these Coptic documents was an additional levy that the monastery of Bawit collected from its members in order to cover its land taxes. However, the formulary of the "first-crop" contracts differs remarkably from that of contemporary fiscal documents and land-tax receipts, including tax documents which were stored at the same monastery.[82] Despite several attempts at fitting them with Roman precedents, the "first crop" contracts differ from local pre-Islamic rent contracts and do not reflect squarely Roman legal norms; this is despite the fact that the documents may *also* reflect the continuation of earlier documentary traditions. In my view, they are likely to date from the early Abbasid period (mid-eighth century CE/second century AH) and should be understood in the light of that historical context. They might be related to the appearance of various forms of sharecropping in the early Abbasid period, which often entailed the use of advance payments.[83] In fact, the "first-crop" contracts from Bawit refer to the monastery's collection of public taxes and rents through an intermediary, often a monk. My hypothesis is that, in this case, the collection of the crop-share was assigned to individual contractors on lands either owned or managed by the monastery. The documents' language suggests that such lands were taxed differently depending on their type, following ongoing juridical discussions concerning lands and taxation (e.g. *baqṭ* lands and other types of taxable property). But these are legal rather than fiscal contracts: they recorded the concession of crop-shares between two parties by using "renunciation" and "release" formulae which are typically found in Arabic contracts.[84] Moreover, they were usually

[82] On these contracts, see Gesa Schenke, "Monastic Control over Agriculture and Farming," in *Authority and Control in the Countryside. From Antiquity to Islam in the Mediterranean and Near East (Sixth–Tenth Centuries)*, ed. Alain Delattre, Marie Legendre, and Petra M. Sijpesteijn (Brill, 2018), 420–32; Joanna Wegner, "The Bawit Monastery of Apa Apollo in the Hermopolite Nome and its Relationship to the 'World Outside,'" *Journal of Juristic Papyrology* 46 (2016): 147–274 (esp. 189–96).

[83] See Abou El Fadl, "Tax Farming;" and Najm al-Din Yousefi, "Confusion and Consent: Land Tax (*Kharāj*) and the Construction of Judicial Authority in the Early Islamic Empire (ca. 12–183 A.H./634–800 C.E.)," *Sociology of Islam* 7 (2019): 93–131.

[84] See the rent contracts edited and studied in Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt, 148–427 A.H./765–1035 A.D.* (Wien: Verlag Brüder Hollinek,

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signed by several witnesses and often included disclaim formulae against future "trials" and "disputes." All these features put the "first-crop" contracts in relation to a variety of early Abbasid documents recording indebtedness: rent contracts, sharecropping contracts, acknowledgments, and receipts.

In the papyri, thus, we see various types of debts and obligations, linking fiscal practices, business partnerships, and legal agreements. Licit profits and private usury are not always easy to set apart. Tax receipts, rent contracts, and salary payments alike might be represented as a written renunciation of a lender and a borrower's mutual claims through the use of "release" and "quittance" formulae. The term *barāʾa* was used for both tax receipts and debt acknowledgments. These grey areas remind us that documents which, based on their technical language, are more easily classifiable as "loan agreements" or "debt acknowledgments" represented only one way of recording credit and only one way of expressing dependency. In fact, based on the association between receipts and quittances in Islamic legal thought and Islamicate documentary practice, we may stretch the boundaries of what constitutes a debt document to also include tax receipts. But many receipts were issued in languages other than Arabic, such as those written by monastic scribes in the Umayyad and the Abbasid periods. As I see it, the Qurʾanic injunction to write down debt contracts might well have been behind the proliferation of written statements directly or indirectly referring to debts in this period, in Arabic as well as in other languages.[85] But the boundaries of debt documents might be stretched even further. Given the importance of brokers in debt trading, why might we not include all letters mentioning intermediary payers and guarantors as part of the documentation about credit, even when those letters do not display the standard formulary of loan agreements? What about those contracts in which somebody's labor was treated as a commodity to repay their debts, as we find, for example, in a legal contract from Umayyad Palestine?[86] Or what about those contracts of child donations made to some monastic centers in the early Abbasid period, which might have worked as securities on the child's family's debts?[87]

2001). These might be compared with: *P.Steuerquittungen* 8, 10, 12, 22, 50–64, published by Werner Diem. See Petra M. Sijpesteijn, "Locating Arabic Papyrology: Fiscal Politics in Medieval Egypt as a Test-Case for Setting Disciplinary Boundaries and Standards," *Bulletin of the American Society of Papyrologists* 51 (2014): 217–28 (esp. 219–20).

85 Q 2:282-83. See Muhammad A. S. Abdel Haleem, "Threefold Debt Security in the Qur'an: *āyat al-dayn*," *Journal of Qur'anic Studies* 19 (2017): 137–42.

86 *P.Nessana* III 56.

87 E.g. *P.KRU* 59, 89, 96, 97, 100; O.Crum. ST 41, 310. See Arietta Papaconstantinou, "Θεία οικονομία: Les actes thébains de donation d'enfants ou la gestion monastique de la pénurie,"

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An all-round discussion of early Islamicate credit may require us to forsake some categories derived from classical philology and avoid rigid document classifications. Moreover, debt-related documents from early Islamic Egypt contribute to show us that it is important to read Arabic and non-Arabic documents together, thus exploring but not assuming patterns of continuity with more ancient precedents.[88] This is well illustrated by documents of monastic provenance from the early Islamic period; their language and formats interplay creatively with those of contemporary Arabic documents. By the Marwanid period, we already find ourselves in a multilingual documentary culture which included many document types in addition to those directly derived from pre-Islamic traditions. At the same time, while pre-existing scribal practices were maintained (e.g. through the work of monastic scribes educated in Greek and Coptic who maintained the use of older technical terms and formulae), the contextual meaning and validity of those formulae were also affected by the surrounding, developing legal culture.

Credit beyond the Taxation of Non-Muslim Subjects

The contracts concerning Sumayya and her acquaintances' debts as well as monastic documents on papyrus have helped me highlight the development of credit-and-debt as an Islamicate institution, one taking shape alongside and in conversation with Islamic law. We have also seen that early Islamicate documents about indebtedness were extremely versatile and not always classifiable as loan contracts. Finally, we can refer to monastic documents in order to highlight the various economic activities surrounding the use of credit in the early Islamic period, in which members of the Christian clergy were also involved.

Historians of medieval and early modern Europe have recently started emphasizing credit's role in shaping economic dependency in daily social interactions.[89] Emily Kadens has made an important contribution in

Travaux et mémoires 14 (2002): 511–26. It seems that in Roman Egypt, under hard circumstances, impoverished families might give up their children as a form of debt insurance: see Roger S. Bagnall, *Late Roman Egypt: Society, Religion, Economy, and Administration* (Aldershot: Ashgate, 2003), 226–27. In this same volume, Robert Hoyland discusses the practice of selling one's own relatives' freedom.

88 See e.g. Gladys Frantz-Murphy, "A Comparison of the Arabic and Earlier Egyptian Contract Formularies. Part II: Terminology in the Arabic Warranty and the Idiom of Clearing/Cleaning," *Journal of Near Eastern Studies* 44 (1985): 99–114; Frantz-Murphy, "Quittance."

89 See Fontaine, *Moral Economy*, 89–121; Emily Kadens, "Pre-Modern Credit Networks and the Limits of Reputation," *Iowa Law Review* 100 (2015): 2429–55.

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stressing that credit extended to many important and reiterated moments of everyday life, such as grocery shopping, paying rent, or going out drinking. As she writes, "extended through various mechanisms, [credit] threaded through the economy from the large purchases of international merchants to the survival purchases of the urban poor."[90] Kadens' observation that the use of credit in long-distance trade was connected to its use in daily purchases seems relevant for understanding the role of credit also in early Islamicate societies, among Muslims and non-Muslims alike. It can help us balance the traditionally strong focus on long-distance trade, on the one hand, and taxation, on the other hand, by paying attention also to other kinds of economic activities.

Paying taxes was indeed one of the main reasons why people asked for loans and why they or their relatives might be imprisoned.[91] The extant documents suggest a strong connection between public taxes and private debts. For instance, fiscal registers written at the monastery of Dayr al-Balaʾiza in the early Abbasid period record together the collection of taxes (for the government) and debts (for the monastery).[92] Such a connection is found both in Arabic and non-Arabic papyri and it concerned both Muslim and non-Muslim taxpayers, both categories risking harsh consequences if unable to pay their debts. As Robert Hoyland reminds us in this volume, people experienced various types of unfreedom. Taxation was one but not the only engine of indebtedness. There were also other sectors in which individuals of various economic means used credit services in order to access and move resources.

First, debts are mentioned in texts concerning petitions, complaints, and trials. The state authorities did cause people to become indebted because of taxes but they became involved in this matter also by intervening in private disputes between creditors and debtors.[93] Second, as already mentioned, credit was an instrument for running regional businesses. We know from Arabic letters on papyrus that merchants routinely extended credit to each other. Some letters include loan requests or debt memos; others mention the intricate steps that allowed merchants and retailers to pay back their associates through intermediary payers.[94] As I have argued, Sawīrus of Fāna acted as an intermediary for his associates, and a business partnership is

[90] Kadens, "Credit Networks," 2431–32.
[91] Sijpesteijn, "Policing."
[92] *P.Bal.* 290–300. On these registers, see Palombo, "Local Government," Ch. 1.
[93] See Sijpesteijn, "Policing."
[94] E.g. *P.Cair.Arab.* 306; *P.Ryl.Arab.* II 267; *P.Marchands* II 33; *P.Marchands* V 1/4, V 1/19; *P.MuslimState* 26. See also *P.Marchands* I 2–10.

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probably what lies behind his debt of forty *dīnar*s, which were transferred to a third partner by the merchant al-Madīnī. In the papyri there are also hints that people could refuse to give loans to their associates.[95] Third, credit was a common strategy for financing agricultural work. As Arietta Papaconstantinou wrote, the practice of borrowing money in the Egyptian countryside "was so pervasive that one could argue that the entire local agricultural system relied on it."[96] The importance of credit in agriculture was one reason why notable women like Sumayya could find a source of financial investment more easily in this sector than in others.[97] Sellers of all kinds were able to give and receive credit in advance of the crop-season. It has been suggested that this form of credit was aimed at covering the costs of production; moreover, it was also used for investing in technology, purchasing new tools, or cultivating previously unsown fields. Such strategies have been observed by scholars researching credit in different historical periods.[98] In time, in Islamic law the practice of advancing payment came to be covered by a specific contract called *salam*.[99]

Because various Egyptian monasteries in the early Islamic period managed cultivable lands, we should expect that they were also involved in providing credit for agricultural work. In fact, this is what papyrologists Joanna Wegner and Alain Delattre have suggested from looking at Coptic and Greek papyri from the monastery of Bawit. Agriculture was a sector into which Bawit's leaders funneled financial resources and from which they made profits.[100] Several contracts refer to the practice of buying agricultural produce in advance. In this way the creditor, either an individual monk or the monastery's leaders through the *dikaion* (its financial office) could acquire resources before these became materially available. Such investments were to be repaid as agricultural produce only at a future crop-season, based on an agreed-upon market price. Some monastic documents record the loan at the moment of investment, before the harvest time, while others record the

[95] One example is the document P.CtYBR.inv. 2655 qua, edited in Younes, "Joy and Sorrow," 209–11.

[96] Papaconstantinou, "Prosopography," 632.

[97] See Papaconstantinou, "Choses de femme;" Fontaine, *Moral Economy*, 122–50.

[98] Fontaine, *Moral Economy*, 37–45, 91–92; Bessard, *Caliphs and Merchants*, 20–23.

[99] See Baber Johansen, "Le contract salam: Droit et formation du capital dans l'Empire abbaside (XIe–XIIIe siècle)," *Annales* 61 (2006): 861–99; Alsabagh, "Before Banks," 124–34; Udovitch, *Partnership*, 72. Valentino Cattelan put this legal instrument explicitly in relation to credit services: "Legal Personality," 198–200.

[100] Wegner, "Bawit Monastery," 238; Alain Delattre, *Papyrus coptes et grecs du monastère d'Apa Apollô de Baouît conservés aux Musées royaux d'Art et d'Histoire de Bruxelles* (Bruxelles: Académie royale de Belgique, 2005), 252.

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debt's repayment at the moment of gain, after the harvest.[101] Some contracts record a loan in money to be repaid in kind, with commodities; conversely, there are also instances of advance sales that would be repaid in cash later on.[102] For example, in a Coptic document from the monastery of Dayr al-Balaʾiza that may be dated to the early Abbasid period, the monastic leaders give a written statement, validated by the *dikaion*, that they are now ready to repay a debt they had contracted with a member of their community. The word chosen for "debt" in this document is Arabic (*pdyn*, from *al-dayn*). The creditor, called ʿAmr, possibly worked in the local administration as a minor functionary, but he might also have had a position inside the monastery. In the document, the leaders of Dayr al-Balaʾiza promise to repay part of their debt to ʿAmr in lentils and honey at an agreed-upon price, depending on future availability.[103]

One way in which people could use credit as a form of financial investment was by involving intermediary buyers or brokers, who would take on the payment on the original investor's behalf. The activity of such agents is visible in documents concerning agricultural work. For example, in a Coptic letter from the early Abbasid period a monastic headman is promised the repayment of 60 units (*artabas*) of corn for an investment that apparently had taken place fourteen years ago; the price was somewhat high, at the market rate of 12 gold coins plus fractions. We are told that the transaction was to be documented through written receipts. Moreover, the money was to be redirected through an agent (*waṣī*) to an artichoke producer, together with new advance purchases.[104] The mention of intermediary agents in documents such as this one tells us that in Abbasid Egypt monastic officials used credit to deal with local farmers and producers by employing the same strategies that lay merchants and retailers would use. We find agents of different types also in Arabic texts regarding business partnerships and work agreements.[105] As mentioned above, Isḥāq b. Ibrāhīm's debt with his

[101] E.g. *BKU* III 364; *P.Bal.* 103.

[102] E.g. *P.Ryl.Copt.* 209; *BKU* III 421.

[103] *P.Bal.* 102. The uncertainty about ʿAmr's position derives from the interpretation of his two Coptic titles. One title is *shaliou,* which in the papyri indicates an intermediary, a carrier, or a minor local official, and which was used both inside and outside the monasteries; the second title is *apa*, which was often given to monks, but might also be found outside the monasteries for notable laymen. See Derda and Wipszycka, "Titre." As a consequence, it is difficult to say whether ʿAmr was a member of the monastic community or not. By the early Abbasid period we do find Arabic-named monks in the documents. Moreover, in all other debt documents from Dayr al-Balaʾiza the creditor seems to be a member of that monastic community.

[104] *P.Ryl.Copt.* 196, 214.

[105] See e.g. Ackerman-Liebermann, "Contractual Partnership," 654–56.

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wife Sumayya was paid back by his two agents. Isḥāq himself was called an agent (*simsār*) in a letter written by another merchant. The deacon Sawīrus b. Fāna was also working as an intermediary, since we see him transporting commodities and forwarding money on other people's behalf, perhaps similarly to Isḥāq's servant Hārūn.[106] In Islamic legal terms, the mediation of a third person in credit transactions is called *ḥawāla*. This and equivalent instruments helped producers, sellers, and business partners to transfer, exchange, and deposit payments.[107] In such business circles, the same person might have the means to act now as a lender, now as a borrower, depending on the circumstances. In this sense, exchanging debts could be a form of investment for various types of businesses, and not only for lay people, but also for those entrepreneurs and middlepersons who had a position in the church, like the *ṣāḥib* Andūna.

In addition, we find the use of agents also for other purposes, such as to facilitate recurring payments. For example, some monastic headmen gave credit indirectly by providing guarantors to local taxpayers. In doing so, they transferred the burden of a person's liability from the tax collector to an intermediary, or a "buffer payer," as Arietta Papaconstantinou has aptly called them.[108] The intervention of an intermediary payer or a guarantor taking over somebody else's debts had the double effect of alleviating them from a temporary situation of distress and prolonging their condition of indebtedness by putting individual borrowers at the mercy of multiple creditors. The risks of depending on the mediation of such guarantors become evident when the writers mention that somebody had been detained or beaten up on account of their debts, as we find in several monastic documents.[109]

Transactions of all these kinds occurred equally among lay people and religious figures.[110] Overall, the documents suggest that, even if some monks had little access to cash and were forced to depend on a protector's guarantee, this condition is not generalizable to the church, the monastic world, or the Christian population, writ large, in the early Islamic period. Some churchmen belonged to regional elite groups and were able to exchange

[106] *P.Ryl.Copt.* 117.
[107] See Udovitch, *Partnership*, 77–86.
[108] Papaconstantinou, "Credit," 626.
[109] E.g. *P.Clackson.Bawit* 3, 5, 6, 9; *P.Mon.Apollo* 32.
[110] E.g. *P.YaleCopt.* 18; *P.Mon.Apollo* 35, 42. Other examples involving monastic officials are *P.Bal.* 102, 103, 293; *P.Ryl.Copt.* 196, 202, 203, 205, 216. On the contacts between monasteries and laypeople in Egypt, see Joanna Wegner, "Monastic Communities in Context: Social and Economic Interrelations of Monastic Institutions and Laymen in Middle Egypt (6th–8th centuries)" (PhD Dissertation: Warsaw University, 2017).

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services with local businesspersons. While we may assume that some loans were purely personal, providing credit could serve different goals, including that of manipulating market prices, or that of manipulating one's associates or relatives.[111] People living in Umayyad and Abbasid Egypt moved cash in the form of loans as a form of investment and to generate profits, and this was a resource which non-Muslim religious figures could also tap into.

Conclusion

In this chapter, I have suggested considering credit-and-debt as an Islamicate institution in which both Muslim and non-Muslim individuals engaged and to which they gave contents. They did so by lending and borrowing money, writing down debt documents, signing contracts, investing in various economic activities, and exchanging favors. A rapidly developing Islamic legal framework and discourses about indebtedness surround the performance of credit even in written documents that are not classifiable as Islamic legal texts, and even when the people involved are not recognizable as Muslims. This was not to claim the supremacy of Islamic law over other fields but, on the contrary, to suggest that practices and discourses of Islamic law cannot be isolated from the reality of early Islamicate societies, and vice-versa. In this chapter, the presence of churchmen and monastic figures in documents related to indebtedness was used to exemplify the interlace of social norms, legal discourses, and scribal practices across confessional and linguistic divides in an early Islamicate society.

Moreover, I have stressed that in the early Islamic period the presence of churchmen and monks in the credit business was not limited to the problem of paying taxes. This is a simple but important point to stress, given the weight that scholarship has traditionally given to taxation when discussing the condition of non-Muslim subjects after the conquests. While some became involved in moneylending because of the tax collection, the scope of credit extended beyond the needs brought about by taxation; as mentioned, credit was also related to business partnerships, agricultural work, financial investments, and personal favors, and other spheres. In addition, even if we do find churchmen like the deacon Andūna among the local wealthy, in the early Islamic period their role as moneylenders seems to have become secondary to other groups who in the same period were able to provide credit, most notably women entrepreneurs, as Arietta Papaconstinou and

[111] See Sijpesteijn, *Shaping*, 177.

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others have pointed out, and as the case of Sumayya also suggests. We can recognize Christian religious figures when they do figure as moneylenders because their connection to the church is often mentioned by the scribes through religious and monastic titles. However, their religious identity does not appear to be dominant over other aspects that were constitutive of those individuals' economic life and social relations. Focusing on religious figures seems therefore to be a good starting point for investigating further relations of dependency that lay outside and across traditional definitions of communities.

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3 'Return to God and the Brotherhood of Good and Excellent People': Bringing the Prodigal Son Back Home in Ayyubid Egypt

ODED ZINGER

Manṣūr b. Sālim was at his wit's end. Sometime around the first half of the thirteenth century, at a time of a 'great calamity', his son Abū Najm left Alexandria and joined the Ayyubid Army, probably in the role of a supplier or a clerk.[1] Doing so, Abū Najm abandoned his two parents, left his shop in the market unattended and overall behaved in a way unbecoming for a young middle-class Jewish man. We hear about Abū Najm's escapade from at least six letters written by Manṣūr that ended up in the Cairo Geniza, an enormous trove of manuscripts discovered at the Ben Ezra Synagogue at Fustat.[2] Three of the letters are addressed to Jewish notables asking for their help in locating Abū Najm and bringing him back home, and the other three letters address Abū Najm directly.[3] In his desperation to bring his prodigal son back home, Manṣūr uses all the means at his disposal to pressure, cajole and convince him. Thus, an analysis of the letters conveniently lays out the ties that bound a young Jewish man to his family and

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1 The 'great calamity' probably refers to one of the disasters that struck Egypt in the first half of the thirteenth century, on which see Elisha Russ-Fishbane, 'Earthquake, Famine and Plague in Early Thirteenth-Century Egypt: Muslim and Jewish Sources', in *Muslim–Jewish Relations in the Middle Islamic Period: Jews in the Ayyubid and Mamluk Sultanates (1171–1517)*, ed. Stephan Conermann (Gōttingen: Bonn University Press, 2017), 145–75. For the prominence of Jews in the Bureau of the Army (*dīwān al-jaysh*) a couple of decades earlier, see Luke Yarbrough, *Friends of the Emir: Non-Muslim State Officials in Premodern Islamic Thought* (Cambridge: Cambridge University Press, 2019), 38 and 208. While Abū Najm probably functioned as a supplier or a clerk, at a later date there were some mamluks of Jewish origin; see Koby Yosef, 'Mamluks of Jewish Origin in the Mamluk Sultanate', *Mamlūk Studies Review* XXII (2019): 49–95. I would like to thank Daniella Talmon-Heller for this last reference.

2 On the Cairo Geniza and its study, see Adina Hoffman and Peter Cole, *Sacred Trash: The Lost and Found World of the Cairo Geniza* (New York: Schocken, 2011).

3 It is possible that T-S 13J28.17 is a continuation of T-S 12.415, and thus we are dealing with only two direct letters to Abū Najm.

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community.[4] All of Manṣūr's letters are unpublished, and this is their first systematic study.[5]

In the cosmopolitan medieval Islamic world, where objects, people and ideas crossed political and religious borders with relative ease, the absence of men from their families was ubiquitous. This was especially true for the Jewish communities of Egypt for whom long distance trade in the Mediterranean and Indian Ocean served as their economic mainstay. While scholarship often examined men's absenteeism in the context of married life and the wives who were left behind, the documents of the Cairo Geniza offer a rich body of evidence for its effect on parents, siblings and children as well.[6] As there is no mention of Abū Najm's wife in Manṣūr's letters, it is clear that Abū Najam was a young and yet unmarried man. This means that his father's letters can be read as reflecting the normative expectation that he would transform from reckless young man to responsible adult.[7] Neither

[4] See Edmund Hayes and Petra Sijpesteijn, 'Introduction: The Ties that Bound the Societies of the Islamic Empire', in this volume.

[5] A full edition of the letters can be found in Alan Elbaum and Oded Zinger, 'How to Write a Desperate Letter: Structure versus Spontaneity in Six Letters from an Abandoned Father in Ayyubid Alexandria', *Chronique d'Egypte* 97 (2022): 247–92. I would like to thank Alan Elbaum for the permission to use the translations from that publication in this one. Some of Manṣūr's letters received a passing reference in previous studies. By far the most important ones are those found in Shelomo D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 6 vols. (Berkeley: University of California Press, 1967–1988). In successive volumes, Goitein gradually identified four of Manṣūr's letters. In 1:274 and 468 note 4, Goitein identified the connection between T-S 10J13.10 and T-S 10J14.12. In 2:379 and 610 note 27, he added T-S Ar. 18(1).137. In 4:241 and 438 note 119 he added T-S 12.415. I have identified T-S 13J28.17 and ENA NS I.2 as also belonging to this dossier. For further bibliography on these documents, see the Friedberg Geniza Project in https://fjms.genizah.org/. The identification that all these documents belong to the same dossier is based on their content, Manṣūr's distinct handwriting and on several distinctive linguistic features common in the letters. In his notes on T-S 13J28.17, Goitein suggests that it might have been written in the same hand as the letters later grouped as India Book VI, 41–44. However, an examination of these documents and the clear indications that this letter was written by Manṣūr b. Sālim overrule this suggestion. In the metadata on some of Manṣūr's letters in the Cambridge University Digital Library website, Manṣūr is identified as judge Elijah b. Zechariah's stepbrother. While the brother of Elijah's wife was called Abū Manṣūr (see T-S 8J41.8), I see no reason to identify him with Manṣūr b. Sālim. There are several Manṣūrs mentioned in Elijah's correspondence (Abū Manṣūr b. Baqāʾ is mentioned in T-S 20.138; Abū Manṣūr Kohen wrote T-S 12.277, T-S 16.303 and T-S 10J18.7), but none can be identified at present as our Manṣūr b. Sālim with certainty.

[6] For long distance marriages in Geniza documents, see Goitein, *A Mediterranean Society*, 3: 189–205; Mordechai Akiva Friedman, 'Women and the India Trade' (Hebrew). In *From Sages to Savants: Studies Presented to Avraham Grossman*, eds. Joseph R. Hacker, Yosef Kaplan, and B. Z. Kedar (Jerusalem: Zalman Shazar, 2010), 157–85.

[7] Indeed, this is how T-S 10J13.10 and T-S 10J14.12 are mentioned in Miriam Frenkel, 'Adolescence in Jewish Medieval Society under Islam', *Continuity and Change* 16, no. 2 (2001): 280 note 40. A classical text of a father disappointed with his son is Judah Ibn Tibbon's ethical will,

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masculinity nor patriarchy are limited to relationships between men and women, but also involve relationships between men. Therefore, Manṣūr's chastisements of his son reflect what was expected of a young Jewish man and reveal some of the central characteristics of the different conceptions and practices of masculinity prevalent among the Jewish middle class of Ayyubid Egypt and the tensions between these masculinities.[8]

In a recent landmark contribution, Eve Krakowski has called for a reorientation in the study of kinship ties among Jews of medieval Egypt away from viewing them as given stable structures to examining them as dynamic relationships that 'needed tending to bear social meanings'.[9] As made abundantly clear in Geniza documents, Jewish fathers in medieval Egypt were not *pater familias* exercising *patria potestas* over members of an extended family, including grown up sons.[10] Instead, in letters to their sons fathers resorted to 'soft' means of persuasion, mixing religious exhortation, social shaming, emotional blackmail, appeal to filial duty, rational argument and economic incentives. This rich array of arguments and manipulations can be likened to a spider spinning threads in various directions in the hope that one or more will stick and bind the target. Below I examine the web spun by Manṣūr in his letters, beginning with the more outward social

studied at length recently (though not from this angle) by Sarah J. Pearce, *The Andalusi Literary and Intellectual Tradition: The Role of Arabic in Judah ibn Tibbon's Ethical Will* (Bloomington: Indiana University Press, 2017). On the transformation of boys to men, see Ruth Mazo Karras, *From Boys to Men: Formations of Masculinity in Late Medieval Europe* (Philadelphia: University of Pennsylvania Press, 2002).

8 On masculinities in the plural, see Raewyn W. Connell, *Masculinities*, 2nd edition (Berkeley: University of California Press, 2015).

9 Eve Krakowski, *Coming of Age in Medieval Egypt: Female Adolescence, Jewish Law and Ordinary Culture* (Princeton: Princeton University Press, 2018), 56–67, quotation from p. 58. See also the argument that language not only describes relationships but it can perform and shape them, in Hayes and Sijpesteijn, 'The Ties that Bound.'

10 For the ties of parents and children, see Goitein, *A Mediterranean Society*, 3:223–50 (for examples of fathers' disappointment with their sons, see especially pp. 245–47) and Shelomo D. Goitein, 'Parents and Children: A Geniza Study on the Material Jewish Family', *Gratz College Annual of Jewish Studies* 4 (1975): 47–68. The limited nature of parental coercion is demonstrated in a remarkable report of how a Jewish father beat his son with his shoes in the middle of the marketplace. In response, the son seems to have proclaimed Islam, an act the son later tried to retract before a Muslim judge; T-S 12.305, lines 19–25, translated in Moshe Yagur, 'Several Documents from the Cairo Geniza Concerning Conversion to Islam', in *Conversion to Islam in the Premodern Age*, eds. Nimrod Hurvitz, Christian C. Sahner, Uriel Simonsohn and Luke Yarbrough (Oakland: University of California Press, 2020), 229-30. That fathers did not hold *patria potestas* over members of their family is not unique to the Geniza and can be found in the study that inspired the title of the conference in which this paper was first presented, Barbara A. Hanawalt, *The Ties that Bound: Peasant Families in Medieval England* (Oxford: Oxford University Press, 1986), 10: 'Paterfamilias did not hold the sway over his family that he did in nineteenth-century England.'

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threads and moving to more personal exhortations based on religion and masculinity. In this way, Manṣūr's letters offer a case study for approaching social ties and cultural expectations as dynamic and ongoing work performed by specific agents. Rather than getting an image of how the family should be according to medieval thinkers, we get a sense of families as a dynamic negotiation: integrated to social networks, brimming with economic considerations and constantly shifting according to new circumstances, needs and conflicts.

The most obvious and tangible means Manṣūr employs to bring his son back home are the letters he wrote. Manṣūr was not certain about his son's whereabouts. At one point, his son was in Damietta, probably intending to travel to Palestine-Syria, and Manṣūr claims to have sent him twenty letters there. Then, Abū Najm went up the Nile to Fustat, and Manṣūr writes that he has sent an additional twenty letters there.[11] He also heard that his son is planning to travel all the way to Qūṣ in Upper Egypt, an important station on the dangerous journey to Yemen and the Indian Ocean, an idea that terrified Manṣūr.[12] The letters to notables also refer to previous missives that have gone unanswered. So even if Manṣūr was exaggerating the number of letters he had written, the six identified letters in his hand are merely a fraction of a much larger correspondence.[13] The letters we have are those sent to Fustat (where they ended up in its Geniza), which was still the centre of Jewish life in Ayyubid Egypt, and where there were Jews who kept in contact with Abū Najm and apparently knew his whereabouts.

[11] T-S Ar. 18(1).137, lines 8–10. The possibility that the son is in Bilbays, an important town on the way to Palestine, is mentioned in T-S 10J13.10. line 17. Sanhūr, a town in the Fayyūm, is mentioned in ENA NS I.2 line 22, but the context is unclear.

[12] T-S 10J14.12, lines 8–11: 'I heard that he mentioned travelling to Qūṣ, and the lord knows the difficulty of travelling to Qūṣ even when times are good, so how much the worse in these times of hardship.'

[13] Establishing a chronology between the letters is difficult. To take the three letters to notables as an example: T-S 10J13.10 seems earlier than T-S 10J14.12 because, in the former, Manṣūr reports that his son joined the army and mentions Syria and Fustat, while in the latter a trip to the more remote Qūṣ is mentioned and joining the army is only for 'a while' (T-S 10J14.12 line 6). ENA NS I.2 seems to be from the same time as T-S 10J13.10 as both mention that Abū al-Ḥajjāj wrote letters to Abū Najm, was frustrated at Abū Najm's reply and swore not to write to him again, but nevertheless sent another letter once the health of Abu Najm's mother deteriorated. (In fact, ENA NS I.2 reports that this later letter was sent with it – suggesting it might even precede T-S 10J13.10.) At the same time, ENA NS I.2 mentions Abū Najm's plans to travel both to Syria and Qus, like in T-S 10J14.12, thus breaking down our attempt at a neat chronology. Among the letters addressed to Manṣūr, T-S 12.415 appears to be earlier than T-S Ar. 18(1).137 as it deals more extensively with Abū Najm's act of leaving and one feels that his father's anger is fresher (see T-S 12.415, lines 3–9).

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Through Manṣūr's letters, it is possible to trace, at least partially, the network of connections with which Manṣūr tried to bring his son back home (see Fig. 3.1).[14] While some of the names and titles cannot be identified, others are people known from other Geniza documents. By far the most important figure is 'Abū al-Faraj son of the Rayyis from Alexandria' to whom one of Manṣūr's letters is addressed. This man was more commonly known as Elijah ben Zechariah, who served as the main Jewish judge in Fustat in the first half of the thirteenth century.[15] The two other notables who were the recipients of Manṣūr's letters are not named directly and remain unidentified (they appear as '*al-talmīd*' and '*al-shaykh al-ajall*' in Fig. 3.1). From the other personalities mentioned in the letters, the most well-attested one in the Geniza is Abū al-Ḥasan b. Abū al-Makārim of the Ibn Nufayʿ family. Abū al-Ḥasan's grandfather was a prominent India trader in the middle of the twelfth century and his father, known as *al-Nadiv* ('the generous'), appears often in documents of the Jewish pious foundations.[16] Mentioned in several of the letters as playing a role in the attempt to bring Abū Najm back, Abū al-Ḥajjāj b. Abū al-Faraj was the son of a physician and is mentioned in another Geniza letter also as willing to assist a wife travel to her husband.[17] Ibrāhīm b. Hārūn is mentioned only in one of Manṣūr's letters to Abū Najm, from which we may infer he was Abū Najm's paternal

[14] On the importance of social networks for the Jewish elite, see Miriam Frenkel, *'The Compassionate and Benevolent': Jewish Ruling Elites in the Medieval Islamicate World* (Berlin: de Gruyter, 2021), 279–310. See also Jessica L. Goldberg, *Trade and Institutions in the Medieval Mediterranean: The Geniza Merchants and Their Business World* (Cambridge: Cambridge University Press, 2012), 123–43.

[15] On him, see Aryeh Leo Motzkin, 'Elijah ben Zechariah: A Member of Abraham Maimuni's Court: A Geniza Portrait', *Revue des études juives* 128 (1969): 339–48, which is based on Aryeh Leo Motzkin, 'The Arabic Correspondence of Judge Elijah and his Family (Papers from the Cairo Geniza): A Chapter in the Social History of Thirteenth Century Egypt' (PhD Dissertation, University of Pennsylvania, 1965). See also Goitein, *A Mediterranean Society*, 2:515 (no. 29) and 6:33 (index). The last dated document which he signed is from Alexandria, 1241, see T-S 12.620 unpublished.

[16] Abū al-Ḥasan's grandfather is Abū ʿImrān Mūsā b. Ṣedaqa Ibn Nufayʿ; on him, see Shelomo D. Goitein and Mordechai Akiva Friedman, *India Traders of the Middle Ages: Documents from the Cairo Geniza* (Leiden: Brill, 2008), 860 (index). On his father, see Moshe Gil, *Documents of the Jewish Pious Foundations from the Cairo Geniza* (Leiden: Brill, 1976), 574 and 577 (both index). On 'our' Abū al-Ḥasan, see Shelomo D. Goitein, *Palestinian Jewry in Early Islamic and Crusader Times in Light of the Geniza Documents* (Hebrew) (Jerusalem: Ben Zvi, 1980), 326 note 26.

[17] T-S 13J28.19 verso line 20. On this letter, see Mordechai Akiva Friedman, *Jewish Polygyny in the Middle Ages* (Heb.) (Tel Aviv: Bialik Institute, 1986), 217–18. Abū al-Ḥajjāj's father, Abū al-Faraj the physician, appears in T-S 13J13.25 (unpublished) from the times of Maimonides. An Abū al-Faraj the physician also appears in T-S 13J20.27 and CUL Or. 1080J138, but both seem to be too early in the twelfth century to be relevant to our letter.

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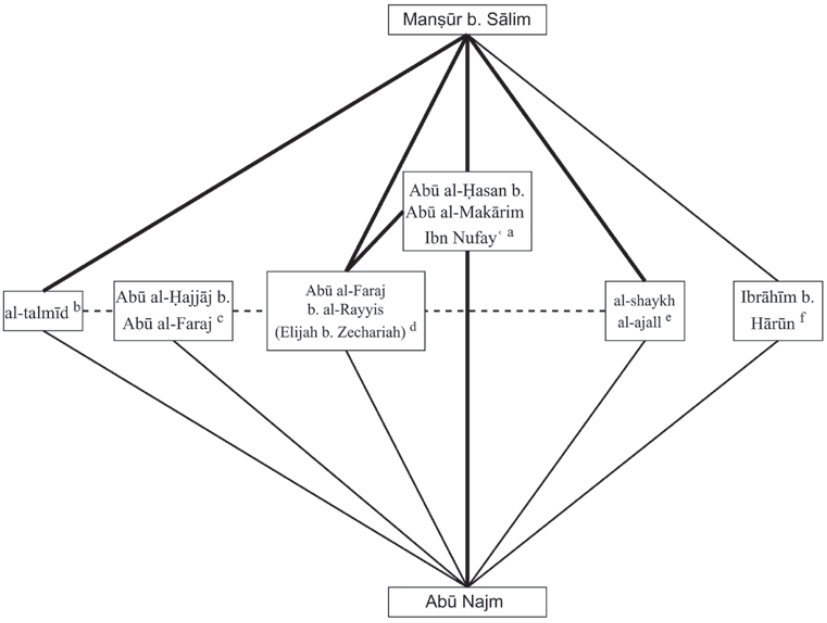

Figure 3.1 Manṣūr b. Sālim's network.
A thick line represents a letter which survived in the Geniza. A thin line represents a letter or conversation reported in one of Manṣūr's letters. A dotted line represents information disclosed in Manṣūr's letters (e.g. Manṣūr mentions the actions of Abū al-Ḥajjāj in his letters to Elijah b. Zecharia and *al-talmīd*.
a – Mentioned in T-S Ar. 18(1).137 and T-S 10J13.10.
b – The recipient of ENA NS I.2.
c – Mentioned in ENA NS I.2 and T-S 10J13.10. The fact that Abū al-Ḥajjāj is mentioned in these letters but not in T-S 10J14.12, and that T-S 10J14.12 line 33 mentions Elijah the judge, makes it possible that Abū al-Ḥajjāj is *al-shaykh al-ajall*, the addressee of T-S 10J14.12.
d – The recipient of T-S 10J13.10, mentioned in T-S 12.415, T-S 10J14.12.
e – The recipient of T-S 10J14.12. As explained in 'c', it is possible that he was Abū al-Ḥajjāj b. Abū al-Faraj.
f – Mentioned in T-S Ar. 18(1).137. Probably Abū Najm's paternal cousin.

cousin.[18] From other Geniza documents, however, we find that he was also a business partner of Elijah the judge and was involved with communal matters.[19]

[18] T-S Ar. 18(1).137 recto lines 10–11: 'No letter from you has reached us except for the letter that was with your cousin' and verso lines 1–3: 'Ibrāhīm b. Hārūn did not give me any further letters or news.'

[19] Commercial ties, see CUL Or. 1080 J129, ed. Motzkin, 'The Arabic Correspondence', 1:149–51 (translation) and 2:23–5 (transcription). Ibrāhīm's involvement in communal matters is particularly interesting. In a letter to Elijah the judge, written perhaps by judge Abraham ha-Kohen, Elijah is told about a certain Joseph who took off and abandoned his family; see DK 231.1, transcribed in Motzkin, 'The Arabic Correspondence', 2:1–4. Later in the letter the matter of some female captives (Hebrew *shevuyot*) is mentioned. Moztkin connected the

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Were we to have more of Manṣūr's letters, it is likely that the resulting network would have been wider and more complex. However, even with the limited information available, it is possible to make a few observations. First, bringing Abū Najm back home was neither a private affair nor a surgical operation. Manṣūr cast a wide net and sought to involve a prominent Jewish judge, several notables and at least one relative. Rather than focus his persuasion on his son, Manṣūr thought it would be more effective to secure the intercession of individuals common to both their networks.[20] Second, the network was coordinated. Manṣūr reports on the actions undertaken by some of its members to others and occasionally asks them to communicate with each other. For example, in the letter to *al-shaykh al-ajall*, Manṣūr writes: 'I have sent to the elder Abū al-Faraj the son of the Rayyis (i.e. Elijah the judge) a letter on this matter. May the decision of the two venerable lords (i.e. the recipient and Elijah) be shared in helping (us)'.[21] Finally, the fact that Manṣūr could utilize a network based on personal relationships with the main Jewish judge in Fustat and other notables indicates that Manṣūr belonged to the Jewish middle class, a class that was undergoing economic decline during the twelfth and especially the thirteenth century.[22]

The letters Manṣūr wrote to Elijah the judge and the other two notables show clear similarities in terms of structure and content.[23] Manṣūr claims that Abū Najm left without his knowledge or permission. His leaving greatly disturbed his mother and caused her to fall ill. He asks the addressees to find out information about his son and to stop him from going to any

captives with Joseph and claimed that his daughters were imprisoned by the tax collectors (and thus Joseph cannot be our Abū Najm, who appears to have been unmarried). However, in other documents from the period, '*shevuyot*' are clearly captives taken by force abroad; see T-S 20.138 line 30 where *shevuyot* are mentioned in the context of ships from Acre. Thus, there is no compelling reason to connect Joseph and the female captives, and it is possible that Joseph from DK 231.1 is our Abū Najm (though, of course, there was no lack of Jews who ran away from their families in this period and both Elijah the judge and Abraham/Ibrāhīm b. Hārūn could have been involved in bringing back two different runaway Jews.

20 On the use of intercession in getting things done, see Petra M. Sijpesteijn, 'Aloneness as Connector in Arabic Papyrus Letters of Request', in this volume.

21 T-S 10J14.12, recto line 33–verso line 1. See also the reports on Abū al-Ḥajjāj's actions in T-S 10J13.10 recto line 30–verso line 5 and ENA NS I.2 recto lines 21–27.

22 Menahem Ben-Sasson and Oded Zinger, 'The Maghrib and Egypt', in *The Cambridge History of Judaism, volume 5: Jews in the Medieval Islamic World*, ed. Phillip I. Lieberman (Cambridge: Cambridge University Press, 2021), 156 and 160. See also Esther-Miriam Wagner, 'The Weakening of the Bourgeoisie: Social Changes Mirrored in the Language of the Genizah Letters.' In *'From a Sacred Source': Genizah Studies in Honour of Professor Stefan C. Reif* (Leiden, The Netherlands: Brill, 2011), 343–55.

23 This is examined in detail in Elbaum and Zinger, 'How to Write a Desperate Letter.'

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further destination. He asks them to convince him to come back and assist him to do so. These themes can be seen in the letter to Elijah the judge:

> I inform the venerable elder … that I sent to your excellency several letters concerning my son's departure, for he travelled to the army without my knowledge, and this was a grievous betrayal. I do not know whether he went up to Fustat or to Syria. We are in terrible distress, and because of him, his mother has fallen gravely ill.
>
> I request of your beneficence to uncover his news according to your lofty care. If he is in Fustat, rein him in until you obtain the merchandise[24] that is with him, if indeed anything remains with him.[25] Tell him, 'I will take it upon myself to purchase whatever you want.'[26] Please partner him with one of the Jews traveling to Alexandria. Do not let him go anywhere else under any circumstances. Strive your utmost with him.[27] And if he is in Bilbays or some other place, kindly hire a person (i.e. a messenger or escort) with what the lord sees fit in accordance with his beneficence and favor, and frighten him from traveling to any other place and from selling at a loss.[28]

Abū Najm was conducting business along the way, and young men were suspected of lacking the necessary commercial acumen.[29] While Manṣūr wanted his son back, he also did not want to suffer too great financial losses. Probably trying to counter an excuse along the lines of 'I cannot come back because I am in the middle of a lucrative transaction', Manṣūr asks the recipients to take care of his son's business dealings and thus free him to return home.

Manṣūr asks his correspondents to strive their outmost for his son, but with the same breath warns them that the young man cannot be trusted. In

[24] Merchandise: *shuway*. 'Money' or 'a thing' is also possible, see Mordechai Akiva Friedman, *Dictionary of Medieval Judeo-Arabic: In the India Book Letters from the Geniza and in Other Texts* (Hebrew) (Jerusalem: Ben Zvi Institute, 2016), 890.

[25] In T-S 10J14.12, lines 12–15: 'I request of your beneficence and your lofty care to rein him in, to chastise him, and to dissuade him from this bad decision (of travelling to Qūṣ). Let him come, because his travel, all of it, was without my permission.' Compare also with ENA NS I.2, lines 3–8.

[26] In T-S 10J14.12, lines 21–24: 'Please, if you can, buy him something small with the merchandise he has and send it to him with one of your acquaintances, if something remained with him.' In ENA NS I.2, lines 11–12: 'take the merchandise that is with him and te[ll him]: "I will buy for you what you need."'

[27] *al-majhūd>al-mashhūd*, as suggested to me by Alan Elbaum.

[28] T-S 10J13.10, lines 3–20. In the last sentence, instead of *waks* (selling at a loss) it is possible to read *wakham* (ill health). In the notes above I pointed out only a few of the parallels with ENA NS I.2 and T-S 10J14.12.

[29] See the father's litany over his son's commercial failures in Shelomo D. Goitein, 'The Tribulations of an Overseer of the Sultan's Ships: A Letter from the Cairo Geniza (Written in Alexandria in 1131)', in *Arabic and Islamic Studies in Honor of Hamilton A. R. Gibb*, ed. George Makdisi (Leiden: Brill, 1965), 270–84.

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the letter to *al-shaykh al-ajall*, Manṣūr writes: 'Do not accept promissory notes from him, lest he baffle you with promissory notes. Indeed, his character is so wicked I cannot even describe it.'[30] The worry was that Abū Najm would ask the addressee for a loan and give him in return promissory notes he had no intention to honour.[31] After admitting to Elijah the judge that his son's character is difficult, Manṣūr also reports that:

> Abū al-Ḥajjāj sent him a letter with a special messenger for twenty dirhams[32] and included in it all that he knew about (Abū Najm's) obstinacy and wickedness. The messenger reached him, but he refused to come back. This was very difficult for him (i.e. Abu al-Ḥajjāj), and he intended to vow that he would not write to him (again). But when his (i.e. Abū Najm's) mother contracted the illness, the one from which she still suffers, he wrote to him again several letters, but not a single one of them has been answered.[33]

The way Manṣūr asks his acquaintances to help Abū Najm to return to Alexandria while castigating his son's character and behaviour may appear at first blush surprising. Why ought they to help an unruly ingrate? However, Manṣūr was asking for their involvement based on their relationship with him, not based on any responsibility they had for his son.[34] While Manṣūr's letters contain some expressions familiar from Geniza petitions and associated with client–patron relationships, Manṣūr's direct instructions to his addressees make it clear that he is writing to people more-or-less of the same social rank as his own with whom he has ongoing relationships.[35] Asking for their help, Manṣūr employs some expressions from the language of patronage but in fact offers relatively few justifications for why they ought

[30] T-S 10J14.12, lines 26–28. The last three words, מא נערף נצפה, can also be translated as 'we/I do not know the half of it', or 'I am informing (you) of only half of it.'

[31] This practice is reported also in the complaints of the overseer of the sultan's ships about his own prodigal son, see T-S 24.78 recto line 47, beginning and end of recto margins, ed. Goitein, 'The Tribulations.'

[32] Geniza documents contain references to various forms of mail services: the governmental *barīd*, the regular *fayj*, special messengers (*rasūl*, Heb. *shaliʾaḥ*) and letters given to acquaintances to deliver. Here the reference is to a special messenger (*rasūl*) who was given what was at least ten times the rate of a regular *fayj*; see Goitein, *Med. Soc.* 1:287–88. By mentioning the price, Manṣūr is conveying Abū al-Hajjāj's dedication and investment in the matter and thus the slap in the face caused by his son's subsequent behaviour.

[33] T-S 10J13.10, recto line 30–verso line 6. A similar passage is found in ENA NS I.2, lines 21–27.

[34] Similar dynamics are found in the letter published in Goitein, 'The Tribulations.'

[35] Here I draw on Jessica L. Goldberg, 'Friendship and Hierarchy: Rhetorical Stances in Geniza Mercantile Letters.' In *Jews, Christians and Muslims in Medieval and Early Modern Times: A Festschrift in Honor of Mark R. Cohen*, ed. Arnold E. Franklin *et al.* (Leiden: Brill, 2014), 274 and 281 (which focus on eleventh-century letters).

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to help him. A business-like tone pervades the letters as Manṣūr seems to assume the goodwill of his correspondents, even while complaining that he has written them several letters that have gone unanswered. Indeed, nowhere in his letters does Manṣūr invoke any Jewish communal solidarity. Even in the letter to Elijah, Manṣūr never appeals to his formal duty as the main Jewish judge at Fustat and a major communal figure. Had Abū Najm been married and left behind a wife, the language and type of arguments used would have probably been quite different.[36] Manṣūr seems to have expected the members of his network to go out of their way to help him with his son as part of their ongoing relationships.

While with his colleagues Manṣūr seems to have expected goodwill and cooperation, when it came to his own son he had to employ a broad variety of arguments to try to bring about compliance. Turning to what is probably the earliest of the letters addressed directly to Abū Najm, we find a terse reference to the context of his leaving as well as an explanation of an impediment to his return:

> No one before you or after you has ever done what I did for you two days before your journey, when you and I set out on the road. I made an oath to you that I would not oppose you in anything you wanted, and that I would do for you anything you desired. You spoiled ingrate! After you heard me, you took an oath that you would not travel. May God the exalted forgive you and not punish you for what you have done. I have finished my speech.[37]

Of course, Manṣūr follows 'I have finished my speech' with over fifty lines of writing. We learn from this passage that Abū Najm's discontent was well known even before his departure. If we try to disentangle the convoluted description, it seems that Manṣūr was about to leave for a journey and his son accompanied him for a small stretch of the way. Fearing his son would leave Alexandria while he was away, Manṣūr swore to his son that his wishes would not be opposed. In return, Abū Najm swore an oath not to travel, an oath he broke after only two days. The letter continues with Manṣūr informing his son that he submitted a legal query about the oath. Apparently, the question was how to release Abū Najm from his own oath. It seems the answer was that a substantial payment needed to be made ('It would have been incumbent on me to lose all of my posses-

[36] On how the family and the community dealt with runaway husbands, see Goitein, *A Mediterranean Society*, 3:195–205.

[37] T-S 12.415r recto lines 3–10.

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sions').[38] At this point in the letter, Manṣūr wrote that due to the heavy price he did not cancel the oath. Later in the same letter, however, Manṣūr comments that, 'If it hadn't been for this great calamity, I wouldn't have been able to query about (annulling) the oath.'[39] In the parallel passage in what is probably a later letter, he wrote:

> Know that if it were not for this terrible situation which has come about, I would not have been able to annul the oath that you know about. May God forgive you for what you have done, not (cause anything to) befall you for your sins, make you see straight, bring you back to a (God-)pleasing path, amend the situation, and not punish you for your actions.[40]

With limited coercive measures at their disposal, Jewish legal institutions often agreed to decrease the payment of fines and debts.[41] It seems that the general calamities allowed Manṣūr to obtain a substantial reduction of the payment, and the impediment caused by Abū Najm's oath-breaking was finally cleared.

It is possible to group Manṣūr's various appeals to Abū Najm in the letters addressed to him under three general headings: economic considerations, family ties, and the bonds of religion and masculinity. These appeals mix exhortation, pleading, disdain, offers of economic benefit and condensation, all without burning bridges to the wayward son. These different tones of address reflect different angles of the complex relationship between father and son.[42]

The market and economic considerations loom large in Manṣūr's letters. Manṣūr emphasizes the economic loss caused by his son's absence and describes how his son's enemies are gloating. At the same time, he promises that the situation can be saved if only he comes back quickly:

[38] Manṣūr's description is too general (after all, his son knew the details) to allow for a full reconstruction of the legal issue and the subsequent ruling. For the issues involved, see Moses Maimonides, *Mishne Torah, Laws of Oaths*, especially 1:1, 1:3, 6:1, 6:3, 6:18 and 12:1.

[39] T-S 12.415 verso lines 18–19 and see also T-S 13J28.17 lines 22–24.

[40] T-S Ar. 18(1).137 verso lines 11–16.

[41] For this process, see Oded Zinger, *Living with the Law: Gender and Community among the Jews of Medieval Egypt* (Philadelphia University of Pennsylvania Press, 2023), 21 and 45. It is worth mentioning that we know of a contemporary conflict surrounding the demand for payment by a prominent *nasī* for releasing the Alexandrian community from a ban (*ḥerem*) they undertook; see Mordechai Akiva Friedman, 'The Nagid, the Nasi and the French Rabbis: A Threat to Abraham Maimonides' Leadership', (Heb.) *Zion* 82 (2017): 210–15.

[42] The way the tension between authority and impotence is reflected in Manṣūr's combination of promises and admonitions in his letters can be compared with the rather different mixture of similar elements in Qurra b. Sharīk's letters as examined in Karen Bauer, 'Emotion in early Islamic social hierarchies: Affection, threats, and appeals to piety in official documents from the Umayyad and Abbasid Periods', in this volume.

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> By God, if I could convey to you all the good work [that we have squandered] in your absence, you would go out of your mind (ʿ*aqlika*). But if you come quickly, nothing will be lost. If you had any idea of the enemies behind you, you would not have travelled in the first place and caused your store to be empty. What recklessness (*jahl*) came over you to make you want your store to be empty? In your absence, whoever has one dirham demands ten, and your enemies are gloating over you. Everything depends on you. Come, and it will all be better. Do not rejoice in what you have obtained, whatever amount (*miqdāruhu*) it may be.[43]

Manṣūr offers various pieces of economic advice and suggests commercial dealings with the members of his network, steps meant to bind his son economically and suggest that coming back is more lucrative than whatever he might earn while being away:

> Your maternal uncle sent some good quality rhubarb. Your mother said to you, 'By God, we will give it to no one but you.'[44] So do not dawdle a single hour. Please, the two *irdabb*s of wheat about which I instructed Abū al-Ḥasan the elder to collect the price from Ḥājj ʿAṭallāh, please take care of them. Do not worry about any of your affairs, may God make the end good. If you have a little merchandise with you, do not worry about customs, because we have many connections in customs who look after our needs in it. If you were to come with Ibn Hārūn, that would be a good idea. I do not think that you need any further instruction.[45]

Manṣūr also writes that he heard his son bought a little madder (*Rubia tinctorum*) and claims it would have been better to buy good value lac instead.[46] Corresponding to the statement we have seen in the letter to Elijah the judge, Manṣūr prods Najm to allow Elijah to buy the lac for him, clearly so his son will be able to return to Alexandria.[47]

Beyond these specific pieces of advice and instructions, Manṣūr also makes repeated, deliberately vague references to a particularly lucrative transaction that seems to be on the brink of being realised, but is now threatened by Abū Najm's absence:

> Wherever you are, do not dawdle a single hour. Thanks to you, I am hindered in the matter that I have told you about several times. If I revealed to you the matter that we are dealing with and the boon that will

[43] T-S 12.415, recto lines 14–23.

[44] From the context, I assume this sending of rhubarb is a commercial opportunity rather than a homely gift for personal consumption.

[45] T-S Ar. 18(1).137 recto line 24–verso line 1.

[46] T-S Ar. 18(1).137 verso lines 2–8.

[47] T-S 12.415, verso lines 6–12.

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> come of it, God willing, you would need no letter. By God, hurry, and do not let any obstacle or delay impede you, for I have great need of you. Do not worry about your profit or your loss. God the exalted will recompense (you) with all that is good.[48]

This vague and lucrative deal is also mentioned in Manṣūr's letter to his colleagues, for example, in his letter to *al-talmīd*: 'Have him (Abū Najm) show you the letter of the elder Abū al-Ḥajjāj. He (Abū Najm) must act on its contents and come quickly, for we are concerned with a matter which we cannot explain. If the lord sees the letter, he will understand its hidden import.'[49] It seems that Manṣūr's deliberate opaqueness is due to the shady nature of the planned transaction and is meant to entice his son's eagerness for profit. Abū Najm was an adult, free to travel and transact as he pleased. If Manṣūr wanted him to come back he had to convince him he would profit materially from it.

Examining how Manṣūr writes about the questionable and beguiling transaction to Abū Najm offers also an interesting view on the relationship between father and son. Through the transaction, Manṣūr aggrandises himself as a father over and above whatever economic earnings his son may have obtained:

> Do not rejoice in what you have obtained, whatever amount (*miqdāruhu*) it may be. When I heard that you were exerting[50] yourself and gathering the merchandise you obtained, it all seemed trivial to me, for we are engaged in a matter greater than all of that. If you make your way (here), you will see for yourself and know the measure of a good father over another (*taʿrif miqdār al-ab al-jayyid min ghayrihi*). Do not dawdle a single hour because the matter does not bear any delay. By God, do not be delayed, lest the whole matter pass us by.[51]

Abū Najm ought to come back because his earnings are trivial compared to the promised benefits of Manṣūr's plans. The repeated use of *miqdār* makes evident the equation of the amount one is making to his value as a man. Manṣūr is superior to his son because his transaction is more profitable and therefore his son should do as he says. The irony is that Manṣūr's self-

[48] T-S Ar. 18(1).137 recto lines 17–24. This vague transaction seems to be referenced also in T-S 13J28.17 recto lines 14–16, quoted below, T-S 12.415 recto lines 25–28 (see below), verso lines 26–28 ('I heard you have a letter from the Muslim judge, perhaps it will benefit us in this concern of ours'), and also perhaps in recto lines 14–15.

[49] ENA NS I.2 verso lines 1–6.

[50] The manuscript clearly reads חצרצת, which I suggest reading as a scribal error for *ḥaraṣta ʿalā rūḥika*.

[51] T-S 12.415 lines 22–29.

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aggrandisement is ultimately fragile, as the success of his great 'matter' depends on Abū Najm's cooperation.[52]

While Manṣūr asserts his superiority and authority through the economic field (and, as we shall see below, moral exhortations), he balances this posture by mentioning Abū Najm's mother (who was clearly also his own wife but is never presented as such). The mother is mentioned in five out of the six letters and her mentions are brief and almost always about her suffering and illness. For example, if we continue the passage quoted above, we find: 'Your mother is perishing: I cannot even describe to you her state. God curse (your) reckless decision. It has destroyed you and you destroyed others.'[53] The suffering of family members back home is a common motif in letters, meant to express their affection and longing to the absent person.[54] By following the mention of his lucrative deal with the suffering of his son's mother, Manṣūr balances his economic need for his son with the mother's emotional need for him.[55] Indeed, Goitein uses one of Manṣūr's letters in which the mother is mentioned no less than three times to support the observation that 'The mother's claim to her children's attention seems to have been regarded as even stronger than that of the father's.'[56] Abū Najm's actions are reprehensible not only because he hurt himself, but also because he hurt those connected with him: the father with his commercial dealings and the mother with feelings and illness.[57]

[52] For an exploration of a case where a man's repeated economic failures led him to assert his own worth at the expense of his wife, see Oded Zinger, 'Women, Gender and Law: Marital Disputes According to the Documents of the Cairo Geniza' (PhD Dissertation, Princeton University, 2014), 277–305.

[53] *naʿala allāh raʾy al-jahl ahalaka nafsaka wa-ʾahalakta ghayraka*. T-S 12.415 lines 29–31. While *raʾy* usually means 'opinion', here a more active meaning is clearly required. *Raʾy* in the meaning of decision is found in the *raʾy* clause in contemporary petitions; see Geoffrey Khan, *Arabic and Administrative Documents in the Cambridge Genizah Collections* (Cambridge: Cambridge University Press, 1993), 314–16. For a parallel passage, see T-S 13J28.17 lines 16–19.

[54] See Joel Kraemer, 'Women Speak for Themselves', in *The Cambridge Genizah Collections: Their Contents and Significance*, ed. Stefan Reif (Cambridge: Cambridge University Press, 2002), 198–200, and Oded Zinger, '"Protect Me for the Blood and Milk that Is between Us": Gender and Social Relationships in Women's Letters from the Cairo Geniza', in *Gender, Networks, and Communities in Medieval Europe*, eds. Chiara Ravera, Aysu Dincer Hadjianastasis and Denise Bezzina (Amsterdam: Amsterdam University Press, in press).

[55] On the use of emotions for persuasion in communication, see Bauer, 'Emotion, Power and Persuasion.'

[56] Goitein, *A Mediterranean Society*, 3:242 note 130. Goitein cites T-S 10J13.10 but refers to it as a letter addressed to the son, while in fact it is explicitly addressed to Elijah the judge. This underscores the point that Manṣūr is engaged in a two-pronged communication, with his associates and with his son. The role of the mother is not limited to the communication with his son but is also activated in the letters to his associates.

[57] It is interesting to think about the emotional connection between Abū Najm and his mother in the context of what Avner Giladi called 'the cult of the mother' in Islam; Avner Giladi,

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Finally, beyond the social network, economic considerations and even the ill and suffering mother, Manṣūr uses moral exhortations to bring his son home. These moral exhortations convey a very different tone to the letters addressed directly to the son from those addressed to Manṣūr's associates. To give a taste of these exhortations, in one of the letters to Abū Najm we find:

> What are these evil deeds?! It is as though you have despaired from the world to come. You left your two parents in this great calamity. By God, even if you were to gain the whole world, it would not be worth it at such a cost. By God, do not persist in recklessness (*jahl*). Return to God, and come to your senses (*rudda ʿaqlaka ʿalayka*). For your mother is perishing, and her eyesight has become impaired.[58]

Or in another letter:

> And after all of this: return to God and the brotherhood of good and excellent people. For people are only known for the good (that they do). Do not think that people praise what you do. By God, only reckless men (*kull jāhil*) and men of weak religion will approve of these deeds. Come back to your senses (*rudda ʿaqlaka)*, and go back on this decision. Thus you will be fortunate both in the world and in the hereafter. For the matter with which we are concerned is better than everything that you have thought up.[59] Ease your heart and the heart of your mother, who is perishing. I am unable to describe to you what has come over her. Do not dawdle a single moment lest you lose this world and the hereafter.
>
> […] Come only in a caravan or in a merchant ship. Do not drag your feet, because the times are difficult. Manliness and determination (*al-rujla wa-l-ḥirṣ*) are revealed only in times of calamity.[60]

Through these passages, we can see what is expected from a middle-class man. Virtue, rather than any expectation of machismo, characterizes this model of masculinity. Being a man means admitting one's mistakes and doing the right thing even at a time of calamities and even at a personal

Muslim Midwives: The Craft of Birthing in the Premodern Middle East (Cambridge: Cambridge University Press, 2015), 37–56. Giladi provides many normative Muslim texts stating that a son's duty is first to his mother and then to his father. In Rabbinic Judaism the picture is different; the Babylonian Talmud (Qiddushin 31a) states that the duty to honour one's father takes precedent over the duty to honour one's mother because the mother is obliged to honour her husband (thus, if one's parents are divorced the duty is equal).

58 T-S Ar. 18(1).137, recto lines 12–17.

59 This seems to be a reference to the lucrative commercial deal Manṣūr mentions to his son, as discussed above.

60 T-S 13J28.17, lines 1–13 and 30–34. The last part of this passage was translated in Goitein, *A Mediterranean Society*, 1:477 note 14 and 5:193 note 39.

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cost. The right thing is easing the suffering of the mother and assisting the father in his economic endeavours. These obligations are thoroughly religious, and upholding them will secure for Abū Najm both this world and the next. In this way, religion and masculinity (i.e. what it means to be a man) are closely combined. The confrontation between *muruwwa* (manliness, virtue) and *dīn* (religion) that Goldziher famously located at the birth of Islam was long gone by the eleventh century. In Geniza letters, religion and masculinity often occur together, complementing one another.[61] Similarly, the recurring opposition between *jahl* and *ʿaql* in Manṣūr's letters is not about ignorance and rationality. *jahl* in Manṣūr's letters seems to mean acting rashly in accordance with one's superficial interest and without regard to social and religious obligations, while having *ʿaql* means having the good sense to do what is right.[62]

Manṣūr's instructions (which he himself calls *waṣiyya*, a common term also for counsel and testament) to his son show that this conception of masculinity was deeply concerned with social belonging.[63] Abū Najm ought not to be a lone wolf out of a Western movie. Rather than an ethos of self-reliance, doing what is right means returning home and belonging to the 'brotherhood of good and excellent people' (*ikhwat al-nās al-jiyād al-akhyār*). The reference above to Abū Najm's enemies who are gloating behind his back in Alexandria also convey the importance of social standing for one's manhood. Of course, just as much as it means belonging to

[61] Ignaz Goldziher, 'Muruwwa and Dīn' in his *Muslim Studies*, ed. Samuel M. Stern and trans. C. Renate Barber and Samuel M. Stern, 2 vols. (London: Allen & Unwin, 1967–1971), 1:11–44. In making this observation I am building on Goitein, *A Mediterranean Society*, 5:191–94. Goitein notes the remarkable dichotomy of *muruwwa* and *dīn* in Geniza documents, but it should be emphasized that in Geniza documents these concepts are complementary rather than contradictory as shown by Goldziher for the earlier period.

[62] After I wrote this, Hannelies Koloska directed my attention to a similar argument that *ʿaql* is not about rationality in Navid Kermani, 'Appelliert Gott an dem Verstand? Eine Randbemerkung zum koranischen Begriff *ʿaql* und seiner Paret'schen Übersetzung.' In *Encounters of Words and Texts: Intercultural Studies in Honor of Stephan Wild*, ed. Kutz Edzard and Christian Szyska (Hildesheim: Georg Olms Verlag, 1997), 43–66. I would like to thank Koloska for this reference. Edmund Hayes kindly pointed out to me that al-Kulaynī's *Kitāb al-kāfī* begins with *kitāb al-ʿaql wa-l-jahl*. Particularly striking is the report that lists the seventy-five armies of *ʿaql* and their opposing seventy-five armies of *jahl*; see al-Kulaynī, *Kitāb al-kāfī*, 2 vols. (Qom: Dār al-ḥadīth lil-ṭibāʿa wa-l-nashr, 2015/6), 1:42–51. I would like to thank Hayes for this reference.

[63] I have begun exploring this masculinity of belonging in Oded Zinger, 'The Use of Social Isolation (*inqiṭāʿ*) by Jewish Women in Medieval Egypt', *Journal of the Economic and Social History of the Orient* 63 (2020), 838–42, and Oded Zinger, '"Protect Me for the Blood and Milk that Is between Us"', in press. It is not accidental that Goitein began the volume on 'the individual' with a long chapter titled 'a social being'; see Goitein, *A Mediterranean Society*, 5:5–187.

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the good fellows, it means not belonging to the camp of 'reckless men and men of weak religion' (*kull jāhil wa-kull raqīq al-dīn*). This social belonging imparts a responsibility for those dependent on Abū Najm, and especially for his ailing mother.

Conclusion

The study of Manṣūr's letters allows us to identify the ties that bound a young middle-class Jewish man in medieval Egypt. Letters, social relations, economic ventures, family, religion and a masculine ethos of belonging that stressed the duty to uphold one's social responsibilities were the strings with which Manṣūr sought to pull his prodigal son back home. While in order to study them we needed to pull the strings one by one, the strength of Manṣūr's net lies not necessarily in any particular cord. The quotes above show that the various threads are intricately interlaced, with different themes punctuating and balancing others. The net effect appears impressive, yet we do not know what happened in the end and whether Manṣūr's efforts paid off and brought Abū Najm back to the delight of his suffering mother.

The study of masculinities in the medieval Islamic world has only recently begun.[64] Geniza letters like Manṣūr's are valuable for providing evidence of conceptions and practices of masculinity different from prevalent conceptions of masculinity, like martial and courtly masculinities of Islamic elites or that of the effeminate Jewish scholar.[65] The conception of masculinity expressed in Manṣūr's expectations of his son was urban, middle class and Islamicate rather than narrowly Jewish.[66] It emphasized belonging to

[64] For a few examples, see Nicola Clarke, '"He Lashed His *Mawlā* with a Whip and Shaved His Head": Masculinity and Hierarchy in Early Andalusi Chronicles'. In *Beyond the Reconquista: New Directions in the History of Medieval Iberia (711–1085)*, ed. Simon Barton and Robert Portass (Leiden: Brill, 2020), 232–56; Linda Jones, 'Ambivalent Models of Manliness in Medieval Islamic Hagiography.' In *Religious Boundaries for Sex, Gender, and Corporeality*, ed. Alexandra Cuffel, Ana Echevarria and Georgios T. Halkias (London: Routledge, 2018), 132–44. Particularly relevant for the masculinity of belonging explored here is the exploration of love, friendship, enmity, hierarchy and urbanity in homosocial masculinity conducted in Zahra Ayubi, *Gendered Morality: Classical Islamic Ethics of the Self, Family, and Society* (New York: Columbia University Press, 2019), 175–237.

[65] For the (myth of the) effeminate Jewish scholar, see Daniel Boyarin, *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Berkeley: University of California Press, 1997). For a valuable critique, see Ishay Rosen-Zvi, 'The Rise and Fall of Rabbinic Masculinity', *Jewish Studies: An Internet Journal* 12 (2013): 1–22.

[66] For example, see a familiar statement in a fourth-century AH letter of a Muslim father to his absent son: 'when a man (*al-mar'*) leaves [his] companions he knows not what will happen to

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social networks and required men to uphold their responsibilities to those dependent upon them. As a prescriptive ethos that the father imparted to the son, it was the hegemonic masculinity in their urban middle class milieu.[67]

At the same time, there are always multiple and competing models of masculinity. Indeed, if being a man meant fulfilling one's obligations properly, why did Abū Najm abandon his parents and leave his shop in the market unattended? Since we do not have any of Abū Najm's letters, we cannot know his perspective.[68] However, a possible answer can be offered from contemporary literary works (albeit from the other side of the Mediterranean) that connect youth with travel and travel with virility.[69] If this suggestion is correct, Abū Najm left Alexandria to try to make it in on his own terms, independent of his overbearing father.[70] This reckless action challenged not only the hegemonic masculinity of belonging but also Manṣūr's sense of authority. Goitein observed that sons 'formed a prominent, central, and, so to say, public component in a man's life'.[71] Abū Najm's taking off and independent economic activity shook Manṣūr's manhood. While he

him (also possible: what happens to him will not be known). Your mother, God protect her, is also longing for you and worries about you being distant from her'; Werner Diem, *Arabische Briefe auf Papier aus der Heidelberger Papyrus-Sammlung* (Heidelberg: Univ.-Verl. Winter, 2013) = *P.Heid.Arab.* III 1 – my understanding differs slightly from Diem's.

67 On hegemonic masculinity, see Raewyn W. Connell and James W. Messerschmidt, 'Hegemonic Masculinity: Rethinking the Concept', *Gender and Society* 19 (2005): 829–59.

68 Generally speaking, Geniza letters often attest to the hegemonic voice of parental or communal authority and only rarely convey a resistant voice of young men. For a very interesting exception, see the letter addressed to his comrades by a young man 'bribed' with a hefty sum by his father to stay at home and pursue his studies: T-S K25.64, translated in S. D. Goitein, *Jewish Education in Muslim Countries: Based on Records from the Cairo Geniza* (Hebrew) (Jerusalem: Ben-Zvi Institute, 1962), 201–202.

69 See Judah Alharizi, *Taḥkemoni or The Tales of Heman the Ezraḥite*, eds. Joseph Yahalom and Naoya Katsumata (Hebrew) (Jerusalem: Ben-Zvi Institute, 2010), 235 and 348. See also how the Hebrew *mishle he-ʿarav* contrasts the social obligation to one's dependent when one is absent from home with the salutary effects of travelling and wanderlust: David Sanchez Torollo, 'El Mišle he-ʿarab [Los dichos de loas árabes] y la tradición sapiencial hebrea (Península Ibérica y Provenza, s. XII y XIII)' (PhD Dissertation, University of Salamanca, 2014), 315–20 (chapters 43 and 44).

70 In the oft mentioned letter of the overseer of the government ships, the writer reports that his son told him: 'As long as you are alive, I will be good-for-nothing. Only after you are dead will I be successful'; Goitein, 'The Tribulations', 284 (Goitein's translation). However, it is important to keep in mind that, generally speaking, young merchants did not need to wait for the death of their fathers in order to become active members of the merchant community, unlike the situation among aristocratic youth. For youthful elites, see Nicola Clarke, 'Heirs and Spares: Elite Fathers and Their Sons in the Literary Sources of Umayyad Iberia', *Al-Masāq* 28 (2016): 67–83, and William M. Aird, 'Frustrated Masculinity: The Relationship between William the Conqueror and his Eldest Son', in *Masculinity in Medieval Europe: Women and Men in History*, ed. Dawn M. Hadley (London: Routledge, 1999), 39–55.

71 Goitein, *A Mediterranean Society*, 3:224.

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was exhorting his son to 'return to the brotherhood of good and excellent people', he was also attempting to reassert his paternal authority over his son and declare his own worth. This assertion of dominance through the language of belonging was not conducted merely in direct letters to the son, but also in the way Manṣūr belittled his son's character to his associates while asking them to aid him. In this way, Manṣūr sought to reassert that 'public component' of his life. In other words, alongside the masculinity of belonging and a possible rebellious youthful masculinity, we find the more familiar combination of masculine anxiety that requires public demonstration of authority over subordinate men. These different models of masculinity go a long way in explaining the mixture of tones and tactics with which Manṣūr tries to bring back his prodigal son. The richness found in one small dossier of Geniza letters suggests the potential reward of expanding the inquiry to other documentary and literary sources of the medieval Islamicate world.

Abbreviations for Citing Geniza Documents

DK	Budapest, Hungarian Academy of Science, David Kaufman collection
CUL Or.	Cambridge, Cambridge University Library, Oriental Collection
ENA	New York, Jewish Theological Seminary, Elkan Nathan Adler collection
T-S	Cambridge, Cambridge University Library, Taylor-Schechter collection

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4 Aloneness as Connector in Arabic Papyrus Letters of Request

PETRA M. SIJPESTEIJN

Amongst the thousands of papyrus documents from medieval Egypt written in Greek, Coptic and Arabic, a large number consist of letters of request and petition. Addressed to patrons in the administration and those holding positions of social, legal or economic power, the letters were configured and formulated according to certain linguistic and rhetorical patterns. Successful letters tied the person asking for help to the recipient of the letter in a relationship of social dependency, encouraging or even obliging the petitioned to offer her or his help to the supplicant. This paper examines one way in which this was done, namely by presenting the supplicant as defenceless and alone, and the petitioned, consequently, as the only person available to offer help. Focusing on three ways in which 'aloneness' was expressed – abandonment, being friendless and alone, and having no one (but the addressee) to appeal to – I will examine how a (self-)description in terms of helplessness invoked social expectations by emphasising the exclusive dependency between the supplicant and petitioned, resulting in an obligation on the side of the petitioned to help. The paper is based on published and unpublished Arabic letters on papyrus from Egypt dating from the eighth to the tenth century CE, while contemporary papyri in other languages are used as comparisons.[1]

This work was supported by the European Research Council under Grant number 683194. In preparing this publication I have benefited especially from conversations with Karen Bauer, Alon Dar, Edmund Hayes, Reza Huseini, Cecilia Palombo, Eline Scheerlinck and Oded Zinger. Any remaining mistakes are, of course, my own. Papyrus editions are abbreviated according to the Checklist of Arabic Documents (www.naher-osten.lmu.de/isapchecklist) and the Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca and Tablets (https://papyri.info/docs/checklist).

[1] This work is part of a larger study into Arabic letters of request, together with Coptic, Greek and Pahlavi documents and historical sources, and what value system of social justice they represent (Petra M. Sijpesteijn, *Righting Wrongs. Justice and Redress in the Early Islamic Empire*, forthcoming).

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Petition Letters

Everyday life in medieval Egypt was full of challenges: a failed Nile flood or one that was too abundant might destroy the harvest, animal plagues caused damage to crops and fields, illness and death struck suddenly. Then there were man-made setbacks: slow markets causing disappointing commercial returns, arbitrary confiscations of property or theft of possessions, imprisonment or kidnapping and physical abuse at the hands of the authorities, landowners or criminals. Problems between friends, business partners and family members formed another challenge: disagreements over inheritances, where to spend holidays, how to run a business or 'simply' how to behave could turn into disruptive feuds, even resulting in the permanent break-up of relationships through divorce, wrecked friendships or the dissolution of commercial partnerships. In the meantime, taxes continued to have to be paid and families had to be fed, clothed and married off. A failure to pay the tax-collector or anyone else who felt entitled to goods, money or services could lead to imprisonment until the debt was discharged, but until that time no money could be raised to support dependents.

So what to do when faced with such misfortune, especially when it became clear that the problem in question could not be solved easily? The answer was to turn to a third party for help. The number and variety of petition letters are great, in terms of the cases in which help is sought, who is asking for help, and from whom assistance is expected to come.[2]

[2] For similar letters from pre-Islamic Egypt, see e.g. Arietta Papaconstantinou, 'Women in Need: Debt-Related Requests from Early Medieval Egypt', in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt* (*Millennium Studies* 84), edited by Sabine R. Huebner *et al.* (Berlin: De Gruyter, 2020), 195–206; Eleanor Dickey, 'Emotional Language and Formulae of Persuasion in Greek Papyrus Letters', in *Emotion and Persuasion in Classical Antiquity*, edited by Ed Sanders and Matthew Johncock (Stuttgart: Franz Steiner Verlag, 2016), 237–62; Roger S. Bagnall and Raffaella Cribiore, *Women's Letters from Ancient Egypt, 300 BC–AD 800* (Ann Arbor: University of Michigan Press, 2006); Chrysi Kotsifou, 'A Glimpse into the World of Petition: Aurelia Artemisia and her Orphaned Children', in *Unveiling Emotions. Sources and Methods for the Study of Emotions in the Greek World,* edited by Angelos Chaniotis (Stuttgart: Franz Steiner Verlag, 2012), 317–27; Jean Gascou, 'Les pétitions privées', in *La pétition à Byzance*, edited by Denis Feissel and Jean Gascou (Paris: Association des amis du centre d'histoire et civilisation de Byzance, 2004), 93–103. For petitions sent to government officials, see, for Byzantine Egypt, Denis Feissel and Jean Gascou (eds.), *La pétition à Byzance* (Paris: Association des amis du centre d'histoire et civilisation de Byzance, 2004); Bernhard Palme, 'Emotional Strategies in Petitions of Dioskoros of Aphrodito', in *Unveiling Emotions III. Arousal, Display, and Performance of Emotions in the Greek World,* edited by Angelos Chaniotis (Stuttgart: Franz Steiner Verlag, 2021), 321–44; and, for Islamic Egypt, Marina Rustow, *The Lost Archive. Traces of a Caliphate in a Cairo Synagogue* (Princeton: Princeton University Press, 2020); and 'The Fatimid Petition', *Jewish History* 32 (2019): 351–72.

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A petition letter's effectiveness depended on three things: first, the case in which help was sought had to be worthy or presented as such; second, the letter had to reach the right person; and, last, the letter had to be formulated appropriately. Although the focus of this paper is on the latter aspect, it is worth spending a bit of time on the first two, because the way the letter was formulated was clearly influenced by the issue at stake and who the addressee was who had to be convinced. This does not mean that it is always possible to provide a good explanation for the presence of a given rhetorical element, and a certain degree of what Oded Zinger calls in this volume 'spinning threads in various directions in the hope that one or more will stick and bind the target' is going on as well.

The cases that the letters deal with vary greatly, paralleling the great diversity of man-made and natural disasters listed at the beginning of this section. Most requests would have been made in person, orally and without leaving a written trace. However, many requests, it seems, involved written documentation, mostly in the form of letters but sometimes including other documents, even if these were elaborated upon orally. In some letters a reference to an oral explanation by the petitioner, who also delivered the letter to the petitioned, was made.[3] Others contain such a full account of the problem that oral reiteration seems superfluous.[4]

Some petitioners addressed their request directly to the person whom they expected could solve their problem. In other cases, the sender wrote on behalf of someone else, asking the addressee to help that third person who had approached the sender to act as an intermediary. Still other letters show the sender asking the addressee to act as an intermediary and to approach

[3] An oral component is clearest when the letter is delivered by the person seeking help. In an eighth-century letter the sender writes that the 'weak workman' whom he wants the addressee to help is the one delivering his letter 'so that you can question him about his case' (*P.Heid.Arab.* II 42, provenance unknown). See also the many cases in which the request is phrased very enigmatically as 'look into my/his/her case' (*fa-unẓur fī amrī/amrihi/amrihā*) without further explanation, suggesting that the exact problem was explained orally by the petitioner themself. Such phrases are commonly found in petition letters (see Sijpesteijn, *Righting Wrongs*, chapter 1). See also how the frequent reference to the petitioner (or the object of a letter of recommendation) is through the expression 'the carrier of my letter' (*ṣāḥib kitābī* and variants thereof). Cf. Sijpesteijn, *Righting Wrongs*, chapter 2 and Federico Morelli, '*Grammatêphoroi* e vie della giustizia nell'Egitto tardo antico', in *Symposion 2005*, edited by Eva Cantarella (Vienna: Österreichische Akademie der Wissenschaften, 2007), 351–72. Jean Gascou lists the delivery by the petitioner as a characteristic of the petition that distinguishes it from other letters. See Jean Gascou, 'Les privilèges du clergé d'après la Lettre 104 de S. Basile', *Revue des sciences religieuses* 2 (1997), 193.

[4] An early ninth-century letter contains an exhaustive account of all the information necessary to solve the problem of the person delivering the letter (*P.Hamb.Arab.* II 38, dating to 801–30, provenance Idfū).

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a third person on behalf of the sender.[5] Such requests for intercession could in fact extend across multiple contacts with intercessors approaching the sender on someone else's behalf and other letters asking the addressee to ask someone else to approach yet another person. In such cases explanations were provided by third parties to the sender orally or in writing, especially when the sender was writing on someone else's behalf. Similarly, some requests assume that the recipient will produce a petition letter on his or her own or will consult someone orally or in writing in relation to the solving of the case.[6] This mobilising of intertwined patronage networks could lead to complicated arrangements involving multiple individuals, documentation and reports which are schematically represented in Figure 4.1.

The corpus of request letters and petitions in which petitioners use a claim of 'aloneness' to support their appeal for help contains examples of all such trajectories. Some are written directly by the petitioner to the petitioned, while others make use of an intercessor. Of the four Arabic letters that use the claim of aloneness and that are written on behalf of a petitioner, three are written for a woman. The fourth is written at the behest of

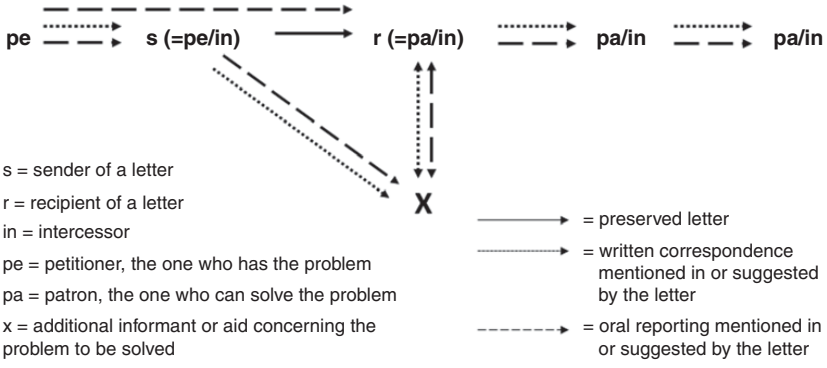

Figure 4.1 A representation of the different actors and documentation that can be involved in writing a petition letter.

[5] See e.g. the early ninth-century letter in which a certain ʿAlī writes to someone called Abū al-Ḥasan Rizq Allāh b. Muḥammad to help the person delivering the letter, Abū Jaʿfar Aḥmad b. Qāsim, to retrieve his donkey from yet another person called Yuḥannis from Idfū (*P.Hamb. Arab.* II 38, dating to 801–30, provenance Idfū).

[6] Another example is the letter dating to between 870 and 900 in which the sender asks the addressee, Abū al-Ḥasan, that the deliverer of the letter, Abū ʿAbd Allāh Muḥammad b. ʿAbd al-Raḥmān from Armant, be allowed a deferment on his taxes (*kharāj*) due and that Abū al-Ḥasan orders that he be treated kindly and patiently. The sender also informs Abū al-Ḥasan that he has written to someone called Abū Jaʿfar asking him the same thing, suggesting that Abūal-Ḥasan communicates with him about the case (*P.Hamb.Arab.* II 17).

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a man in prison. Of the other twenty-two Arabic papyrus letters that use the argument of being 'alone in the world', five more are written by women, and of these two are directed at other women. That means that the argument of being alone is used in our corpus much more often by and for men than for women. This obviously reflects the fact that the surviving papyrological record overall contains more letters from men than women, but it is clear that the argument is not limited to or preferably used by female petitioners. The kinds of cases in which women use the argument of being alone, moreover, overlap those of male petitioners. It is thus difficult to distinguish a gendered discourse in these letters. There is, however, a small number of letters in which women are depicted using familiar typologies of weakness and helplessness applied to women specifically, as will be discussed below.

Abandonment

Several letter-writers link an act of abandonment by the addressee or another party to their supplication. Sometimes the desertion is unrelated to the problem at hand but makes an emotional appeal to the addressee's responsibility to deal with the sender's request. 'I never thought you would leave me alone at this feast (*qad ẓanantu … annaka lā taqṭāʿu bī fī hādha al-ʿīd*)', al-Haytham son of Khālid writes to Abū ʿAlī al-Ḥusayn son of ʿAbd al-Salām and Abū Yaʿqūb as he asks him to forward as soon as possible the textiles that he and his partner Yūsuf son of Yazīd desperately need.[7] Another powerful example is the letter of Ruqayya daughter of Yaḥyā son of Zakariyya to her aunt Umm al-Qāsim daughter of Zakariyya. Rukayya writes: 'I am healthy, thank God, despite the death of my lord and son that suddenly afflicted and befell me (*ʿalā mā dahānī wa-afjaʿnī min wafā sayyidī wa-waladī*)'. Not surprisingly, her son's death has left Rukayya 'perplexed, alone, weak and poor (*fa-qad baqītu ḥayran waḥīda ḍaʿīfa faqīra*)'. On top of this, Rukayya's own brother has not written to console her, adding to her feeling of desertion. Her urgent request that her aunt does not 'stop writing her' is directly related to her current, sad and lonely situation.[8]

[7] *P.Marchands* V/1 8, ninth century, provenance Fayyūm.

[8] *P.JoySorrow* 18. The request not to stop the correspondence (literally 'do not cut me off from your letters') occurs often, including in letters in which no request or claim to powerlessness is conveyed. Cf. *P.Cair.Arab.* 339, provenance Idfū, ninth century; *CPR* XXXII 7, provenance unknown; 9, provenance Fusṭāṭ, both tenth century; *P.Hamb.Arab.* II 31, dating between 901 and 950; *P.Berl.Arab.* II 81, tenth–eleventh century, provenance of both is unknown.

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Fear of being abandoned is an important theme in a group of begging letters sent by a brother and sister to their brother asking him to intercede with their father, Jaʿfar son of Aḥmad son of ʿAbd al-Muʾmin of a family of textile traders based in the Fayyūm oasis.[9] 'Do not abandon us' (*lā tadaʿnā yā-akhī; allāh allāh lā tussalimnā*), the siblings exhort their brother repeatedly in their letters. Their fear is grounded in their father having already turned away from them (*aslamanā*), persisting in his harshness (*ghilzuhu*) towards them as they write. Were the brother to abandon them too, they would lose access to their only means of softening their father's stance towards them and convincing him to provide them with material help. Hunger, thirst and a lack of clothes are other arguments brought forward by the brother and sister in their attempt to make their case, as is their claim to be 'weak and poor' (*ḍuʿafāʾ masākīn*).[10] But being left on their own without the brother's concern and help is at least as important an argument in their correspondence. The brother and sister's appeal to kinship solidarity to solve economic problems links to Reza Huseini's study in this volume of the strong economic ties that bound households in early Islamic Bactria.

In other letters an act of active abandonment is the direct cause of the problem. 'You left us behind like pitiful people at *fiṭr* (the feast marking the end of Ramaḍān) (*taraktanā fī al-fiṭr mithla al-masākīn*) and now you intend to leave us like pitiful ones also at the sacrificial feast (at the culmination of the ḥajj) (*turīdu tatrukunā ayḍan fī al-adḥāʾ mithla al-masākīn*)?' Sayyida exclaims desperately in an attempt to convince her husband to honour his promise to celebrate only *ʿīd al-fiṭr* with his other wife.[11] In another Arabic ninth-century papyrus letter, a husband whose wife left him, while she apparently also took some of his belongings, is described as 'weak' (*ḍaʿīf*).[12] The poor husband surely aimed to retrieve his expropriated possessions and have his wife return to his house, but his description as being deserted and (therefore?) weak in the recommendation letter he delivered himself also served to convince his potential patron. In another case, a man whose uncle, he claims, has been responsible for expelling him from his house is left 'hungry, dying from hunger (*wa-anā jāʾiʿ mayyit*

[9] *P.Marchands* II 16–23, ninth century, provenance Fayyūm.

[10] Mark Cohen worked extensively on how the argument of poverty is used in petitions from the Geniza. Cf. Mark R. Cohen, *Poverty and Charity in the Jewish Community of Medieval Egypt* (Princeton: Princeton University Press, 2005).

[11] *P.Marchands* II 2, ninth century, provenance Fayyūm.

[12] I am in the process of publishing this unpublished papyrus from the Austrian National Library (Inv. AP 1497).

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bi-l-jūʿ)', fearing 'the cold because of being naked (*akhāfu bard al-ʿurī*)'.[13] He accuses the addressee of 'leaving him dependent on alms (*taraktanī aḥtāju ilā al-ṣadaqa*)'. All of this will be solved if the addressee, whom he addresses as 'my brother', talks to his sister to appeal to his uncle to give him some wheat. The sender of the letter, by the way, thus finds himself three steps removed from the person who can offer the relief he is hoping for, his uncle. He is involving the addressee, 'his brother', to persuade the latter's sister to request that the sender's uncle allow him to obtain some wheat. We might think that this complicated chain of people is the only way for the sender to gain access to his uncle. Conversely, the entanglement of all these individuals gave the sender a chance to recruit and mobilise social capital: if more people knew about his need and his uncle's 'scandalous' behaviour, they could offer material help or get involved on the sender's behalf to put pressure on the uncle.[14] Their mere awareness of the affair would indeed already provide pressure on the uncle to do something about his 'poor' family member. Interestingly, while the threat of being expelled from one's house is a recurring topos in the petitions, in this case the petitioner seems really to have been ousted from his house and is now roaming the streets begging for alms.[15]

The people who wrote these letters are not literally alone as a result of having been deserted. Nor do they lack resources to appeal to the people who deserted them. The whole point of their petition letters is that they have means and ways to appeal to others. Rukayya, the mother who suddenly lost her son, writes that she hopes most of all that God should prolong the life of Abū ʿAbd Allāh her husband, who 'looked after him (the deceased son) and me through all of this so well (*fa-law raʾat ʿaynuki qiyāmahu bihi wa-binā … la-sarraki*)'. The brother and sister so desperately trying to get through to their father via their brother have each other as well as the numerous people they mention who frequent their house. The man whose uncle cheated him out of his property like 'a hair pulled out of the dough (*mithla mā akhraja al-shaʿra min al-ʿajīn*)' asks that the sender send his letter via the vizir so that he can add his own letter. Sayyida, who has been abandoned by her husband on the most important Muslim feast days, conveys her cry of injustice via the letter of one of her husband's business associates. In fact, being alone is not the main concern of these petitioners.

[13] *P.Ryl.Arab.* I VI 8, ninth–tenth century, provenance unknown.

[14] I would like to thank Oded Zinger for pointing this out to me.

[15] For the threat of being expelled in Arabic and Coptic petitions, see e.g. *O.Frange* 32, provenance Thebes; David-Weill, 'Louvre', no. 23, provenance unknown, both eighth century; *P.Hamb.Arab.* II 7, ninth century, provenance Armant.

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Rather, it is the act of having been cast aside – and therefore deprived of the backing that they expected on the basis of their relationship with the addressee or someone else – that forms their most important argument in their search for help. In other words, the severance of the connection that they relied upon for support is their main justification for being entitled to assistance.

Alone

Being alone (*waḥīd/waḥīda*), however, does occur as an argument in the letters of request. 'Aloneness', though, does not mean that there are no people around, but rather that the appropriate aid or support is lacking.[16] This can have broad applications. Because Umm Abū al-Qāsim could not find any messengers, she sent her servant girl to Umm Abū Bakr to deliver her letter. The servant girl was excited about this adventurous assignment, but her mistress warns Umm Abū Bakr: 'Swear to me that you will not keep her, because I am alone and she needs to complete a task for me (*wa-biḥaqqī ʿalayka an ḥabastihā fa-innī waḥīda wa-arādat taqḍī lī ḥāja*)'.[17] We have already met Rukayya, whose son's death and the lack of her brother's communication on the topic have left her 'alone'. Similarly, a man whose father, mother, brother and sister have all died is left 'alone' (*fa-lammā tuwuffiya al-wālid wa-l-wālida wa-l-ukht wa-l-akh raḥamahum allāh baqītu waḥīd*). This is a situation he is 'not used to (*lā salafa ʿalā dhālika*)' and he aims to get married so that he can enjoy some female company.[18] In a tenth-century letter from Ashmūnayn, in which a son writes to his father concerning all sorts of work-related matters, one of their associates who lacks suitable workmen is described as 'being without anyone (*huwa bi-lā aḥad*)'.[19]

Recently, Oded Zinger has shown that women in Geniza letters asking for help often use gendered arguments referring to their being 'alone' and 'cut off' from male protectors or aids. In a world where success and well-being depended greatly on one's participation in social networks, it is the being cut off from such networks that affected women – whose access to

[16] Oded Zinger found this same claim in somewhat later women's letters in Arabic and Judaeo-Arabic. See Oded Zinger, 'The Use of Social Isolation (*inqitāʿ*) by Jewish Women in Medieval Egypt', *Journal of the Economic and Social History of the Orient* 63 (2020): 820–52, 832.

[17] *P.Vind.Arab.* II 17, ninth–tenth century, provenance unknown.

[18] *P.Khalili* I 18, dating between 878 and 938, provenance unknown.

[19] *P.Giss.Arab.* 16.

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them was generally only possible via a male connection – especially hard.[20] Similar linguistic expressions seem to be lacking in the Arabic papyri and paper letters from this period.[21] However, one third/ninth-century letter presents a similar concern that a woman without male kin should receive help. Although the woman in question used to have a father and grandfather (*kāna lahā ab wa-jadd*), she is now left 'poor, alone and by herself (*waḥīda faqīra*)'.[22] The woman seems to have a problem with some property, probably the agricultural land which is mentioned in the letter. The sender urges the addressee 'to look after this woman so that she receives her property through justice (*taʿnā bi-hādhihi al-marʾa ḥattā taḥūzu mālahā bi-inṣāf*)'.[23] The woman's claim to help on the basis of her lacking any male relative seems to have mostly a practical function: it is suggested that her access to the judicial process and legal representation necessary to secure her property is at stake, which could be interpreted as especially relevant for women. It is, however, of a different order than the cultural claim of lacking social belonging that the women make in the Geniza letters studied by Oded Zinger.

As emphasised above, the claim of being alone does not mean that these solicitors for help had no physical person around. The woman whose proprietary rights have been compromised, who figured in the letter just discussed, has a network (of powerful men) enabling her to mobilise support. Interestingly, the sender of the letter has some kind of obligation to look after the woman's interests, and it is as much his relationship with the woman as her condition that is used in the letter to convince the addressee to take care of her problems (*kitābī ilayka fī marʾa yalzamunī ḥaqquhā*). In other words, the woman in this letter, although presented as alone and without male kin, obviously still has useful male connections to help her handle her affairs. The sender intercedes for her in writing, asking his contact to help her, using the woman's protectorless state, as well as his own relationship to her and to the addressee, to support his request to the addressee.

[20] Oded Zinger, 'The Use of Social Isolation'.

[21] Zinger ('The Use of Social Isolation', 827 n. 29) cites only one eleventh-century letter (*P.Vind.Arab.* III 41, provenance al-Gharbiyya) in which a man claims 'to have been left cut-off, without anyone to take care of me (*wa-qad baqītu munqaṭiʿ bī wa-laysa maʿī man yakhdumunī*)'. This difference might be explained by the chronological gap between the two corpora, explaining the use of the expression in a paper letter close to the Geniza material in time, albeit by a man rather than a woman. It might reflect a different position of women in public life, which is perhaps reflected in the reluctance to mention wives by name in the Geniza letters, an unwillingness not matched by the papyrological material.

[22] *P.Marchands* II 39, ninth century, provenance Fayyūm.

[23] And later in the letter: 'it is up to you to take care of her' (*wa-laka fī al-ʿināya*).

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The qualification of being alone is used in the letters of request to describe situations in which the petitioner is lacking some specific specialised presence, but also in more general terms to emphasise helplessness in support of a claim for help.

Only You

The claim of being alone has a more common variant which makes a direct claim on an exclusive relationship between the claimant and the petitioned and thereby on the latter's help: the petitioners' assertion that they have no recourse except (via) the addressee. The expressions fall into two categories. First, there are those that make a point of presenting the petitioner as a pious person who does not forget that God never forsakes him or her. This finds expression in phrases such as, 'I have no one except God and you (*mā lī aḥad illā allāh wa-anta*)',[24] 'I rely on God and on you (*anā bi-llāh thumma bika*)',[25] 'I trust in God and you (Copt. tipistewe *epnoute nemētn*)',[26] 'seeking help from God and you (*mustaghaytha bi-llāh wa-bika*)';[27] or, more extensively, 'we rely on God and the amīr's justice (*naḥnu bi-llāh wa-bi-ʿadl al-amīr*)',[28] 'because I trust in God and in Your Benevolence' (Copt. eithareï *gar epnoute mntekagapē*);[29] and the elaborate 'because I have no one who will look into my case except you and I confide (literally: am strong) in God and you (Copt. *če mntairōme efnašine hm pahōf sarōtn awō eitačrēw ehrai ečm pnoute nēmētn*)'.[30]

The rather dramatic 'I have no living creature besides God and you' (*laysa lī khalq illā allāh wa-anta*)'[31] that appears in an eighth-century letter might have been informed by the nature of the problem. The letter-writer

[24] Adolf Grohmann, *From the World of Arabic Papyri* (Cairo: al-Maaref Press, 1952), 186, dating to 169–171/786–787, provenance unknown.

[25] *P.Marchands* II 17; 20, both from the same dossier, ninth century, provenance Fayyūm; *P.Hamb.Arab.* II 7, ninth century, provenance Armant; Karl Jahn, 'Vom frühislamischen Briefwesen: Studien zur islamischen Epistolographie der ersten drei Jahrhunderte der Hiǧra auf Grund der arabischen Papyri', *Archiv Orientální* 9 (1937): 153–200, no. 7, eighth century, provenance unknown.

[26] From a representative of the village to a member of the monastery: *P.Mon.Apollo* 55, eighth century, provenance Bawīṭ.

[27] *P.Ryl.Arab.* I XV 1, ninth century, provenance unknown.

[28] Naïm Vanthieghem, 'Violences et extorsions contre des moines dans la région d'Assiout: Réédition de P.Ryl.Arab. II 11', *Journal of Coptic Studies 18* (2016): 185–96, ninth century, provenance Asyūṭ.

[29] From Tsia to Apa Frange: *O.Frange* 320, eighth century, provenance Thebes.

[30] From John to Apa Daniel: *P.Ryl.Copt.* 316, seventh–eighth century, provenance unknown.

[31] *P.Khalili* I 24, eighth century, provenance unknown.

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states: 'a male relative of the wife of Abū al-Khayr has fallen out with me/spoken ill of me in the village' (*rajul min qarāba mara* [sic] *abū* [sic] *al-khayr waqaʿa bī fī al-qarya*), an apparently rather urgent concern, possibly because of Abū Khayr's status. Ill-speaking, gossiping or false accusations, and the consequent negative effect on one's reputation with the resulting social disadvantages, were a cause for serious concern, which might be another reason for the use of the more elaborate expression, adding an urgency to the request. This is confirmed by an eighth-century Coptic letter where the more high-flown formulation 'we trust in God and in Your Benevolence' (eithareï *gar epnoute mntekagapē*) is used in an emotional letter asking for help after a (presumably false) allegation of theft had been made against the petitioner.[32] Tsia writes to Apa Frange, 'Mesiane, the wife of David son of Lazarus, has brought a complaint against me. She has said: "You have robbed me."' She emphasises how serious the situation is in which this accusation has placed her: 'God knows, if you do not have the good heart to help me and send something in my favour, by God, I will throw myself in the river or a well to die'.[33]

In two Arabic papyri the expression calling upon the petitioned as the only recourse is used by a woman whose situation is caused by her regular male support and means of sustenance having fallen away. The first case concerns a wife whose husband has been taken to prison, leaving her and her children to fend for themselves. The abandoned wife is at her wits' end: 'I do not know whether he is alive or dead (*lā adrī a ḥayy huwa aw mayyit*)'.[34] She ends her sad report to the addressee by plaintively stating 'we rely on God and on you'. Although the actual request is lost, it is probable the woman asked for some material support for herself and her children. In the second letter a 'poor widow (*armala miskīna*)', who 'lives through God and her son (*laysa lahā aḥad illā* [*allāh wa*?] *waladuhā taʿayshu bi-llāh wa-bihi*)', recounts how the *amīr*'s men have taken her son to prison. Again, the actual request is lost, but it is most likely that the petitioner asks the *amīr* in her letter for something that will compensate for her loss of income now that her only source of maintenance has been imprisoned.[35]

[32] *O.Frange* 320, eighth century, provenance Thebes.

[33] *P.Ryl.Copt.* 316, seventh–eighth century, provenance unknown, might also be triggered by false allegations. See the fragmentary and enigmatic references in the letter to community gossip: 'I beg my lord father that he bring to nought all the thoughts of those who talk to him, while he enquires into my affair'.

[34] P. Vindob. A. P. 798, ninth century, provenance unknown. I am preparing a publication of this letter fragment.

[35] P. Vindob. A. P. 669, ninth century, provenance unknown. I am preparing a publication of this letter fragment.

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The petitioner's pious attitude is in some of these letters strengthened by additional displays of a humble and suppliant disposition before God. In an Arabic papyrus letter, a 'poor orphan (*yatīm miskīn*)' without any parent at all (*lā abā lā wālid lī*) turns to the governor (*amīr*) Abū al-Ḥasan ʿAlī b. Sulaymān (in office 169–171/786–787), asking for help to retrieve the part of his father's inheritance that was unlawfully withheld from him.[36] When his father died, the petitioner claims, a certain Ilyās owed the deceased four dinars. Ilyās, however, refused to pay the rightful heir and current petitioner 'even a fils' of these four dinars. Besides stating that 'I have no one but God and you', a statement of forlorn pathos reinforced with the modifiers 'poor'[37] and 'without parents', the petitioner exclaims, 'I am humble before God and you (*fa-danattu ilā allāh wa-ilayka*)' and later on in the letter cites the Muslim profession of faith (*wa-uslimu an lā ilāh illā allāh*). Despite the displays of humble piety and claims of powerlessness, the petitioner exhibits a vigorous sense of righteousness, making two very suggestive claims on the governor's justice working to his advantage. The first appears in the encomia that open the letter. After asking God to keep the *amīr* healthy, the petitioner beseeches God to let him benefit from the *amīr* and to help the *amīr* respecting the affairs over which He appointed him in His world and His world to come (*ʿāfāhu allāh wa-amtaʿa bihi wa-aʿānahu ʿalā mā wallāhu min umūr dunyāhu wa-ākhiratihi*). The second instance in which the petitioner points indirectly to the *amīr*'s divinely ordained position and the responsibilities that come with it comes after the petitioner's profession of faith in the letter: 'And you are the one who orders this (*wa-anta ʿāmirun bihi yā-sayyidī*)'. That the petitioner is certain of his case also comes out in his 'request', which is phrased as a straightforward order: 'send to that man who has taken the four dinars from him (i.e. the petitioner), questioning him until you (i.e. the *amīr*) know the truth (*wa-arsil ilā dhāka al-rajul alladhī akhadha minhu al-arbaʿa danānīr isʾalhu ḥattā taʿrifa al-ḥaqq min dhālika*)', which is only slightly softened by the following benediction: 'I will ask God for a good life for you (*asʾalu allāh laka ḥayāt ṭayyiba*)'. The petitioner uses the language of being alone, helpless, without the sought-after aid, while at the same time laying claim to the *amīr*'s support by invoking the *amīr*'s God-given position and his responsibility towards people

[36] Grohmann, *World*, p. 186, dating to 169–71/786–87, provenance unknown.

[37] *Miskīn* has the meaning of being pitiful and of having no money. In this letter both meanings are invoked. The orphan is obviously pitiful as he is fatherless (parentless). The orphan is, however, also in need of money. His father had intended the four dinars for his maintenance which are now lost because the money is unlawfully withheld from him (*wa-bihā sabab lī fa-dhahaba sababī*).

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like himself, robbed of what is rightfully theirs, poor, powerless and pious. In other words, the petitioner creates a direct link between himself and the petitioned, obliging the latter to come to his aid by invoking mutually understood, cultural categories of power and patronage.

The same strategy can be observed in other letters of request. Tsia, the lady who threatened to kill herself if Apa Frange did not come to her aid against her neighbour's false accusation of theft, uses similar techniques in her petition. She starts by calling herself a sinner (Copt. *teïrefnobe*) and uses pious formulae, including oaths, throughout her letter. Oaths are as much expressions of piety as a powerful tool to tie the person swearing the oath to the one for whom the oath is issued as an assurance.[38]

Another category of letters leaves God out, turning instead directly to the petitioned as the only source of help for the petitioner, in some cases mirroring the conditions of the letters mentioned above, in which the same expressions are applied to God. The following two letters were written for and about the person in trouble, about whom it is said that he, and much less likely she, had no recourse. The fact that it is not the petitioner talking in these letters may explain why the variant of the expression is used that states that the petitioner has no one but does not mention God or the addressee. Possibly, it was considered to be inappropriate to discuss someone else's relationship with God except in terms of prayers (may God increase your life and the like). The sender of a ninth-century letter asks the addressee to look up an imprisoned man, who, he writes, is 'poor and has no one (*huwa miskīn laysa lahu aḥad*)'.[39] Another petitioner intercedes on behalf of an 'orphaned girl who has no one' (*kānat yatīma lā aḥad lahā*)'.[40] In other cases, however, it is the sender who uses the phrase. 'There is no one but you (*laysa aḥad illā antum*)', a brother and sister write to their brother, asking for help in reaching their father.[41] 'We have no one, that is to say besides you' (*laysa lanā aḥad yaʿnā ghayraka*)',[42] the senders of a ninth-century papyrus letter write.

Two further letters, moreover, specify, in the framework of commercial relations, that the addressee is the sender's only available or suitable

[38] Roy Parviz Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (Princeton: Princeton University Press, 1980).

[39] P. Vindob. A. P. 1510, ninth century, provenance unknown. I am preparing a publication of this letter fragment.

[40] P. Vindob. A. P. 374r, ninth century, provenance unknown. I am preparing a publication of this letter fragment.

[41] *P.Marchands* II 19, ninth century, provenance Fayyūm.

[42] P. Vindob. A. P. 1739, ninth century, provenance unknown. I am preparing a publication of this letter fragment.

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'brother (*akh*)', presumably referring to a business partner rather than a family relation.[43] At the end of the eighth century Abū Yazīd starts his letter to Abū Yūsuf: 'I have these days no brother in whose affection I can trust except you' (*annahu laysa lī al-yawm akh athiqu bi-maḥabbatihi ghayraka*).[44] It becomes clear what Abū Yazīd is expecting from his only brother: 'God, God, what a terrible family I have who will not pay my debts, fortunately you are present' (*fa-allāh allāh fī ahlī in lā yaḍaʿū wa-anta ḥāḍir*). Abū Yazīd's creditors have been increasing their pressure on him to pay up the money he owes and he now asks Abū Yūsuf to help him by providing some cash. Another letter written by an anonymous sender to Abu Jaʿfar in the ninth century exclaims: 'I have no brother besides you in the world (*laysa lī akh ghayraka fī al-dunyā*)', as he tries to organise for a way to meet Abū Jaʿfar to avoid missing his delivery of expenditure (*nafaqa*) and other goods.[45]

Other letters do not mention the addressee specifically in the phrases expressing the sender's aloneness, but it is clearly implied that the addressee should feel himself obliged to come to the petitioner's rescue. 'As the General (*qāʾid*) knows, I am a stranger in the city and I know (literally: have) no one here' is the beginning of an intriguing appeal for help written on a ninth–tenth-century papyrus which is unfortunately otherwise lost.[46] In the seventh or eighth century a certain Salmān son of Mughīth informs ʿUbayd son of Yasār about a host of ill relatives and acquaintances in the capital Fusṭāṭ. Salmān himself is also in need of help, for, as he writes: 'I have no one here in Fusṭāṭ who is concerned about me' (*fa-innahu laysa lī fī al-Fusṭāṭ aḥadan huwa ashfaqa ʿalayya*).[47] The expression of helplessness supports Salmān's request to ʿUbayd to convey some goods, including 'a piece of papyrus so that I can write you something'.

Without explicitly stating that the petitioned is the only person the petitioner can turn to, the sender can use other expressions to the same effect. Abū Hurayra, belonging to the ninth-century Fayyūmic family of

[43] For this use of 'brother' to refer to close relations, see Jessica L. Goldberg, 'Friendship and and Hierarchy: Rhetorical Stances in Geniza Mercantile Letters', in *Jews, Christians and Muslims in Medieval and Early Modern Times. A Festschrift in Honor of Mark R. Cohen*, edited by Arnold E. Franklin *et al.* (Leiden: Brill, 2014), 279–80; Roxani E. Margariti, *Aden and the Indian Ocean Trade. 150 Years in the Life of a Medieval Arabian Port* (Chapel Hill: University of Carolina Press, 2012), 157–58.

[44] Jahn, 'Briefwesen', no. 9, dating to between 771 and 800, provenance Madīnat al-Fayyūm.

[45] Jean David-Weill, 'Papyrus arabes du Louvre I', *Journal of the Economic and Social History of the Orient* 8 (1965): 277–311, nr. 3a, ninth century, provenance unknown.

[46] *P.Ryl.Arab.* I 2, ninth–tenth century, provenance unknown.

[47] *P.JoySorrow* 16, seventh–eighth century, provenance Fusṭāṭ.

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textile merchants we have already encountered, writes to Abū ʿAbd Allāh a letter extensively rehearsing their friendship ties. 'My love for you is as constant as you deserve because of what I know of your love for me and your frequent enquiries after me (*al-maḥabba laka minnī qāʾima ʿalā mā tastaḥiqquhu wa-li-maʿrifatī bi-maḥabbatika wa-kathra masalika ʿannī*)'.[48] Abū Hurayra wants something, however, but he asks for it very politely and elegantly, though nevertheless forcefully, insisting on Abū ʿAbd Allāh's duty to help those less fortunate than himself: 'so make sure to do good deeds out of thankfulness towards God and to be nice to those over whom God has preferred you (*fa-ightanim … al-taʿaṭṭuf ʿalā man faḍḍalaka allāh ʿalayhi bi-faḍlika alladhī faḍḍalaka allāh bihi*)'. The link between Abū Hurayra and Abū ʿAbd Allāh is based on their special friendship and Abū ʿAbd Allāh's responsibility to do good deeds for his fellow man, who has fallen on hard times. Abū Hurayra makes, however, also a specific claim on Abū ʿAbd Allāh's good offices by singling him out as his only appropriate means of help: 'you are not like the others, not like the others! (*fa-anta laysa ka-ghayraka ka-ghayraka*)'. Abū Hurayra asks Abū ʿAbd Allāh to answer a third person who remains unnamed, probably in response to a petition or request. 'People approach you in all sorts of ways of which you prefer the truthful', Abū Hurayra writes to Abū ʿAbd Allāh, confirming that he is being sought out as a patron.

This letter incidentally points to another interesting feature of the procedure in which request letters were made to have an effect. An intercessor could deliver one's letter but he could also be used to support a petition by putting pressure on the petitioned in writing, as in this case, or in person. The unnamed petitioner had apparently made a request to Abū ʿAbd Allāh, but the latter was not inclined to answer the petitioner positively. Abū Hurayra in his letter to Abū ʿAbd Allāh uses his own relationship with Abū ʿAbd Allāh and some moral pressure to ask him to answer the unnamed petitioner after all.

As suggested above, in some letters the sender's claim that the addressee is the only one available to help him/her might be related to the problem at hand, but in most cases the remark 'I can only rely on you' and its variants are used in combination with other claims of helplessness as a kind of variable shorthand for being wretched, miserable and in need of help. The most common combination is with 'poor' (*miskīn*), which has both the sense of having no money and being pitiful. Weak (*ḍaʿīf*) is also common, often

[48] *P.Marchands* II 33.

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together with 'poor'.[49] Then there are more specific qualifications such as 'foreign' (*gharīb*) and 'orphan' (*yatīm*), which occur much less frequently.[50] Repetition, word by word or by listing similar qualifications, is a common element in petitions.[51] Two things, however, are striking about this group of petitions that use multiple descriptions of helplessness and weakness. First, most of the letters that use multiple expressions in combination are directed at government officials, such as a general (*qāʾid*), governor (*amīr*) or tax-collector.[52] Indeed *all* letters directed to an official attest multiple adjectives to describe the helplessness of the petitioner. Second, the majority include amongst their descriptions a variant of the expression 'I have no one but God and you'.[53] It seems therefore that letters directed at a government official in office – and, thus, presumably participating in an official problem or complaint-solving procedure in general – use more qualifications in combination than those written to non-officials (or individuals not in office). In addition, the senders of these letters to officials emphasise their piety by reassuring the recipient that they have sought help from God before turning to the petitioned. The variations between the letters are, however, too great to interpret this as a prescribed model or even a fixed element of administrative petitions.

[49] Grohmann, *World*, p. 186, dating to 169–71/786–87, provenance unknown: 'poor, orphan, no parents, no one but God and you'; *P.Marchands* II 20, ninth century, provenance Fayyūm: 'poor, weak, no one but God and you'; Jahn, 'Briefwesen', no. 7, eighth century: 'poor, no one but God and you'; *P.Ryl.Arab.* I XV 1, ninth century, provenance unknown: 'poor, weak, seeking help from God and you'; Vanthieghem, 'Violences', ninth century, provenance Asyūṭ: 'poor, weak, no one but the amīr's justice'; P. Vindob. A. P. 669, ninth century, provenance unknown: 'poor, lives through God and son'; *P.Ryl.Arab.* I I 2, ninth–tenth century, provenance unknown: 'stranger, no one'; P. Vindob. A. P. 374r, ninth century, provenance unknown: 'orphan, no one'; P. Vindob. A. P. 1510, ninth century, provenance unknown: 'imprisoned, poor, no one'.

[50] Stranger (*gharīb*): *P.Ryl.Arab.* I I 2, ninth–tenth century; and in an eleventh-century 'recommendation' letter *P.Heid.Arab.* II 48; orphan (*yatīm/a*): P. Vindob. A. P. 374r, ninth century, provenance unknown; Grohmann, *World*, 186, dating to 169–71/786–87, provenance unknown.

[51] Irene Salvo, 'Sweet Revenge: Emotional Factors in "Prayers for Justice"' in *Unveiling Emotions. Sources and Methods for the Study of Emotions in the Greek World*, edited by Angelos Chaniotis (Stuttgart: Franz Steiner Verlag, 2012), 235–66, therein 235.

[52] General (*qāʾid*): *P.Ryl.Arab.* I I 2, ninth–tenth century; governor (*amīr*): Grohmann, *World*, 186, dating to 169–71/786–87, provenance unknown; Vanthieghem, 'Violences', ninth century, provenance Asyūṭ; P. Vindob. A. P. 669, ninth century; tax-collector: Jahn, 'Briefwesen', no. 7, eighth century.

[53] 'I have no one but God and you': Grohmann, *World*, 186, dating to 169–71/786–87, provenance unknown; *P.Marchands* II 20, ninth century, provenance Fayyūm; Jahn, 'Briefwesen', no. 7, eighth–ninth century; *P.Ryl.Arab.* I XV 1, ninth century; Vanthieghem, 'Violences', ninth century, provenance Asyūṭ: 'I have no one (but you)': P. Vindob. A. P. 669, ninth century; *P.Ryl.Arab.* I I 2, ninth century; P. Vindob. A. P. 374r; P. Vindob. A. P. 1510.

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Connecting through aloneness to elicit help

The senders of the petitions and letters of request discussed in this paper aimed to establish through their letters a privileged connection with the addressee. The petitioned is by definition the more powerful and the better resourced party in this relationship, because he/she has something that the petitioner needs. The petitioners emphasise their dependency using descriptors that highlight their powerlessness and the lack of alternative sources of succour available to them, besides the petitioned. At the same time most of the petitioners are *not* entirely helpless and at the mercy of the petitioned. Rather, the special tie between the petitioner and petitioned imposes certain expectations and responsibilities on the addressee, almost compelling the petitioned to heed the request being made. Behind the (self-)descriptions of 'aloneness' by the petitioners is a sense of entitlement to aid based on the problem they are wrestling with, the special category of neediness they invoke, but especially because of the nature of the social dependency between themselves and the petitioned, and the patronage that follows from it. It is important to emphasise that there are two ways in which these letters of petition exploit the relationship between the petitioned and petitioner to persuade the former to help. In some letters the sender refers to an existing relationship from which certain obligations follow vis-à-vis the petitioner. Other letters, however, forge such a relationship by the (self-)presentation of the petitioner.

This does not mean that the petitioned had no choice in how they responded to the request posed to them or that every letter of request received a positive reaction. A letter already cited above made it clear that a petition is no guaranteed road to a successful solution of one's problem. When Abū Hurayra was asked to support a petition apparently ignored by the petitioned, he wrote a passionate epistle aiming to convince the addressee to respond (favourably) to the petition after all.[54] In another papyrus letter a man complains not only that the addressee's sister did not achieve anything concrete for him, despite her oath to the contrary (*ʿalā mā fāraqatnī wa-ḥalafat ʿalayhi*), but also that the addressee did not approach his sister to address this deplorable situation as the sender had apparently repeatedly asked him to do.[55]

This paper has examined how the argument of being alone is used to support a request by establishing or describing a special relationship of social

[54] *P.Marchands* II 33, ninth century, provenance Fayyūm.

[55] *P.Ryl.Arab.* I VI 14, dated between 642 and 950, provenance unknown.

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dependency between sender/petitioner and addressee/petitioned. The first way in which this is done is by appealing to shared values of social justice. Being alone is in the context of petitions associated with vulnerability and helplessness, misery and neglect. The claim of aloneness is directly related to the request for help from the addressee and can thus be framed either as a self-description (I am alone; I have no one) or in the form of an appeal to the addressee's position as only proper caretaker (I have only you to turn to).

Being alone becomes a more powerful claim when it can be connected to a (sudden) loss of protection.[56] In some letters the petitioner specifies that he/she has been abandoned by the petitioned or another person as an argument for support or as the cause of their problem.[57] This applies most obviously to orphans and widows or otherwise abandoned wives/women. They have lost their primary provider: their parents or father in the case of orphans, their husband in the case of discarded wives, or supportive children in the case of abandoned widows. Similarly, strangers lacking their local support network are eligible for help. Prisoners too seem to fall into a category of people whose lack of a support network entitles them to especially helpful treatment. The idea that orphans, widows, prisoners and strangers are particularly vulnerable and weak and therefore entitled to special care from the more powerful in society is obviously not unique to medieval Islamic Egypt but can be found across ancient Near Eastern cultures.[58] It is also conspicuous in the Qurʾan, for example, and in Islamic wisdom literature.[59] Someone who by definition lacks support (orphans, widows and otherwise abandoned women, strangers, prisoners) is thus effectively linked to the addressee as the care-provider par excellence. In other words, there is a social expectation that the strong help the weak,

[56] See also the discussion of conjunctural poverty by Mark Cohen in *Poverty and Charity*, 33–71.

[57] See the section 'Abandoned' above.

[58] For two examples from Egypt extending from the Ptolemaic to the Byzantine period, see Bagnall and Cribiore, *Women's Letters*, 103, dating to 256 BCE, provenance Fayyūm; Joëlle Beaucamp, 'La référence au veuvage dans les papyrus byzantins', *Pallas* 32 (1985): 149–57.

[59] Avner Giladi, 'Orphans', in *Encyclopaedia of the Qurʾan,* edited by Jane Dammen McAuliffe, Johanna Pink *et al.* (Leiden: Brill), http://dx.doi.org.ezproxy.leidenuniv.nl:2048/10.1163/1875-3922_q3_EQSIM_00311, consulted 02/03/21; Eric Chaumont, 'Yatīm. In the Ḳurʾān and Classical Islamic Law', in *Encyclopaedia of Islam, 2nd edition*, edited by Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel and Wolfhart P. Heinrichs (Leiden: Brill), http://dx.doi.org.ezproxy.leidenuniv.nl:2048/10.1163/1573-3912_islam_COM_1362; Mona Siddiqui, 'Widow', in *Encyclopaedia of the Qurʾan*, edited by Jane Dammen McAuliffe, Johanna Pink *et al.* (Leiden: Brill), http://dx.doi.org.ezproxy.leidenuniv.nl:2048/10.1163/1875-3922_q3_EQSIM_00459, consulted 02/03/21.

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which directly impacts the dealings between individuals (the petitioner and petitioned).

While making use of the argument of 'being alone', being an orphan, widow, prisoner or stranger as a specific category carrying expectations of protection and help, in most cases there is a catalyst that spurs men and women to turn to a petitioner. In other words, only seldomly is the etiquette of social category used in itself to request help, although it is obviously sometimes added to support a more extensive retelling of a problem.[60] One petitioner classifying himself as a stranger asks for help in the specific case of arriving in a new city where he does not know anyone.[61] The widow asking an *amīr* for alms writes when her son, who is her source of income, is imprisoned.[62] Interestingly, in another letter, an imprisoned man also presents the fact that he is his family's provider as the main reason for the addressee to help him (*fa-inna ʿalayya ʿiyāl wa-ṣabyān wa-muʾna wa-innamā aʿmulu yawm bi-yawm wa-aʿwaluhum*).[63] This man, however, does not claim that he has no one but the addressee to help him, although he does add that he and his family members are poor (*wa-naḥnu wa-llāh masākīn*). In other words, women whose male support (husband, son, parents) has fallen away make an appeal to the petitioner on this basis, as do men who find themselves in such a situation. One orphaned girl and an orphaned boy write their petitions in support of a pursuit to regain access to their property using the argument of 'being alone' or 'not having anyone'.[64]

As the expected backing has fallen away, the petitioner suggests, the petitioned now has to step in as provider and protector. The absence of one relationship requires the coming into existence of an alternative one. In this way the claim to 'aloneness' functions both as a powerful assertion of entitlement to help and a strong connector to the addressee. This connection to the addressee is more directly claimed by the common expression in the

[60] See e.g. 'I am a poor, weak woman seeking help from God and you' (*P.Ryl.Arab.* I XV 1).

[61] *P.Ryl.Arab.* I I 2, ninth–tenth century, provenance unknown.

[62] P. Vindob. A. P. 669, ninth century, provenance unknown. See also from a much earlier period the mother Haynchis who asks Zenon to help her get back her daughter. Without her daughter's help in her beer shop, Haynchis writes, her income has dropped dramatically. Haynchis thus asks Zenon to help her 'because of my old age' (Bagnall and Cribiore, *Women's Letters*, 102, dating to 253 BCE, provenance Fayyūm).

[63] P. Vindob. A. P. 3002, ninth century, provenance unknown. I am preparing a publication of this unpublished papyrus.

[64] Orphaned boy: Grohmann, *World*, 186, dating to 169–71/786–87, provenance unknown. Orphaned girl: *P.Marchands* II 39, ninth century, provenance Fayyūm. In one other unpublished papyrus that I am preparing for publication, an orphaned girl is mentioned, but too much is lost to understand the context (P. Vindob. A. P. 374r, ninth century, provenance unknown).

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petitions that the petitioner has no one but the addressee to turn to. The claim of being alone does not necessarily mean, as Oded Zinger has already stated, that one has no other people around. The point is to emphasise that the right person is not available, thereby making the help of the petitioned necessary. In the papyrus letters, contrasting the Geniza letters discussed by Zinger, the person lacking this needed presence or support is not necessarily (or mainly) a woman, nor is the 'right' person always a man. It is a special relationship with the petitioned that the petitioner is looking for, providing him with protection and care.

The expression is also, however, purposely manipulative and belongs to a set of linguistic strategies employed in the petitions. As a regular feature of petitions, repetition and the use of multiple attributes emphasising the petitioner's needy position, sometimes in a list, sometimes spread throughout the letter, are referred to above.[65] Another way to underline the petitioner's need to be helped is by accentuating the contrast in power and hierarchy between the petitioner and petitioned. Calling the addressee 'lord' (*yā sayyidī*)[66] or mentioning a title positions the petitioned as powerful and mighty while confirming the petitioner's fragility and inferiority.[67] On other occasions the opposite strategy is used, applying kinship terms and other descriptions that connotate dependency and an existing relationship between the asker and giver.[68] Finally, plain exaggeration is an obvious element in these letters. While the claim 'to have no one' or 'to be alone' has to be explained – as discussed above – as having no appropriate support, the statement is aimed to invoke pity with the petitioned. Similarly, petitioners asking for help in retrieving material possessions often claim they have 'nothing'. The orphaned boy whose four dinars from his father's inheritance were kept by Iliyas claims 'my means of sustenance has disappeared (*fa-dhahaba sababī*)'.[69] 'By the Almighty God, at this moment I have nothing big or small (*laysa maʿī fī hādha al-waqt khafīf wa-lā-thaqīl*)', a man writes passionately to his business associate with the request to recover the *dīnār* that 'my lord, my brother, Abū Bakr Najm' owes him.[70] The claims to 'be dying from hunger or thirst' or 'to go naked' are also aimed to make

[65] Salvo mentions this feature of supplications to the gods (Salvo, 'Sweet revenge', 246).

[66] Grohmann, *World*, 186, dating to 169–71/786–7, provenance unknown.

[67] Similarly, Greek inscriptions asking God's help contrast an almighty God with an inferior and fragile supplicant who is in need of help (Salvo, 'Sweet Revenge', 242).

[68] Anneliese Parkin,'"You Do Him No Service": An Exploration of Pagan Almsgiving', in *Poverty in the Roman World,* eds. Margaret Atkins and Robin Osborne (Cambridge: Cambridge University Press, 2006), 60–82, 72.

[69] Grohmann, *World*, 186.

[70] *P.Vind.Arab*. I 32, tenth century.

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an emotional appeal. 'None of us have any trousers to put on', a man writes in support of a request to send a load of promised textiles.[71] As referred to above, the threat of expulsion is often used in petitions with the same aim.

What is striking is the sense of entitlement to help that many of the petition letters display. The petitioners appeal to social expectations that the weak and needy are deserving of help from the more powerful and well-to-do in society.[72] Such help requires a relationship in which the stronger party takes care of the weaker side. In these letters the petitioners refer to the existence of such a relationship or aim to establish one with the petitioned. To do so they make use of different strategies: appealing to the social category of 'being alone' as a marker of weakness and using emotionally manipulative language that emphasises their status as wretched and helpless. The aim is to establish a firm connection between the petitioner and petitioned in a relation of social dependency with concrete and clear expectations of (material) care and protection. In addition, by claiming aloneness, the petitioners appealed to a claim of social justice by placing themselves in a category of the vulnerable and pitiful. Protecting their interests was a matter of general societal concern but was especially felt to be the duty of the rich and powerful. The petitioned in their relationship vis-à-vis the petitioner would surely be considered as such. The petitioner thus invoked a general claim of social justice and a direct appeal to the petitioned by forging a one-on-one relationship. The effect of these letters cannot be measured at the individual level since the response in most cases is unknown, but only as a corpus in which general trends can be discerned. Still, through this multidirectional approach, the letters invoking loneliness seem to make it very difficult if not impossible for the petitioned not to reply positively to the petitioner's request.

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[71] *P.Marchands* II.

[72] See the similar rhetorical effect of using 'dicastic pity' in Athenian law-courts as described by Lene Rubinstein, 'Evoking Anger through Pity: Portraits of the Vulnerable and Defenceless in Attic Oratory', in *Unveiled Emotions II: Emotions in Greece and Rome: Texts, Images, Material Culture*, eds. Angelos Chaniotis and Pierre Ducrey (Stuttgart: Franz Steiner Verlag, 2014), 140 ff.

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5 Swearing Abū al-Jaysh into Office: The Loyalties of Ṭūlūnid Egypt

MATTHEW S. GORDON

Introduction

Aḥmad b. Ṭūlūn, the autonomous governor of late third/ninth-century Abbasid Egypt (254–270/868–884), staged a ceremony of succession in 270/884 for his son and heir Abū al-Jaysh Khumārawayh. What follows is a reading of the close account left by ʿAbd Allāh b. Muḥammad al-Balawī (fl. later fourth/tenth century) in his *Sīrat Aḥmad b. Ṭūlūn*, an underutilized text in the study of Abbasid Egypt.[1] The *amīr*, as the sources knew him, died shortly thereafter of an apparent wasting disease contracted outside Tarsus on the Byzantine–Abbasid frontier.[2] The ritual moment was fraught, for reasons typical of any such transfer of office, but also for reasons specific to the Ṭūlūnid case. The governor, in securing support for the handover and the candidacy of his heir alike, sought to assure the continuity of his house. He thus had also to contend with the hostile response to that initiative by the Abbasid court in Samarra, presided over at that point by Abū Aḥmad

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1 *Sīrat Aḥmad b. Ṭūlūn*, Ed. Muḥammad Kurd ʿAlī (Damascus: Maṭbaʿat al-Taraqqī, 1358/1939), 336–43.

2 For recent scholarship on Ibn Ṭūlūn's reign, see Thierry Bianquis, "Autonomous Egypt from Ibn Ṭūlūn to Kāfūr, 868–969," in *The Cambridge History of Egypt, Vol. 1, Islamic Egypt, 640–1517*, ed. Carl F. Petry (Cambridge: Cambridge University Press, 1998), 86–119; Michael Bonner, "Ibn Ṭūlūn's Jihad: The Damascus Assembly of 269/883," *Journal of the American Oriental Society* 130 (2010): 573–605; Matthew S. Gordon, "Aḥmad ibn Ṭūlūn," in *Encyclopaedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (Leiden: Brill); Mathieu Tillier, "L'étoile, la chaîne et le jugement: Essai d'interpretation d'un élément de décor dans la mosquée d'Ibn Ṭūlūn," *Der Islam* 92 (2015): 332–66; Matthieu Tillier, "Dans les prisons d'Ibn Ṭūlūn," in *Savants, amants, poètes et fous: Séances offertes à Katia Zakharia*, ed. Catherine Pinon (Beirut and Damascus: Presses de l'Institut français du Proche-Orient, 2019): 233–51; and Luke Treadwell, "The Numismatic Evidence for the Reign of Aḥmad ibn Ṭūlūn," *Al-ʿUṣūr al-Wusṭā* 25 (2017): 14–40. A dated but still useful history of the Ṭūlūnids is Zaky Mohamed Hassan, *Les Tulunides: Etude de l'Egypte Musulmane à la fin du IXe siècle 868–905* (Paris: Établissements Busson, 1933).

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al-Muwaffaq (d. 278/891), this in his capacity as regent. That the event points to the unraveling of the once formidable Arab-Islamic Empire is clear to us in hindsight.[3] But it appears to have been no less significant an event to contemporary observers: Ibn Ṭūlūn, in appointing his son, and in such highly visible fashion, was usurping what had been, and in Abbasid eyes remained, a caliphal prerogative: the naming of provincial governors. No source says as much explicitly, but his Abbasid detractors must certainly have dismissed the appointment as illegitimate.[4]

In seeking to secure a commitment to the future of his polity and a realignment of imperial loyalties, Ibn Ṭūlūn was asking much of his audience. He was, if we follow al-Balawī's account, seeking not only a tightening of social and political bonds already in place, but their redefinition, that is, a transfer of ties to his heir and the governing household. The present discussion speaks directly to the central theme of this volume, that is, the relations of loyalty, common interest, and reciprocal support that sustained early Islamicate imperial society. Ibn Ṭūlūn's act (staged and highly visible) was an acknowledgement that socio-political relations required careful tending. At work was a specific instance in which a prominent actor of early Abbasid political history put to the test the web of relationships on which he had established himself in office. It was, in these terms, an experiment in which conventional instruments (the ritual of succession and a bid to rally client support) were put to use in unconventional manner.[5] In Abbasid eyes, the moment was one of crisis, to the Ṭūlūnid house, one of uneasy opportunity.

A number of written sources, including those produced by early Egyptian scholars, including not only al-Balawī but also Ibn al-Dāya (fl. mid-fourth/tenth century), Muḥammad b. Yūsuf al-Kindī (d. 350/961),[6] and al-Ḥasan b. Ibrāhīm b. Zūlāq (d. 386/996),[7] make clear the transfer of office to Abū al-Jaysh. The numismatic record,[8] and as yet mostly unstudied papyrus

[3] See Michael Bonner, "The Waning of Empire, 861–945," in *The New Cambridge History of Islam, Vol. 1, The Formation of the Islamic World, Sixth to Eleventh Centuries*, ed. Chase F. Robinson (Cambridge: Cambridge University Press, 2010), 305–59, esp. 320–22, and, more generally, Hugh Kennedy, "The Decline and Fall of the First Muslim Empire," *Der Islam* 81 (2004): 3–30.

[4] On Ṭūlūnid–Abbasid relations, see this author's "Aḥmad ibn Ṭūlūn and the Politics of Deference," in *Islamic Cultures, Islamic Contexts: Essays in Honor of Professor Patricia Crone*, eds. Behnam *Sadeghi et al.* (Leiden: Brill, 2015): 229–56.

[5] See, for further discussion, the introduction to this volume by Edmund Hayes and Petra M. Sijpesteijn.

[6] *Kitāb al-Wulāt*, ed. Rhuvon Guest (London and Leiden: Luzon and E.J. Brill, 1912), 233ff.

[7] *Shadharāt min kutub mafqūda fī al-tārīkh*, ed. Iḥsān ʿAbbās (Beirut: Dār al-Gharb al-Islāmī, 1408/1988), 215–19.

[8] See Giulio Bernardi, *Arabic Gold Coins: The First Essay of a Corpus*, 2nd ed. (Trieste: Edizioni Università Trieste, 2012), 213–14.

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documents,[9] attest to his tenure in office. It is striking, however, particularly in light of the otherwise considerable attention devoted to the Ṭūlūnids in Egyptian historiography, that so little interest is paid to the event of the succession itself. Only two early accounts survive: that of al-Balawī and a much shorter and rather different version by Ibn al-Dāya.[10] If Ibn Zūlāq produced an account (one later Syrian author, Ibn al-ʿAdīm, cites him as the author of a *Sīrat Aḥmad b. Ṭūlūn*) it is lost to us, as are, it seems, nearly all of Ibn Zūlāq's works.[11] Al-Kindī, for his part, refers only in passing to the oath of loyalty extracted by Khumārawayh from his irksome older brother, al-ʿAbbās, and the latter's almost immediate disappearance thereafter.[12]

To reconstruct the event, then, we can move ahead only a few paces: al-Balawī's account stands almost alone and, for the most part, cannot be checked. The account offers much to consider nonetheless, and such is the task I set out here. I first compare the account to that of Ibn al-Dāya, then discuss it on its own terms. As seen below, in al-Balawī's introduction to the *Sīra*, he appears to address a patron, specifically the latter's demand for a properly rendered chronicle of Ibn Ṭūlūn's tenure. On one level, then, and perhaps in response to a direct commission, which is nowhere clear, al-Balawī seeks to demonstrate an expertise in Ṭūlūnid history. In doing so, as he states outright, he hewed closely to the copious information at his disposal. His main source was Ibn al-Dāya himself: al-Balawī draws generously on two of the latter's writings. The demonstration of expertise was essential to the success (one might say legitimacy) of his book.

Several concerns inform the succession account: the integrity of the Ṭūlūnid household, understood to encompass the members of the immediate family as well as a supporting cast of elite military and civilian persons;

[9] See Josef von Karabacek, *Papyrus Erzherzog Rainer, Führer durch die Ausstellung* (Vienna: Selbstverlag der Sammlung, 1894), 224–29.

[10] I borrow the question (Did the event take place?) from Bonner's invaluable discussion of the earlier and no less public (and controversial) event in Ibn Ṭūlūn's career, the so-called Damascus Assembly of 269/883. See his "Ibn Ṭūlūn's Jihad," pp. 577, 578, 581, and 603.

[11] Ibn al-ʿAdīm, *Bughyat al-ṭalab fī tārīkh Ḥalab*, ed. Suhayl Zakkār (Beirut: Dār al-Fikr, 1988): 2:834. On Ibn Zūlāq, see "Ibn Zūlāḳ," in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill). The reference, I believe, is unique, and one possibility is that Ibn al-ʿAdīm had in mind the biography of a somewhat later Egyptian strongman, also of Samarran Turkic origins, Muḥammad b. Ṭughj al-Ikhshīdī. See Richard Gottheil, "al-Ḥasan ibn Ibrāhīm ibn Zūlāḳ," *Journal of the American Oriental Society* 28 (1907): 254–55, 257.

[12] *Kitāb al-Wulāt*, 233. Given the extent of his coverage of the Ṭūlūnid period, it is surprising that Taqī al-Dīn Aḥmad al-Maqrīzī, *Khiṭaṭ*, 1st edition, ed. Ayman Fuʾād Sayyid (London: al-Furqān Islamic Heritage Foundation, 1423/2002), 2:100, and *Al-Muqaffā al-kabīr*, ed. Muḥammad al-Yaʿlāwī (Beirut: Dār al-Gharb al-Islāmī, 1411/1991), 3:812, offer so little comment on the succession event.

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the management of the Ṭūlūnid economy; and the shaping of a response to Ibn Ṭūlūn's imperial detractors. Each concern appears as a source of "anxiety" informing what was the penultimate public act on the *amīr*'s part.[13] Each points, in other words, to an uneasiness underlying Ibn Ṭūlūn's efforts at autonomous state-building. The threefold commitment demanded by Ibn Ṭūlūn (at its heart, a call for new-style loyalties) required all on hand to proceed headlong onto untilled political ground.[14] There was the clear if unstated challenge to the caliphate and integrity of the empire. There was the problem that Ibn Ṭūlūn was asking for a transfer of loyalties from his own person to his young heir. And there was the issue of the latter's suitability for office: the thrust of much of what the text has Ibn Ṭūlūn say to his son and audience alike implies a lack of experience on Khumārawayh's part.

But al-Balawī sought to do his sources, and Ibn al-Dāya in particular, one better. He uses the opportunity to draw out the "lessons" of Ibn Ṭūlūn's succession ceremony. Read as such, the account becomes an exercise in advice-giving that speaks not simply to the challenge confronting the Ṭūlūnid house at a particularly delicate moment (the transfer of office). Rather, it attempts to speak to the wider question of effective governance and the character of decision-making. The *Sīra*, read in this fashion, is to be understood as an early example in the pre-modern Islamic era of a long-standing and widely variant category of Middle Eastern literary production, the "advice" or "mirror" literature.[15]

The Two Accounts

Questions surround al-Balawī's version of the succession ceremony. A first such question concerns his sources. One understands, in part from his own comment, which is provided below, that al-Balawī derived much of the *Sīra* from a chronicle of the Ṭūlūnid period by his predecessor and possibly

[13] A final act, according to al-Balawī, *Sīra*, 341–42, was to order (from the litter on which the dying governor was being carried) the sealing of cracks in the walls enclosing al-Qaṭā'ī', the governor's administrative center adjoining al-'Askar and al-Fusṭāṭ. As a symbolic act, the gesture seems obvious.

[14] On the connection between innovative local politics and the breakup of the Arab-Islamic Empire, see Annliese Nef and Mathieu Tillier, "Introduction," *Annales islamologiques* 45 (2011): 1–19.

[15] See Louise Marlow, "Advice and advice literature," in *Encyclopaedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (Leiden: Brill) (under "Epistles and Testaments"). For a full study, see Marlow's two-volume *Counsel for Kings: Wisdom and Politics in Tenth-Century Iran* (Edinburgh: Edinburgh University Press, 2016). I have also benefitted from reading Neguin Yavari's *Advice for the Sultan: Prophetic Voices and Secular Politics in Medieval Islam* (Oxford: Oxford University Press, 2014).

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older contemporary Aḥmad b. Yūsuf, better known as Ibn al-Dāya.[16] The indications are that Ibn al-Dāya, like his father before him, worked in the later Ṭūlūnid administration, and that, in composing his history of the dynasty, he drew on a body of first-hand information provided him by personal contacts.[17]

Only the first part of Ibn al-Dāya's text survives, however: the biography of Ibn Ṭūlūn, in Ibn Saʿīd al-Maghribī's seventh/thirteenth-century work *al-Mughrib fī ḥulā al-Maghrib*.[18] A second of Ibn al-Dāya's works, the *Mukāfaʾa*, contains a number of additional passages on Ibn Ṭūlūn, and al-Balawī likely made use of it as well.[19] The assessment by Muḥammad Kurd ʿAlī, whose edition of the *Sīra* appeared in 1939, is that al-Balawī adopted "roughly fifty stories (*naḥwa khamsīn qiṣṣa*)" from those provided by Ibn al-Dāya, to which he added another forty or so of unclear origin.[20] That Ibn al-Dāya's original chronicle is missing, however, means that we are unable to fully assess the manner and extent of al-Balawī's reliance on his predecessor. Two modern scholars refer to the surviving text as an abridgment without explanation, which may be an unwarranted clouding of the waters: Ibn Saʿīd does not say that he edited Ibn al-Dāya's work, only that he selected it from various books on Ibn Ṭūlūn that were at his disposal ("I decided to limit myself to the book … of Ibn al-Dāya").[21]

The question of al-Balawī's sources and, specifically, the uncertainty that surrounds his reliance on Ibn al-Dāya are underscored by al-Balawī's use of the phrase *qāla muʾallif hādhā al-kitāb* ("the author of this book stated that"). He uses the phrase throughout the *Sīra*, including in one part of his account of the succession event. To whom does the phrase refer and where does the stress fall? The passages in question may have derived as well from Ibn al-Dāya's original book, and, in this case, al-Balawī used the phrase to mark off that same material. But a better reading is that it is al-Balawī's way

[16] See Bonner, "Ibn Ṭūlūn's Jihad," 579–80; Gladys Marie Frantz, "Saving and Investment in Medieval Egypt" (PhD Dissertation, University of Michigan, 1978), 8–18; and this author's "al-Balawī," in *Encyclopaedia of Islam, THREE*. These rely, in good part, on Muhammad Kurd ʿAli's introduction to the *Sīra*.

[17] Franz Rosenthal, "Ibn al-Dāya," in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill).

[18] Ed. Zaky Moḥamed Ḥassan *et al.* (Cairo: Maṭbaʿat Fuʾād al-Awwāl, 1953), 73–133.

[19] *Kitāb al-Mukāfaʾa wa-ḥusn al-ʿuqbā*, ed. Maḥmūd Muḥammad Shākir (Beirut: Dār al-Kutub al-ʿIlmīya, n.d.). For a different reading of the text, see Arie Schippers, "'Tales with a Good Ending' in Arabic Literature: Narrative Art and Theory in the Arabic World," *Quaderni di Studi Arabi* 4 (1986), 57–70. My thanks to Louise Marlow for bringing the article to my attention.

[20] *Sīra*, 10–11.

[21] *Mughrib*, 73 (*wa-qad ʿitamadu fī hādha al-makān an aqtaṣir ʿalā kitāb … li-Ibn al-Dāya*). See Bonner, "Ibn Ṭūlūn's Jihad," 573–80. It is unclear whether Ibn Saʿīd had access to al-Balawī's *Sīra*.

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of setting off his text from that of Ibn al-Dāya: the stress, in this reading, falls on *hādhā*, so, effectively, "this book of mine." It would be a reminder of his method and, presumably, he would have us think, superior product.[22]

A further wrinkle concerns the identity of the informants named by Ibn al-Dāya. Most of these persons were, to us, obscure members of Ibn Ṭūlūn's personal circle, household, and administration to whom Ibn al-Dāya presumably had access in his capacity as a Ṭūlūnid official. A trio of issues arises here. There is, first of all, our inability to identify these persons beyond what the occasional passing comment says of their relationship to the *amīr* and thus their role in his regime.[23] Second, there is little way in which to identify the manner in which Ibn al-Dāya and/or al-Balawī tapped information from these persons. Finally, we cannot be sure whether and how often al-Balawī himself dealt with these same individuals (if, indeed, there is anything to their presence in the texts).[24] So, for example, in the case of the succession event, both texts cite Nasīm *al-khādim* as, apparently, their main source. We know little about Nasīm apart from his single and, one can assume, assigned name (an apparent indication that he was a Ṭūlūnid freedman) and a series of brief references that imply long service in the governor's household.[25] If, in fact, al-Balawī produced a longer and more elaborate account of the ceremony, is this because he too spoke with Nasīm? It remains unclear.

That, in comparing the two accounts of the succession event, we are on tentative ground becomes clear in reading the opening passage of the *Sīra*. In a long comment, al-Balawī criticizes Ibn al-Dāya's approach to the writing of history, specifically his account of Ṭūlūnid rule. He promises (to an unnamed and thus unidentifiable patron[26]) to provide a tighter and more systematic account. His method, if we keep with his statement, was to rework the earlier text. The result was a set of self-contained "reports" (*qiṣaṣ* or *akhbār*) of varying length, many though apparently not all derived from

[22] Bonner, "Ibn Ṭūlūn's Jihad," 590–91.

[23] On staffing the middle ranks of Ibn Ṭūlūn's regime, so to speak, see Chase F. Robinson, *Islamic Historiography* (Cambridge: Cambridge University Press, 2003), 124, citing al-Balawī, *Sīra,* 130, on Ibn Ṭūlūn's "chief interrogator"; Petra M. Sijpesteijn, "Profit Following Responsibility. A Leaf from the Records of a Third/Ninth Century Tax-Collecting Agent," *The Journal of Juristic Papyrology* 31 (2001), 93–98, on Badr al-Kabīr, a prominent tax official; and Tillier, "Prisons," 237–39. Extant documents, many yet to be studied in full, name a series of individuals in different (mostly fiscal and security) offices.

[24] In this case, it would be a matter of al-Balawī checking in with his predecessor's informants. Such a scenario, of course, turns on al-Balawī's dates, which remain uncertain.

[25] Al-Balawī cites Nasīm thirty-one times in the *Sīra*.

[26] Kurd ʿAlī largely passes over the question (*Sīra*, 6–7, 11); Shayyal, "Al-Balawī," suggests "a statesman or a man of letters of the Ikhshīdid period."

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Ibn al-Dāya, joined to often longer, interlocking narrative sections. The result is a coherent account of Ibn Ṭūlūn's tenure in office; the *Sīra* holds together fairly well as a text and, I argue later, compelling study in power.

Addressing his ostensible patron, and, again, in reference to Ibn al-Dāya's text, al-Balawī opens as follows:

> As you say, this is not how others (*al-nās*, so, perhaps, "those in the know") have compiled chronicles or how scholars have narrated past events. You seek an exhaustive and careful approach, in which a first event should precede that which came next, and a subsequent event should follow that which preceded it. I have addressed your directives in carrying out the task as you stipulated. I have left out nothing about the Ṭūlūnids that deserves to be properly narrated, serves to instruct (*wa-bihi yataʾaddab*), or is deemed pleasing. I have organized this book into sections, being careful not to include in each section material that belongs elsewhere.[27]

The task, as al-Balawī defines it, was to provide a thorough, instructive, and congenial text. Here I consider but one section of the *Sīra* (the succession event) in treating what I see as a balancing act by al-Balawī of the first and second of the three aims: his chronicle of Ibn Ṭūlūn's tenure ("what deserves to be narrated"), on the one hand, his effort to draw out its significance ("what serves to instruct"), on the other.

A first step is to contrast his account with what we have from Ibn al-Dāya. The two accounts diverge sharply, at least in the form that we have them today. The passage from Ibn al-Dāya stands alone, which is to say that it has very little to do with the material that precedes and follows. This may be a function of Ibn Saʿīd's handling of the text, but, as indicated earlier, there is no obvious reason to see that he abridged it as modern scholars have alleged. By contrast, al-Balawī's version, though a coherent report on its own, works even better when one reads the longer encompassing narrative in which it is set. Ibn al-Dāya's version, in contrast with al-Balawī's elaborate narrative, is also succinct and straightforward. In form and structure, then, it acts as a conventional independent "report" (*khabar*). But, more important still, the two versions part ways in their emphasis.

Here a brief word of context is in order. It has to do with the two brothers, al-ʿAbbās and Abū al-Jaysh Khumarāwayh, the first of whom had very likely been groomed for office by his father. Several years before the succession event, however, he had risen against his father, an event the sources describe as short-lived and hapless. It was upon al-ʿAbbās's defeat and arrest that Ibn

[27] al-Balawī, *Sīra*, 32. Also see the translation by Frantz, "Saving and Investment," 15–16.

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Ṭūlūn had replaced him as heir with Abū al-Jaysh.[28] The governor had held off, however, on doing away with his wayward son (whether by exile or execution) and, indeed, it appears, held out hope of his rehabilitation.[29]

Ibn al-Dāya's version of the succession ceremony speaks directly to the aborted rebellion by having it (the ceremony) turn on al-ʿAbbās's final humiliation and punishment. It has him saunter into court as, he believes, his deceased father's inevitable successor. But instead (and to his consternation), Ṭūlūnid courtiers force him to swear allegiance to his younger brother then drag him off, his fate sealed.[30] If there is a moral to be drawn from Ibn al-Dāya's report, it likely has to do with just deserts.[31]

Al-Balawī, writing the *Sīra*, aims higher, this in keeping with his promise to the unnamed patron to not simply narrate but draw out the lessons of Ibn Ṭūlūn's tenure. Thus, a further and significant difference emerges between the two texts. Ibn al-Dāya sets his version immediately after the death of Ibn Ṭūlūn and, so, as just noted, has Khumārawayh ushered into office by his father's courtiers. By contrast, al-Balawī, in an intervention that says much of his ambitions for the *Sīra*, has Ibn Ṭūlūn, though gravely ill, preside over the proceedings. And lest the point be missed, in his description of the governor's final moments, so following the succession account, al-Balawī lauds Ibn Ṭūlūn's mental acuity even at the moment of his physical collapse. "His mind remained as sharp as ever, as this, his final testament (*waṣīya*), bears out."[32]

The effort to burnish the governor's image for the ages, so to speak, seems obvious. Al-Balawī uses the succession event to pose a universal question with which any self-respecting power broker would need to contend: how best (in this case at that most delicate of moments, the transfer of office) to effect the political alchemy of drawing moral and ideological commitment from material incentive? Ibn Ṭūlūn was asking much of his military and civilian supporters. He had brought them along to his point, and had

[28] On the revolt, about which al-Balawī, *Sīra*, 244–71, offers a considerably longer account than Ibn al-Dāya (Ibn Saʿīd, 118–23), see Bianquis, "Autonomous Egypt," 96–97, and Hassan, *Tulunides*, 67–76.

[29] Al-Balawī, *Sīra,* 342, at the close of his account of the succession, includes a *khabar* in which Ibn Ṭūlūn counsels al-ʿAbbās to support his brother and warns him of the considerable animosity that he faced at court. I have seen no such passage in either of Ibn al-Dāya's books.

[30] Ibn Saʿīd, *Mughrib*, 131 and al-Kindī, *Kitāb al-Wulāt,* 233, imply al-ʿAbbās's subsequent murder. Ibn Taghrī Birdī, *al-Nujūm al-zāhira fī mulūk Miṣr wa-l-Qāhira*, ed. Muḥammad Ḥusayn Shams al-Dīn (Beirut, Dār al-Kutub al-ʿIlmīya, 1413/1992), 3:62, has Abū al-Jaysh order the execution immediately, as does al-Maqrīzī, *Khiṭaṭ*, 2:100.

[31] For a possible literary context in which to situate Ibn al-Dāya's story, see Schippers, "Tales."

[32] *Wa-yanḥallu jismuhu illā an ʿaqlahu thābit lam yatakhayyir min-hu shayʾ wa-l-dalīl ʿalā dhalika waṣīyatuhu hādhihi*: al-Balawī, *Sīra*, 343.

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been generous in his compensation, much as he says in the later part of his discourse to the assembled audience. But would it suffice to assure their support once he was gone?

The Succession Ceremony: Reading al-Balawī's *Sīra*

The Two Opening Akhbār

There are several parts to al-Balawī's account.[33] It begins with two distinct if overlapping *akhbār* that work to frame the main event. I read this as an effort by al-Balawī to integrate free-standing elements into a more coherent narrative. The first of the two "reports" has an ailing Ibn Ṭūlūn, ever attendant to his army's needs, direct a top official, Ibn Muhājir, to pay the troops a full year's salary in concert with the swearing of the oath of loyalty (*bayʿa*) to his son.[34] Ibn Muhājir discounts the order as evidence of the governor's faltering cognition. Ibn Ṭūlūn, ever alert, insists. Ibn Muhājir proceeds to distribute the money (*māl*) to the infantry units (*rijāl*), specifically. The specificity of the order, if this reading is correct, is left unexplained, but, to a contemporary reader, an explanation would likely have been unnecessary.[35] A short lesson by Ibn Ṭūlūn to his reluctant treasurer follows. "It was for just such a moment that I set aside this revenue (*jamaʿtu al-amwāl*). I wish to show the troops (*jaysh*) that they would be provided in a manner that those who would take up arms and confront them could not. This way their hands and hearts are emboldened." The passage sums things up nicely: one was to join material gain ("hands") to emotional and moral inducement ("hearts") and, in the process, counter the inducements offered by his opponents. There was no need to name al-Muwaffaq (Ibn Ṭūlūn's bête noire) nor his minions in Iraq and Syria.

Ibn Ṭūlūn's payment to the troops on the eve of a politically charged event was hardly an innovative step. Here one might consider a related text, one produced decades earlier at the court of the Ṭāhirids, the governing house of early Abbasid Baghdad and Khurasan. Termed an "epistle," it is

[33] Al-Balawī, *Sīra*, 336–43.

[34] *Fa-lammā ishtaddat ʿillatuhu taqaddama ilā Ibn Muhājir fī iṭlāq rizqⁱⁿ sannatⁱⁿ li-l-jaysh fī bayʿat Abī al-Jaysh baʿdahu* (al-Balawī, *Sīra*, 336).

[35] The structure and composition of the Ṭūlūnid military is difficult to assess in detail. But, on this reference, one view is that Ibn Ṭūlūn, having been raised in a Samarran military household, understood well enough the wisdom of satisfying the rank and file. On divisions in the Samarran armies and, specifically, an uprising by the Turkic-Central Asian troops in 256/869–70, see this author's *The Breaking of a Thousand Swords: A History of the Turkish Military of Samarra* (Albany, NY: State University of New York Press, 2001), 124–29 and 143–44.

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typically held up as an early model (of one type) of "advice" literature.[36] Ṭāhir b. al-Ḥusayn, addressing his son ʿAbdallāh, newly appointed as governor "of Diyār Rabiʿa and the lands extending through Syria to the borders of Egypt," reminds him to provide adequate support to his troops, advice, in sum, very much in the same vein as that offered by Ibn Ṭūlūn to his son.[37] But, issued in 206/821, thus, again, much earlier than al-Balawī's *Sīra*, the epistle was of a very different Abbasid moment. The context of Ibn Ṭūlūn's admonition to Ibn Muhājir was specific.[38]

The sense that the governor was preoccupied with securing support from his military is borne out in the description of the succession event itself. If Ṭāhir's comment to his son takes up only a small part of the epistle, in other words, in al-Balawī's account the concern, clearly pressing, is front and center. This would follow given Ibn Ṭūlūn's project of new-style state-building and the fierce opposition emanating from Samarra and Baghdad. Indeed, al-Muwaffaq, drawing on his close ties to the Abbasid central command, sought at least once to oust Ibn Ṭūlūn by force, an abortive effort as it turned out.[39] More consequential still had been the betrayal of Luʾluʾ, a long-time Ṭūlūnid client (and, like Nasīm, a freedman) in 268/882. Charged by Ibn Ṭūlūn to govern his Syrian provinces, Luʾluʾ opted, for reasons left obscure, to switch allegiance to al-Muwaffaq, this in the context of the Zanj war in southern Iraq. The betrayal had badly shaken the Ṭūlūnid house.[40] Al-Ṭabarī has Luʾluʾ in command of a formidable army that, with the betrayal, was now lost to Ibn Ṭūlūn.[41] In sum, the governor, addressing Ibn Muhājir (and, soon, Abū al-Jaysh himself) had every reason to nurture relations with his local military command.

The corrosive effect of betrayal arises implicitly in the second of al-Balawī's introductory *akhbār*. The report describes a final exchange between the dying governor and his long-time companion Aḥmad b. Muḥammad

[36] For an excellent translation and detailed commentary, see Clifford E. Bosworth, "An Early Arabic Mirror for Princes: Ṭāhir Dhū l-Yamīnain's Epistle to His Son ʿAbdāllah (206/821)," *Journal of Near Eastern Studies* 29 (1970), 25–41. Marlow, "Advice and Advice Literature," says of the text: "Ṭāhir's testament [*waṣīya*] offers an extensive and comprehensive model of rulership to which those in authority should aspire."

[37] "Early Arabic Mirror," 26 (appointment), 36 (payment).

[38] On contextualizing works of "advice" literature, see Louise Marlow, "Surveying Recent Literature on the Arabic and Persian Mirrors for Princes Genre," *History Compass* 7 (2009), 529–30.

[39] Al-Balawī, *Sīra*, 85–87.

[40] See Bianquis, "Autonomous Egypt," 96, 100–101, 102 and Hassan, *Tulunides*, 72, 77–81, 90, 94, 123. I am preparing a separate study of al-Balawī's detailed treatment of the betrayal and its fallout (*Sīra*, 272–88, 305–309).

[41] *Tārīkh al-umam wa-l-mulūk*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Cairo: Dār al-Maʿārif, 1960–1969), 9:2028–29, 2080–81.

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al-Wāsiṭī. The latter was a natural choice for a heart-to-heart prior to the ceremony of succession. Their relationship dated to well before Ibn Ṭūlūn's appointment to Egypt, and, over the years, the *amīr* had relied on al-Wāsiṭī to carry out all manner of sensitive tasks.[42]

The encounter, in al-Balawī's description, is emotionally taut.[43] The *amīr*, at one point, reminds al-Wāsiṭī of their long attachment: "I have been better to you than I have my son and favored you over all others."[44] Al-Wāsiṭī, overcome, assures the governor of his abiding commitment. The text, of course, has set things up: al-Balawī, citing Nasīm as his informant, goes on to remind us of al-Wāsiṭī's subsequent abandonment of Abū al-Jaysh and the Ṭūlūnid house, this shortly after Ibn Ṭūlūn's death. Al-Balawī adds that the wayward client went on to die as a fugitive, shunned and in disgrace.[45] It reads in similar fashion to his account of Luʾluʾ's fate.[46] One can read such comments as conventional, that is, standard fare on the vagaries of master–client relations (and the certain fate of the unfaithful servant).[47] But one has here a specific context, the struggle by Ibn Ṭūlūn to secure declarations of faith in his political project even, and perhaps especially, on the part of persons already invested in that same project. Loyalties, once secured, had now to be nurtured.

The Main Event

The two exchanges, with Ibn Muhājir (on supplying the army) and the emotionally charged tête-à-tête with al-Wāsiṭī (an effort to secure the support of a leading courtier), serve as entry to al-Balawī's account of the succession event. Citing, as witnesses, Nasīm *al-khādim* and the ambiguous *muʾallif hādhā al-kitāb*, al-Balawī leaves off reference to its venue. One is left to choose, it seems, either Ibn Ṭūlūn's *qaṣr* in al-Qaṭāʾiʿ, his administrative center, or the impressive new mosque that remains in place today. The *amīr* used both sites, often in conjunction with one another, in projecting a public presence.[48]

[42] The references in the *Sīra* are many (index: Aḥmad b. Muḥammad al-Wāsiṭī).

[43] For a useful introduction to emotion as an approach to Arabic/Islamic sources, see Julia Bray, "Toward an Abbasid History of Emotions: The Case of Slavery," *International Journal of Middle East Studies* 49 (2017), 143–47.

[44] Or "I favored you over the boy (i.e. Abū al-Jaysh) and all others" (*faḍaltuka ʿalā al-walad wa-kull ahad*^{in}) (al-Balawī, *Sīra*, 337).

[45] Al-Balawī, *Sīra*, 337–38.

[46] Al-Balawī, *Sīra*, 305–309.

[47] For useful discussion, see Noëmie Lucas's chapter in this same volume.

[48] See this author's "Ibn Ṭūlūn, al-Qaṭāʾiʿ and the Legacy of Samarra," in *Beiträge zur Islamischen Kunst und Archäologie*, Band 4, eds. Julia Gonnella *et al.* (Wiesbaden: Dr Ludwig Reichert Verlag, 2014), 63–77, esp. 68–69.

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The text, making clear that the event was both public and highly charged, begins with a list of elite attendees. Led by Aḥmad al-Wāsiṭī, Muḥammad b. Abbā (a top bureaucrat) and Ṭabārī[49] (a prominent commander), the assembly included Ibn Ṭūlūn's closest advisors (*wujūh khāṣṣatihi*), his officers (*quwwādihi*), principal officials (*wujūh dawlatihi*), and his main secretaries (*kuttābihi*). Unclear is whether each designation is to be read as a bounded category. More likely is that the list of worthies is intended to underscore the somber weight of the event: on hand were all persons with a stake in the future of the Ṭūlūnid *dawla*. The only elite sector not represented, it seems, was the (proto-Sunni) Islamic religious establishment. The attendees in place, Ibn Ṭūlūn brings Abū al-Jaysh forward: the governor would dispense his advice publicly. Again, a key feature of the account, compared with that of Ibn al-Dāya, is the (commanding) presence of the *amīr*, this despite his deteriorating physical condition. He opens on a practical note with a set of stern instructions to his son regarding the provision of support to the caliph, al-Muʿtamid (r. 256/870–279/892). Here, the effort to coax moral and emotional commitment from material inducement is plain. At issue were annual payments of one hundred thousand dinars intended for the caliph himself and, specifically, to defend the terms of the *bayʿa* sworn to al-Muʿtamid by Ibn Ṭūlūn and the army.[50] The hard number cannot be checked: one takes it as reference to the scale of the sums involved.

At play is Ibn Ṭūlūn's determination to champion the caliph and his office. A full discussion falls outside the bounds of the present paper; suffice it here to say that Ibn Ṭūlūn's project was never one of outright independence.[51] It was a matter, on the one hand, of adopting a posture of deference to the Abbasid house and the prestige that accrued in doing so, and, on the other, of providing the caliph with the means by which to withstand the pressures placed upon him and his office. The text neither names al-Muwaffaq nor points directly to his efforts at securing primacy over the caliphate, but, to any reader of the full *Sīra*, the inferences must have been clear.[52] Al-Balawī does not explain, in any case, his reason for leaving out specific references

[49] The rendering of ostensibly Turkic names in early Abbasid texts raises questions not simply of how they (the names) were read or misread, as the case may be, by urban authors writing in Arabic, but also of how best to situate the Samarran commanders and their troops in relation to contemporary Middle Eastern society. For one discussion, see this author's "The Samarran Turkish Community in the *Taʾrīkh* of al-Ṭabarī," in *Al-Ṭabarī: A Medieval Muslim Historian and His Work*, ed. Hugh Kennedy (Princeton: The Darwin Press, 2008), 237–62.

[50] See, for context, Treadwell, "Numismatic Evidence," esp. 25–27.

[51] See Gordon, "Deference."

[52] As suggested earlier, the confrontation with al-Muwaffaq, on the part of both the caliph and Ibn Ṭūlūn, is a leitmotif of the *Sīra*, with the regent serving as a useful foil.

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of this kind. My suggestion, again, is that, in opting for a certain ambiguity, he sought to have his text take on a more universal thrust.

In describing Ibn Ṭūlūn's comment to Abū al-Jaysh regarding support for the caliph, al-Balawī (or his source) has him use the same phrase three times, albeit with slight variations. Abū al-Jaysh (so his father would have it) was to continue the payments as a buttress against "the misdeed [or sin of] violating the oath of allegiance (*al-ḥinth fī yamīn al-bayʿa*)."[53] The third instance of the phrase has a slight twist: Abū al-Jaysh, in seeing to the payments, would assure not only the security of the caliph and thus position himself in the right but also model a proper stance for the military. By emboldening the troops against their detractors, he (and they) would offer solace to the beleaguered caliph. The charge in question (the violation of the *bayʿa* and, thus, the menace posed to the caliphal office) was one that Ibn Ṭūlūn had levelled at al-Muwaffaq some months earlier at the so-called "Damascus Assembly." The event, which involved an effort by Ibn Ṭūlūn to rally elite support for his position regarding the caliphate and issue a formal condemnation of al-Muwaffaq, was the last direct confrontation between the two men.[54]

At work, to make the point again, was Ibn Ṭūlūn's effort to bend the prestigious weight of the caliph's office to his purposes. This section of the text ends, however, with a small comment, ostensibly on al-Balawī's part, in which he cites Muḥammad b. ʿAbd Kān, a prominent Ṭūlūnid official. Abū al-Jaysh, the comment goes, continued the payments until the appointment of a new vizier in Samarra, Ismāʿīl b. Bulbul, and the signing of an accord with al-Muwaffaq. The short note, in other words, refers to an episode in Khumārawayh's tenure, so an episode of later Ṭūlūnid history.[55] It evinces the care with which al-Balawī composed his account. The note (further proof that he knew his Ṭūlūnid history) is set apart from the main text. This is to suggest again that al-Balawī looked to frame it, the main account, in more universal terms regarding the just exercise of authority. His topic is Ibn Ṭūlūn's succession, but his effort is to frame it as an appropriate exercise of *riyāsa*.

The text returns to Nasīm's account. It has Ibn Ṭūlūn, having advised his son regarding the payments to al-Muʿtamid, turn once more to his officers

[53] An echo of Q 56:46. On the use of *yamīn* in different settings, see Andrew Marsham, *Rituals of Islamic Monarchy: Accession and Succession in the First Muslim Empire* (Edinburgh: Edinburgh University Press, 2009), 28, 41, 54 and 239.

[54] Bonner's "Ibn Ṭūlūn's Jihad" is a full and rewarding discussion of the Assembly.

[55] See Ulrich Haarmann, "Khumārawayh," in *Encyclopaedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (Leiden: Brill).

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and troops (*wujūh quwwādihi wa-ghilmānihi*). The passage continues with the dominant theme, linking reminders of material support with a call for personal commitment. It has the *amīr* insist that, for them, he had set things in order: "All that you require I have provided with this regime" (*qad waṭaʾtu la-kum al-mihād bi-hādhihī al-dawla*). And now, he would ask in return, first, that they set aside their divisions and mutual mistrust, and, second, resist the inducements offered them by *ahl al-ʿIrāq*. The passage concludes with a reminder of how much turned on the presence of Ibn Ṭūlūn's own person: "No one will lead you as I have … be mindful of the companionship and close guidance I have devoted to you all." His audience, as a body, weeps.[56]

The governor then turns back to Abū al-Jaysh, partly on familiar ground. Ibn Ṭūlūn, speaking of all he had provided his son by way of wisdom and instruction (*lan tajid abad*^{an} *anṣaḥ la-ka minnī*), had also bequeathed to him sufficient wealth (*dakhl baladika*) to meet the requirements of his military and elite supporters. And now it falls to him, Abū al-Jaysh, to counter the (ill-)advice of their opponents.[57] At issue, of course, are their Abbasid detractors and their slander, a sure source, were it heeded, of ruin and collapse (*iḍmiḥlāl wa-zawāl*). No need for further explanation: it meant facing down al-Muwaffaq and his allies. But the text sounds a new note as well concerning leadership style. Ibn Ṭūlūn conveys it in a two-part phrase, difficult to translate, that strikes a distinctly paternal (and autocratic) note much in keeping with the tone of the entire discourse. Abū al-Jaysh, he says, is to extend benevolence (*līn al-jānib*) to his subjects and thus assure a sense of security on their part. He bequeaths to his son, in effect, the *raʾīya*, or "subject populace" of Egypt: "Act on their behalf, and you win them over. They will rush to demonstrate their loyalty and hasten to carry out your every bidding."[58]

An extended passage in Ṭāhir's b. al-Ḥusayn's epistle sounds the same note, one found in many other works of Middle Eastern advice literature as well. "The people in your realm are only called 'your flock' (*raʾiyyatuka*) because you [ʿAbdallāh b. Ṭāhir] are their shepherd (*rāʾīhim*) and their overseer."[59] But, again, one wants to be attentive, in reading al-Balawī, to the specifics of Ṭūlūnid affairs. Although the *Sīra* represents Ibn Ṭūlūn in

[56] Al-Balawī, *Sīra*, 339.

[57] On the potent term *naṣīḥa*, or "counsel, advice, direction," which reoccurs further in the same passage ("turn a deaf ear to those whose counsel would only bring ruin to your realm"), see the repeated references in Marlow, *Counsel for Kings* (index).

[58] Al-Balawī, *Sīra*, 339.

[59] Bosworth, "Mirror," 37–38.

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very positive fashion overall, it does voice throughout a certain anxiety, as Kurd ʿAlī points out in his editor's introduction, that the governor wielded too heavy a hand. Thus, for example, it includes a reference (cited almost invariably by later biographers of Ibn Ṭūlūn, most of whom likely relied on Ibn al-Dāya and/or al-Balawī) to the "18,000 prisoners" executed on the governor's watch.[60] The succession text echoes the same warning. It has Ibn Ṭūlūn acknowledge having been reluctant to extend that same benevolence to his subjects, but adds, as if to justify his grim record, that he had done so to provide his heir with the opportunity to do him one better in "capturing [his people's] hearts."[61]

Up to this point, then, the governor's *waṣīya*, or "testament," to his son reads as one would expect. Ibn Ṭūlūn counsels Abū al-Jaysh on the main challenges: relations with the military, civilian notables, and the Ṭūlūnid household; proper conduct toward the office and person of the caliph; and the antagonism of their Iraqi imperial detractors. But, again, the account is layered. Al-Balawī provides a close narrative of the events in question, addressing in the process issues particular to the Ṭūlūnid case (e.g. the confrontation with al-Muwaffaq). But one can easily read the succession account as an effort, using a more universal register, to have Ibn Ṭūlūn's advice resonate beyond the specific occurrence of Khumārawayh's assumption of office.

There is, in sum, a back-and-forth effect to the account. Al-Balawī does not lose sight of his subject (the acquisition of office by Abū al-Jaysh), and one could certainly argue that he has performed a valuable service by recounting an event about which we would otherwise know little. As stated earlier, however, the historicity of the event cannot be checked; the details of the two introductory *akhbar*, like the main narrative itself, stand in limbo so to speak. But nor should one lose sight of al-Balawī's determination to demonstrate his grasp of Ṭūlūnid history. This is particularly apparent in the final section of the succession account.

It has Ibn Ṭūlūn refer to what might be called four principal "revenue streams," that is, the sources of wealth on which Abū al-Jaysh was to rely in carrying through his father's advice and thus sustaining the family's hold on Egypt. One turns here, ostensibly, to Ṭūlūnid fiscal matters. The references in question are at once striking and difficult to interpret, which might

[60] Al-Balawī, *Sīra*, 27 (Kurd ʿAlī). On the same reference in later sources, see e.g. Ibn al-ʿAdīm, *Bughya*, 8:829 and al-Maqrīzī, *Muqaffā,* 1:425. For a thorough discussion, see Tillier, "Prisons."

[61] Al-Balawī, *Sīra*, 339.

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explain why modern scholarship has largely passed them over.[62] The entire passage, in any case, defies ready translation. On hand, for example, are the terms used in the account for the various categories of revenue: in what sense, if ever, are they technical terms? So, for example, there is *ḥāṣil*, typically defined as "result, product, yield," but which might be rendered here as "treasury." And what is the relationship of (the) *ḥāṣil* to the other "revenue streams"? The passage seems to indicate that the four "streams" or sources of wealth made up "my (Ibn Ṭūlūn's) income or treasury" (*wa-fī ḥāṣilī*).[63]

The four sources of wealth, and, thus, support for the Ṭūlūnid *dawla*, are as follows:

1. The "trust" or fund (*wadīʿa*) administered by Khayr *al-khādim*. The passage refers several times to this fund, calling it *al-māl al-makhzūn ʿinda Khayr al-khādim,*[64] or *al-wadīʿa allatī ʿinda Khayr al-khādim*. It has Ibn Ṭūlūn make much of the fund, for example, as "the treasure of your realm" (*dhakhīrat li-mamlakitika*) and, later in the text, he insists, in no uncertain terms, that it is not to be divided up upon his death. That is, Abū al-Jaysh is to keep it intact and close at hand, and thus draw on it only as a last resort.[65] The text is very specific: the fund contained 1000 *badra*s, or, as Kurd ʿAlī defines the term, a sum of ten thousand dirhams. Using one ratio, the full figure was perhaps in the neighborhood of 450,000 dinars.[66] (Here, as elsewhere, the actual numbers are probably best read as measures of scale than actual.)
2. A further sum in the amount of 1,750,000 dinars. The text stipulates, first, that this second fund was *separate* (*ghayr*) from the *wadīʿa*, and, second, that it was to be used specifically to pay the army (*li-ʿaṭāʾ jayshika*). Again, the text is read here as saying that the *ḥāṣil* contained the other funds. Unlike for the next two "streams," however, there is no apparent reference to the source of this second fund.

[62] It does not appear that either of the two modern historians to whom one can turn for guidance on the Ṭūlūnid economy has taken up this passage: Gladys Frantz-Murphy, "Saving and Investment," and see her *Arabic Agricultural Leases and Tax Receipts from Egypt (148–427 AH/765–1035 AD)* (Vienna: Verlag Brüder Hollinek, 2001), and Kosei Morimoto, *The Fiscal Administration of Egypt in the Early Islamic Period* (Kyoto: Dohosha Publisher, 1981). I know of no references in the documentary record to any of the four "revenue streams," at least not in the manner of al-Balawī, but a more systematic assessment of Ṭūlūnid-era documents, this particularly in light of the publication in recent years of newly edited papyrus texts, is clearly in order.

[63] Al-Balawī, *Sīra*, 340, line 15.

[64] Al-Balawī, *Sīra,* 340, lines 3 and 11, and a further reference on 341, line 6.

[65] See the phrasing on p. 340, lines 4–6. I take issue with Kurd ʿAlī's edit, specifically his interpolation (*fa-tashtarikū*) which, to my reading, does not make sense.

[66] See Kennedy, "Decline," 12, n. 11, citing al-Jashshiyārī, for the ratio of dirhams to dinars as 22:1.

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3. The yield of the annual land tax (*māddat al-kharāj*). Gladys Frantz-Murphy, in a brief discussion, indicates that from the mid-second/eighth century, the term *kharāj*, as used in the documentary record, referred to "taxes assessed in money, which could be paid in cash or in crops."[67] I take it that al-Balawī (or his source) is using it in this fashion as well. The text adds, presumably to contrast its use with that of the *wadīʿa*, that the particular fund was available to Abū al-Jaysh to use as he saw fit: it was "public wealth" (*mā tamlakahu al-dawla*).
4. The income from Ibn Ṭūlūn's own land holdings (*wa-alladhī amlakahu anā khāṣṣat*^{an} *min dakhl iqṭāʿī wa-ibtiyāʿī*). The sum specified is 250,000 dinars. The meaning of *ibtiyāʿī* is unclear. Were these lands that the governor purchased or acquired for his own benefit? And is part of the point, perhaps, that he *purchased* these lands so to make clear that the income from this one fund was, legally speaking, above board (i.e. that he had acquired the properties in licit fashion)?

The text, however, puts the stress on another point. Referring to the fund as contained in Ibn Ṭūlūn's own "treasury" (*bayt mālī*), it makes clear that it was separate from the *wadīʿa*, or "trust," in that, while the *wadīʿa* was to remain untouched except in cases of dire emergency, this money was to be used specifically for the Ṭūlūnid household. Abū al-Jaysh, in other words, was to use it as often and actively as possible. And the text is specific: he was to do so in order to shore up divisions within the ruling house. Again, as implied earlier in reference to Ibn Ṭūlūn's son (al-ʿAbbās) and, more so perhaps, his client-turned-traitor (Luʾluʾ), the Ṭūlūnid household was an unwieldy and fractious entity: the winning of hearts had to begin at home, and, for this purpose, Abū al-Jaysh was to make generous use of the fund.

A full discussion of this last section of the succession account would set it in the context of Ṭūlūnid economic history. Suffice it here to repeat the point that al-Balawī made every effort to display his command of Ṭūlūnid history. But the effort was, in equal measure, one of laying the groundwork to a particular understanding of Ibn Ṭūlūn's approach to office. So, briefly,

[67] *Agricultural Leases*, 141–42. On the introduction of the term *kharāj*, as an Abbasid-era innovation, see Frantz-Murphy, "The Economics of State Formation in Early Islamic Egypt," in *From Al-Andalus to Khurasan: Documents from the Medieval Muslim World*, eds. Petra M. Sijpesteijn *et al.* (Leiden: Brill, 2006), 101–14, esp. 110–12 and Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 177–78 and 190–93. The reference, on the part of both historians, to "Persian officials" is, to my mind, akin to the use of "Turk" in medieval sources and thus problematic. Is it, in fact, a proper ethnonym? These men, after all, were cosmopolitan members of an imperial court, and many were the offspring of mixed unions of elite fathers and concubine mothers of varied ethnic origins.

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I suggest that, in weaving together the many references, al-Balawī has the *amīr* not simply in command of the details of his fiscal affairs (a task he might well have left to Ibn Muhājir and others of his civilian administration) but is clear-minded in directing his heir as to their proper management. Al-Balawī, in sum, delves into the intricacies of Ibn Ṭūlūn's tenure to draw out the example of sound judgement and sage decision-making.

The description of the succession ceremony concludes with a last appeal on Ibn Ṭūlūn's part to his offspring and household: they were not to ignore the threat posed by their Abbasid detractors (*mā fī nufūs ahl al-ʿIrāq ʿalaykum*). The *amīr* ends on a plaintive (or defiant?) note: "I know full well how they view what I have done (*fa-innī aʿraf dhanbī la-hum*) – to God I appeal for your protection!" The weeping that followed shook the very building itself.[68]

Conclusion

Three concerns underlie al-Balawī's account of the succession ceremony. Each concern can be understood in relation to a single problem: the assurance that individuals and key circles would retain their ties to the Ṭūlūnid polity once its founder was gone. It was a matter of inducement: emotional, material, and ideological.

The first of the three concerns was the integrity of the Ṭūlūnid household. Were the ties that bound our governor to his elite following (his "household" of family members, commanders, clients, and advisors) properly defined and thus durable? Was Ibn Ṭūlūn assured, in other words, that they would survive his death and thus provide his heir with the backing he would need to govern in his own right? The question goes to the extent to which his contemporaries signed on to his project of fashioning a near-independent polity in Egypt and, thus, in part, redefining relations with the Abbasid center. Betrayal by al-ʿAbbās (his son), Luʾluʾ (his client), and al-Wasiṭī (his long-time advisor) begs the question. All were individuals once closely aligned to the Ṭūlūnid household, and on whom the *amīr* had relied in advancing his political ambitions and to whom he had directed all manner of favor. Each of these men owed their careers to enrollment in the Ṭūlūnid house, and yet each opted to step away when opportunity arose.

No less a concern was the management of Egypt's wealth, what I have described as the "revenue streams" of the Ṭūlūnid state. The text has the *amīr* worry about the proper use of each fund. As with the passage regarding

[68] al-Balawī, *Sīra*, 341, line 14.

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al-Wāsiṭī (on the question of loyalty), the text may be simply engaging in foreshadowing. Abū al-Jaysh would demonstrate a taste for lavish spending over his twelve-year tenure; the Egyptian historiographical tradition knows him well for this reason.[69] This, then, provides the "logic" of reading Ibn Ṭūlūn's weary insistence that his son should not waste, through such spending, all he was to bequeath to him. But I suggest reading what is a difficult passage as an effort by al-Balawī to draw out what he, and his sources, understood as Ibn Ṭūlūn's singular achievements in managing Egypt's economy and, in this case, especially, of providing his successor with the means by which to advance his own standing once in office, and, thus, sustain the *amīr*'s ambitious project.

And, finally, there is the matter of countering al-Muwaffaq and his allies at the imperial center. It was a political confrontation: a long-standing competition with al-Muwaffaq over access to the caliph's office and the prestige to which it gave rise. For both men, and especially Ibn Ṭūlūn, it was a matter of legitimation. It bears stressing that the Ṭūlūnid project, upon the *amīr*'s death, remained a work in progress: Ibn Ṭūlūn left his son a dynamic and, thus, indeterminate political and ideological project. At several moments in the succession ceremony, al-Balawī has the audience burst into tears. An easy device to be sure, but, here, it has a point: an emotional and moral glue was needed to hold things together, meaning that efforts on the part of the Ṭūlūnid house to rely solely on material incentives would only go so far.

The argument, then, is that al-Balawī would have his readers consider the moment of succession in twofold manner. We are to engage the drama of Ṭūlūnid history on its own terms: faced with the opportunity afforded him by a waning of Abbasid authority in Samarra, Aḥmad b. Ṭūlūn, having successfully pursued autonomous control of Egypt, proposed to transfer it to his son, thus setting in place a dynastic polity. The details of the succession event are as al-Balawī presents them to us: compelling, even plausible, but beyond our ability to check. But, perhaps, we are on more solid footing in framing matters as I have proposed here, as a set of "concerns." They take on, I suggest, credibility if one considers the proximity to that same drama on the part of Ibn al-Dāya (al-Balawī's chief source) as well as al-Balawī's determination to narrate it in full. But the point is that we are also to take the measure of Ibn Ṭūlūn as office-holder. This is to read the *Sīra* as a work of illustration. In this case, it is a matter of al-Balawī, at a sufficient distance from the Ṭūlūnid court and its history to do so, holding up the *amīr*'s tenure for scrutiny.

[69] As suggested by Bianquis, "Autonomous Egypt," 106, and Haarmann, "Khumārawayh."

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PART II

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6 Messengers in Byzantine and Early Muslim Egypt: Small Cogs, but Systemically Relevant. With Some Remarks on the Dossier of Menas, *Stratiōtēs*

STEFANIE SCHMIDT

The process of paying taxes is and has always been a sensitive issue. While modern states can exploit electronic money transfer mechanisms, ancient central powers had to rely on the integrity of trustworthy individuals in order to transport prestigious goods from A to B. In Byzantine and early Muslim Egypt, this task was taken on by officials called in Greek *symmachoi* (allies), *stratiōtai* (soldiers), *berēdarioi*/*beridarioi* (couriers), *pistikoi* (persons of trust) or in Arabic *rusul* (messengers). This paper aims at analysing the messenger's position in the process of tax delivery and at identifying mechanisms of how they were tied into the system of an emerging Muslim government. Since the majority of the evidence mentions *symmachoi* and *stratiōtai*, the following explanation will primarily focus on those agents.

For the modern researcher, a difficulty in dealing with (early) *stratiōtai* is to decide whether a soldier mentioned in a document acted in a military context or as messenger. This blurring of boundaries becomes visible in a letter from the archive of Abinnaeus, prefect of the camp of Dionysias.[1] While the first mentioned *stratiōtēs* in this letter delivered goods on behalf of the writer, a group of *stratiōtai* who came to Aetius with potsherds (*ostraca*) are certainly to be identified as soldiers expecting supplies.[2] From the third and fourth centuries CE onwards, soldiers were assigned auxiliary functions in the collection of taxes which can certainly be considered causal for the development of the soldier as messenger. Due to this overlapping, it

Within this article, the provenance of a text is given by its Greek name for the Byzantine period and the Arabic name for the early Islamic period, the latter when it is clearly dated. Papyrus editions are cited following the abbreviations of the International Society for Arabic Papyrology (ISAP) checklist available online at www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html (updated list) and the Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca and Tablets available online at https://papyri.info/docs/checklist.

1 *P.Abinn* 4, 17–18 (ca. 346, Philadelphia?).

2 Examples of this kind of 'chit' may be *O.Fay.* 19 (early IV, Theadelphia) or *P.Abinn.* 16, 16–18 (346–51, Philadelphia?).

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won't be possible in this article to strictly distinguish for the early Byzantine period between soldiers with further competences and a soldier as messenger, but the sources in question will be discussed accordingly.

This study is based on about 340 references to *symmachoi* and *stratiōtai* identified through a search in the database provided by papyri.info within a range between the third and the eighth centuries.[3] For *symmachoi* this author was, moreover, able to make good use of an earlier study dealing with Egyptian *symmachoi*.[4]

Defining a Messenger's Activities

In his study of the military organisation of Byzantine Egypt, Jean Maspero defines *symmachoi* as allies from neighbouring tribes or states who provided auxiliary troops to the Byzantine Empire.[5] The origin of the *symmachos* as messenger is not known, but the etymological relation to *symmachoi* in the sense of 'combatants' renders it possible that these couriers – like *stratiōtai* – developed from the military sphere into a position with civil function.[6] Some of the messengers mentioned in the papyri were at least armed,[7] which may explain why they were also deployed for guarding or

[3] The paper concentrates on the Greek evidence for *symmachoi* and *stratiōtai*. For the Coptic occurrences, cf. Hans Förster, *Wörterbuch der griechischen Wörter in den koptischen dokumentarischen Texten* (Berlin: De Gruyter, 2002), 768, who lists a further twenty-five texts.

[4] The most coherent study of Egyptian *symmachoi* is still Andrea Jördens, 'Die ägyptischen symmachoi', *Zeitschrift für Papyrologie und Epigraphik* 66 (1986): 105–18, especially 112–18 and Andrea Jördens, 'Fünf neue Symmachos-Papyri', *Zeitschrift für Papyrologie und Epigraphik* 92 (1992): 219–31. On *symmachoi* in Arabic papyri, cf. Petra M. Sijpesteijn, *Shaping a Muslim State. The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013) (= *P.Muslim State*), 131–32.

[5] Jean Maspero, *L'organisation militaire de l'Égypte byzantine* (Hildesheim and New York: Georg Olms Verlag, 1974), 63–66.

[6] Jördens 'symmachoi', 105–06. See also Jakob Krall, 'Aus einer koptischen Klosterbibliothek', *Mittheilungen aus der Sammlung der Papyrus Erzherzog Rainer* 2–3 (1887): 43–73 at 61, who refers to the *Breviarium* of Liberatus Diaconus, ch. XXIII in which the Greek term *symmachos* is used for the institution of the messenger in Egypt.

[7] The mentioning of *symmachoi spatharioi* in *P.Oxy*. XVI 2045, 1 (612, Oxyrhynchos) renders it likely that there were also unarmed *symmachoi*. For weapons of *symmachoi* cf. *P.Cair. Isid* 80, 9 (*xifos*) (297, Karanis) and the list of shields in *P.Oxy*. XVI 2057 (ca. 612, Oxyrhynchos) in which the two individuals in ll. 3 and 8 are possibly identical with the armed *symmachoi* Ioannes, son of Kere, and Petros, son of Saei, known from *P.Oxy*. XVI 2045, 4. For the question of whether they had to supply these shields, cf. Jördens 'Symmachos-Papyri', 219, n. 9 and Pieter J. Sijpesteijn, 'A Small Note on P. Oxy. XVI 2057', *Zeitschrift für Papyrologie und Epigraphik* 69 (1987): 170.

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arresting people[8] and solving disputes.[9] Private individuals also seem to have used *stratiōtai* as a threat of force to stimulate cooperative behaviour, for example towards their debtors.[10] If indeed everybody had access to the service rendered by *symmachoi* or *stratiōtai* (e.g. by those affiliated to a village) is difficult to decide. The threatening letter of a son to his father about the father's outstanding debts may at least support this idea.[11]

Besides their function as a means of threat, *stratiōtai* and *symmachoi* took over functions such as delivering letters, money, goods and foodstuffs.[12] The first mention of a *symmachos* in a messenger position is dated on palaeographic reasons to the second century.[13] The first attested *stratiōtai* who

[8] Summonses/orders to arrest (*stratiōtēs*): *P.Oxy*. LXXIV 5005 (III/IV, Oxyrhynchos); 5006 (III/IV, Oxyrhynchos); 5010 (III/IV, Oxyrhynchos); *P.Wisc*. I 24 (III/IV, Philadelphia); *P. Oxy*. I 64 (III/IV, Oxyrhynchos); *P.Apoll*. 18, 9 (675/76 or 660/61, Idfū). Guarding people (*symmachos*): *P.Oxy*. XLVIII 3408 (IV, Oxyrhynchos); *SB* XX 15186 (VII/VIII, Arsinoite); maybe *P.Lond*. III 1162, ctr and recto, 1 (VII, unknown); (*stratiōtēs*): *P.Lond*. IV 1496, 19 (708, Ishqūh); 1449, col. I, 4 (711, Ishqūh).

[9] *Stratiōtēs*: *SB* XXVI 16518 (IV? or VI/VII? Hermopolite); *symmachos*: *P.Rainer Cent*. 126 (VI, Herakleopolite?).

[10] *P.Coll. Youtie* II 88, 13; 22 (IV, unknown); see also a carpenter in *P.Kellis* I 70, 12 (2nd half of IV, Kellis, Oasis Magna); private loan: *P.Prag* II 196 (IV/V, unknown); already in the third century *P.Oxy*. XII 1588, 9–10 (late III, Oxyrhynchos); *P.Flor* II 137*, 7 (= *P.Rein*. I 52) (263, Theadelphia) discussed in Bernhard Palme, 'Zivile Aufgaben der Armee im kaiserzeitlichen Ägypten', in *Herrschaftsstrukturen und Herrschaftspraxis: Konzepte, Prinzipien und Strategien im römischen Kaiserreich. Akten der Tagung an der Universität Zürich 18.-20.10.2004*, ed. Anne Kolb (Berlin: Akademie Verlag, 2006), 324–25.

[11] *P.Fay* 135r, 6 (IV, Arsinoite).

[12] For letters: *P.Brook*. 24, 40; 48 (ca. 215, Thebais); *P.Ant*. II 94, 1; 6 (VI, Antinoe); 95, 1 (VI, Arsinoite?); *P.Köln* III 166, 1 (VI/VII, unknown); *P.Giss*. I 57, 4 (VI/VII, Oxyrhynchos); *SB* XVIII 13762, 4–5, 9–10 (VI/VII, unknown); *P.Bodl*. I 69, 1–2 (VI/VII, unknown); *P.Apoll*. 9, 2 (675/76 or 660/61, Idfū); 33, 2 (2nd half of VII, Idfū); perhaps 34, 2 (2nd half of VII, Idfū); 68, 11 (2nd half of VII, Idfū); perhaps *P.Lond*. IV 1434, 254(–55?) (716, Ishqūh). For goods in kind, cf. *P.Abinn*. 4, 9–12 (ca. 346, Philadelphia?); *P.Abinn*. 75, 37–39 (340–348, Philadelphia?); *SB* XVIII 13389 = *O.Sarga* 206 (VI/VIII, Wadi Sarga); *P.Wash. Univ*. II 105, 1 (VI/VII, Oxyrhynchos); *P.Apoll*. 50r, 4 (675/76 or 660/61, Idfū); 49, 9 (675/76 or 660/61, Idfū); *P.Oxy*. XVI 1925, 2 (VII, Oxyrhynchos). For money: *P.Alex*. 40, 1 (V/VI, Philadelphia); Van Minnen, 'Tax arrears' (VII/VIII, al-Ushmūnayn?); *P.Heid*. XI 474 (VII/VIII, al-Ushmūnayn). In several lists payments are made through (*dia*) or 'through the hand' (*dia cheiros*) of a messenger: *P.Amst*. I 83 (V/VI, Herakleopolite); *SB* XX 14077 (VI/VII, Oxyrhynchos); 14076, 9–10 (VI-VII, Oxyrhynchos); *CPR* XXII 60, 65 (VII/VIII, Fayyūm); *P.Lond*. IV 1632, 10 (early VIII, Ishqūh); *P.Lond*. IV 1459, 21 (VIII, Ishqūh); perhaps *SB* XXVI 16795 (553, Oxyrhynchos), however, it is unclear whether the messenger received the money for own expenses, like the messenger in *SB* XVI 13052 (V, Herakleopolite), or in order to deliver it. *P.Oxy*. XVI 1904, 1 (618, Oxyrhynchos) is probably a receipt for travel expenses, although the missing reference to *analōmata* (expenses), which is included, for instance, in *P.Amh*. II 158, 2 (612, Oxyrhynchos), leaves the purpose of payment open. Likewise uncertain are *P.Hamb*. III 228, 12–14 (VI, Oxyrhynchite?) and *CPR* XXII 57, 6 (VIII, Ishqūh). In *P.Lond*. IV 1435, 190 (716, Ishqūh) *dia* (through) is only restored, but expected due to a following genitive; unknown goods: *SPP* X 97, 1; 5 (VIII, Fayyūm).

[13] *P.Haun*. II 34 (II, unknown).

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delivered a letter can be dated to the middle of the second century. They were assigned to an *iuridicus* (judge) and forwarded a document on behalf of the opposing party in a legal process.[14]

Symmachoi and soldiers (*stratiōtai*) were also deployed to assist in the collection of imperial taxes, tax arrears and (municipal?) rents,[15] at times *symmachoi* and *stratiōtai* even together.[16] In early Muslim times, they were not only attached to institutions but also offered their services as independent tax collectors, which makes it difficult to say how they differed from other tax collectors like, for instance, the receiver of gold taxes (Arabic *qabbāl al-dhahab*, Greek *chrysohypodektēs*).[17] For the *chrysohypodektēs*, Federico Morelli suggested that he was selected from among the village people and compared his function to that of a liturgist. He exemplified this on *P.Lond*. IV 1453, in which some individual, such as a stitcher (*rhaptēs*), had taken over the function of a *chrysohypodektēs* in addition to another occupation.[18] This liturgical character can also be assumed for the receiver of taxes in kind called in Arabic *qabbāl*, who was elected from among the 'best' (*afḍal*) of a village and from 'the strongest of them who are solvent' (*malā*).[19] These tax collectors were held responsible for the amount they collected until they had delivered it to the officials at the state barn.[20] The collection and delivery of taxes by a messenger was thus not the rule. The reasons for calling in a messenger instead of local people could have been manifold. One could

[14] *BGU* II 378, 27 (after 15.-24.04.147, Arsinoite) with BL XI 17; in a Latin *pridianum* from Upper Egypt dated to the year 215, soldiers are mentioned as delivering letters to Koptos and Nikiu, cf. *P.Brook*. 24, 40; 48. See also for this the discussion in Palme, 'Zivile Aufgaben', 302.

[15] *Symmachos*: *P.Oxy.* XLVIII 3419, 12; 20 (IV, Oxyrhynchos); *SB* III 7168, 2 (V/VI, unknown); *P.Oxy*. XVI 1856, 7 (VI/VII, Oxyrhynchos); *stratiōtēs*: *BGU* I 8, col. II, 9 (248? Arsinoite); *P.Oxy*. XVII 2154, 20–22 (IV, Oxyrhynchite); *BGU* XVII 2728, 4–5 (V/VI, Hermopolite); cf. also references to soldiers in the plural (*stratiōtai*) accompanying the collection of taxes, but as detachments from commanded military groups: *P.Abinn.* 3 (345–350, Philadelphia?); *P.Oxy*. XLVIII 3400, 17; 22 (359–365, Oxyrhynchos); *P.Laur*. II 45, 2 (VI/VII, Hermopolite).

[16] *P.Oxy*. XLVIII 3412, 3–4 (ca. 360, Oxyrhynchos). An overlap of competences is also found in SB XVIII 13762, 1–2; 7 (VI–VII, unknown) in which letters should be carried once by a *symmachos* and another time by a *stratiōtēs*.

[17] See the discussion on p. 182–183. The Greek term *chrysohypodektēs* might have been the basis of the Arabic translation of *qabbāl al-dhahab*, cf. Werner Diem, 'Philologisches zu den arabischen Aphrodito-Papyri', *Der Islam* 61 (1984): 263 *dh*.

[18] *CPR* XXII 7, n. 5.

[19] *P.Muslim State* 4, 12–13; 23, 16 (750, Fayyūm) and the discussion in Sijpesteijn, *Shaping a Muslim State,* 158–59; in *P.Clackson* 45, 6 (753, al-Ushmūnayn?) an individual taxpayer should hand over the tax amount to the *qabbāl qaryati-ka* ('the receiver of your village') which is translated in the Coptic part of the document (l. 17) as *boēthos* ('assistant'), similar certainly also *P.Cair. Arab.* III 169, 6 (752, al-Ushmūnayn). For the *qabbāl*/*qubbāl*, cf. Gladys Frantz-Murphy, *Arabic Agricultural Leases and Tax Receipts from Egypt (148–427 AH/765–1035 AD)* (= CPR XXI) (Vienna: Verlag Brüder Hollinek, 2001), 119–20.

[20] *P.Heid.Arab*. I 3, 31–34 (710, Ishqūh).

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think of security-related criteria that could have been better fulfilled by an armed messenger, or of circumstances that required a high degree of loyalty that locals could not provide. It is also possible that a messenger, who had access, for instance, to state post horses was deployed when long distances needed to be covered or a delivery had to be made quickly.[21] On the other hand, local liturgists were familiar with the infrastructure on site and could have used their network to swiftly implement a large-scale tax-collection, but all this remains speculative.

Ties that Bound a Messenger into the System in Byzantine Times

The issue of who had access to his service raises the question of the attachment of a messenger and how he was 'tied into the system'. Messengers rendered services for several public office holders, among them an *iuridicus* (judge),[22] an *epistratēgos*,[23] a *stratēgos*,[24] a *pagarchos*,[25] a *dux*,[26] a *komēs*,[27] a *procurator*,[28] a *praeses*? (*hēgemōn*),[29] a *defensor,*[30] a *chartularius* (keeper of archives),[31] perhaps an *archihypēretēs*[32] and an *amīr.*[33] We find them, moreover, doing service for the *domus divina* (imperial house),[34] the Church,[35] a public bath,[36] private estates,[37] and different towns.[38] Messengers received a fixed wage (*misthos*)[39] and probably in addition to that a supply in kind like

[21] See for instance, *P.MargoliouthSelectPapyri* 1 (= *P.Ryl.Arab*. I IV 3) (745, al-Ushmūnayn).
[22] *BGU* II 378, 27 (after 15.–24.4.147, Arsinoite).
[23] *P.Oxy*. XII 1588, 9–10 (late III, Oxyrhynchos).
[24] *P.Oxy*. XLVIII 3412, 4 (ca. 360, Oxyrhynchos).
[25] *P.Lond*. IV 1435, 117 (716, Ishqūh); *P.Lond*. IV 1443, 51 (VIII, Ishqūh).
[26] *P.Lond*. IV 1444, 20 (VIII, Ishqūh).
[27] *SB* XX 14400, 2–3 (VI–VII, unknown).
[28] *P.Oxy.* XVII 2154, 20–21 (IV, Oxyrhynchite).
[29] *P.Oxy*. LVI 3859, 9 and comm. to l. 9 (IV, Oxyrhynchos).
[30] *P.Oxy*. XXIV 2419, 4 (VI, Oxyrhynchite?).
[31] *SPP* VIII 978, 1–2 (VII, Arsinoite?); *P.Lond.* IV 1448, 7 (703, Ishqūh).
[32] P.Heid. V 350, 17–19 (612, Arsinoite).
[33] P.Apoll. 96, 4 (2nd half of VII, Idfū).
[34] *SB* XVIII 13762, 1; 7 (VI/VII, unknown) with Nikolaos Gonis, 'Notes on Miscellaneous Documents IV', *Zeitschrift für Papyrologie und Epigraphik* 191 (2014): 198-202 at 202.
[35] *P.Rainer Cent*. 126, 1 (VI, Herakleopolite?); *P.Lond*. V 1776 (VI/VII, Hermopolis).
[36] *P.Ross. Georg*. III 47, 1 (628/643/658, Arsinoe).
[37] Perhaps the Apion family (*endoxos oikos*): *P.Bodl.* I 69, 2 (VI/VII, unknown); *P.Oxy*. XVI 2045 (612, Oxyrhynchos); maybe also *SB* XXII 15365 (606/621, Oxyrhynchos).
[38] Idfū: *P.Lond*. IV 1434, 172 (716, Ishqūh); Psiba( ) Chorion: 1434, 254(–55?) (716, Ishqūh); Antaiopolis: 1435, 190 (716, Ishqūh); Ishqūh: 1452, 30 (VIII, Ishqūh); Pente Pediades: *CPR* XXII 56, 5 (early VII, Ishqūh).
[39] See. i.a. *P.Lond*. IV 1457, 42 (706–709, Ishqūh): amount and period lost; 1434, 331 (716, Ishqūh): $^{1}/_{3}$ *solidus*, period not mentjoned; 1435, 51 (716, Ishqūh), the total wage for two persons

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wine and oil[40] which created mutual dependence between the contracting partners. A salary is, for instance, documented in a list of monthly wages for *symmachoi*, probably from the Apion estate. In this document the 'honourable house' paid a monthly wage of $^{1}/_{3}$ *solidus* to thirty-four *symmachoi*.[41] In a work contract between a *symmachos* and a *komēs* dated to the sixth/seventh century, the messenger received 2 *solidi* 6 *keratia* for a one-year-service.[42] An amount of about 2 *solidi* is also recorded for *symmachoi* who received a payment from the village of Tamauis.[43] A higher sum is attested in a contract of substitution in a liturgy rendered for the village of Nestou, in which an amount of 4 *solidi* was being paid for the period of one year.[44]

Apart from receiving a salary, the messenger could be reimbursed by the maintenance tax (*dapanē*), and by the money delivered for *andrismos*, as is indicated by tax receipts of the seventh/eighth century.[45]

Since the messenger worked in a field demanding trust, it would be expected that his contract conditions set mechanisms to monitor his performance and to enforce the objectives of the contract. However, so far, no document has emerged that gives information on what happened in case of loss or damage of transported goods, or of fraud on the part of the messenger. The transmitted contracts include no penalty for the messenger and the question of liability, too, remains rather ambiguous.[46] In one contract the messenger, who took over the *symmachia* of another person, provided

was probably 1 ¼ *solidi*, but unclear if both were *symmachoi*, period not mentioned; 1443, 38; 43; 51 (VIII, Ishqūh): amounts between ½ $^{1}/_{3}$ *solidus*, ½ ¼ *solidus* (both including *naulon*) and 3 $^{2}/_{3}$ *solidi*, per indiction (?); V 1749, 4 (VII/VIII, al-Ushmūnayn?): 1 *solidus*, period unclear.

40 *SB* XX 14073 (VI/VII, unknown); *P.Oxy.* XVI 2051r, 10 (VI/VII, Oxyrhynchos); *SB* XXII 15712, 2 (VI/VII, unknown); *SPP* VIII 978 (VII, Arsinoite?); *P.Apoll.* 96, 4 (2nd half VII, Idfū); *P.Lond.* IV 1435, 117 (716, Ishqūh).

41 *P.Oxy.* XVI 2045 (612, Oxyrhynchos). For the number of thirty-four individuals, cf. the *ed. pr.*

42 *SB* XX 14400 (VI/VII, unknown).

43 *SPP* III² 8 (early VII, Tamauis (Arsinoite)): annual wage of 2 *solidi* minus 11 *keratia*. See also SPP III² 14: 2 *solidi* minus 10 *keratia*; 36: 2 *solidi* minus 10 *keratia*; 71: annual wage of 2 *solidi* minus 15 ½ *keratia*; 82bis: 2 *solidi* minus 10 *keratia*; 90: 2 *solidi* minus 5 *keratia*; 91: 2 *solidi* minus 15 ½ *keratia*; and moreover: *SPP* III² 1: amount lost for a fourth indiction; 3; 7 (VII, Tanis (Arsinoite)). Payments by villages are also attested in *P.Heid.* V 350 (612, Arsinoite) and *P.Oxy.* XLVIII 3416, 12–16 and intro (ca. 376?, Oxyrhynchos).

44 *P.Heid.* V 350 (612, Arsinoite) and Jördens ibid, pp. 55–56. In another contract of substitution in a liturgy an amount of 3 Ta was paid, but the term of service is not stated, cf. *P.Cair. Isid.* 80 (297, Arsinoite).

45 *Dapanē*: *P.Lond.* V 1752 (VII/VIII, al-Ushmūnayn?), for *dapanē*, cf. *P.Lond.* IV, p. xxxi 'no doubt the allowance to local officials' and *P.Lond.* IV 1419, intro, p. 173. Other receipts issued to a messenger (*stratiōtēs*) that mention *dapanē*, but not that it was given to the messenger: *P.Lond.* V 1738 (VII/VIII, al-Ushmūnayn?); 1864 (VII/VIII, al-Ushmūnayn?); *P.Monts Roca* IV 74 (= *P.Poethke* 38) (VII/VIII, al-Ushmūnayn?). *Andrismos*: *P.Lond.* V 1749 (VII/VIII, al-Ushmūnayn?).

46 For a discussion of liability in *P.Heid.* V 350, cf. Jördens, ibid, pp. 58–62. That authorities indeed set regulations in place which should prevent a default or the fraud of a tax collector can be

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a guarantor,[47] but in the above-mentioned contract the *komēs* had only the messenger's word of honour that he would fulfil his service 'unexceptionably (*akatagnōstōs*), without negligence (*akatafronētōs*) and not dishonestly (*aradiourgētōs*)'.[48]

This is remarkable since ancient contracts usually anticipated opportunistic behaviour by the partners. Contracts concerned with monetary exchange, for instance credit loans, usually included regulating mechanisms like a pledge or a penalty.[49] However, measures to enforce a contract had not necessarily to be of a juridical nature. Ties that bind contracting partners to each other can also be established by informal (social) rules ('norms'). These 'institutions' govern individual behaviour and social interaction since they define generally accepted norms of a group and are able to enforce social sanctions.[50] We do not know if messengers formed a professional association, but they were part of a social group that shared common objectives, namely the secure delivery of their masters' goods 'unexceptionably, without negligence and not dishonestly'.[51] The social pressure to fulfil this service may have even increased in view of the fact that the *symmachia*, at least in some cases, was undertaken as inherited liturgy.[52] In a contract dated to the year 612 CE, Aurelius Naaraus, *symmachos* from the city of Arsinoe, declared to Aurelius Joseph that he would take over the liturgy of the latter's father, Georgios (or Sergios), former *symmachos*.[53] Georgios was either dead or otherwise unable to perform the *symmachia*; his son Joseph, who appeared as employer in the contract, received the money from the village of Nestou but could not, or did not want to, fulfil the father's liturgy.[54] Naaraus offered to fulfil all his duties in return for Georgios' *misthos* for the entire *symmachia*. The allowance to sublet or pass on the *munera* to somebody else guaranteed the execution of the task even if the office holder

observed in the above mentioned deployment of 'solvent' (*malā*) people of a town, to whom Najid b. Muslim assigned the collection of taxes in early Muslim Fayyūm, cf. n. 19.

47 *P.Cair. Isid*. 80, 17 (297, Arsinoite).

48 *SB* XX 14400, 9–10 (VI/VII, unknown).

49 See, for instance, *SB* X 10554 (VI, Pathyris); *P.Princ*. III 145 (VI, unknown); *P.Horak* 27 (603/04, Herakleopolis); *SB* I 5285 (607, Panopolite); *P.Lond*. V 1737 (613, Syene); *P.Naqlun* II 22 (623, Arsinoite); *P.Apoll.* 58 (2nd half of VII, unknown); *P.Dub*. 25 (VII, Herakleopolite).

50 Rudolf Richter and Eirik G. Furubotn, *Neue Institutionenökonomik* (Frankfurt: Mohr Siebeck, 2019), 7g.

51 A certain sense of group identity appears in a letter dating from the years 730–750, in which the writer claims to have been made a *symmachos*, cf. *P.Muslim State* 24, 6 (Fayyūm).

52 For a discussion of liturgy in Late Byzantine times, cf. *P.Heid*. V, pp. 55–58.

53 *P.Heid*. V 350 (612, Arsinoe).

54 Another case in which the son has probably taken over the duty of the father is *SPP* III² 8 (early VII, Tamauis (Arsinoite)), and perhaps *SPP* III² 1 (early VII, Tamauis (Arsinoite))?

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or the heir was not able to do it himself.[55] This transfer of duties created even stronger bonds since the contracting partners were now mutually dependent on each other's commitment. In the aforementioned contract the ties that bound them to each other were defined by Naaraus' payment of a wage. Naaraus was given an advance and would receive the rest later. If the employee quit the job before the end of the *symmachia*, he lost any claim to the money; if the employer ended the contract early he had to pay the entire sum even though the service for the village of Nestou had not been rendered in full. This mechanism created mutual dependence between the contracting partners and reduced their opportunism, by which the village of Nestou benefited.

Ties that Bound the Messenger into the System in Early Muslim Egypt

This Roman-Byzantine institution continued in early Muslim Egypt. Interestingly, those *symmachoi* and *stratiōtai* identified by name bear non-Arabic names, which probably indicates that the trust-demanding positions were filled by Egyptians.[56] It is worth asking if diverse religious affiliations between principal (Muslim authorities) and agent (supposedly Christian messenger) had limited the trust and responsibility that was bestowed upon the latter.

This question may be answered with regard to another tax agent called in Arabic *qabbāl*, who first appeared in Egypt around 91/710. A *qabbāl* was responsible for levying and weighing the *embolē* (grain tax),[57] but also for collecting taxes in gold (*qabbāl al-dhahab*).[58] He was elected from and by

[55] *P.Heid.* V, pp. 55–56.

[56] Most of the evidence comes from Greek and Coptic documents, but there are two, perhaps four *symmachoi* who can be identified by name also in Arabic documents: Petros in *P.Muslim State* 15, 5 (730–750, Fayyūm), Georgios in *P.Muslim State* 24, 2 (730–750, Fayyūm), and perhaps Apollo '*al-sammāk*' in *P.Cair.Arab*. 223, 6 (VIII/IX, unknown). The word can also mean 'fisherman', cf. *P.Muslim State* 24, comm. l. 2, though this would not necessarily be expected in a list of farmers with rents due from their plots. The last dateable evidence for a *symmachos* is an Arabic letter addressed by the executive (*'āmil al-amīr*) of Ḥuwayy ibn Ḥuwayy to Taurine, *al-sammāk* in *P.Younes Governors* 2, 5 (798, Fayyūm). For the Coptic male name Taurine, cf. *CPR* IV, p. 210 and Monika Hasitzka, 'Namen in den koptischen dokumentarischen Texten (2007)', p. 98, accessed 15/10/19.

[57] *P.Heid. Arab*. I 3, 25 (710, Ishqūh); *P.Muslim State* 23, 20 (710, Fayyūm); for a discussion of this agent, cf. Frantz-Murphy, *Arabic Agricultural Leases*, 119–21.

[58] For an edition of the Arabic and Greek text, cf. Lejla Demiri and Cornelia Römer, *Texts from the Early Islamic Period of Egypt. Muslims and Christians at their First Encounter* (Nilus 15) (Vienna: Phoibos, 2009), no. 5. For a discussion and edition of the Arabic text, cf. Diem 'Aphrodito', 261–64.

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the village people, which must have created significant information asymmetry and a high risk-potential for the Muslim government. However, the key to tying this agent, probably also an Egyptian, into the system lay once more in the way he was paid. For each 100 *irdabbs* the agent collected, he received a payment of five percent. From this amount, he also had to pay any deficit in taxes.[59] As a consequence, he would only break the contract if the benefit he gained from not adhering to it was higher than the profit he made from collecting taxes. A further means of controlling the work of this agent was to demand solvent guarantors whose names were handed over to the pagarch.[60] That risks may indeed have been substantial for the collector is indicated by the case of Petros, son of Georgios, *qabbāl al-dhahab* of the city of Ahnās (Roman Herakleopolis), who was fined six dinars for deficits in his accounts by the governor Qurra b. Sharīk.[61] Affiliation to a different religious or even social group was thus no reason for not bestowing responsibility upon allegedly small cogs in the system. It was rather a matter of how they could be tied into it.

The existence of other tax collectors like the *qabbāl al-dhahab* for money taxes, or 'solvent' villagers who collected and delivered taxes in kind, show that a messenger was only one of many tools regarding the collection of taxes.[62] It is impossible to say what ultimately tipped the scales in favour of one instrument or another. However, it can be considered certain that all agents were subject to strict supervision. In the case of the messenger we observe this, for instance, in conditions that were set for documenting his activity. In a declaration addressed to the governor ʿAbd Allāh b. ʿAbd al-Malik and the pagarch of Aphrodito, a *stratiōtēs* and *pistikos* agreed to his terms of work and to bring a receipt (*apodeixis*) as proof of expenses.[63]

[59] *P.Heid. Arab*. I 3, 26–30 (710, Ishqūh).

[60] *P.Muslim State* 23, 21–22 (730–750, Fayyūm).

[61] Demiri and Römer, *Early Islamic Period*, no. 5; Diem 'Aphrodito', 261–64.

[62] Agents and procedures involved in the collection of taxes are discussed in Lajos Berkes, James M. S. Cowey and Naïm Vanthieghem, 'The Overseers of the Barns of Babylon: Two Arabic-Greek Receipts', [*P.Christ.Musl.* 1–3], in *Christians and Muslims in Early Islamic Egypt* (American Studies in Papyrology 56), ed. Lajos Berkes (Ann Arbor: University of Michigan Press, 2022), 65–76; Sijpesteijn, *Shaping a Muslim State,* 157–63; Nikolaos Gonis, 'Reconsidering Some Fiscal Documents from Early Islamic Egypt III', *Zeitschrift für Papyrologie und Epigraphik* 169 (2009): 197–208; Federico Morelli, 'Legname, palazzi e moschee. P.Vindob. G 31 e il contributo dell'Egitto alla prima architettura islamica', *Tyche* 13 (1998): 165–90; Lionel Casson, 'Tax-Collection Problems in Early Arab Egypt', *Transactions and Proceedings of the American Philological Association* 69 (1938): 274–91; and Eugenio Garosi and Stefanie Schmidt, 'From Aswan to Damietta: A Missing Link in the Transshipment of Taxes in Early Abbasid Egypt?' (forthcoming).

[63] *P.Lond*. IV 1496 (708, Ishqūh). *P.Lond*. IV 1581 (708–709, Ishqūh), a letter from the *stratiōtēs*(?) Elias, son of Sieloole, to ʿAbd Allāh b. ʿAbd al-Malik may have had similar content, but it is too fragmentary to decide upon this.

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He was thus directly accountable to the Muslim governor while the pagarch certainly monitored his performance. This close scrutiny can be observed, for instance, between a *symmachos* and Nājid b. Muslim, pagarch of the Fayyūm. In a letter, Nājid informed ʿAbd Allāh b. Asʿad, head of a district (*ḥayyiz*) in the Fayyūm, that an unnamed *simmāk* (Gr. *symmachos*)[64] came to him, and that he wanted to assign to him the collection of taxes (oil) in ʿAbd Allāh's district. This *symmachos* claimed to have previously carried out another delivery in this district and Nājid asked ʿAbd Allāh, who kept track of all deliveries, to 'show me (him [the *symmachos*]) in your documentation whether what he mentioned of that is true'.[65] Apart from the fact that nothing went unrecorded, we learn something else from this document: the *symmachos* came to the pagarch (*al-simmāk ʿalay-ya*) and offered his services; apparently, he was not permanently attached to the pagarchy's authorities, but was employed when need arose.[66] At least in this case, the sensitive issue of tax collection (in kind) was outsourced to a private *symmachos* who offered his service for a limited period of time.

For the *symmachoi* in Arabic documents, but also for their emerging Arabic counterpart called *rasūl*,[67] we observe a further way of controlling them. In a letter, Qurra orders to send collected taxes due from a bishop with Qurra's messenger (*rasūl*) and the *rasūl* of the bishop.[68] In another letter, Basileios is supposed to send the arrears with Qurra's *rasūl* and his own.[69] And also Nājid ordered that his *symmachos* Petros, who collected and transported what the inhabitants of the district owed in oil, should work together with *symmachoi* sent by ʿAbd Allāh.[70] This formation of teams of messengers of different employers certainly did not only serve as a means of speeding up the collection but also ensured that mutual supervision took

[64] For the etymology, cf. *P.Muslim State*, p. 131–32; no. 14, comm. to l. 5.

[65] *P.Muslim State* 14, 10–12 (730–750, Fayyūm).

[66] *P.Muslim State* 14, 5 (730–750, Fayyūm).

[67] How a *rasūl* differed from a *symmachos* or if at all cannot be answered on the basis of the published material. We observe them carrying letters and transfer taxes, cf. *P.Qurra* 1, 10–12 (709, Ishqūh); *P.BeckerNPAF* 12, 7–8 (709, Ishqūh); *P.BeckerPAF* 3, 6 = *P.VanthieghemCorrespondance* II (709, Ishqūh); *P.VanthieghemMiel* 1, 3 (761, al-Fusṭāṭ); *P.AbbottUbaidAllah*, l. 9 (724, unknown?); *P.Muslim State* 2, 7–8 (730–750, Fayyūm); 29, 11 (730–750, Fayyūm); *P.MargoliouthSelectPapyri* 1, 3 (745, al-Ushmūnayn); *P.MargoliouthSelectPapyri* 2, 3 (751, al-Ushmūnayn); *P.Ryl.Arab.* I IV 1, 3 (751, al-Ushmūnayn); *P.DiemRemarkableDocuments* 2, 3 (751, al-Ushmūnayn); *P.MargoliouthSelectPapyri* 3, 2 (752, al-Ushmūnayn). But the term had certainly wider connotation since it was a *rasūl* who was sent by the governor of Aswān to the Nubian king in order to discuss the issue of a detained merchant, cf. *P.HindsNubia*, l. 51 (758, Qaṣr Ibrīm).

[68] *P.Qurra* 1, 10-12 (709, Ishqūh).

[69] *P.BeckerNPAF* 12, 7-8 (709, Ishqūh); see moreover *P.BeckerPAF* 3, 6–7 (709, Ishqūh) with Diem, 'Aphrodito', 255.

[70] *P.Muslim State* 15, 5–9 (730–750, Fayyūm).

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place and that this important cog was further bound into the system of levying taxes.

The Dossier of Menas, *stratiōtēs:* A Case Study

Delivering prestigious goods was thus a matter of checks and balances, but first and foremost of transparency and meticulous documentation. Both the Byzantine and the early Muslim messenger system needed tight monitoring, implying that personal data and information about delivered goods were taken down as accurately as possible. Against this background it is remarkable that the best-known messenger of early Muslim Egypt, Menas, *stratiōtēs*, appears in tax receipts under seven different name combinations: as Menas, *stratiōtēs*, Menas, son of Sarapammon, Abba/Apa Menas, Menas, brother of Lukas or a combination of all of these (see Table 6.1). It is broadly assumed that all these variations refer to one and the same person.[71] However, the fact that Menas was doing business in a sensitive field and that Menas was a very common name in the seventh and eighth century calls for further careful research.[72] As of now, Menas' activity is attested in eighteen tax receipts: seven from the British Museum (now in the British Library),[73] one from the New York collection,[74] one from Michigan,[75] one from the collection Roca-Puig of the Abbey of Montserrat,[76] one from Strasbourg,[77] one from Genoa,[78] and six from Heidelberg.[79]

[71] In the introduction to the texts, esp. *P.Lond*. V 1738, p. 203, Harold Idris Bell opened up the possibility that all 'Menases' from the London papyri (*P.Lond*. V 1738; 1743; 1744; 1749; 1751; 1752 (comm. to l. 4); 1864, with the exception of *P.Lond*. V 1783 (comm. to l. 4)), were the same person. That it is the same person was also assumed by: Van Minnen, 'tax arrears', 201–02; Jean Gascou, 'Reçu d'impôt pour le Prince des Croyants', (= *P.Pintaudi* 27) in *Inediti offerti a Rosario Pintaudi per il suo 65° compleanno*, ed. Diletta Minutoli (Florence: Gonelli, 2012), 132–33; Rosario Pintaudi, 'Ancora papiri di piccolo formato. Dall'archivio di Μηνᾶς στρατιώτης (PUG inv. 1146)', (= *PUG* V 214 = *SB* XVIII 13737) in *Studi in onore di Edda Bresciani*, ed. Sandro Filippo Bondi, Sergio Pernigotti, Fabrizio Serra and Angelo Vivian (Pisa: Giardini, 1985), 423. See also *P.Heid*. X, p. 429, where it is called the dossier of Menas; while it is called that of Menas, son of Sarapammon in *P.Heid*. XI, p. 73 with n. 22.

[72] A simple search with the database papyri.info and the keywords 'Menas' and '*stratiōtēs*' reveals even more *stratiotai* of this name, such as Flavius Menas, son of Phoibammon, *stratiōtēs*, in *P.Lond*. III 1313, 16–17; 9 (p. 256) (507, Hermopolis) or Flavius (?) Menas, son of Kyros, *stratiōtēs*, in the sixth or seventh century in *SB* XX 14445, 2 (VI/VII, Hermopolite).

[73] *P.Lond*. V 1738; 1743; 1744; 1749; 1751; 1752; 1864.

[74] *P.NYU* II 42 (= *SB* VI 9631).

[75] Van Minnen, 'tax arrears'.

[76] *P.Monts. Roca* IV 74 (= *P.Poethke* 38).

[77] *P.Pintaudi* 27.

[78] *PUG* V 214 (= *SB* XVIII 13737).

[79] *P.Heid*. X 455; 456 and P.Heid. XI 473–476.

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If all the Menas receipts belong together, they would indeed form the most extensive collection of texts for the activity of a messenger in early Muslim Egypt. However, as the following remarks show there are some difficulties that challenge the theory of Menas being a single individual.

The most puzzling problem, which cannot simply be explained by different scribal practices, is why we have so many name combinations (see Tables 6.1 and 6.2). An (artificial) arrangement of the receipts by indiction years may serve to illustrate this:

- For a 1st indiction, there is a payment by Apa Menas, *stratiōtēs*.[80]
- In a 5th indiction, a payment was made by Menas, son of Sarapammon.[81]
- In a 7th indiction, we have again Menas, son of Sarapammon, *stratiōtēs*[82] and, moreover, Apa Menas, *stratiōtēs*.[83]
- In a 9th indiction, payments were made by Menas, brother of Lukas[84] and Menas, son of Sarapammon, *stratiōtēs*.[85]
- In a 10th indiction, a receipt for arrears of the *dēmosia* tax was issued for Menas, *stratiōtēs*.[86] Menas, *stratiōtēs*[87] is attested once again for a 10th indiction, but so too are the activities of Abba Menas, *stratiōtēs*[88] and Apa Menas, son of Sarapammon.[89]
- In an 11th indiction, we have Menas, son of Sarapammon, *stratiōtēs*[90] and probably Menas, brother of Lukas.[91]
- For and in a 12th indiction, payments were made by Menas, brother of Lukas.[92]
- Menas, brother of Lukas appears also in a 13th indiction.[93]
- In a 15th indiction, we have again Menas, *stratiōtēs*.[94]
- In an unknown indiction between 10 and 15, there appears a Menas, *stratiōtēs*, brother of Lukas.[95]

[80] *P.Lond.* V 1749, 1.
[81] *P.Heid.* XI 473.
[82] *P.Lond.* V 1744, 1–2.
[83] *P.Heid.* XI 476.
[84] *PUG* V 214, 1–2.
[85] *P.Lond.* V 1738, 1.
[86] Van Minnen, 'tax arrears'.
[87] *P.NYU* II 42, 1.
[88] *P.Lond.* V 1743, 5.
[89] *P.Pintaudi* 27, 2.
[90] *P.Monts. Roca* IV 74, 1–2.
[91] *P.Lond.* V 1751, 1, but the numeral is underdotted at the *alpha*.
[92] For a 12th indiction in *P.Heid.* X 456, 1 and in a 12th indiction for a 9th indiction in *P.Heid.* XI 475.
[93] *P.Heid.* X 455, 1–2.
[94] *P.Lond.* V 1752, 4 and in *P.Heid.* XI 474.
[95] *P.Lond.* V 1864, 1–2 for the numeral starting with *iota*, cf. *ed. pr.*

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It goes without saying that the indiction years do not necessarily have to follow each other as in this arrangement. We actually do not know the time span of the dossier, which may have covered more than fifteen years. But even if we arrange them differently, the name compositions do not bear a true coherence or indicate a development, for instance, from a Menas to a more honourable social status as is implied by Apa Menas.

None of Menas' name variations known to date include all components. It is certainly not unusual that parts of the name are left out, but this mix is rather specific.[96] The change from the father's to the brother's name, in particular, is remarkable and raises the question of whether there was another Menas, *stratiōtēs* to be distinguished from.[97]

A need to differentiate several individuals named Menas would, however, only arise if the receipts were signed by the same writers with a common provenance (see Table 6.2). The London papyri were initially attributed to Oxyrhynchos, but on account of the formula '*eschon dia* (I received through) + name,' often found in Hermopolite tax receipts, a provenance from the pagarchy of Hermopolis was considered more likely.[98] A study of the acquisition history of the documents can verify this provenance for some of the dossier's texts.

The largest part of the dossier was acquired by the British Museum from Reverend Chauncey Murch in 1906.[99] Murch, a missionary of the Presbyterian Church of North America, was based in Luxor, but did missionary work on the Nile from there to Aswan.[100] He could have purchased the texts anywhere on his travels or from locals who regularly frequented his bookstore in Luxor.

[96] See e.g. the *pistikos* in *P.Lond*. IV 1433, 195; 277; 338; 410 who delivered the hospitality tax for the Commander of the Faithful from different *topoi*. He appears under Victor, son of Symeon, *pistikos*, but also under Victor, son of Symeon or Victor, *pistikos*.

[97] James Cowey and Renate Ziegler in *P.Heid*. X, p. 431, comm. to l. 2 point to the uncommon use of the brother's name instead of the patronym. Using the brother's name (*dia tou adelfou* + Name) was a phenomenon of tax receipts from pre-conquest Hermopolis (early seventh century), cf. Gonis, 'Fiscal Documents III', 200 with ns. 24–25. Could this be a modification of this formula?

[98] Due to an assumed era of Oxyrhynchos in *P.Lond*. IV 1738, 3 the London texts of the dossier were initially attributed to Oxyrhynchos, but see BL X, p. 107 and Roger S. Bagnall and Klaas A. Worp, *Chronological Systems of Byzantine Egypt* (Leiden: Brill, 2004), 58, n. 5. Due to the Hermopolitan formula '*esch(on) d(ia)*', subsequent texts related to Menas were attributed to Hermopolis, cf. Bruce E. Nielsen and Klaas A. Worp, 'New Papyri from the New York University Collection: IV', *Zeitschrift für Papyrologie und Epigraphik* 149 (2004): 109; Gonis, 'Fiscal Documents III', 200f. and *BL* X, p. 107; but see also the objections in *SPP* III² 465, p. 26 and on this *P.Pintaudi* 27, p. 132, n. 4.

[99] I thank Peter Toth for this information by email (03/11/17).

[100] Murch had a bookstore in Luxor where he was based from 1883 to 1907, the year he died, and did missionary work every autumn on the Nile between Luxor and Aswan. See the *Annual Report of the Board of Foreign Missions of the United Presbyterian Church of North America* 48 (1907): 57; 61; 75; 116; 127; 213.

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The second biggest part of the dossier is archived in Heidelberg. Due to equal scribes identified by Lajos Berkes,[101] connections can be drawn to texts from the British Library,[102] collections in Genoa,[103] and Strasbourg[104] (see Table 6.2). *P.Heid.* X 455 bears on the verso the prescript of a contract that may be completed to [*en Antinoou po*]*lei tē*$_i$ *lamprotatē*$_i$,[105] and on the recto *andrismos*, a term used for the poll-tax i.a. in the pagarchy of Hermopolis.[106] A provenance from the region of Hermopolis/Antinoopolis is thus very likely. For *P.Pintaudi* 27 the provenance 'Hermopolis' is recorded in the inventory book of the Bibliothèque nationale et universitaire de Strasbourg.[107] The papyrus was probably purchased by Rubensohn from Farag in Melawi (21 November 1903) and distributed to Strasbourg in summer 1904 via the Deutsche Papyruskartell.[108] *P.NYU* II 42 (P.NYU inv. 41) was part of a large purchase from the Cairo-based antiquities dealer Maurice Nahman (1868–1948)[109] 'and others', carried out by a consortium of British and American universities,[110] and brought to the British Museum in May 1924.[111] It was part of a box with 219 fragments (box II, no. 219a) from the Roman, Byzantine and early Islamic period originating

[101] *P.Heid.* XI 473–76 and pp. 76–77.

[102] *P.Lond.* V 1752.

[103] *PUG* V 214.

[104] *P.Pintaudi* 27.

[105] *P.Heid.* X 455, pp. 431–32.

[106] Ivo Poll, 'Die Μηνᾶς στρατιώτης-Steuer im spätbyzantinischen und früharabischen Ägypten', *Tyche* 11 (1999): 252, n. 84; *P.Bawit Clackson*, p. 8; Nielsen and Worp, 'New Papyri IV', 109, to l. 1. However, the fact that *P.Monts. Roca* IV 74, 2 and *P.Lond.* V 1744, 2 were issued for *diagraphon* shows that question is not so easily solved. For a discussion of the problematic issue see Stefanie Schmidt, 'Adopting and Adapting. Zur Kopfsteuer im frühislamischen Ägypten', in *Proceedings of the 28th Congress of Papyrology. Barcelona 1–6 August 2016*, ed. Alberto Nodar, Sofia Torallas Tovar (Barcelona: Publicacions de l'Abadia de Montserrat, 2019): 609–16.

[107] I thank Daniel Bornemann, curator at the Bibliothèque nationale et universitaire de Strasbourg, for this information (email from 17/10/19).

[108] Holger Essler, who is preparing a monograph on the history of the Papyrus-Kartell, informed me by email (22/10/19) that, apart from the purchase of a literary text, this was the only other acquisition recorded for Hermopolis for that year. The description of this purchase is '1 Blechkasten, Fragmente, darunter ein größ. umfangreiches Stück'. According to Holger Essler, to whom I am grateful for sharing this information with me, the papyrus could be no. 13 of section A.

[109] For Nahman see Fredrik Hagen and Kim Ryholt, *The Antiquities Trade in Egypt 1880–1930* (Copenhagen: The Royal Academy of Science, 2016), 253–56 as well as the entry in https://www.britishmuseum.org/collection/term/BIOG140098 and the obituary by Jean Capart, 'Nécrologie. Maurice Nahman', *Chronique d'Égypte* 22/44 (1947): 300.

[110] For this consortium in which Harold Idris Bell played a prominent role, cf. Bruce E. Nielsen and Klaas A. Worp, 'New Papyri from the New York University Collection: I', *Zeitschrift für Papyrologie und Epigraphik* 133 (2000): 163.

[111] See Charles T. Lamacraft and Harold Idris Bell, 'Report on Papyri Purchased in 1924 from Nahman & Others', British Museum, London (September 1924), https://apps.lib.umich.edu/files/libraries/papyrology/acq-reports/Bell%2C%20H.I.%2C%20Report%20on%20Papyri%2C%201924.pdf, accessed 01/05/22; Casson, 'Tax-Collection Problems', 288; *P.Col.* VII, p. 3.

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i.a. from the Arsinoite nome, Oxyrhynchite nome, Akhmim (Panopolis), Hermopolite nome and Kynopolis.[112] No further information about provenance is given for P.NYU inv. 41. The Michigan text (P.Mich. inv. 1055) was also acquired from Nahman by this consortium (1922). A comparison of all texts (regarding description and measurements) found in Bell's report of July 1922 shows that it was very likely part of Lot IX, a box of 112 'miscellaneous 'fragments" and included under no. 74.[113] The box contained non-literary texts i.a. from the Arsinoite nome, Tanouthis, the Lycopolite, Ision Anô, Oxyrhynchus, Karanis, the Hermopolite nome, Philadelphia, Seithote, Theadelphia and Hera-cleopolis. No further information about provenance is given for text no. 74, lot IX. However, the author of this article found a match between P.Mich. inv. 1055 and an unpublished piece in the Vienna papyrus collection (P.Vindob. G 41046) whose recto and verso are given as Figures 6.2 and 6.3. A high-resolution picture showed that the seal on the Vienna tax receipt is the same that Athanasios used on the Michigan document (see Figs 6.1–6.2). The Vienna seal was already published by Alexandra-Kyriaki Wassiliou, but the imprint was identified there as three scorpions.[114] The high-resolution picture showed, however, a standing figure between what looks like two scorpions, an ibis (?) at the bottom right and a star to the left above the figure, similar to the Michigan receipt.[115] The text (Fig. 6.3) is difficult to read, but the signature (l. 3), which was placed as in P.Mich. inv. 1055 slightly apart from the body

[112] Lamacraft and Bell, 'Report', 19. The entry reads: '2 tax-receipts, 1 complete, the other imperfect on the right. Each with seal. VII' followed by measures. For the concordance, cf. Nielson and Worp, 'New Papyri I', 164, no. 2c.

[113] Harold Idris Bell, 'Report on Papyri, etc., brought by Nahman, July, 1922', British Museum, London (September 1922), https://www.lib.umich.edu/files/libraries/papyrology/acq-reports/Report%20on%20Papyri%20Brought%20by%20Nahman%2C%20July%2C%201922.pdf, accessed 01/05/22. I thank Monica Tsuneishi for her help in accessing this information (email 14/10/19). The description of no. 74 reads: 'Receipt for land-tax (*dēmosia*). Arab period. Perfect; with well-preserved seal. 2 ¼ " x 2 ½ ".

[114] Alexandra-Kyriaki Wassiliou, *Siegel und Papyri. Das Siegelwesen in Ägypten von römischer bis in früharabische Zeit. Katalog zur Sonderausstellung des Papyrusmuseums der Österreichischen Nationalbibliothek in Zusammenarbeit mit der Österreichischen Akademie der Wissenschaften/ Kommission für Byzantinistik, 20. 9. –31.12.1999* (Nilus 4) (Wien: Österreichische Verlagsgesellschaft, 1999), no. 24. For sealing practices in early Islamic times, cf. Petra M. Sijpesteijn, 'Seals and Papyri from Early Islamic Egypt', in *Seals and Sealing Practices in the Near East. Developments in Administration and Magic from Prehistory to the Islamic Period*, ed. Ilona Regulski, Kim Duistermaat and Peter Verkinderen (Louvain: Peeters, 2012), 171–82; *P.Muslim State* 8, to ll. 19–20; also James Allan and Dominique Sourdel, '*khātam*, *khātim*', in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel and Wolfhart P. Heinrichs (Leiden: Brill); *P.Qurra*, intro, pp. 27–33.

[115] Peter van Minnen identified a standing figure, probably two scorpions left and right, something that looks like a bird (?) in the lower right, and an unidentifiable object (scarab?) in the upper left corner, right above the standing figure, cf. Van Minnen, 'tax arrears', 201, intro.

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of the text, reads the name of Athanasios and a confirming *stoich(ei)*. In line 2 there might be traces of '*to (kai) d(o)th(en) d(ia)*' which could be part of an *eschon dia*-receipt as it is the case of P.Mich. inv. 1055.[116] The origin of P.Vindob. G 41046 cannot be determined, but based on the acquisition history of the collection it can be narrowed down to Arsinoe, Hermopolis or Herakleopolis.[117]

Looking at the other seals of the dossier, it is very likely that also *P.Lond*. V 1738, signed by an Athanasios, bears that seal.[118] For the script of this receipt, Peter van Minnen stated that it 'is somewhat more upright [than P.Mich. inv. 1055], but has similar abbreviations'.[119] Harold Idris Bell recognised for the seal of *P.Lond*. V 1738 'perhaps two human figures facing each other', but given the bad condition of the seal, this might also be a standing figure with two scorpions to its right and left. However, even the high-resolution picture was of no help in verifying either assumption.[120]

All recognisable seals of the Menas receipts are figurative. That supports the general assumption that the documents are to be dated in the late first/seventh or early second/eighth century,[121] for living creatures on gold coins were abandoned under Caliph ʿAbd al-Malik (65/685–86/705). The reform was slowly expanded to include silver and copper coinage and subsequently had an effect on seals used on official documents.[122] When this new policy had penetrated the entire administrative body is not clear. Qurra b. Sharīk's (90/709–96/714) seal, for instance, still bore the image of a cheetah or dog.[123]

Not much information is available for the acquisition of *P.Monts Roca* IV 74. The papyrus was part of the private collection of Father Ramón

[116] An edition of the text is given below.

[117] Helene Loebenstein, 'Vom 'Papyrus Erherzog Rainer' zur Papyrussammlung der Österrei-chischen Nationalibliothek. 100 Jahre sammeln, bewahren, edieren', in *Festschrift zum 100-jährigen Bestehen der Papyrussammlung der Österreichischen Nationalbibliothek. Papyrus Erzherzog Rainer* (*P.Rainer Cent*), *Textband*, ed. Helene Loebenstein (Wien: Brüder Hollinek, 1983), 4–6; the problematic evidence of the origin of the collection is also discussed by Federico Morelli, '*SB* XXIV 16222: due patrizi e un Liciniano', *Tyche* 23 (2008): 142–45 and id. in *CPR* XXX, intro, pp. 3–5.

[118] The British Library gives the Arsinoite or Hermopolite nome as provenance. It was purchased by Rev. Chauncey Murch together with Papyri 1545–1753: www.bl.uk/manuscripts/FullDisplay.aspx?ref=Papyrus_1720(a-b), accessed 08/06/22.

[119] Van Minnen 'tax arrears', 202.

[120] I am grateful to Peter Toth for giving me access to a picture of the seal for private study.

[121] Most recently in *P.Heid*. XI, pp. 74–75.

[122] Venetia Porter, *Arabic and Persian Seals and Amulets in the British Museum* (London: The British Museum, 2011), esp. 6f.; also Sijpesteijn, 'Seals', 179f; *P.Qurra*, p. 30.

[123] Wassiliou, '*Siegel und Papyri*', 30, no. 18, who corrects Joseph Karabacek's reading for *Papyrus Erzherzog Rainer, Führer durch die Ausstellung* (Vienna: Selbstverlag der Sammlung, 1894), no. 593 as a wolf's image.

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Roca-Puig, today Fundación Roca-Puig, who purchased the texts between 1945 and 1960 in Cairo.[124]

The same is true for the text now archived in the Dipartimento di Antichità, Filosofia, Storia (DAFIST) of the University of Genoa. *PUG* V 214 was acquired by Augusto Traversa, probably during his stay at Alexandria in summer 1954.[125] The texts he acquired were said to have come from the Hermopolite nome, but, as he himself declared, he did not know how much confidence to put in this information.[126] In fact, for some of them a provenance from the Oxyrhynchite and the Arsinoite nome is not excluded either.[127]

Based on the acquisition histories outlined above, a provenance from Hermopolis is to be expected for the text from Strasbourg (Apa Menas, son of Sarapammon). Moreover, the expansion to Antinoopolis on the verso and the mentioning of *andrismos* on the recto make it very likely that also *P.Heid*. X 455 (Menas, brother of Lukas) comes from the region of Hermopolis. The official of *P.Heid*. X 455, Dioskoros, also signed *P.Heid*. X 456 (Menas, brother of Lukas), *P.Heid*. XI 475 (Menas, brother of Lukas) and *P.Lond*. 1864 (Menas, *stratiōtēs*, brother of Lukas) so that for these texts a provenance from the pagarchy of Hermopolis can be assumed too (cf. Table 6.2).[128] Also for the other receipts mentioning *andrismos* and/or including the formula *eschon dia*, the pagarchy of Hermopolis is probably the place of origin. This is true for *PUG* V 214 issued for Menas, brother of Lukas, and signed by Kosmas, and *P.Lond.* V 1749, a receipt for *andrismos* signed by Biktor for a payment on behalf of Apa Menas, *stratiōtēs*. For this Biktor, Bell cautiously suggested that he might be the same scribe who signed *P.Lond.* V 1744, a payment of *diagraphon* by Menas, son of Sarapammon, *stratiōtēs*. However, he also noted differences in the receipts' arrangement, the ink and

[124] Sofía Torallas Tovar, 'Papirología en España hoy', in *Perfiles Grecia y Roma. Actes del XII Congreso Español de Estudios Clásicos Valencia, 22 al 26 de octobre de 2007*, ed. José Fco. González Castro *et al.* (Madrid: Sociedad Española de Estudios Clásicos, 2009), 155–65.

[125] I am very grateful to Serena Perrone, who, despite difficulties due to the Covid pandemic, assisted my search (email 19/03/20). For the acquisition history of the University of Genoa, cf. Serena Perrone, 'Ancora su Augusto Traversa e i primi passi della papirologia genovese', *Analecta Papyrologica* 27 (2015): 329–37; id. 'Per una storia dei papiri dell'Università di Genova al Dipartimento di Antichità, Filosofia, Storia (DAFIST)', in *Papiri dell'Università di Genova V*, ed. Serena Perrone (Rome: Edizioni di Storia e Letteratura, 2015), 11–15; Aristide Calderini, 'Appunti e notizie', *Aegyptus* 35 (1955): 137.

[126] Perrone, 'Per una storia', 15 citing A. Traversa, 'Alcuni papiri inediti della Collezione Genovese', in *Serta Eusebiana. Miscellanea Philologica*, Genoa 1958 (Collana Darficlet 11), 115–24 at 117 (I had no access to this volume): 'non so quanta fede meriti la notizia, ricevuta al tempo dell'acquisizione, secondo cui tutti i papiri provenivano dalla zona di Ashmunein'.

[127] Perrone, 'Per una storia', 15.

[128] For this scribe, see the line commentary to *P.Heid*. X 455, 3; for *P.Heid*. XI 475 private communication Lajos Berkes.

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pen.[129] A check of the name in the originals showed that the 'bi'-ligature at the beginning shows similar features, but since the name is abbreviated (Bik( )) in 1744, no clear answer is possible.[130] However, even if the Biktors were identical, why should Menas pay for taxes, which are considered to be synonymous, but used in different regions (*andrismos* and *diagraphon*)[131] under two different name combinations, namely Apa Menas, *stratiōtēs* and Menas, son of Sarapammon, *stratiōtēs*?[132] This problem cannot be solved here, but it opens up the possibility that at least these two 'Menases' are separate individuals.

There are indeed good arguments in favour of a coherent dossier, such as: (a) a common acquisition history regarding the London papyri; (b) a common provenance from the pagarchy of Hermopolis for most of the texts; and (c) identical signing officials as is illustrated by Table 6.2. However, a common provenance and identical personnel would in turn also strengthen the idea of dealing with distinct messengers or taxpayers called Menas, whom the scribes distinguished from each other by using several name combinations.

Menas' Tax Receipts

The tax receipts of Menas allow us to better understand the actual work of a messenger. At the same time, they indicate how his activity was subject to tight control through documents that were issued in the process of delivery.

The tax receipts are all of the *eschon dia*-type which, as mentioned above, is assigned to the Hermopolite nome.[133] The major part of this type

[129] *P.Lond.* V 1749, intro.

[130] I am very grateful to Sophie Kovarik for her help in controlling the signatures and to Peter Toth for providing me with pictures of the two texts for the purpose of private study.

[131] *Diagraphon* was the word for poll-tax that was used more often in the Theban region, cf. Sarah J. Clackson, *It Is Our Father Who Writes. Orders from the Monastery of Apollo at Bawīt* (Cincinnati: American Society of Papyrologists, 2009), 8; Poll, 'Die διάγραφον-Steuer', 237; 252, n. 84. But see also Schmidt, 'Adopting' and 'Between Byzantine and Muslim Egypt. Mobilizing Economic Resources for an Embryonic Empire', *Journal of Ancient Civilizations* 35/2 (2020): 249–55.

[132] A comparison of the receipts known to date shows, moreover, that Menas, son of Sarapammon never paid or delivered the tax *andrismos*.

[133] On the *eschon dia*-type, see most recently *P.Eirene* IV, p. 58. Some early examples from the Oasis Magna were recently published in Mahmoud Masoud, Rodney Ast and Roger S. Bagnall, 'Two Archives of Ostraka from Ain es-Sabil', *Bulletin of the American Society of Papyrologists* 58 (2021): 87–134 nos. 1; 3; 15 (all IV, Ain es-Sabil).

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of receipts is found among the Menas texts, but there are also other, even Coptic, examples.[134] These texts can be distinguished in: (a) receipts with a single party in which *eschon dia* is followed by the taxpayer, most probably the person liable for taxation; and (b) receipts with two parties in which one is introduced by *eschon dia*, the other by *ta (kai) d(o)th(enta)* + Dative or *ta (kai) d(o)th(enta) d(ia)* + Name. In the latter cases, the payment was either consumed by the second party or delivered by it.

Most of the texts regarding Menas fall into the first category (a): Menas is introduced by *eschon dia* while a second party for which Menas could have delivered the tax is missing; hence it is not excluded that Menas paid his own tax in these cases.[135]

The other tax receipts that are concerned with a messenger's activity can be distinguished in three types:

(1) Menas receives the amount that had been paid over as tax. In one case it seems that he was even paid from what he himself had handed over. The formula is 'I received through Name + Tax which was also given to Menas' (*escho(n) d(ia)* Name + Tax *ta (kai) d(o)th(enta)* Menas).[136] This type of document might have served as a proof that the authorities paid the messenger's wage.
(2) Tax receipts mentioning Menas together with another party, in which the person introduced by *eschon dia* seems to be the person liable for taxation while Menas delivered the tax: 'I received through Name + Tax which was (also) given through Menas' (*esch(on) d(ia)* Name + Tax *to (kai) d(o)th(en) d(ia)* Menas).[137]

[134] See e.g. *CPR* IV 170, 18. Moreover, *P.Princeton* II 92; *P.Clackson* 37; *P.Lond*. V 1739; 1745; *P.Prag* I 79; *PSI Congr*. XXI 19; *P.Ryl*. IV 707; *SB* XXVIII 17162 and *SB* VIII 9759 where '*eschon*' is missing as in *P.Heid*. XI 473.

[135] *P.NYU* II 42; *P.Lond*. V 1738; *P.Lond*. V 1744; *P.Lond*. V 1751; *P.Lond*. V 1864; *P.Monts. Roca* IV 74 (= *P.Poethke* 38); *PUG* V 214 (= *SB* XVIII 13737); *P.Heid*. X 455r; *P.Heid*. X 456; *P.Heid*. XI 473; 475.

[136] *P.Lond*. V 1752: *escho(n) d(ia)* Theodor, son of Sabanos (tax) *ta (kai) d(o)th(enta)* Menas *stratiōtēs* (in the Dative). ('I received through Theodor (tax) that was also given to Menas, *stratiōtēs*') – Menas is understood as receiver of the tax-money. *P.Lond*. V 1749: *esch(on) d(ia)* Apa Menas, *stratiōtēs* (tax) *to (kai) logisth(en) aut(ọ̄) (hyper) misth(ou) aut(ou) k(a)t(a) keleusi(n)*. In this case, it seems that the amount Menas paid (for himself?) for the poll-tax was offset against his own wage. *P.Heid*. XI 476: *escho(n) d(ia)* Kometas (tax) *to (kai) d(o)th(en)* Apa Menas, *stratiōtēs* (I received through Kometas (tax) which was also given to Apa Menas, *stratiōtēs*). Also here, Menas is the receiver of money paid through Kometas who was either liable for taxation or transmitter of it.

[137] Van Minnen, 'tax arrears': *esch(on) d(ia)* Biktor, son of Patk( )p( ) (tax) *to (kai) d(o)th(en) d(ia)* Menas, *stratiōtēs* (I received from Victor (son of) Patk( )p( ) (tax) which (amount) was given (to me) by Menas the soldier). Menas is understood as deliverer while the person introduced by *eschon dia* was liable for taxation. Perhaps also *P.Lond*. V 1743, 5 may be added here in which

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(3) Tax receipts that introduce Menas by *eschon dia* followed by another party: (a) in one case the other party is introduced by *ta (kai) d(o) th(enta) d(ia)* + Name, which raises the question of whether Menas was liable for taxation in this case;[138] (b) in another case *eschon dia* + Menas, *stratiōtēs* (tax) is followed by a list of four people with amounts in money that equal the amount given by Menas.[139] Here it is likely that the four names are the persons in whose name Menas delivered the tax. In this case, *eschon dia* would have introduced the transmitter of the tax.

Types 2 and 3 documented the messenger's activity on the receipt that, at the same time, confirmed the tax-payment of the actual taxpayer.

Despite the name and patronym, little information is given on these short tax receipts about the involved parties or the geographical setting.[140] The most striking issue is that the provenance, a significant factor for administrative purposes, is missing.[141] But we observe the same with regard to other receipts of the *eschon dia*-type.[142] In order to create a distinct document that served as proof for the taxpayer or the messenger nevertheless, the affiliation to a town or *chorion* needed to be recorded when the payment was entered into the official tax list. In second-/eighth-century Ishqūh, for instance, books were drafted according to the geographical unit and grouped with regard to distinctive features such as the type of requisition that was paid for or the date of the delivery.[143] A date (month, day, indiction year) is also found on top of most tax receipts so that this may have been the link of reference between receipt and entry

the abbreviation might possibly be resolved to *d(o)th(en) d(ia)* Appa Menas, *stratiōtēs* instead of *d(apanē)th(en) d(ia)* (?)

[138] *P.Pintaudi* 27: *escho(n) d(ia)* Apa Menas, son of Sarapammon (tax) *ta (kai) d(o)th(enta) d(ia)* Apa Athanasios, son of Theodoros (I received through Apa Menas, son of Sarapammon (tax) that was (also) given through Apa Athanasios, son of Theodoros). The editor's comment (p. 132), 'Le présent reçu a été délivré pour un paiement transmis (l. 2) par Apa Mènas fils de Sarapammôn', suggests that Menas was the deliverer of the tax, but elsewhere (p. 132) it is clarified that 'le nom du contribuable est introduit par διά'.

[139] *P.Heid.* XI 474.

[140] Compare, on the contrary, *P.Muslim State* 8, 25–26, an order of the pagarch Nājid to ʿAbd Allāh to furnish receipts with the name of a Muslim taxpayer, the name of his father, his tribe and village.

[141] A provenance is mentioned, for instance, in *SPP* III² 201, 5 (VI/VII, Hermopolis); *P.Monts. Roca* IV 75, 2 (= *P.Poethke* 39) (VII/VIII, al-Ushmūnayn) and *P.Lond.* III 1060, 2–3 (p. 273) (VII, Hermopolis).

[142] See e.g. *SB* XXVIII 17162 (VII/VIII, al-Ushmūnayn); *P.Lond.* V 1745 (VII/VIII, al-Ushmūnayn?); *P.Prag* I 79 (VII, Hermopolite?); *P.Princ.* II 92 (VII/VIII al-Ushmūnayn?); *P.Ryl.* IV 707 (VI/VII, unknown).

[143] *P.Lond.* IV 1434 with intro; 1435; 1433.

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in the register books. It must have been sufficient to have the date and name of the payer and/or deliverer to find them in the accounts and thus also verify the messenger's delivery. While the Menas texts leave many questions unanswered, they show how meticulously the messenger's activity had been monitored. The issuing of receipts is thus a further method of controlling a messenger's activities and binding him tightly into the system of levying taxes.

Conclusion

Immediately after the Muslim conquest of Egypt, the new rulers started to levy taxes from the population that provided the economic basis of Muslim rule. An unobstructed and steady influx of tax money was essential for the maintenance of the military, the growing administration and the building programme carried out under the Umayyads. In order to guarantee an unobstructed collection and transport of taxes, the government could resort to various instruments of tax collection. In addition to a messenger, they relied, for instance, on people who were selected from the village that needed to pay taxes. All agents were subject to tight trust-building and monitoring mechanisms, and we can only speculate about the reasons that led to the deployment of a messenger on one occasion and a local on another. Employing a messenger certainly had some benefits: due to his personal attachment to a certain institution, to an official or to an area of jurisdiction, he already enjoyed a high level of trust and could thus have been deployed without a lengthy selection process. Nonetheless, the messenger's activity was also subject to tight monitoring based, for instance, on personal ties between the principal and the agent, on incentives with regard to the messenger's payment, on socially embedded norms (institutions) and on mutual checks among team-working messengers (cf. Fig. 6.4). This monitoring was rendered possible by a highly elaborated documentation practice reflected, for instance, in the issuing of tax receipts and the meticulous keeping of tax-lists. The example of the messenger thus demonstrates how the early Muslim authorities employed mechanisms of socio-economic dependencies in order to achieve structural stability in the essential field of tax collection. Even though messengers may have been only small cogs in a larger machinery, they were functionally necessary for a steady influx of money and thus for the effective operation of the entire economic, social and political system.

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Table 6.1 *Menas' name combinations*

	Name	Source
1	Menas, *stratiōtēs*	Van Minnen 'tax arrears', *P.NYU* II 42 (= *SB* VI 9631), *P.Lond.* V 1752, *P.Heid.* XI 474
2	Menas, son of Sarapammōn	*P.Heid.* XI 473
3	Menas, son of Sarapammōn, *stratiōtēs*	*P.Lond.* V 1744, *P.Lond.* V 1738, *P.Monts. Roca* IV 74 (= *P.Poethke* 38)
4	Abba/Apa Menas, *stratiōtēs*	*P.Lond.* V 1743, *P.Lond.* V 1749, *P.Heid.* XI 476
5	Apa Menas, son of Sarapammōn	*P.Pintaudi* 27
6	Menas, *stratiōtēs*, brother of Lukas	*P.Lond.* V 1864
7	Menas, brother of Lukas	*PUG* V 214 (= *SB* XVIII 13737), *P.Lond.* V 1751, *P.Heid.* X 455r, X 456, *P.Heid.* XI 475

Figure 6.1 Seal (Van Minnen, 'Tax arrears', Fig. 2). Credit: University of Michigan Library, Digital Collections.

Figure 6.2 Seal attached to P.Vindob. G 41046v. Credit: Austrian National Library. Department for Papyri.

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Tax Receipt Issued by Athanasios*

P.Vindob. G 41046r | w 6.5 x h 7.0 cm | 2nd half of VII–VIII
Arsinoite, Hermopolite or Herakleopolite nome

The lower part of a tax receipt with a seal (8 mm total) attached to the otherwise blank back (Fig. 6.2), script runs along the fibres. Still visible is the strip of papyrus under the seal with which the receipt was closed.[144] The seal contains a standing figure between what looks like two scorpions, an ibis (?) at the right bottom and a star to the left above the figure, similar to the seal of P.Mich. inv. 1055 (Fig. 6.1). The script is difficult to read, but similarities between the Michigan and this receipt can be observed in the subscription. All this renders it very likely that Athanasios was the scribe of both receipts and, as Peter van Minnen suggested in his edition, probably also of *P.Lond.* V 1738.[145] It is not clear whether one or two lines are missing in the beginning. If Athanasios used the same *eschon dia*-Type as in P.Mich. inv. 1055 and *P.Lond.* V 1738, we may reckon with space for the date, the *eschon dia*-formula with a following name and the mentioning of the kind of tax. This makes it likely that approximately two lines preceded the preserved ones on the papyrus.

recto

[----------]

1 ἐννάτη(ς) ἰ[(ν)δ(ικτίωνος) ἀ]ρ[(ι)θ(μίου) νο(μίσματος) ca. 2–3] γ´ τρίτον μ(όνον)
τὸ (καὶ) δ(ο)θ̣(ὲν) δ(ιὰ) τ(οῦ) Ἡλ[ία] Ἀνατόλ(ιου)
Vacat

† Ἀθανάσι(ος) στοι̣χ(εῖ) ν̣ο̣(μίσματος) γ̣´ μ(ό̣ν̣ο̣ν̣)

verso
seal

1 εννατ/$^{\eta}$ *pap.*; *leg.* ἐνάτης ‖ ι/[…] ‖ μ/ ‖ 2 ϛ δ/$^{\theta}$ δ/$^{\tau}$ ανατολ/ ‖ 3 αθανασι/ στοιχ/

'[…] of the ninth indiction of a reckoned solidus total $^{1}/_{3}$, one third, which was also given through Elias, son of Anatolios. † Athanasios agrees, total $^{1}/_{3}$ solidus.'

[---] see introduction for the missing line(s).

* I am very grateful to Lajos Berkes, Sophie Kovarik, and Claudia Kreuzsaler for a fruitful exchange of ideas, their helpful comments on my readings and further suggestions.

144 For a procedure of closing a receipt by seal, cf. Van Minnen 'tax arrears', intro.

145 For the seal of *P.Lond.* V 1738, cf. above p. 190.

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1 ἐννάτη(ς) ἰ[(ν)δ(ικτίωνος): This ninth indiction was the period for which the tax was receipted. The name of the tax usually preceded the period for which it was paid, as, for instance, in *P.Lond*. V 1738; 1743; 1744; 1749; 1752; *P.Pintaudi* 27; *P.NYU* II 42; *P.Monts. Roca* IV 74. The payment could have been for a current ninth indiction or a past one. In P.Mich. inv. 1055, Athanasios confirmed the payment of arrears from a sixth and seventh indiction only in a tenth indiction. P.Vindob. G 41046 could thus date also several years after a ninth indiction.

ἀ]ρ̣[(ι)θ(μίου) νο(μίσματος) ca. 2–3] γ′ τρίτον μ(όνον): The tax period is followed by the monetary unit and the amount, which is first given as a figure and then written out. We find parallels for this in other receipts of the *eschon dia-type*, cf. *P.Heid*. X 455r; *P.Heid*. XI 475r; 476; *P.Lond*. V 1745; 1864 (all for a third *nomisma*); *P.NYU* II 42. There might be enough space to include additional letters in the lacuna. Combinations of ἀρ(ι) θ(μίου) νο(μίσματος) with a form of γίγνομαι might be conceivable, as, for instance, in *P.Heid*. XI 478 where the amount is repeated: ἀριθμίῳ̣ [νο] μίσμα(τος) ἥμισυ, γί(νεται) ἀρ(ι)θ(μίου) νο(μίσματος) ∠ μό(νον). However, in P.Vindob. G 41046 numeral and figure are not written apart as in the Heidelberg text.

γ′ τρίτον μ(όνον): A payment of $^{1}/_{3}$ solidus is known, for instance, for the poll-tax (*P.Heid*. X 455r; *P.Lond*. V 1745), κλάσμα (*P.Heid*. XI 476) or δαπάνη (*P.Lond*. V 1864) but could also have been given as an instalment for any sort of tax.

2 τὸ (καὶ) δ(ο)θ̣(ὲν) δ(ιὰ): This feature of some *eschon dia*-receipts is not easy to explain (s. above p. 193, no. 2). *Dia* (by/through) introduces a second individual on the receipt besides the person who was already mentioned after *eschon dia* at the beginning of the receipt. Both individuals are said to have handed over the same amount of money (I received through … which was also given by). It could be an indication for a collective receipt, but those may have rather looked like *P.Heid.* XI 474. One could also imagine that the first person introduced by *dia* was the one for whose account the money had been delivered and the second the messenger who delivered the money.

᾽Ηλ[ία]: Two readings are possible here and I opted for the personal name only for matters of simplicity. Claudia Kreuzsaler cautiously suggested to me to read κλ(ηρονόμων or -μου) which implies that the marker of the abbreviation is lost. The comparison with P.Mich. inv. 1055 shows in

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fact that the *eta* in P.Vindob. G 41046 has great similarities with the Michigan text's *kappa*. That heirs appeared as payers in receipts is not unattested and could indicate that an inheritance has not yet been divided, as stated by Bernhard Palme, *Griechische Texte XVII: Dokumente zu Verwaltung und Militär aus dem Spätantiken Ägypten* (CPR XXIV), Wien: Hollinek, 2002, 172. See, for instance, *CPR* XXIV 29 (ca. 616, Herakleopolite), and perhaps the emphyteutic loan *BGU* XII 2193 (VI, Hermopolis). However, if the first *dia* names the person liable to the tax, the heir(s) being introduced after the second *dia* in this receipt would have been the deliverer of money. The definition of the deliverer(s) as 'heir(s)' would only make sense if the heir(s) fulfilled an obligation in which the death of Anatolius had placed him/them. One could think of an inherited liturgy as described above for the messenger, but this is not very likely since in this case the deliverer of money would probably have been addressed by name.

δ(ιὰ) τ(οῦ): For the unnecessary use of the article *tou* after *dia*, cf. *P.Heid.* XI, p. 64. An article (singular or plural) would, however, make sense if the word that follows was κλ(ηρονόμων or -μου).

3 γ̣ μ(ὸν̣ο̣ν̣): Analogous to P.Mich. inv. 1055 one might assume a repetition of the numeral behind the figure. The double stroke that stretches far to the right would provide enough space, but the gap does not allow for any conclusions.

Figure 6.3 Tax receipt issued by Athanasios. Credit: P.Vindob. G. 41046r Austrian National Library, Department for Papyri.

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Table 6.2 *Officials mentioned in the Menas dossier*

Name of Official	Name of Menas	Tax	Indiction	Document
Athanasios[147]	Menas, son of Sarapammon, *stratiōtēs*	*dēmosia, diagraphon, dapanē*	9th indiction	*P.Lond.* V 1738
	Menas, *stratiōtēs*	*dēmosia*	10th indiction	Van Minnen, 'tax arrears' (P.Mich. inv. 1055)
	Menas, *stratiōtēs (?)*	*dapanē (?)*		P.Vindob G 41046
Viktor[148]	Menas, son of Sarapammon, *stratiōtēs*	*diagraphon*	7th indiction	*P.Lond.* V 1744
	Apa Menas, *stratiōtēs*	*andrismos*	For the 1st indiction	*P.Lond.* V 1749
Senuthios[149]	Apa Menas, son of Sarapammon	*xenion tou amir al-moumnin* (Hospitality tax of the Commander of the Faithful)	10th indiction	*P.Pintaudi* 27
	Apa Menas, *stratiōtēs*	*klasma dēmosiōn*	7th indiction	*P.Heid.* XI 476
unknown (only seal)	Abba Menas, *stratiōtēs*	*dēmosia*	10th indiction	*P.Lond.* V 1743
Anatolios[150]	Menas, *stratiōtēs*	*dapanē* (in kind)	15th indiction	*P.Lond.* V 1752
	Menas, *stratiōtēs*	*hyper timēs sitou* (for the price of grain)	15th indiction	*P.Heid.* XI 474
Klaudios[151] (Biktor wrote for him)	Menas, *stratiōtēs*	*dēmosia* and *diagraphon*	For and in the 10th indiction	*P.NYU* II 42 (= *SB* VI 9631)
Klaudios (Phoibammon subscribed)	Menas, son of Sarapammon, *stratiōtēs*	*dēmosia, diagraphon, dapanē*	11th indiction	*P.Monts. Roca* IV 74 (= *P.Poethke* 38)
Ioannes *notarios*	Menas, brother of Lukas	*dapanē*	11th? indiction	*P.Lond.* V 1751

[146] For similar hands in *P.Lond.* V 1738 and P.Mich. inv. 1055, cf. Van Minnen, 'tax arrears', 202. For the same seal on P.Mich. inv. 1055 and P.Vindob G 41046, see above.

[147] For similar hands in *P.Lond.* V 1744 and *P.Lond.* V 1749, cf. *P.Lond.* V 1749, intro.

[148] For similar hands in *P.Pintaudi* 27 and *P.Heid.* XI 476, cf. *P.Heid.* XI 476, comm. to l. 4.

[149] For similar hands in *P.Lond.* V 1752 and *P.Heid.* XI 474, cf. *P.Heid.* XI 474, p. 80.

[150] The editors of *P.Poethke* 38, 3 raised the question of whether the cancelled 'bi' in line 3 could have been the beginning of the name Biktor and drew a connection to *P.NYU* II 42 in which a Biktor wrote for Klaudios.

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Table 6.2 *cont.*

Name of Official	Name of Menas	Tax	Indiction	Document
Dioskoros[152]	Menas, *stratiōtēs*, brother of Lukas	*dapanē* (?)	11th, 12th or 14th indiction (cf. *ed.pr.*)	*P.Lond*. V 1864
	Menas (or Mena, *st(ratiōtēs)*), brother of Lukas	*andrismos*	13th indiction	*P.Heid*. X 455
	Menas, brother of Lukas	*andrismos*	For the 12th indiction	*P.Heid*. X 456
	Menas, brother of Lukas	*andrismos*	12th indiction	*P.Heid*. XI 475
Kosmas[153]	Menas, brother of Lukas	*andrismos*	9th indiction	*PUG* V 214 (= *SB* XVIII 13737)
	Menas, son of Sarapammon	*xenion tou amir al-moumnin* (Hospitality tax of the Commander of the Faithful)	5th indiction	*P.Heid*. XI 473

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[151] For similar hands in *P.Lond*. V 1864, *P.Heid*. X 455 and 456, cf. *P.Heid*. X 455, 3, for *P.Heid*. XI 475 priv. comm. Lajos Berkes.

[152] For similar hands in *PUG* V 214 and *P.Heid*. XI 473, cf. *P.Heid*. XI 473, comm. to ll. 3–4.

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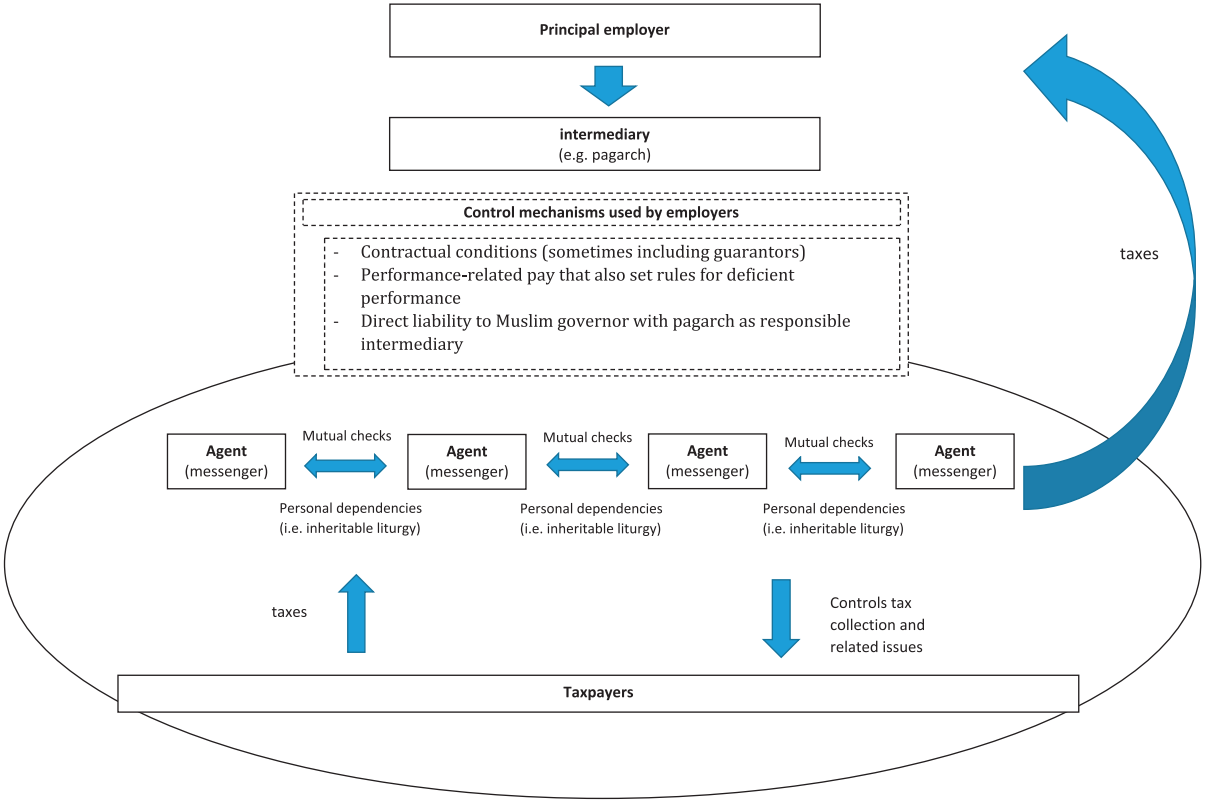

Figure 6.4 Monitoring system for a messenger.

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7 The Epistolary Imamate: Circular Letters in the Administration of the Shiʿi Community

EDMUND HAYES

Introduction

There is a divide between documentary specialists and historians. This is particularly true of historians who deal with early Shiʿi topics, who remain almost entirely untouched by the turn to material culture which has made such an impact on other fields of the humanities. Nor has the study of early Shiʿism been touched by the impetus to material sources inspired by the revisionist challenge to literary sources since the 1970s. This is a shame, because Shiʿa Muslims in the early period were highly aware of the intersection between the materiality and the spiritual function of their divinely guided leaders, the imams. Their interest in the imams as material embodiments of divine guidance resulted in Shiʿi hadith compliers recording a wealth of interesting details regarding the lives and activities of the imams. As a member of the Leiden "Embedding Conquest" project,[1] I have been fortunate to be surrounded by a team of people who are working intensively with material sources for early Islamic history. This experience has provided me with a set of parallels that open up the broader relevance of this Shiʿi hadith material. Here, I look at a dossier of reports which I have gathered from the Shiʿi hadith corpus, which purport to transmit letters and communications between the Imami Shiʿi imams and their followers.

The corpus of imamic letters in Shiʿi hadith sources is relevant for three fields: Shiʿi studies, Arabic documentary studies and the history of social institutions and administration in the Islamic empire. The letters written to and from the Shiʿi imams give us a clearer sense of the social context of processes of production, use, dissemination and preservation of letters in the wider imperial society beyond the specific (usually Egyptian) contexts for which papyri and parchment have been preserved. For Shiʿi studies these letters give us a clearer sense of the material and social context of the imams and their relations with their followers. This is particularly valuable in a scholarly environment where most attention

[1] See the introduction to this volume.

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has been given to theological and doctrinal topics, without providing a clear sense of the social background to these intellectual developments. In the realm of Islamicate social history, letters (which were a ubiquitous yet highly personalizable tool) allow us to see how different constituencies within the broader empire used similar tools in slightly different ways, thus providing a frame of reference for assessing the dominant structures and mechanisms within which the lives of individuals were led, both enabling and limiting social action. Thus, by looking at these letters, we can place the imam as a figure of authority in company with other comparable authorities like bishops, *geonim*, *dāʿī*s and muftis, as well as viziers, governors and bureaucrats in governmental administrations. This paper, then, makes the case for abandoning the common reflexive paradigm of "Shiʿi exceptionalism" in which Shiʿi materials are abandoned as irrelevant to larger patterns in the Islamic empire. In what follows I will focus exclusively on the Imami Shiʿa, to the exclusion of Zaydi and Ismaili currents of Shiʿism, though I would expect some of the insights to be relevant to those communities also.[2]

In this paper I will give a general overview of the system in which imamic letters operate. Then I will look in more detail at the mechanisms by which letters reached the community, including the mediation of agents of the imams. In particular I will look at circular letters as illustrative of the ways in which the imam attempted to reach sections of his community beyond specific individuals, and the ways that these illuminate the distinctive aspects of Shiʿi community organization. In spite of this current focus on circular letters, it should be understood that imamic letters in our sources typically appear as issued to individual believers[3] rather than in the form of encyclicals, in contrast, for example, to Christian bishops who commonly issued letters for broad distribution.[4]

[2] For a definition of Imami Shiʿism, see Hassan Ansari, *L'imamat et l'occultation selon l'imamism: Étude bibliographique et histoire des textes* (Leiden: Brill, 2016), xix.

[3] See e.g. the rescript issued to al-Bilālī to warn him not to deny the imam, which only came to be preserved in Twelver sources because al-Bilālī showed it to a hadith transmitter to copy, Ibn Bābawayh, *Kamāl al-dīn wa-tamām al-niʿma fī ithbāt al-ghayba*, edited by ʿAlī Akbar Ghaffārī, (Tehran: Dār al-Kutub al-Islāmiyya), 499.

[4] See e.g. the episcopal correspondence dealt with in Philip Wood, "Lest the Faithful Doubt or the Heretics Mock": Patriarchs, Caliphs and Implementing Excommunication in the Jacobite Church c.650–850." *Al-Masāq* 35 (2022): 76–94.

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Background: The Imami Imams of the "Late Imamate"

The Imami Shiʿi imams were a line of hereditary religious leaders who succeeded each other in a father-to-son sequence until the imamate collapsed in 260/874, followed by a period known as the "occultation" (Arabic, *ghayba*), during which it was believed that there was no direct imamic leadership, the community instead being guided by a messianic hidden imam who would return sometime in the future, bringing justice to the world. Almost no Shiʿi sources survive which are contemporary with the lives of the imams. Nonetheless, given careful analysis, Shiʿi books compiled in the late ninth to eleventh centuries CE can give us detailed information. Hitherto, there has been little interest in reconstructing the institutional dynamics of early Imami Shiʿism, and, as such, we know little about the practical dynamics of imamate. While a study of Islamic theology leads one to compare the imams as equivalent to Muslim politico-religious leaders like caliphs,[5] institutional analysis suggests that perhaps a better comparison is with religious leaders in other non-hegemonic communities, like the bishops and patriarchs of various Christian groups or the *geon*s and *nāgid*s of the Jews.

The period I will focus on is what I will call the "late imamate": in particular the imamates of ʿAlī al-Hādī (r. 220–54/835–68 CE) and al-Ḥasan al-ʿAskarī (d. 260/874). I will also include the early occultation period from 260/874 until the collapse of the agentship of the hidden imam in 328/940, a period in which many of the institutions of imamate persisted in the absence of an imam. Following the high prestige and huge hadith attribution of the foundational imams Bāqir (d. ca 117/735) and Ṣādiq (d. 148/765), the late imamate is characterized by a rapprochement with the Abbasid caliphal court, but also paranoia, governmental surveillance and intermittent persecution. ʿAlī al-Riḍā agreed, late in his life, to become the heir apparent to the Abbasid caliph Maʾmūn (d. 218/833). Though he died fifteen years before Maʾmūn, the rapprochement that Riḍā participated in had consequences that persisted until the collapse of the imamate and the start of the occultation in 260/874. After al-Riḍā, all of the imams were brought to live close to the caliphal court at some point, and the last two, Hādī and ʿAskarī, lived in Samarra under what scholars usually call "house

[5] Crone's overview of the development of different Shiʿi and non-Shiʿi visions of imamate and caliphate is the most successful and accessible broad comparison hitherto but very much based on doctrines and theologized narrative. Patricia Crone, *God's Rule: Government and Islam* (New York: Columbia University Press, 2004).

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arrest," but the details of which have yet to be carefully studied.[6] During this period the imams were under government surveillance, and this perhaps contributed to the logistical challenge of communicating with their followers who lived in various places from Central Asia to Egypt. However, their sequestration in Iraq brought the imams out of the Ḥijāz and into closer proximity with a majority of their followers who had historically been located in Iraq, although their followers were also increasingly visible in central Iran. As in the case of other pre-modern leaders and administrators, letters were crucial vehicles for extending the authority of the imam into regions where he did not travel himself. We also sometimes see letters being produced and sent to the imam by followers who were physically located in the same city,[7] suggesting that access to the imam was limited, perhaps from fear of surveillance and persecution, or perhaps simply because audience with the imam was restricted.

The relative impotence of the imam also meant that his reliance on letter-carriers could be manipulated by imamic agents who had their own ideas about how his authority should be mediated. Thus, during the imamates of the tenth imam, ʿAlī al-Hādī, and the eleventh imam, al-Ḥasan al-ʿAskarī, we see a rise in the appearance of so-called Gateways (*bāb*s), at least one of whom had been an agent,[8] who claimed charismatic, quasi-divine authority as unauthorized spokesmen of the imam. After the death of the eleventh imam in 260/874, this tendency towards the autonomy of imamic agents became complete, as a successor was not found, and instead, a core of the new Twelver community eventually came to accept the existence of a hidden imam whose leadership was mediated by a sequence of four agents or "Envoys of the hidden imam" until 328/ 940.[9] My intervention here could be reasonably criticized for bringing together reports dealing with both pre-occultation and occultation-era epistolary practices, as the structures of the community changed dramatically after 260/874. However, an important aspect of the agents of the occultation era was the perpetuation of pre-occultation institutions, and although these institutions mutated under their leadership, the interest of our sources in recording these details makes them too useful to my analysis to ignore.

[6] See e.g. Wilferd Madelung, "ʿAlī al-Hādī," *Encyclopædia Iranica*, I/8, pp. 861–62.

[7] See e.g. the mission of the Qummi Aḥmad b. Isḥāq to Baghdad: Abū Jaʿfar Muḥammad b. Yaʿqūb al- Kulaynī, *Al-Kāfī*. (Tehran: Dār al-kutub al-islāmiyya, 1388-1391 H [1968-1971]) 1:517-18.

[8] Fāris b. Ḥātim. See Edmund Hayes, "The Imam who Might Have Been." In *Reason, Esotericism, and the Construction of Authority in Shiʿi Islam*, ed. Rodrigo Adem and Edmund Hayes (Leiden: Brill, 2021).

[9] See Hayes, *Agents of the Hidden Imam: Forging Twelver Shiʿism, 850–950 CE.* (Cambridge: Cambridge University Press, 2022).

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Sources and Corpus

The sources I have drawn upon in order to assemble a dossier of imamic letters include hadith compilations, biographical works (*rijāl*) and legal-hadith works, written or compiled during the early tenth to mid-eleventh century,[10] that is, starting from a generation after the death of the last visible imam and contemporary with the period of the leadership of the agents of the hidden imam and after. These works incorporated earlier books and hadith compilations into new formats to meet evolving needs, but sometimes the structure of the earlier works they cannibalize are visible within them or can be reconstructed using *isnād* analysis and bio-bibliographical citations.[11] The larger of these works are multi-topic, as the imams were regarded as authoritative advisors on all areas of life. The major interests of the compilers were theological, legal, hagiographical and ethical, but the works also contain a whole gamut of literary fossils including myth, poetry, liturgy, magic, and dietary and medical advice.

The corpus of letters I am addressing here are letters that I drew together myself from these sources. However, one does occasionally find groups of letters in some of the books I draw upon, suggesting that earlier acts of grouping may still be visible in these later works, and we see references to many lost collections of letters and questions and answers mentioned in the bibliographical literature. A key area in which sets of letters appear together are the chapters on letters issued in the name of the hidden imam in works aimed at proving his existence. While these collections had an apologetic purpose, they nonetheless reveal interesting and plausible details about the administrative institutions of the occultation-era Shiʿi leadership and the place letters had within them.

Letter Types in the Hadith Corpus

A number of different Arabic words are associated with what I have thus far been calling the "letters" of the imams. These are the petitioning note (*ruqʿa*), the document (*kitāb*), the epistle (*risāla*), the rescript (*tawqīʿ*), the responsa

[10] In particular Kulaynī, *Kāfī,* ed. ʿAlī Akbar al-Ghaffārī, (Tehran: Dār al-Kutub al-Islāmīya, 1388 AH [1968]); Kashshī, *Ikhtiyār maʿrifat al-rijāl*, ed. Mahdī al-Rijāʾī (Qumm: Muʾassasat āl al-bayt, 1404 H [1983-4]); Ibn Bābawayh, *Kamāl al-dīn wa tamām al-niʿma fī ithbāt al-ghayba,* ed. ʿAlī Akbar Ghaffārī, (Tehran: Intishārāt-i masjid-i muqaddas-i Jumrukān, 1384 [2006]). I have also looked at earlier sources from the ninth century which frame my understanding of the larger phenomenon of imamic letters but which I do not cite here.

[11] See Ansari, *L'imamat*; Kohlberg, "Shiʿi Hadith. Introduction." In *The Study of Shi'i Islam: History, Theology and Law,* eds. Gurdofarid Miskinzoda and Farhad Daftary (London: I. B. Tauris, 2014).

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(*masʾala, masāʾil*) and the receipt (*qabaḍ, qubūḍ*).[12] There are also other letters which I will not detail here, which are personal communications rather than letters in which the imam is acting in his official capacity as community leader; for example, a letter of condolence sent to Khayzurān (d. 172/789), the wife of the Abbasid caliph al-Mahdī (d. 169/785).[13] The word for letter (*kitāb*) refers to general correspondence,[14] as well as the literary meaning of a treatise or book.[15] One of the most common words we come across is the petitioning note (*ruqʿa*) to the imam.[16] The topics of these petitions, also regularly referred to the "prayer" or "supplications" (*duʿāʾ*) that a member of the community asked to be said to God by the imam on his behalf, on various topics including asking for forgiveness[17] or a blessing or some particular request such as a request for the birth of a child.[18] While the imam was not in government or the caliphal judiciary, he was a parallel source of authority to whom people could have recourse to solve their problems.[19] It is interesting to note that many of these pious petitions accompany money sent to the imam, apparently in fulfilment of the alms taxes (*zakāt* or *khums*). This suggests a certain transactional quality in the epistolary relations between the institutions of imamate and the community, if not a direct quid pro quo, a relationship I have called the "sacred economy" of the imamate, in which community members paid alms taxes and gifts and other kinds of wealth and received blessings and religious advice and support.[20] The letters of the imams occasionally do explicitly stress the link between paying him the alms taxes and the salvation of the donor.

[12] No receipts have been copied and preserved in the Imami hadith corpus, but they are occasionally referred to in reference to the alms-tax collection activities of the imamic agents.

[13] Abū al-ʿAbbās ʿAbd Allāh b. Jaʿfar al-Ḥimyarī, *Qurb al-isnād*, ed. anon. (Qumm: Muʾassasat āl al-bayt ʿalayhim al-salām li-iḥyāʾ al-turāth, 1413 AH), 306–308.

[14] Ibn Bābawayh, *Kamāl*, 473; 475–76.

[15] Ibn Bābawayh, *Kamāl*, 498.

[16] Ibn Bābawayh, *Kamāl*, 488.

[17] Ibn Bābawayh, *Kamāl*, 490.

[18] Ibn Bābawayh, *Kamāl*, 489. This report does not include the word *ruqʿa* but follows the format of other accounts of *ruqʿa* notes.

[19] This religious sense of petition to the imam places them somewhat apart from the usage of the word "petition" in Arabic documentary studies, which tends to refer to government or judiciary officials. However, while they have clear differences, there are certain aspects that place them on a continuum, such as the "*in raʾayta*" formula used in both corpora. For petitions in governmental and judicial contexts, see e.g. Geoffrey Khan, "The Historical Development of the Structure of Medieval Arabic Petitions." *Bulletin of the School of Oriental and African Studies*, 53 (1990): 8–30; Yaacov Lev, *The Administration of Justice in Medieval Egypt, from the 7th to the 12th Century* (Edinburgh: Edinburgh University Press, 2020), Chapter 6.

[20] See Edmund Hayes, "'The Imams as Economic Actors: Early Imami Shiʿism as a 'Sacred Economy.'" In *Land and Trade in Early Islam*, eds Fanny Bessard and Hugh Kennedy (Oxford: Oxford University Press, forthcoming).

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A common word applied to letters issued by the imamate is the rescript or *tawqīʿ*, which often seems to be used as a blanket term for letters from the imam[21] but has a narrower technical meaning of a response that is written directly onto the original request or petition.[22]

An important subcategory of letters to the imam are sets of legal, theological, exegetical and other miscellaneous questions (*masāʾil*) which are often responded to with *tawqīʿ* rescripts[23] on the back of the scroll or interlinear responses. These *responsa* form a generic bridge between communications with the imams in the pre-occultation period and the later legal-theological questions that linked Shiʿi scholars and members of the community, when *responsa* collections continue to be a common genre.[24]

Sometimes a receipt (*qabaḍ, qubūḍ*) is mentioned as being handed out once contributions have been received by imamic agents.[25] This suggests that receipts may have been used at the hinges in the network which brought the alms taxes from the provinces to the imam in Iraq, perhaps employed each time money changed hands to be forwarded to the imam. However, a certain polemical tone in the discourse suggests that if these receipts were designed to guarantee the honesty of the lower-ranking agent who represented the imams, then asking a receipt from an imamic representative might have been considered something of a slur. No texts of such receipts are preserved; they were not of interest to hadith compilers. Some-

[21] See the chapter entitled "Rescripts from the Imam" in Kulaynī, Ibn Bābawayh and Ṭūsī. In Ibn Bābawayh's chapter dedicated to rescripts (*tawqīʿ*), for example, in the individual reports, the letter is often referred to using one of the other Arabic words surveyed here: *ruqʿa*.

[22] For the social and historical context of the use of the *tawqīʿ* in caliphal courts of redress, see Beatrice Gruendler, "*Tawqīʿ* (Apostille): Royal Brevity in the Pre-modern Islamic Appeals Court." In *The Weaving of Words: Approaches to Classical Arabic Literature*, eds. Lale Behzadi and Vahid Behmardi (Beirut: Orient-Institut; Würzburg: Ergon Verlag, 2009), 101–30; and Maaike van Berkel, "Embezzlement and Reimbursement. Disciplining Officials in ʿAbbāsid Baghdad (8th–10th centuries A.D.)." *International Journal of Public Administration* 34 (2011): 712–19.

[23] See e.g. Ibn Bābawayh, *Kamāl*, 500.

[24] See e.g. the collections of legal and doctrinal responsa from the pre-occultation imams compiled by ʿAbd Allāh b. Jaʿfar al-Ḥimyarī (Abū al-ʿAbbās Aḥmad b. ʿAlī b. Aḥmad b. al-ʿAbbās al-Asadī al-Kūfī al- Najāshī, *Rijāl* (or *Asmāʾ muṣannifī al-shīʿa*), ed. Mūsā al-Shubayrī al-Zanjānī (Qumm: Muʾassasat al-nashr al-islāmiyya: 1407 AH [1986 CE]), 91), and later legal and doctrinal *masāʾil* works such as the various *Masāʾil* of Mufīd, such as *Ajwibat al-masāʾil al-ḥājibiyya*, also known as *al-Masāʾil al-ʿukbariyya,* ed. anon. (Beirut: Majmaʿ al-buḥūth al-islāmiyya, 1994).

[25] Thus, in one report, a *wakīl* bringing money to the second canonical Envoy (*safīr*) of the hidden imam, Abū Jaʿfar, before he died, is told to hand the money over to Ibn Rawḥ (who would later become the third Envoy), presumably acting as a deputy to Abū Jaʿfar. When the *wakīl* asks for a receipt, Ibn Rawḥ complains to Abū Jaʿfar, and Abū Jaʿfar confirms that "whatever reaches Abū al-Qāsim [Ibn Rawḥ] reaches me." Ibn Bābawayh, *Kamāl*, 501–502.

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times the *ruqʿa* appears to be conflated with the receipt.[26] The very mention of receipts is intriguing as it places imamic administration on a continuum with governmental tax-collection, for which large numbers of tax receipts on papyrus have survived.

The Question of Authenticity

None of the Shiʿi letters discussed here exists in its original form. Rather, they were preserved in later works which had as their broad aim to preserve knowledge and make arguments about the people and events of recent Shiʿi history, and more broadly to attest to the imamate of the Shiʿi imams. There is, therefore, room for criticism of these sources. However, my analysis does not depend on all of the imamic letters studied here being the authentic words of the imam.[27] Instead I rely on these sources to build up a general picture of the institutions and procedures of the imamate. This picture would be left intact even if much of the content of the letters had been manipulated to serve particular doctrinal or political agendas. Furthermore, there are a number of aspects of the imamic letters that reassure one that they can, indeed, be used as reliable historical sources.[28] The style and context of several of the letters of the imams studied here do not make sense as polemical or apologetic fabrications. In particular, the letter to Isḥāq b. Ismāʿīl, partially translated below, is complex, rambling, ad hoc and relates to a very particular case which has limited relevance beyond the time and the place it was produced. The letters of the late imams are not an especially good target for pious Shiʿi pseudepigraphy, as the imams of previous generations were more prestigious (in spite of the Twelver doctrinal assertion that the message of all the imams is identical and their words equally valid). In reports about the early occultation period, however, we can certainly detect an influence in our sources from the apologetic aim to justify the novel doctrine of the occultation of the twelfth imam through letters stemming from the agents of the imamate. However, the occultation-era letters

[26] Ibn Bābawayh, *Kamāl*, 494.

[27] For a parallel context, see, in this volume, Noëmie Lucas's discussion of the question of the historicity of letters purporting to record communications between Umayyad caliphs and governors.

[28] While I do not make systematic claims about the authenticity of individual letters in this chapter, I have made arguments about the plausible authenticity of particular imamic letters within the Shiʿi hadith corpus elsewhere. Edmund Hayes, "Between Implementation and Legislation: The Shiʿi Imam Muḥammad al-Jawād's Khums Demand Letter of 220 AH/835 CE." *Islamic Law and Society* 28 (2021): 382–414.

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chosen for analysis here are not those which are used as a support for the existence of the hidden imam[29] but rather those which relate to the mundane activities of the agents and other community members. As such, while these issues remain open to debate, I will proceed cautiously with the assumption that the image of the institutional structures that appears in these reports was not fabricated from whole cloth.

Production of Letters: An Imamic Chancery?

Even if a letter was issued in the name of the imam, it was not necessarily written by the imam himself, or even by his direct order. This is most clearly the case during the early occultation, when there was no visible imam and the imamate was represented by agents whose legitimacy was supported by letters purporting to be from the hidden imam.[30] However, the delegation of imamic letter-writing is also a feature during the tenure of the historical imams, and we have clear statements of delegation by the imams in which we are told that responses from favoured agents of the imam are as good as responses from the imam himself.[31] Rather than assuming any given letter was penned by the imam himself, then, although I will talk about the letters attributed to a particular imam, I prefer to speak in terms of the "institutions of imamate," which include all correspondence in the imam's name regardless of the degree of the imam's personal involvement in producing the text of the letter. Again, this will be familiar from the productions of governmental chanceries and judicial institutions which issued correspondence in the name of a ruler without his involvement in the details of drafting.[32]

Reports narrating events during the early occultation provide a particularly vivid glimpse of the institutions surrounding the production and authentication of imamic letters. I do not want to assert that the institutions of the occultation are fully representative of what came earlier. The agents of the occultation both maintained earlier imamic institutions and protocols and also adapted them in important ways. However, the institutions of

[29] See e.g. the claims that the "envoys" (*sufarāʿ*) were appointed directly by letter from the hidden imam. Hayes, *Agents of the Hidden Imam*, 128–30.

[30] See Hayes, *Agents of the Hidden Imam*, especially Chapter 5.

[31] Kulaynī, *Kāfī* 1, 329–30.

[32] See e.g. the process of petitioning the governor that was dealt with by local officials (pagarchs), as argued by Mathieu Tillier, "Scribal Practices among Muslims and Christians: A Comparison between the Judicial Letters of Qurra b. Sharīk and Ḥenanishoʿ (1st century AH)." In *Scribal Practices and the Social Construction of Knowledge in Antiquity, Late Antiquity and Medieval Islam*, ed. Myriam Wissa (Louvain: Peeters, 2018), 197–221.

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the imamate during the occultation are more visible precisely because they were contested, and therefore they give us a framework for understanding what had occurred previously, as the agents of the hidden imam legitimized themselves by drawing upon time-honoured customs. In particular, it is interesting to see that during the early occultation a number of different models of imamic authority were deployed by the agents. These included: the recycling and amendment of hadith statements of earlier imams; the issuing of explicit statements purported to stem from the hidden imam; statements whose exact origins were ambiguous but generally represented the imamic institutions; the opinions of the agents themselves; and even the opinions of scholars which were sought by agents of the imamate and then given the imamic imprimatur.[33] These varied models suggest a variegated set of procedures for producing, authenticating and disseminating imamic knowledge. This imamic knowledge did not issue from one person but was combined from a collage of living, dead and notional authorities, and united by the protocols of the imamate. It is difficult to conceive of the nature and scope of this imamic institution. Can we think of an imamic "chancery," "administration" or "bureaucracy"? I will use these terms, but with trepidation: they may have the negative effect of suggesting a framework which was more formal, well-funded and institutionalized than the reality. In fact, the institutions of the imamate should be thought of as marginal, surviving at the interstices of power.

Recipients, Physicality and Use

A key aspect of letters, in contrast to other kinds of imamic hadith, is their physicality at the moment of production. This allowed them to be copied and preserved both at the time and for later generations, but their physicality is also relevant for the way that they were used in their immediate context. I suggest that the appointment letter of Ibn Rāshid, below, remained in his hands and may thereby have functioned as a kind of certificate or recommendation letter. In order to so function, this and similar letters would have presumably been clearly visually identifiable as issuing from the imamic institution. In the realm of governmental administration we see the use of clearly visible certificatory mechanisms in the form of seals,[34] and

[33] Ṭūsī, *Ghayba*, 243.

[34] Petra M. Sijpesteijn, "Seals and Papyri from Early Islamic Egypt." In *Seals and Sealing Practices in the Near East. Developments in Administration and Magic from Prehistory to the Islamic Period*, eds. Ilona Regulski, Kim Duistermaat and Peter Verkinderen (Louvain: Peeters, 2018), 171–82.

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professional chancery layouts, scripts and formulae.[35] In the case of the imams, our sources sometimes mention as important symbols of authority the imamic seal-rings, passed down from generation to generation. Transmitters of letters sometimes mention that a letter was written by the imam in his own handwriting, a visible representation of imamic authority which came to be important as a proof of continuity during the rupture of the early occultation.[36] Sometimes we are even told that the ink or the seal on a letter was still wet when it arrived in the hands of a petitioner,[37] giving a sense of the immanence of the imam even in the period of his absence. This also implies that imamic letters were not only issued to people who were far distant but could also be issued to someone who was present at the imamic seat, waiting for a response to be issued. This is perhaps what is referred to in one report of a "visit (*ziyāra*) [to the imam] on the inside," that is, to meet him in person, rather than wait for a response to be carried by an intermediary.[38]

Several reports record discussion about physical details which seem to relate to certification and authenticity. These details may well have been distorted, especially in those reports which have been preserved to prove the existence of the hidden imam. Nonetheless, we may take at face value the evidence they provide that this was a community of careful readers who had the utmost interest in the physical details and institutional circumstances of imamic communication, both with a view to verifying these communications and from a sense of the sacrality of physical objects that had emerged from the orbit of the imam. In one report a questioner asked the imam to show him his handwriting so he could be sure in the future if letters indeed came from the imam. However, the imam cautioned against using handwriting as a means of validating imamic communications, because one's handwriting can vary when using "a thick or a fine pen."[39] This kind of statement strengthens the legitimacy of letters from the imamic chancery as a corporate entity, rather than only direct letters from an imam. Likewise, the imam is depicted as affirming the blanket legitimacy of his delegates by saying that the commands of his agents "are my commands."[40] This could not prevent speculation among followers, however, and signs of "true" imamic

[35] Petra M. Sijpesteijn, "Arabic Papyri and Islamic Egypt." In *The Oxford Handbook of Papyrology*, eds. Roger S. Bagnall (Oxford: Oxford University Press, 2009), 452–72.

[36] Kashshī, *Rijāl*, 2, 808–809; Hayes, *Agents of the Hidden Imam*, 82–82; 129–30.

[37] Ṭusī, *Ghayba*, 256–57.

[38] Ibn Bābawayh, *Kamāl*, 491.

[39] Kulaynī, *Kāfī*, 1: 513–14.

[40] Ṭūsī, *Ghayba*, 225.

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correspondence are recorded. It is relatively common for a transmitter to specify that a letter arrived from the imam "in his handwriting" (*bi-khaṭṭihi*).[41]

During the perplexity of the early occultation era, the followers of the imam, unsurprisingly, were particularly interested in assuring themselves of the validity of the letters received from the imamic institutions. In one report during the early occultation, a scholar named Abū Ghālib al-Zurārī (d. 368/978) brings a petition note to the hidden imam's agent in Baghdad, waits for a few days, and then becomes anxious when there is no reply. His friend reassures him, suggesting that the delay is a good sign: "I prefer it because when the response is prompt, it originates from [the agent] al-Ḥusayn b. Rawḥ [d. 326/938], and if it takes a while, then it comes from the master (*al-ṣāḥib*) [i.e. the imam himself]."[42] In this case, Abū Ghālib's concern was to be justified later, for his communication with the imam was via Shalmaghānī (d. 322/934), who was later accused of heresy. Shalmaghānī's accusation and ultimate execution by the caliphal authorities is the context for a number of reports which display particular interest in the physical processes of the imamic institutions, including details of the production, dictation, dissemination and preservation of the statement of anathematization of Shalmāghanī.[43] In spite of the hagiographical use such reports were put to, the consistency of detail suggests that there was a system in place with a certain level of formality and standardization, at least enough to generate expectations among its participants.

These intricate patterns of correspondence can be seen in the broader context of Imami practices of secrecy, including pseudonymity; for example, the pseudonym of the first agent (*wakīl*, *safīr*) of the hidden imam, who was known as "the oil merchant" (*al-zayyāt*) or the butter merchant (*al-sammān*).[44] Other agents are recorded as having been known by names like "the sick one" (*al-ʿalīl*) and "the squire" (*al-dihqān*). It is possible that these were just regular *nisbas*, but we have a clear case among the followers

[41] Kulaynī, *Kāfī*, 3:5.

[42] Ṭūsi, *Ghayba*, 191–93.

[43] The interest in the physical details of production and preservation are taken yet further in the version which appears in Ṭūsi's *Ghayba*, in which the transmitters have made sure to take note of all the variants between two versions which were transmitted, producing something like a pre-modern critical edition. It is interesting to ponder whether the variants in the text of the anathema were due to slightly different versions sent out by Ibn Rawḥ to different recipients, or to the process of transmission thereafter. More likely is the former. Tūsī, *Ghayba,* 257.

[44] Ibn Bābawayh, *Kamāl*, 505.

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of Shalmaghānī who were known by clearly pseudonymous monikers like "the ice-dealer" instead of their public names.[45]

Circular Letters and Social Context

The letters of the late imamate and early occultation come with a transmission history which allows us to reconstruct the different kinds of interactions between the institutions of the imamate and the imam's followers. Moments of crisis, rupture and contestation allow us to see most clearly the processes and limits of these institutions. Thus, the appointment of new agents and instances of heresy and excommunication are particularly fertile areas to consider. I have written a separate article on excommunication in the late imamate,[46] but here I will focus on the institutional mechanics of these epistolary exchanges. There were a number of different ways for imams to reach the community. All of these required mediation. Agents were appointed to represent different communities, and the activities of these agents are quite visible in the sources. However, this mediation also created a situation in which the charisma of the imamate was vested in someone other the imam himself, and therefore the very existence of agents, while facilitating the extension of the imam's authority, also provided a potential platform for undermining him. Thus, he had to deploy his authority carefully, and the letters show this.

In comparison with other non-hegemonic communities (e.g. the Jewish or Christian communities under Islamic rule), the Imami community's self-conception was directly at odds with the status quo. This oppositional ethos, however, came from within the hegemonic Muslim tradition, posing a real threat to caliphal attempts to project their own legitimacy. This meant that Imami leaders often had to act in secrecy. While the circular letters of other community leaders could be posted up in a church, read out from a pulpit, or read out at festivals,[47] the letters from Shiʿi imams do not give the

[45] See the report of Yāqūt b. ʿAbd Allāh al-Ḥamawī, *Al-Irshād al-arīb ilā maʿrifat al-adīb* (E. J. W. Gibb memorial series, 6), ed. David S. Margoliouth (London/Leiden: Luzac/Brill, 1907), 1: 304. For the high prestige given to practices of secrecy, see Etan Kohlberg, "Some Imāmī-Shīʿī Views on Taqiyya." *Journal of the American Oriental Society* 95 (1975): 395–402; and Maria Massi Dakake, "Hiding in Plain Sight: The Practical and Doctrinal Significance of Secrecy in Shi'ite Islam." *Journal of the American Academy of Religion* 74 (2006): 326–55.

[46] See Edmund Hayes, "'Smash His Head with a Rock': Imāmic Excommunications and the Production of Deviance in Late Ninth-Century Imāmī Shīʿism." *Al-Masāq* 35 (2023): 54–75.

[47] Jewish festivals were a key moment in which boundaries were affirmed, with the lists of the blessed of the community followed by excommunications being read out to those assembled.

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sense that they had such public forums at their disposal but seem to have been targeted at pivotal individuals who could thereafter pass on the imam's word to the recipient communities.

We have a number of letters which appear to have been targeted at an entire community or sets of communities. The *Rijāl* of Kashshī (d. ca. mid fourth/tenth century) preserves a series of reports that relate to the status of various followers of the imam. The reason for the preservation of these reports seems to have filled the function of providing later generations with a guide to which of the imams' followers were highly favoured and which, conversely, were ambivalent or heretical figures. These reports include a number of letters of appointment which attest to the complex procedures for reaching large sections of the community. For example, one letter, issued probably at the time of the imam ʿAlī al-Hādī or al-Ḥasan al-ʿAskarī, is directed at "the entirety of the imam's followers (*mawālī*) who are resident in Baghdad and al-Madāʾin [Ctesiphon] and the Sawād and what adjoins to them."[48] However, there is no clear indication that this letter would therefore have been read publicly. Instead, we are told that this letter was preserved and that "the copy of the letter was with Ibn Rāshid." Given that the subject of the letter was the imam's appointment of this same Ibn Rāshid as his agent, we might speculate that instead of being read publicly, the letter was issued directly into the hand of the newly appointed agent as a means of certification. Ibn Rāshid would then have been able to visit the communities in question armed with a letter proving his authority and his involvement in the imamic institutions. The letter also includes a demand for the payment of the imamic revenues (which the imam refers to in the letter as "my due" (*ḥaqqī*).)[49] The fact that money was expected to be handed over to Ibn Rāshid justifies why some kind of certification of his appointment was necessary in order to indicate his legitimacy when he came to people who did not yet know that he had been appointed as the imam's official representative. In this way, the letter would function as a kind of recommendation letter, providing physical evidence of a change in personnel.

The targeted reading out of the appointment letter of Ibn Rāshid can be compared to the letter of excommunication issued against the "heretic"

Marina Rustow, *Heresy and the Politics of Community: The Jews of the Fatimid Caliphate* (Ithaca: Cornell University Press, 2014), 203–204.

[48] Kashshī, *Rijāl* 2: 800.

[49] The term *ḥaqq* (pl. *ḥuqūq*) is used routinely in both Imami sources and in administrative papyri and business letters to refer to sums of money, debts and so forth.

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Shalmāghanī (executed a few decades later in 322/934), regarding which we are told:

> Abū ʿAlī [b. Hammām al-Iskāfī the agent (d. 336/948)] took this rescript (*tawqīʿ*) and did not leave any of the elders (*shuyūkh*) without reading it to them. Afterwards, it was sent from them in correspondence in his copy to the rest of the garrison cities (*amṣār*), and that became famous in the sect (*ṭāʾifa*) and they were unanimous in cursing him and disassociating from him.[50]

Again, we see a letter issued from the imamic institution (this time the agents writing on behalf of the absent imam) being taken and read to entire communities via selected intermediaries. The dynamics here are slightly clearer than in the case of Ibn Rāshid. The excommunication is transmitted both directly, with the agent reading it to the head (*shaykh*) of various local communities, and indirectly, as it was sent on again to other cities. However, it appears that even this second step was controlled by the agent, for it was sent "in his copy" (*bi-nuskhatihi*), rather than being dictated or transmitted orally. Presumably, a copy of the letter was made and included in correspondence with more distant agents. These agents would, one assumes, then repeat the same process of reading out the imamic communications to their communities or making authorized copies. The fact that the intermediaries are named "elders" (*shuyūkh*) suggests that they were not necessarily appointed by the imam but were perhaps local leaders prized by their communities for their rank, wisdom or scholarship.[51] These dynamics of dissemination via reading to selected intermediaries have parallels with caliphal governmental administrative practices in which we see letters being read out to local headmen for them to pass on the message to their communities.[52]

I shall now focus on a further, long letter, whose complex internal evidence provides a key witness for institutional dynamics of letter production, letter carriers and the variegated processes of dissemination. The

[50] Ṭūsī, *Ghayba*, 257.

[51] Note, however, that high-ranking agents are commonly referred to in the sources as *al-shaykh*, notably the ʿAmrī envoys, father and son. In one report, we are even told of the "house of the *shaykh*s" in which the fourth Envoy is based. Ibn Bābawayh, *Kamāl*, 503. Whether this was merely a private residence or a more formal seat of the leadership is difficult to tell.

[52] In her dissertation, Eline Scheerlinck notes that in two Greek letters on fugitives, the Umayyad governor of Egypt Qurra b. Sharīk tells district administrator Basileios to summon all village heads and policemen of his district, read the governor's letter to them, and send them home with copies to read aloud publicly in their respective villages. "Protective Interventions by Local Elites in the Countryside of Early Islamic Egypt." PhD dissertation, Leiden University, 2023. See also Eline Scheerlinck, "The Governor's Orders. Part 2," blog post, https://emco.hcommons.org/2019/11/11/the-governors-orders-part-two/, retrieved 10/07/2020.

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letter is from the time of al-Ḥasan al-ʿAskarī, and brief mention should be made of the circumstances of his short, troubled imamate. In general, all imams were liable to experience difficulties in asserting their authority when they first succeeded to the imamate. The Imami Shiʿi community was rather fissiparous, with splits emerging upon most moments of succession, splits which took a few years or sometimes decades to resolve, if they were resolved at all. Al-Ḥasan al-ʿAskarī, however, did not have the time to heal such splits, as he passed away after just six years as imam. He also inherited a community troubled by the claims to authority of esoterist *bāb*s who undermined imamic authority.[53] The letter from al-Ḥasan al-ʿAskarī suggests that even loyal followers of the imam were pushing against direct imamic control. In it, the imam writes to a certain messenger or agent, Isḥāq b. Ismāʿīl, who was responsible for communicating with the community in Nishapur. The imam's letter starts with a standard response to previous communication familiar from letters on papyrus:[54] "I have understood your letter, may God have mercy upon you …" The call upon God's mercy is pointed because it appears from the imam's following comments that his correspondent had gone too far in asking, on behalf of his community, to be let off from paying dues to the imam. This letter is full of evocative rhetoric embedded in citations of Quranic passages. The deployment of this rhetoric is worthy of study in its own right, but here I will translate just those main points of the letter which illuminate the structure of correspondence with the community. The major purpose of the Quranic rhetoric is to underscore the importance of paying religiously sanctioned dues to the imams:

> God imposed upon you dues for your imams [literally: masters/friends *awliyāʾ*] … which he ordered you to pay to them to purify what you possess [lit: "what is behind your backs" (*mā warāʾa ẓuhūrikum*)], including your wives, your wealth, your food and drink and your knowledge …

In an exasperated tone, the imam brings the sermon to a close and moves on to specific instructions:

> [Our] discourse (*mukhāṭaba*) about what is between us and you and what belongs to you and what is incumbent upon you has gone on long enough. Were it not for having to perfect God's (be he glorified) blessings, then

[53] See Hayes, *Agents of the Hidden Imam,* especially 42–51, 148–59; Modarressi, *Crisis,* 66–105.

[54] E.g. *P.Berl.Arab.* II 52 .recto; *P.Marchands* II 19 .2, retrieved from the Arabic Papyrology Database, www.apd.gwi.uni-muenchen.de/apd/asearch.jsp, retrieved 13/07/20. Papyrus editions are cited following the abbreviations of the International Society for Arabic Papyrology (ISAP) checklist available at www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html (updated list).

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He would not have made you see my handwriting, nor made you hear my words, after the late imam (peace be upon him) [died]. You are in a state of ignorance regarding your eschatological return to Him …

And after my appointment of Ibrāhīm b. ʿAbduh over your [community] … and my letter which Muḥammad b. Mūsā al-Nīsābūrī carried … I see you erring regarding God,[55] and you will be amongst the losers …

Isḥāq, (may God have mercy upon you and those whom you represent)[56] I have explained for you and provided an exegesis, and I have acted towards you as to one who does not understand this matter (*hādhā al-amr*) [of the imamate] at all. And if you only understood … some of what is in this letter, then you would split in anxiety and terror from the fear of God, and returning to the obedience of God …

You, oh Isḥāq, are my messenger (*rasūl*) to Ibrāhīm b. ʿAbduh (may God grant him success) who should act according to what arrived to him in my letter with Muḥammad b. Mūsā al-Nīsābūrī, God willing, and [you are] my messenger to yourself, and to those whom you represent in your region (*balad*) so that they act according to what came to you in my letter with Muḥammad b. Mūsā, God willing. And Ibrāhīm b. ʿAbduh will read this, my letter, as will those whom he represents in his region, so that they do not question me, and so that they are preserved from sin through obedience to God and so that they avert Satan from themselves through God and so that they will be obedient.

Many greetings to Ibrāhim b. ʿAbduh and to you and to all of my followers (*mawālī*) … and to whoever reads this, my letter, from amongst my followers from your region (*balad*) who belong to your administrative district (*nāḥiya*) … then let him pay what is due to us to Ibrāhīm b. ʿAbduh and let Ibrāhīm b. ʿAbduh carry that to al-Rāzī (may God be pleased with him) or to the person al-Rāzī names, for that is from my orders and my judgement, God willing.

Oh Isḥāq, read this, our letter, to al-Bilālī (may God be pleased with him) for he is a trustworthy reliable man who knows what he needs to do, and read it to al-Maḥmūdī (may God preserve him) … and if you arrive in Baghdad, then read it to al-Dihqān, our agent (*wakīl*) and our reliable man who collects (*yaqbiḍ*) money from our followers, and read this letter to whomever you can from amongst our followers and let whomever among them who wishes to, make a copy of it, God (most high) willing. And do not hide this matter from those amongst our followers who witness it, except for a satan who opposes them: do not scatter pearls between the trotters of ignoble swine! And we have made a rescript upon your letter with the delivery (*wa qad waqqaʿnā fī kitābika bi-l-wuṣūl*) with the pious

[55] See Q 39:56.

[56] Literally, "whoever is behind you" (*man huwa warāʾaka*).

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> supplication (*duʿāʾ*) for yourself and for the one whom you wished, and we have responded to our Shiʿa about the issue he raised (*ʿan masʾalatihi*),[57] praise God, for after right, there is nothing but error.
>
> Do not exit the town (*balda*) until you convey to al-ʿAmrī (RAA) my satisfaction with him and greet him … for indeed he is the pure one, the trustworthy, the abstinent, who is close to us. Anything that is carried to us from the provinces goes through him [until] the end of his life, so that he can deliver it to us, praise God greatly.[58]

How can we interpret this rather complicated letter? It alludes to multiple separate lines of communication, allowing us to identify several related messages:

(1) An earlier letter of appointment of the agent Ibrāhim b. ʿAbduh.[59]
(2) An earlier letter to the imam, which was a corporate petition on behalf of Ishāq's whole local community, asking for dispensation from payment of certain imamic dues (*ḥuqūq*; perhaps the *khums*).[60] Our extant letter (No. 5) is written in response to this request.
(3) A private petition or request for a supplication or prayer (*duʿāʾ*) to be made by the imam on behalf of Isḥāq and another person (*li-man shiʾta*), mentioned in the very final section of the letter. Isḥāq's request was presumably included along with the more public communication on behalf of his whole community. It is not clear if this was included as part of the corporate petition or was a separate document.
(4) A rescript or responsa written directly on the original corporate petition (No. 2).
(5) Our extant letter, which seems to have been written on a separate page from the responsa that was written upon the page of the original petition. This extant letter is an additional response to only one aspect

[57] The grammar here is peculiar. One would expect *ʿan masʾalatihā* to refer back to *al-shīʿa*. It is possible that he sends the reply to his followers in general, but in response to a question from an individual.

[58] Kashshī, *Rijāl,* 2: 843–47.

[59] Kashshī's *Rijāl* also preserves two further letters regarding the appointment of Ibrahīm b. ʿAbduh, the new agent mentioned here. Kashshī, *Rijāl*, 2: 847–48. Neither of these letters is addressed to Ibrāhīm himself, although one of them includes the entire text of the appointment letter sent to Ibrāhīm b. ʿAbduh for the benefit of its recipient, and another commends the new agent's qualities and vehemently encourages the proper payment of the alms tax. Why do we have so much information about Ibrāhīm b. ʿAbduh's appointment? I think it is just an accident of preservation. Although this new agent was obviously considered of some importance at this time and place, in the long run he seems to have been a non-entity, with few important acts mentioned in the biographical sources.

[60] See a similar letter from Jawād, justifying his taking of the *khums*. Hayes, "*Khums* letter," citing Ṭūsī, *Istibṣār*.

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of the corporate petition. The central function of our letter is to refuse the request in the corporate petition for dispensation from paying the alms tax, and to demand that the community continues to pay money to the imam via the newly appointed agent Ibrāhīm b. ʿAbduh.

(6) Copies of this letter (No. 5) are expected to be made, with explicit sanction from the imam, for further distribution within the community.

The relationship between the different communications can therefore be mapped out as in Figure 7.1.

The first clear conclusion to be drawn from this analysis is that the imam did not rely on just one man to reach a particular community. Instead, we see a number of roles that have hitherto tended to be conflated into the single category of "agent" (*wakīl*), or simply the "men" (*rijāl*) of the imam.[61] There is a distinction between the messenger (*rasūl*), who is the recipient of this letter, and the newly appointed agent (*wakīl*) of the local community, who is to collect the communities' dues and send them on to a man known only as al-Rāzī, who presumably is also an agent, albeit closer to the imam in the hierarchy. This letter also refers to another messenger or agent

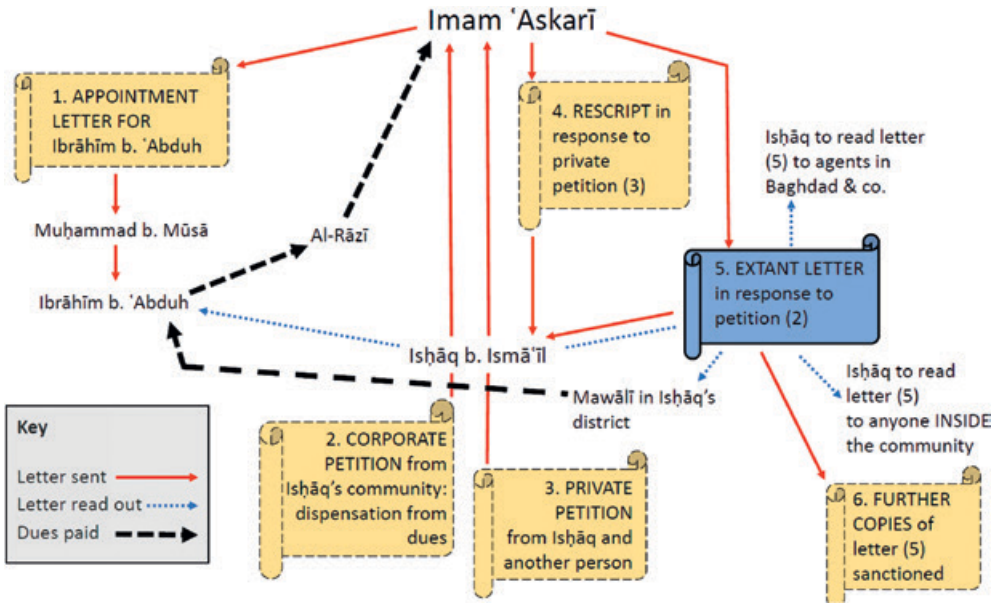

Figure 7.1 Correspondence mentioned in letter from al-Ḥasan al-ʿAskarī to Isḥāq b. Ismāʿīl.

[61] See e.g. Likayat Takim, *The Heirs of the Prophet: Charisma and Religious Authority in Shi'ite Islam* (Albany: State University of New York Press, 2006), 109–44.

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named Muḥammad b. Mūsā who carried a letter of appointment to Ibrāhīm b. ʿAbduh.

It is noteworthy that the imam gives clear and detailed instructions for how his orders should be transmitted through his community. Thus, the recipient of our extant letter, Isḥāq b. Ismāʿīl, is instructed to read his letter both to members of his own community, who were presumably behind the original request for dispensation, and to the new agent, presumably to keep him abreast of events and perhaps also to ensure, if not enforcement, a certain amount of oversight in this community's fulfilment of its responsibilities. Isḥāq's delinquent community is required to pay their alms taxes to the new agent who, in turn, is required to send the money to another agent, al-Rāzī, who presumably will forward the money to another agent or perhaps bring it directly to the imam himself. Isḥāq, meanwhile, is instructed to share his letter widely, to anyone who asks for a copy, to a set of named agents, mainly in Iraq, but also to anyone in the community. The exception is those "swine" who are in opposition to the followers of the imam, presumably referring to the followers of rival imams or excommunicants. This letter, then, provides a sense of the widest extent of the distribution of a letter that we see anywhere in the Imami sources from this period. While the extant letter responds to a very specific infraction, it is made to be exemplary, and the imam's sermon in response is to be distributed widely in the community in Iraq, far beyond the community of Nishapur to which it is addressed. Even so, it is notable that, although the imam authorizes copies to be made, the process is controlled by targeting of particular nodes of authority in the community through which the distribution process should be channelled, and the imam orders that the letter should not be shown, as pearls before swine, to intransigent opponents. This indicates the restrictions placed on the community communications: even in this unusual case in which we have instructions for the wide dissemination of a letter, the imams' messages are not meant to reach just anyone but should circulate according to instructions within a defined and bounded community. It seems to be left up to the agents and messengers themselves to determine who falls beyond the pale of the community, doubtless based upon local knowledge as well as earlier imamic orders.

Although presumably a trusted subordinate of the imam, the messenger in the letter, and the community he represents, appear to be on the verge of violating basic principles of participation in the Imami community: the payment of the canonical alms taxes to the imam. Isḥāq seems complicit in his community's request for dispensation. This is noteworthy, for it suggests

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that even the imam's trusted agents and loyal followers were difficult to deal with sometimes, perhaps because their interests lay with the communities they were embedded in as much as with their imam.

Even allowing for rhetorical inflation, the terms with which the imam threatens his followers are stark; no less than the loss of salvation. Nonetheless, we should contextualize this dramatic soteriological framework within the toolkit of the tax-collector in other roughly contemporary contexts. The most directly comparable text among the physical documents from this era that have survived is an official's demand on papyrus for the *ṣadaqa-zakāt* alms tax from Muslims in villages in eighth-century Egypt, published by Sijpesteijn.[62] While Sijpesteijn notes that this papyrus's ornate religious rhetoric is "highly unusual in administrative and bureaucratic correspondence,"[63] we can see that its emphasis on the purifying role of *ṣadaqa-zakāt* is very comparable to the imam's rhetoric here, though without the threatening soteriological framing. For threats, we can go to the angry and threatening demands for taxes in the archive of letters on papyrus between the governor Qurra b. Sharīk and his local administrator the pagarch Basileios. In some ways the tone is similar to the imam's letter, but it is notable that Qurra has direct coercive means at his disposal. Thus, for example, in a case in which he is demanding the return of fugitives to their villages, Qurra (or rather Qurra's Grecophone scribe) writes:

> God knows that if we find anyone after the return of our messenger not entered in the register which is dispatched from you, we shall deal out to you such requital as will crush you, both a very heavy fine and corporal chastisement, fining also the people of the place where the fugitive was found, with a fine which they are not able to support; and we will strip bare its headman and administrator and guards, after which we will deal out to them such corporal chastisement which must surpass their most extreme (fears). … For such a man will count the dead happy in that they do not bear the calamities which will come upon him for his disobedience to our command and his reckless disregard of his own life.[64]

The themes of delinquency, disobedience and retribution are comparable, but Qurra is communicating across religious boundaries and so would have

[62] Petra Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 313–21.

[63] Sijpesteijn, *Shaping a Muslim State*, 182.

[64] Arietta Papacontantinou, "The Rhetoric of Power and the Voice of Reason: Tensions between Central and Local in the Correspondence of Qurra ibn Sharīk." In *Official Epistolography and the Language(s) of Power. Proceedings of the 1st International Conference of the Research Network Imperium and Officium: Comparative Studies in Ancient Bureaucracy and Officialdom, University of Vienna, 10–12 November 2010,* eds. Stephan Procházka, Lucian Reinfandt and Sven Tost (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2015), 270.

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had no authority to threaten his Christian interlocutors with hellfire. Instead, Qurra's threats are distinctly corporal, vested in the coercive mechanisms of the state, whereas the imam speaks in the name of God and promises the ultimate, eschatological punishments for non-payment of the dues. Should we expect the Shiʿi community to have taken the threats of their imam more seriously than the tax collectors of the caliph? One would think so, at least as far as their souls were concerned. However, people everywhere were involved in protecting their material interests even at the risk of provoking those in authority over them, and letters of demand are a common tool to persuade compliance with a tax regime, albeit the means of coercion available to governmental and non-governmental authorities are very different. Both governmental and non-governmental authorities had to rely on functionaries who were embedded in local communities and whose loyalties might have been strained in various different directions. Thus, just as Qurra threatens his functionary Basileios with corporal punishment, the imam feels the need to threaten his messenger Ishāq with punishment in the hereafter. Both cases speak to the difficulty of arranging fiscal systems at a distance.

Conclusion

I have focused here on a few quoted letters, and reports regarding letters in the Imami Shiʿi community in the ninth and tenth centuries CE. I have focused on the idea of "circular letters," but while these appear to have been directed at whole communities (albeit in a carefully directed, targeted way), most imamic letters that were transmitted are targeted at individuals. As we have seen, the imams did in many ways operate in similar ways to their contemporaries in governmental administration and in the administration of other religious communities. This may seem obvious. We should expect the imams to act like their contemporaries. However, there is a common assumption of Shiʿi exceptionalism among scholars who work on early Islamic history, which tends to separate discussions of the regulation of life in the empire from internal Shiʿi events. This is partly due to scholars ignoring Shiʿi texts. It is also a factor of specialists in Shiʿi studies ignoring social history to focus instead on the development of doctrine, ideas and narratological elements within the sources. However, the letters between the imams and his followers are, I would suggest, a particularly rich source for understanding the social life of letters in the early Islamic empire in general. Some of the details of

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letter transmission are peculiar to the Imami Shiʿi community, while some are shared with the dominant administrative culture, and other elements are more similar to epistolary exchanges within non-Muslim minority communities, known, for example, from the letters between the Jews of the Geniza. Comparing these sources allows us to get a more precise sense of what was common to the epistolary and administrative cultures in the empire, and what depended on the structural dynamics of a particular community. The letters analysed here indicate the existence of a relatively complex organizational web in the Imami Shiʿi community, whose efficacy was greatly dependent upon the trustworthiness of the individuals representing the claims of the imam to the constituencies in which they were embedded. The circular letters of the imams do illustrate that they partook in the common necessity for religious and political leaders to be able to extend their authority out into geographically distant zones (e.g. from Iraq to Nishapur) through the available techniques and technologies of the day: epistolary administration. However, as we have seen, the particular situation and structures of the Imami Shiʿi created particular dynamics. Thus, the Imam did not ask for his letters to be read out in public places but to be read in targeted ways, with careful instructions made for the production of copies, all within the web of agents and messengers appointed by the Imams and those trusted by their delegates. Even at the greatest extent of dissemination of a message, we see an imam cautioning his messengers to keep the pearls of his words away from the swine who opposed him. Such precautions testify to the implications of the fragile, interstitial nature of the Imami community within imperial society.

Acknowledgements

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8 Early Arabic Decrees on Papyrus from the Abbasid Period

NAÏM VANTHIEGHEM

A large number of Arabic decrees (*sijill, manshūr* or *marsūm*) from the Fatimid, Ayyubid and Mamluk periods have been preserved in Christian, Jewish and Muslim caches. They belong to a well identified genre that has been the subject of various studies.[1] Besides original pieces, dozens of documents that are now lost have survived through copies made in chancery manuals.[2] Various people, among whom are Samuel M. Stern, Donald S. Richards and David P. Little, thoroughly studied Fatimid, Ayyubid and Mamluk decrees. Although Samuel M. Stern and more recently Marina Rustow have sought to find continuities between the Fatimid decrees and their Abbasid forerunners, so far there is very little concrete evidence and, above all, no identified decree for the Abbasid period.[3] In this chapter, I argue, confirming what both Stern and Rustow suspected, that this genre

All the papyrological editions are quoted according to the International Society for Arabic Papyrology (ISAP) checklist available online at: www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html (updated list), initially published as Petra M. Sijpesteijn, John F. Oates and Andreas Kaplony, "Checklist of Arabic papyri," *Bulletin of the American Society of Papyrologists* 42 (2005): 127–66 and the Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca and Tablets (https://papyri.info/docs/checklist). I would like to thank Marina Rustow and Luke Yarbrough, who made very inspiring comments on a first draft of this paper. Luke Yarbrough also improved my poor English text. All remaining mistakes are mine.

1 See among others Samuel M. Stern, *Fāṭimid Decrees. Originals from the Fāṭimid Chancery* (London: Faber & Faber, 1964) and Ernst Hans, *Die Mamlukischen Sultansurkunden des Sinai-Klosters* (Wiesbaden: Otto Harrassowitz, 1960) as well as Donald S. Richards, "A Fāṭimid petition and 'small decree' from Sinai," *Israel Oriental Studies* 3 (1973): 140–58; Donald S. Richards, "A Mamluk emir's 'square' decree," *Bulletin of the School of African and Oriental Studies* 54 (1991): 63–67; and Donald P. Little, "Five petitions and consequential decrees from late fourteenth century Jerusalem," *al-Majallat al-ʿarabiyya li-l-ʿulūm al-insāniyya* 14 no. 54 (1996): 348–96.

2 See among others ʿAbd al-Tawwāb ʿAbd al-Raḥmān, "Deux investitures du calife abbasside al-Mustanjid Billâh Abûl Muẓaffar Yûsuf," *Annales Islamologiques* 11 (1972): 153–62; and S. M. Imamuddin, "Diwan al-inshā (chancery in later medieval Egypt), with special reference to later Fatimid, Ayyubid and Mamluk decrees dated 528–894 H./1134–1489 A.C.," *Journal of Pakistan Historical Society* 28 (1980): 63–77. On the value of *inshāʾ* literature for the study of documents, see Frédéric Bauden, "Like father, like son. The chancery manual (Qalāʾid al-jumān) of al-Qalqašandī's son and its value for the study of Mamluk diplomatics (ninth/fifteenth century) (Studia diplomatica islamica, I)," *Eurasian Studies* 11 (2013): 181–228.

3 Stern, *Fāṭimid decrees*, 113, n. 1 mentions only once a possible similarity between Abbasid decrees and later decrees. See also Marina Rustow, *The Lost Archive. Traces of a Caliphate in a Cairo Synagogue* (Princeton: Princeton University Press, 2020), 209–10.

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was not born ex nihilo in Fatimid times. The Fatimid decree had forerunners, as can be proved by five decrees dating to the eighth–tenth centuries, which I have recently identified. Three of them were already published but were not identified as such; two remained unpublished until now. Below I give a list of them according to their dating:

(1) P. Louvre Inv. E 7066 (4): undated but which can probably be dated to the first half of the eighth century on palaeographical grounds.
(2) P. London UCL Inv. Arsinoe 60: dated *Rabīʿ al-ākhir* or *Jumāda al-ākhira* of the year 182 (May–June or July–August 798).
(3) P. Stras. Inv. Ar. 431 (published here as number 3): dated *Dhū al-qaʿda* of the year 194 (August–September 810).
(4) *P.Cair.Arab.* III 171: undated but can be dated to 242–47 (856–61) on prosopographical grounds.
(5) *P.Ryl.Arab.* I, I 1: undated but can probably be dated to the tenth century on palaeographical grounds.

Formulary and Structure

The formulary and structure of these documents can be well identified (see Table 8.1). After the *basmala*, the prescript consists of the words *hādhā kitāb min* ("This is a document from") followed by an internal address, that is, the name of the sender introduced by the preposition *min* and the name of the addressee(s), beginning with the preposition *ilā*/*li-*. Unlike private and business letters from this period, the prescript does not contain greetings or any religious formulas. Abbasid decrees found on papyri are usually lacking any *expositio* part (*matn*) where the issuer would be expected to explain the reasons which prompted him to issue the document. Only one document seems to have contained an *expositio* beginning with the particle *inna*.[4]

All the decrees contain a *dispositio* part (*ḥukm* or *marsūm*), viz. the content of the decree, always introduced by the trigger *innī*/*innanā amartu*/*amarnā* ("I/We ordered"). After this, one finds final injunctions that anyone to whom the decree is read should take due notice of it and not infringe on it. These final injunctions always start with the words *fa-man quriʾa ʿalayhi kitābī hādhā min … fa-l-yaʿlim dhālika* ("Whoever may be read this document of mine from among … let him know that")[5] and continues with

[4] See doc. 5, 2–5.

[5] See doc. 5, 7–8 *fa-man quriʾa ʿalayhi kitābī hādhā min al-ḥurrās wa-l-aʿwān | wa-ahl ḍayʿa wa-ghayrihim fa-l-yaʿlim dhālika* ("Whoever may be read this document of mine from among the guards, the policemen, the people of the estate, and others shall know it").

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Table 8.1 *Abbasid papyrus decree structure and formulae*

Part	Trigger
Invocation	*Basmala*
Prescript	*hādhā kitāb min … ilā/li- ("This is a document from … to")*
Expositio	–
Dispositio	*innī/innanā amartu/amarnā ("I/We ordered")*
Final injunctions	*fa-man quriʾa ʿalayhi kitābī hādhā min … fa-l-yaʿlim dhālika* ("Whoever may be read this document from among … let him know that")
Date	*wa-kutiba* ("It was written in …")

the expression *wa-lā yajʿal ʿalā nafsihi* (*fīhā*) *sabīlan* ("and he shall not give, concerning it, against himself any reason [to be admonished]")[6] or the extended *wa-lā yajʿal ʿalā nafsihi fī taʿaddī dhālika wa-mukhālafatihi sabīlan* ("and he shall not give against himself any reason [to be admonished] by infringing or trespassing it").[7] The *dipositio* ends always with the religious formula *in shāʾa allāh* ("God willing"). The decrees are most of the time dated:[8] sometimes only the month is given introduced by the verb *wa-kutiba* ("and [it] was written …"),[9] but the year could also be mentioned.[10]

The structural similarities between Abbasid decrees and later decrees are obvious, even if Abbasid decrees preserved on papyrus usually lack the *expositio* part. However, the similarities are more striking on the formulaic level. The *dispositio* is indeed regularly introduced by the words *fa-amara* which can be found in Fatimid, Ayyubid and Mamluk decrees,[11] and the final injunctions contain expressions or formulas, such as *fa-man qaraʾahu*

[6] See doc. 2, 11 *[wa-lā yajʿal] ʿalā nafsihi sabīlan* ("and he shall not give against himself any reason [to be admonished]"). The same phrasing is also attested in the administrative school exercise *P.Heid.Arab.* II 1 verso, 6 and in *PAF* 4, 12–13; on this expression, see the comment in the edition p. 17 as well as Werner Diem, "Philologisches zu den arabischen Aphrodito-Papyri," *Der Islam* 61 (1984): 247.

[7] See doc. C, 7–8 *wa-lā yajʿal ʿalā nafsihi fī taʿaddī dhālik wa-mukhālafatihi sabīlan* ("and he shall not give against himself any reason [to be admonished] by infringing or trespassing it") and E, 8–9 *wa-lā yajʿal ʿalā nafsihi fī taʿaddīhi | sabīlan* ("and he shall not give against himself any reason [to be admonished] by infringing it").

[8] Doc. 1 seems not to have been dated, but this can only be assumed from the restitutions I propose (see the commentary to the edition below).

[9] See doc. 5, 9 *wa-kutiba fī Dhī l-ḥijja* ("written in Dhū al-ḥijja").

[10] See doc. 2, 11–12 [*wa-kutiba fī Rabīʿ/Jumādā | al-ā*]*khir sanat* [ϱ]πβ ("written in Rabīʿ/Jumādā al-ākhir of the year 182") and 3, 8–9 *wa-kutiba fī Dhī al-qaʿda | sanat arbaʿ wa-tisʿīn wa-miʾa* ("written in Dhū al-qaʿda of the year one hundred ninety-four").

[11] See Stern, *Fāṭimid decrees,* 111–12 and *P.Fatimid* 1, 22.

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or *fa-man quriʾa ʿalayhi min* …, close or identical to the ones to be found in the Abbasid decrees.[12]

Script and Layout

Arabic decrees from the Abbasid era seem to be following precise prescriptions concerning the script and layout as if there were already in this period some well-established chancery practices that had spread all over Egypt. All documents are written across the fibres of papyrus maintaining broad margins. The text is carefully executed in an elegant formal script with wide interlinear spacing (Fig. 8.1). Over time, features of cursiveness and *Verschleifung* typical of the ninth and tenth centuries appear (Fig. 8.2).

The transition between each new part of the decree (i.e. the *basmala*, the prescript, the *dispositio* and the final injunctions) was sometimes marked by graphical means (see doc. 1, 3, and 5). That is to say, the scribe could leave a blank space between each new paragraph (Fig. 8.3).

One document (2) at least still has its imprinted seal attached, but one may assume that all the Abbasid decrees were sealed so everyone could check their authenticity.[13]

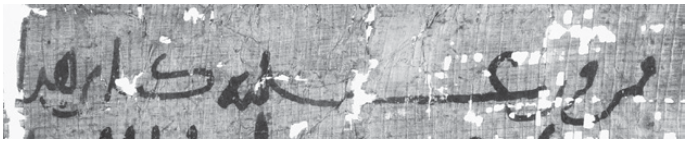

Figure 8.1 The formula *fa-man quriʾa ʿalayhi kitābi hādhā* in doc. 3.

[12] See e.g. *P.Fatimid* 5, 26–29 (1135) *fa-man qaraʾahu aw quriʾa ʿalayhi min kāfat | al-umarāʾ al-wulāt sallamahum Allāh wa-ḥafiẓahum | wa-l-mustakhdamīn fa-l-yaʿlim | hādhā min al-amr* ("Let all the amirs, the governors – may God give them peace and preserve them – and the officials who read it, or to whom this is read, take cognizance of this order") and *P.Fatimid* 7, 13–15 (1154) *fa-man qaraʾahu aw quriʾa ʿalayhi | min al-umarāʾ al-wulāt bi-l-Sharqiyya wa-madīnat al-Faramā adāma allāh tamkīnahum wa-mutawallī | al-ḥarb bi-l-Ṭūr adāma allāh salāmatahu fa-l-yaʿlim dhālika min al-amr* ("Let the amīrs, the governors in the Sharqiyya province and the city of al-Faramā – may God prolong their safe establishment – and the military governor of al-Ṭūr – may God prolong his welfare! –, who read this, or to whom this is read, take cognizance of this order").

[13] On seals in Arabic documents, see Petra M. Sijpesteijn, "Seals and papyri from early Islamic Egypt," in *Seals and Sealing Practices in the Near East: Developments in Administration and Magic from Prehistory to the Islamic Period. Proceedings from an International Workshop at the Netherlands-Flemish Institute in Cairo on December 2–3, 2009*, eds. Ilona Regulski, Kim Duistermaat and Peter Verkinderen (Leuven: Peeters, 2012): 163–74.

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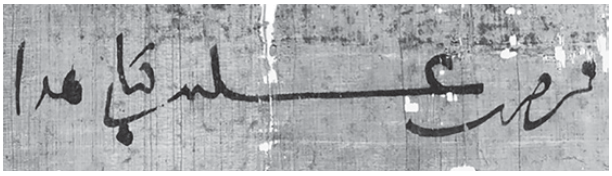

Figure 8.2 The formula *fa-man quriʾa ʿalayhi kitābi hādhā* in doc. 5.

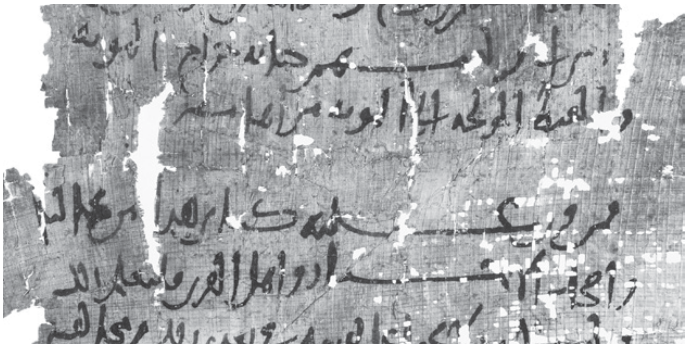

Figure 8.3 Example of a *vacat* left between the *dispositio* and the final injunctions in doc. 3.

Content, Sender, Addressees and Audience

Three of the Arabic decrees from the Abbasid period I am discussing in this chapter are related to tax collection.[14] Another one was granted in favour of somebody to prevent anyone from hindering or annoying him.[15] The content of the last decree is not obvious, but it seems related to criminals and thieves acting in tenth-century Egypt. The decrees seem to have always been sent by lower officials such as one,[16] or both,[17] of the two provincial

[14] See doc. 1, 6 *mā ʿalayhim min* ("what is incumbent on them of …"); doc. 2, 7 [*ma*]*n yalzamuhum dhālika min ahl al-qu*[*r*]*ā* ("who is obligated by this …"), and doc. 3, 4–5 *jibāyat kharāj al-Nūba‖ wa-l-Qibṭ* ("collecting the taxes of the Nubians and the Copts").

[15] See doc. 4.

[16] See doc. 2, 2–4 [*hādhā kitāb min fulān b. Zu*]*rʿa ʿāmil al-amīr Ḥuwayy b. Ḥuwayy* | [*a*]*ṣlaḥahu allāh ʿalā kharāj kū*[*rat al-Fayyūm*] ("This is a document of from so-and-so son of Zurʿa the agent of the Governor Ḥuwayy b. Ḥuwayy in charge of the taxes of the pagarchy of the Fayyūm …") and 3, 2–3 [*hādhā kitāb*] *min ʿAlī b.* [*fulān al-ʿāmil ʿalā kharāj kūrat Aswān* | *wa-aʿmālihā*] ("This is a document from ʿAlī b. so-and-so, the agent in charge of the taxes of pagarchy of Aswān and its districts").

[17] See doc. 1, 2–4 *hādhā kitāb* [*min fulān b. fulān*] | *wa-Yaḥyā b. Khālid* ʿ[*āmilay al-amīr ʿalā kharāj kūrat*] | *al-Fayyūm wa-sāʾir a*[ʿ*mālihā*] ("This is a document of from so-and-so son of so-and-so and Yaḥyā b. Khālid, the two agents of the governor in charge of the taxes of the pagarchy of the Fayyūm and all its districts").

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financial directors (ʿ*āmil*, pl. ʿ*ummāl*)[18] in charge of collecting the taxes in a given pagarchy (*kūra*, pl. *kuwar*), or a deputy of the financial director of Egypt.[19] The only problematic case is doc. 5, where the official function of the sender cannot be established. As for the addressees mentioned in the prescript of the decrees, we do not know much about their functions and powers, since almost none of them bear a title. In one document, the addressee is given the title *al-sammāk* (pl. *al-samāmika*), borrowed from the Greek σύμμαχος, which was given to people in charge of the tax collection.[20] In two other documents, one might assume the addressees are also tax collectors since the decrees are related to tax collection problems.[21] In the last two decrees that I have identified so far, the identification is problematic. One of them is addressed to a Christian Egyptian called Qulta b. Buqaym about whom we can only say that he was living in an estate belonging to al-Fatḥ b. Khāqān, who was financial director, and later governor, of Egypt.[22] As for the last decree, it is addressed to a man called ʿAbd Allāh b. Yūsuf, about whom we learn nothing, even if the eulogy following his name (l. 3) suggests he was a person of importance.[23]

P. M. Sijpesteijn recently demonstrated that some letters sent by the pagarch Nājid b. Muslim to his subordinate ʿAbd Allāh b. Asʿad were designed for a much broader audience than just ʿAbd Allāh.[24] This is, for example, the case for *P.MuslimState* 8, a letter related to the collection of the *ṣadaqa*. Nājid's extensive argumentation in this letter, giving theological reasons for the collection of this tax, could not be understood if the letter was not meant to be read by or to a broader audience. The formula *fa-man quriʾa ʿalayhi kitābī hādhā* ("Whoever may be read this document of mine from among … let him know that") that occurs at the end of all the decrees

[18] The word ʿ*āmil* has several meanings in Arabic documents: it can apply to the governor (see *P.DiemFrühe Urkunden* 7, 2), the financial director of Egypt (see *P.Ryl.Arab.* I, II 1, 3 and my corrections in Vanthieghem, "Un surintendant des finances") as well as to one of the two provincial finance directors (see *P.Berl.Arab.* II 26, 3–4). See also Adolf Grohmann, "Aperçu de papyrologie arabe," *Études de papyrologie* 1 (1932): 55, n. 2, and Petra M. Sijpesteijn, *Shaping a Muslim State. The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 137–44.

[19] See doc. 3 [*hādhā kitā*]*b min Muḥammad b. Muḥammad wakīl al-amīr* ("This a document from Muḥammad b. Muḥammad, the deputy of the financial director").

[20] See doc. B. On the word *sammāk*, see Sijpesteijn, *Shaping a Muslim State*: 131–32 and Stefanie Schmidt "Messengers in Byzantine and early Muslim Egypt – small cogs, but systemically relevant. With some remarks on the dossier of Menas, *stratiōtēs*" in this volume.

[21] See docs. A and C.

[22] See doc. D.

[23] See doc. E.

[24] See Sijpesteijn, *Shaping a Muslim State*, 247–57.

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suggests that they were probably designed in the same spirit and targeted a larger audience than the single addressees mentioned therein. The content of decrees was intended not only for agents, policemen, soldiers or guards but also for simple villagers. However, we can only speculate how this worked in practice and which processes assured that all people were made aware of the information that the letters contained. In a Greek letter, where he gives instructions on how to deal with the fugitives, the governor of Egypt Qurra b. Sharīk (in office 709–14) tells Basilios the administrator of Aphroditô: "when you receive this letter, gather the chiefs and the guards of the villages of your district and read them the letter in detail ordering them to make copies of it for each village so it can be read to the inhabitants of all the villages, and to publish the copies in their churches so they can read it and be aware (of its content)."[25] It would be tempting to assume that our decrees were in the same way read publicly to the agents of the provinces as well as to the headmen, policemen and soldiers of the villages, who in turn had to make copies so the villagers could become aware of their content too.

An Egyptian or an Empire-Wide Genre?

As in the case of historians of the Graeco-Roman world using Greek and Latin papyri to study Hellenistic or Roman history,[26] one always has to wonder how far the information deriving from Arabic documents from Egypt can be transposed to the rest of the Islamic empire. The same question should apply when dealing with typologies of documents. There is indeed clear evidence of regional trends in the Arabic documentation, for example, in the case of Egyptian tax receipts whose formulary could differ from region to region.[27] At the same time, some formularies seem to have

[25] See *P.Lond.* IV 1384, 14–18 [δεχόμενος οὖν] | τὰ παρ᾽όντα γράμματα σύν᾽ὀξ̣[ον] τ̣ο̣ὺ̣[ς μείζονας] | καὶ φύλακας᾽ τῶν χωρί[ων] τῆς δι[οικήσεώς σου] | καὶ ὑπαναγνωσῃ᾽ αὐτοῖς᾽ τὰ γρ᾽άμμ[ατα κελεύων] | αὐτοὺς᾽ μεταγ᾽ράψαι τὸ ἴσ[ον ἑκάστῳ χωρίῳ] | ἐφ᾽ ᾧ᾽ ἀν᾽αγ᾽νωσθῆναι᾽ αὐτὰ τοῖς τῶν ἰδίων χ[ωρίων] | βαλόν᾽τες ἐν᾽ ταῖς ἐκκλησίαις αὐτῶν [πρός τό] | [ἀ]ναγινώσκειν᾽ αὐτοὺς καὶ γιν̣[ώσκειν].

[26] See e.g. Roger S. Bagnall, "Egypt and the concept of the Mediterranean," in *Rethinking the Mediterranean. Papers from a Conference Organized by the Columbia University for the Ancient Mediterranean, September 21–22, 2001*, ed. William V. Harris (Oxford: Oxford University press, 2005): 339–47 and Denis P. Kehoe, "The management of estates in Roman Egypt and Italy," *Proceedings of the XIXth International Congress of Papyrology* (Cairo: Ain Shams University, Center of Papyrological Studies, 1992), vol. 2: 91–102.

[27] For example, the Abbasid receipts issued in the Fayyūm start with the words *barāʾa li-* ("Quittance [issued] for …") while the ones issued in the rest of Egypt begin with the verb *addā* ("He

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been in use in the entire empire, such as those in use for Arabic petitions.[28] If one comes to the Abbasid decrees on papyrus that are studied in this chapter, one might also raise the question of whether they were an Egyptian specificity or whether this genre flourished throughout the empire.

A decree transmitted by the *faqīh* al-Rāfiʿī (d. 623/1226), who wrote many biographies of Sunnī jurists,[29] helps to answer this question. In the biography that he devotes to the *faqīh* Samaydaʿ b. Muḥammad in his *Kitāb al-tadwīn fī akhbār Qazwīn*, also known as *Kitāb al-tadwīn fī dhikr ahl al-ʿilm bi-Qazwīn*,[30] al-Rāfiʿī transmits a decree sent by the caliph Hārūn al-Rashīd (r. 786–809) in favour of the people of the Persian city of Qazwīn. The decree reads as shown in Table 8.2.

The decree sent by Hārūn al-Rashīd to the people of Qazwīn is much longer than the Abbasid decrees preserved on papyrus and, unlike most of them, it contains an *expositio* part where the caliph explains the reasons that prompted him to send a decree. It however displays striking similarities with the Egyptian decrees: the *dispositio* part is indeed introduced by the words *wa-amara* ("and he orders") while the final injunctions contain the formulae *fa-man quriʾa ʿalayhi kitāb amīr al-muʾminīn hādhā min ʿummālihi fa-li- … wa-lā yajʿal ʿalā nafsihi mukhālafat amīr al-muʾminīn sabīlan* ("Whoever may be read this document of the caliph from among his agents shall … And he shall not give against himself any reason [to be admonished] by trespassing the [order] of the caliph").

Another decree attributed to the prophet Muḥammad, even though it was probably forged in the Abbasid or already in the Umayyad period,

paid …"); see Frantz–Murphy Gladys, *Arabic Agricultural Leases and Tax Receipts from Egypt* (Vienna: Hollinek, 2001), 93; Werner Diem, *Arabische Steuerquittungen des 8. bis 11. Jahrhunderts aus der Heidelberger Papyrussammlung und anderen Sammlungen* (Wiesbaden: Harrassowitz, 2008) and Boris Liebrenz, "Eine frühe arabische Quittung aus Oberägypten," *Archiv für Papyrusforschung* 56 (2010): 302–303. Recently I happened upon the archive of a Coptic taxpayer who lived in the region of Akhmīm around 876–92. His tax receipts (hosted in the British Library, the Louvre, the Austrian National Library and the Museum of Ismailia) all start with the verb *dafaʿa* ("He paid …").

[28] Geoffrey Khan in his seminal article "The historical development of the structure of medieval Arabic petitions," *Bulletin of the School of African and Oriental Studies* 53 (1990): 8–30, shows clear continuities between pre-Fatimid petitions written in Egypt and the only surviving example written on papyrus coming from Sogdia. On the latter, see I. J. Kračkovskij and V. A. Kračkovskij, "Drevnejšij arabskij dokument iz Srednej Azii," in *Izbrannye sočinenija*, ed. I. J. Kračkovskij (Moscow, 1955), vol. 1: 182–212.

[29] See Angelo Arioli, "al-Rāfiʿī," in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel and Wolfhart P. Heinrichs (Leiden: Brill, 1954–2005), vol. VIII: 389.

[30] See Carl Brockelmann, *Geschichte der arabischen Literatur* (Leiden: Brill, 1937–42), vol. 1: 393, and *Suppl.* I: 678.

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Table 8.2 *Decree sent by Hārūn al-Rashīd to the people of Qazwīn in Kitāb al-Tadwīn fī akhbār Qazwīn*

Part	Text
Invocation	بسم الله الرحمن الرحيم
	In the name of God, the Merciful and Compassionate
Prescript	هذا كتاب من عبد الله هارون الرشيد لأهل قزوين
	This is a document from the servant of God, Hārūn al-Rashīd to the people of Qazwīn.
Expositio	إنكم رفعتم إلى أمير المؤمنين مكان ثغركم وقربه من العدو، وما ينالكم من المؤنة، في إعداد الأسلحة وارتباط الخيل وجهاد من بازائكم من أعداء الله الديلم وأن أمير المؤمنين قد أقر ما في أيديكم من الأراضي والبساتين وغيرهما، ومما يجري عليه الخراج فرفع عنكم ذلك وسألتم أمير المؤمنين إنفاذ ذلك لكم والاسجال لكم
	You have petitioned the caliph [saying] that, [because] your city is on the border and close to the enemies, you are continuously forced to maintain the weapons, to keep the horses as well as to stay on the brink of war against the enemies of God, the people of Daylam, who are in front of you. The caliph had already guaranteed the lands and gardens, and so on that are in your hands. As for the taxes that are incumbent on the city, you have been exempted from them. [Now], you asked the caliph that this order be sent and written for you.
Dispositio	فأجابكم إليه لو أية في الاحسان إليكم والتقوية لكم على جهاد عدوكم وأمر عماله عليكم أن لا يتعرضوا لكم
	Thus he gives in to your request wishing to safeguard his goodness to you and to strengthen you in your fight against your enemies and he orders his agents in charge of you not to hinder you.
Final injunctions	فمن قرئ كتاب أمير المؤمنين هذا عليه من عماله فلينفذه إلى غيره، ولا يجعل على نفسه في مخالفة أمير المؤمنين سبيلاً
	Whoever of the tax-officials may be read this document from the caliph, let him send it to the others. And he shall not give any reason against himself [to be admonished] by trespassing the [order] of the caliph.
Date	وكتب إسماعيل بن صبيح في انسلاخ ذي القعدة سنة تسع وثمانين ومائة
	Written by Ismāʿīl son of Ṣubayḥ at the end of Dhū al-Qaʿda of the year one hundred eighty-nine.

displays similarities with Egyptian decrees. In his *Usd al-ghāba fī maʿrifat al-ṣaḥāba*, the historian Ibn al-Athīr (d. 630/1233) appends the decree shown in Table 8.3 to the short biographical note devoted to ʿUbāda b. al-Ashyab. The prophet allegedly addressed ʿUbāda in this decree when the latter converted to Islam.[31]

[31] Ibn al-Athīr, *Usd al-ghāba fī maʿrifat al-ṣaḥāba* (Beirut: Dār Ibn Ḥazm, 2012): 629.

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Table 8.3 Decree attributed to Muḥammad in *Usd al-ghāba fī maʿrifat al-ṣaḥāba*

Part	Text
Invocation	بسم الله الرحمن الرحيم
	In the name of God, the Merciful and Compassionate
Prescript	من نبي الله لعبادة بن الأشيب العنزي
	From the prophet of God to ʿUbāda b. al-Ashyab al-ʿAnazī.
Dispositio	إني أمّرتك على قومك، ممن جرى عليه عمالي وعمل بني أبيك
	I ordered you to be in charge of your tribe, of my agents who are in charge of it and of the district of the sons of your father.
Final injunctions	فمن قرئ عليه كتابي هذا فلم يطع فليس له من الله معونٌ
	Whoever may be read this document of mine and does not obey will not get help from God.

Again, even if the content and the context of this decree attributed to the prophet Muḥammad are far from the concerns that can be found in Egyptian decrees, one will notice the strong structural and formulaic similarities: indeed, after the *basmala* and the prescript, the decree begins *ex abrupto* with the *dispositio* part, whose trigger is in the words *innī amartu* ("I ordered"), as is the case for the decrees on papyrus, and the final injunctions contain the formula *fa-man quriʾa ʿalayhi kitābī hādhā* … ("Whoever may be read this document of mine … "). The fact that this letter attributed to the prophet Muḥammad displays similarities with Abbasid decrees from Egypt should be seen as a confirmation that it was forged in the Abbasid period as it fits with the written culture of that time as opposed to earlier documents dating from (or directly following) the time of the Prophet.

The close formulaic and structural kinship of those two decrees that have been written in the Umayyad or Abbasid period and copied in twelfth/thirteenth-century works written in various parts of the Islamic empire, with the Egyptian Abbasid decrees published below, suggest that this specific genre of the decree flourished and spread all over the Islamic empire and was not confined to Egypt.[32]

[32] Arabic chronicles have also kept circular letters whose prescript *min fulān b. fulān ilā man quriʾa kitābī hādhā min al-muʾminīn wa-l-muslimīn* or *salām ilā man yuqraʾ kitābī hādhā min al-muʾminīn wa-l-muslimīn* ("From so-and-so to whoever may be read this document from among the believers and muslims") reminds some of the content of the final injunctions present in the decrees I discussed earlier. See e.g. Ṣafwat A. Zakī, *Jamharat rasāʾil al-ʿarab fī ʿuṣūr al-ʿarabiyya al-zāhira* (Cairo: Sharikat wa-maktabat wa-maṭbaʿat Muṣṭafā al-Bābī al-Ḥalabī wa-awlādihi bi-Miṣr, 1937), vol. 1: 451.

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Edition of Five Arabic Decrees

1. Decree Related to the Taxes that Are Incumbent on the Friends (awliyāʾ)

In this decree (Fig. 8.4), the two provincial financial directors (*ʿāmilān*) of the pagarchy (*kūra*) of the Fayyūm write to an unknown subordinate informing him that they ordered the taxes of the people called the *awliyāʾ* to be collected (ll. 1–7). The decree goes on with the final injunctions typical of this genre (ll. 8–9). The exact provenance of the text is unknown, but since it refers to the fiscal agents of the Fayyūm and since the Louvre hosts many documents coming from Madīnat al-Fayyūm,[33] it is not unlikely that it comes from Madīnat al-Fayyūm itself.

P. Louvre Inv. E 7066 (4) Fayyūm
25.8 × 7.5 cm eighth century

Brown papyrus written across the fibres. The right margin as well as the top and bottom margins have been preserved, but much of the left part of the papyrus has disappeared, resulting in the loss of more than half of the text. There are very small lacunae that have caused some damage to the text. No folding lines are visible either on the recto or on the back of the papyrus. The document is written in a flowing but quite angular chancery hand in black ink. Parallel scripts can be found in *CPR* XVI 1 and *P.Ryl.Arab.* I, II 1 that have been issued by Arabic chanceries. Diacritical dots occur three times but rather than serving to differentiate homographs they mark vowels, a system that recalls a usage in early Qurʾanic manuscripts.[34]

↓ بسم الله الرحـ[ـمن الرحيم]
هذا كتاب [من فلان بن فلان]
ويحيى بن خلد عـ[ـاملي الامير على خراج كورة]
الفيوم وسائر [اعمالها لفلان بن فلان]
5 انا امرنا الا[وليا]

[33] See *P.Marchands* I, p. ix–xi and Naïm Vanthieghem, "Les archives des marchands d'étoffes du Fayoum revisitées I. Un nouveau *dhikr ḥaqq* du marchand Abū Hurayra," *Archiv für Papyrusforschung* 60 (2014): 406-407. The inventory of the Louvre states that the document was bought from Rev. John Greville Chester in 1880: "Par décision du Ministre en date du ... [illegible] 1879 rendue en suite d'un avis conforme du Conservatoire (Comité consultatif séances du 26 juin et 10 juillet 1879), le Musée égyptien a acquis de M. Chester les papyrus suivants au prix de 2500 francs." I would like to thank Florence Calament for giving me this information.

[34] See Adam Gacek, *Arabic Manuscripts. A Vademecum for Readers* (Leiden: Brill, 2009): 288–89 and Alain Delattre and Naïm Vanthieghem, "Un ensemble archivistique trilingue d'époque arabe à Strasbourg (*P. Gascou* 27–28)," in *Mélanges Jean Gascou. Textes et études papyrologiques* (*P. Gascou*) (Paris: Association des Amis du Centre d'Histoire et Civilisation de Byzance, 2016): 121.

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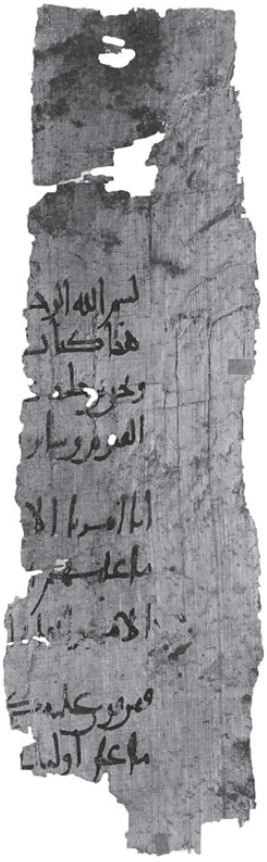

Figure 8.4 Decree related to the taxes that are incumbent on the friends (*awliyāʾ*). Credit: P. Louvre Inv. E 7066 [4].

ما عليهم مـ[ـن]
الامير ابقاه الـ[ـله]
(*vacat*)
فمن قرى عليه كـ[ـتابنا هذا من عمالنا فليعلم]
ما على اولـيانا [ولا يجعل على نفسه سبيلا ان شا الله]

1 هَذا pap. 5 اَمرنا pap. 6 علـيهم pap.

|[1] In the name of God the Merciful and Compassionate. |[2] This is a document from so-and-so |[3] and Yaḥyā b. Khālid, the two agents of the governor in charge of the taxes of the pagarchy |[4] of the Fayyūm and all its districts to so-and-so. |[5] We ordered the *awliyāʾ* … |[6] what is incumbent on them of … |[7] the governor – may God preserve him … |[8] To whomever from among our agents this document of ours may be read, let him know |[9] what is incumbent on our *awliyāʾ*, and he shall not give against himself any reason [to be admonished], God willing.

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2–4 For the reconstruction, see *Chrest.Khoury* II 26, 2–3 *hādhā kitāb min al-Ṣabāḥ mawlā al-amīr Mūsā b. ʿĪsā ḥafiẓahu allāh ʿalā kharāj | kūrat al-Fayyūm wa-jamīʿ aʿmālihā* (Fayyūm, 796), *Chrest.Khoury* I 66, 4–5 *hādhā kitāb min ʿUṯmān b. Yazīd ʿāmil al-amīr | Yaḥyā b. Mūsā aṣlaḥahu allāh ʿalā kharāj kūrat al-Fayyūm wa-jamīʿ aʿmālihā* (Fayyūm, 796), and *P.GrohmannProbleme* 18, 2–3 *hādhā kitāb barāʾa min Yūnus b. ʿAbd al-Raḥmān ʿāmil al-amīr ʿAbbād b. Muḥammad abqāhu allāh | ʿalā kharāj kūrat al-Fayyūm wa-maʿūnatihā wa- jamīʿ aʿmālihā* (Fayyūm, 812). The *ʿāmil* Yaḥya b. Khālid is so far unattested in the documents. The word *ʿamal* (pl. *aʿmāl*), which probably is a synonym for the word *ḥayyiz*, designates in this period one of the districts that were part of the pagarchy. Each *ʿamal* consisted of several villages and was managed by an *ʿāmil* (pl. *ʿummāl*). For a discussion on the terms *ʿamal* and *ḥayyiz*, see Sijpesteijn, *Shaping a Muslim State*: 137–44.

5 ***al-a*[*wliyāʾ*]** The reconstruction is based on the final injunctions which state "to whomever from among our agents this document of ours will be read … let him know what is incumbent on our friends (*fa-man quriʾa ʿalayhi kitābunā hādhā min ʿummālinā fa-l-yaʿlim dhālika wa|-mā ʿalā awliyāʾinā*)". The word *walī* (pl. *awliyāʾ*) is polysemic in nature. The meaning of the word in our document is not obvious, but it might be related to a fiscal category.

9 The lacuna seems too short to restore any date at the end of the line.

2. Decree Issued by a Pagarch of the Fayyūm and Agent of the Governor Ḥuwayy b. Ḥuwayy

The pagarch of the Fayyūm province, named so-and-so son of Zurʿa, orders one of his assistants, named *Tawrina*, to let the people of the Fayyūm villages know that the taxes will be collected according to the custom that prevails.[35]

The general nature of the decree's content (Fig. 8.5), which does not specify when and how taxes will be levied, raises the question of whether the decree was written by a newly appointed pagarch who wanted to reaffirm the willingness of the Abbasid authorities to levy taxes in a fair manner.[36] The papyrus is dated to Rabīʿ II of the year 182, which corresponds to March–April 798.

[35] I am grateful to Nikolaos Gonis for providing me with an image of this papyrus.

[36] A good parallel is offered by Qurra's dossier, whose earliest letters sent in Arabic adopt a general tone perspective and insist on the importance of collecting the appropriate amount of money in a fair manner; see recently Naïm Vanthieghem, "La correspondance de Qurra b. Šarīk et de Basileios revisitée II. À propos de *P. Becker PAF* 3 (P. Lond. Inv. Or. 6233 [1–4])," *Chronique d'Égypte* 92 (2017): 419–24.

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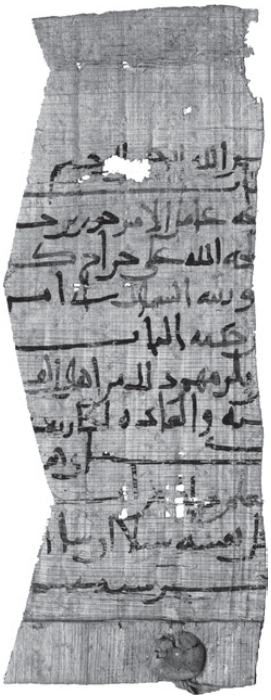

Figure 8.5 Decree issued by a pagarch of the Fayyūm and agent of the governor Ḥuwayy b. Ḥuwayy (ed. by Khaled Younes, *P.YounesGovernors* 2). Credit: P.Lond. UCL Inv. Petrie Ars. 60.

The document was found in Madīnat al-Fayyūm by Flinders Petrie in 1888, probably while he was digging the *temenos* of the temple of Arsinoe.[37] It was recently edited by Khaled Younes in a study on newly identified Egyptian governors.[38] I propose here a new edition of the text with an improvement in the reading.

P.Lond. UCL Inv. Petrie Ars. 60 (*P.YounesGovernors* 2) Fayyūm
11.3 × 4.7 cm March–April 798

Light brown papyrus, of which only the central part is kept. The upper and lower margins are preserved as well as the seal bearing the name of the official who issued the document. The original cutting lines have partially been preserved on the top and the bottom. The text was written in black ink by a skilled hand. Diacritical dots are only used once (l. 7).

[37] On this excavation, see W. M. Flinders Petrie, *Hawara, Biahmu and Arsinoe* (London: The Leadenhall Press, 1889), 56–59.

[38] Khaled Younes, "New governors identified in Arabic papyri," in *Authority and Control in the Countryside: From antiquity to Islam in the Mediterranean and Near East (6th–10th Century)*, eds. Alain Delattre, Marie Legendre and Petra M. Sijpesteijn (Leiden: Brill, 2018), 20–24.

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↓ [بـ]ـسم الله الرحمن الرحيم
[هذا كـ]ـتاب [من فلان]
[بن ز]رعة عامل الامير حوي بن حـ[ـوي]
[اصـ]ـلحه الله على خراج كو[رة الفيوم]
5 [لتـ]ـورينة السماك اني امر[ت الذي]
[مـ]ـن خدمة الباب [الجباية]
[ممـ]ـن يلزمهم ذلك من اهل القـ[ـر]ى [على]
[السـ]ـنة والعادة الجارية عـ[ـليهم فمن قرى]
[عليه] كتابي هذ[ا من عمالي]
10 [فليـ]ـعلم ذلك من امـ[ـري ولا]
[يجعل] على نفسه سبيلا ان شا ا[لله وكتب في]
[ربيع الا]خر سنة [ρ]πβ

|[1] In the name of God the Compassionate, the Merciful. |[2] This is a document from so-and-so |[3] son of Zurʿa, agent of the governor Ḥuwayy son of Ḥuwayy |[4] – may God make him prosper! – over the finance of the district of the Fayyūm |[5] to Tawrīna, the *symmachos*. I ordered those who |[6] serve the tax collection to collect the taxes |[7] of those who are liable among the people of the villages according |[8] to the usage and the custom that prevails among them. Whoever may be read |[9] this document of mine from among my agents, |[10] let him know this order of mine. And he shall not |[11] give against himself any reason [to be admonished], God willing. Written in |[12] Rabīʿ II of the year 182.

2–3 [***min fulān***] | ***b. Zurʿa ʿāmil al-amīr Ḥuwayy b. Ḥuwayy*** The reading of the official's patronym is tentative. The *ʿayn* and *hāʾ* of Zurʿa are well visible at the beginning of this line as is the lower part of the *rāʾ*. On Ḥuwayy b. Ḥuwayy, who was governor probably between Ramaḍān 181/October 797 and Shawwāl 182/November 798, see the recent contribution Younes, "*New Governors*," 24–29.

5 ***Tawrīna al-sammāk*** The word *sammāk* (pl. *samāmika*) renders the Greek σύμμαχος, which refers to people who acted as messengers for high-ranking officials working in Fustat or in the countryside and were involved in the tax collection; see *P.Apoll.*, p. 200, and Sijpesteijn, *Shaping a Muslim State*, 131–32. See also the contribution by Stefanie Schmidt in this volume. Tawrīna is the Arabic form of the Graeco-Coptic name *Taurinos* or *Taurine* (TM People 6130). The equivalence can be deduced from *P.Heid.Arab.* I app. F, where the toponym μοναστήριον Ταυρίνου (l. 7) is transcribed *munyat Ṭawrīna* (l. 3).

6 ***innī amar***[***tu alladhī?***] | ***min khidmat*** al-bāb The word *bāb* (pl. *abwāb*) literally refers to a "category" or "class" (Lane, *Lexicon*, I, p. 273 and Dozy, *Supplément*, I, p. 125 a). This is an ellipse for *abwāb al-māl* (cf. *P.Prag.Arab.* Beilage VI, 7 as well as *P.Kurrah* 5, 4), which literally refers to "categories of ordinary taxes (levied) in cash"; on this question, see Sijpesteijn, "Une nouvelle lettre," 266.

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7 [***mimma***]***n yalzamuhum dhālika min ahl al-qu[r]ā***. The *alif maqṣūra* of *al-qurā* extends backwards and touches the *lām* of the word *ahl*. One would expect [*mimma*]*n yalzamuhu dhālika* instead of [*mimma*]*n yalzamuhum dhālika*, but the relative pronoun *man* is sometimes treated as a plural in Middle Arabic. On this phenomenon, see Hopkins, *Studies in the Grammar*, 244, § 296.

7-8 [***ʿalā | al-su]nna wa-l-ʿāda al-jāriya*** The phrase *al-ʿāda al-jāriya* is attested in *P.Ardabil* 12, 12; *P.St.Catherine* I 1, 45 and *P.St.Catherine* I 2, 51 following the preposition *ʿalā*. The word before *al-ʿāda* was not read by the first editor. Immediately after the break, a tooth followed by a *hāʾ* or a *tāʾ marbūṭa* can be seen. The word being connected with the conjunction *wa-* to the idiom *al-ʿāda al-jāriya*, it must have a meaning close to, if not identical to, *al-ʿāda*. I therefore suggest reconstructing as [*ʿalā | al-su*]*nna wa-l-ʿāda al-jāriya*. A similar phrase appears in *P.SamarraiMamlukDocument*, 14 *ʿalā sunanihim al-jāriya wa-ʿādatihim al-mutawāliya*.

3. Decree Related to the Taxes of Coptic and Nubian Fugitives

In this decree (Fig. 8.6), a provincial financial director (*ʿāmil*) of the pagarchy (*kūra*) of Aswān writes to three of his subordinates informing them that he ordered the taxes of the Copts and Nubians fleeing from Egypt to Nubia to be collected (ll. 1–5). The decree goes on with the final injunctions typical of this genre (ll. 6–9) and ends with a precise date (ll. 9–10). The provenance of the text is not clear, but since it refers to fugitives going to Nubia probably in order to avoid paying taxes to the Egyptian administration, it is likely to come from the province of Aswān, which was the most southern of the Egyptian provinces and the necessary crossing point for whomever wanted to cross the border between Nubia and Egypt. This document is noteworthy as it is the second text referring to fugitives fleeing from Egypt into Nubia. The other one is the famous Arabic letter found in Qasr Ibrīm and sent by the governor Mūsā b. Kaʿb to a Nubian king.[39] However, unlike our document that apparently refers to free people, this letter mentions slaves who have fled and were not returned by the Nubians to the Egyptian authorities.[40]

P.Stras. Inv. Ar. 431 Southern Egypt
15.8 × 21 cm August–September 810

Medium-brown papyrus written across the fibres. The right and left margins as well as the bottom one have been preserved, but the top of the

[39] On this letter, see Martin Plumley, "An eighth century Arabic letter," *Journal of Egyptian Archaeology* 61 (1975): 241–45; as well as Martin Hinds and Hamdi Sakkout, "A letter from the governor of Egypt," in *Studia Arabica et Islamica. Festschrift for Ihsan Abbas*, ed. Wadād al-Qāḍī (Beirut: American University of Beirut, 1981), 209–29.

[40] Cf. *P.HindsSakkoutNubia*, **19–20** *wa-lā taraddūn min abaq | ilaykum min ariqqāʾihi* ("and they do not return those of the slaves who run away to you").

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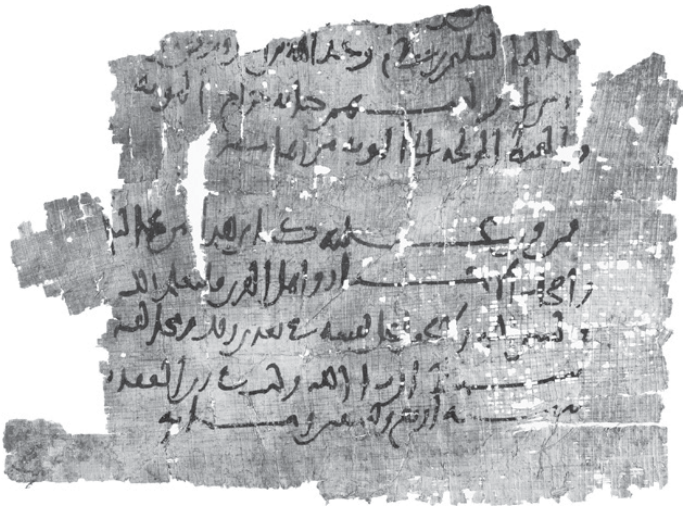

Figure 8.6 Decree related to the taxes of Coptic and Nubian fugitives. Credit: P.Stras. Inv. Ar. 431.

papyrus has disappeared, resulting in the loss of two lines. All over the papyrus there are small wormholes and lacunae, especially in the right part of the document, that have caused some damage to the text. Traces of folding lines on the back of the document suggest that it was folded horizontally five times. The document is written in a flowing chancery hand in black ink. Parallel scripts can be found in *P.GrohmannUrkunden* 18 and *CPR* XVI 7, which have been composed in an administrative milieu. Diacritical dots occur only three times.

↓ [بسم الله الرحمن الرحيم]
[هذا كتاب] من علي [بـ]ـن [فلان عامل على خراج كورة اسوان]
[وا]عمالها لسليمن بن سلام وعبد الله بن اسحق وموفق بن
[مـ]ـوسى اني قد امرتهم جباية خراج النوبة
5 والقبط المولجة الى النوبة من اهل مصر
(*vacat*)
فمن قرى عليه كتابي هذا من عمالنا
واصحاب الاجناد واهل القرى وليعلم ذلك
وليبتغي اليه ولا يجعل على نفسه في تعدي ذلك ومخالفته
سبيلا ان شا الله وكتب في ذي القعدة
10 سنة اربع وتسعين ومائة

4 حراج pap. **6** كتابى pap.

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"|[1] In the name of God the Merciful and Compassionate. |[2] This is a document from ʿAlī b. so-and-so, agent in charge of the taxes of the pagarchy of Aswān |[3] and its districts, to Sulaymān b. Salām, ʿAbd Allāh b. Isḥāq and Muwaffaq b. |[4] Mūsā. I ordered them to collect the taxes of the Nubians and |[5] the Copts who are leaving Egypt to enter Nubia. |[6] Whoever may be read this document of mine from among our agents, |[7] the chiefs of the soldiers or the people of the villages, let him know that |[8] and be obligated by it. And he shall not give against himself any reason [to be admonished] by infringing or trespassing it, |[9] God willing. Written in Dhū al-Qaʿda of the year one hundred ninety-four."

2–3 [***al-ʿāmil ʿalā kūrat Aswān***] | [***wa-a***]***ʿmālihā*** For the reconstruction, see above.

3–4 ***Sulaymān b. Salām wa-ʿAbd Allāh b. Isḥāq wa-Muwaffaq b.*** | ***Mūsā*** The function of those three people is not clear, but they could be *ʿummāl*, that is, agents who were managing the district of the pagarchy of Aswān.

5 ***al-mūlija*** The 4th form of the root *w-l-j* means "to enter" (Lane, *Dict.*, III, p. 2965; Kazimirski, *Dict.*, II, p. 1601a), but the document probably refers to a case of *anachôrêsis*, that is, of people who are fleeing from their fiscal district and crossing the border in order to avoid paying taxes.

4. Decree in Favour of a Christian Egyptian Working on an Estate Belonging to amīr al-Fatḥ b. Khāqān

The deputy (*wakīl*) of the *amīr* al-Fatḥ b. Khāqān (in office 856–61) writes a decree in favour of a Christian Egyptian called Qulta b. Buqaym forbidding anyone to prevent him from trading and working on his estate (ll. 1–4). The document goes on with the final injunctions typical of this genre (l. 5) but is broken off at the end (Fig. 8.7). Since Qulta b. Buqaym is said to live in Qalandūn, the document was probably discovered in Qalandūn itself or in the region of al-Ushmūnayn. The document was first edited by A. Grohmann (as *P.Cair.Arab.* III 171), who identified it as an official letter, but because he was not able to identify to which genre it belongs, the editor did not understand the exact meaning of the document.[41] The text is not dated but, since it mentions al-Fatḥ b. Khāqān, it must be from the period he was active in Egypt. The title "al-amīr" which he bears in the document does not help to narrow down the dating since it was used to designate the financial director of Egypt as well as the governor,[42] two functions that al-Fatḥ fulfilled between 232/847 and 246/861.

[41] See *P.Cair.Arab.* III: 165: "Unfortunately not enough remains to inform us of the essential matter of the instruction to the subordinate person addressed thereby."

[42] See Sijpesteijn, *Shaping a Muslim State*: 117–24.

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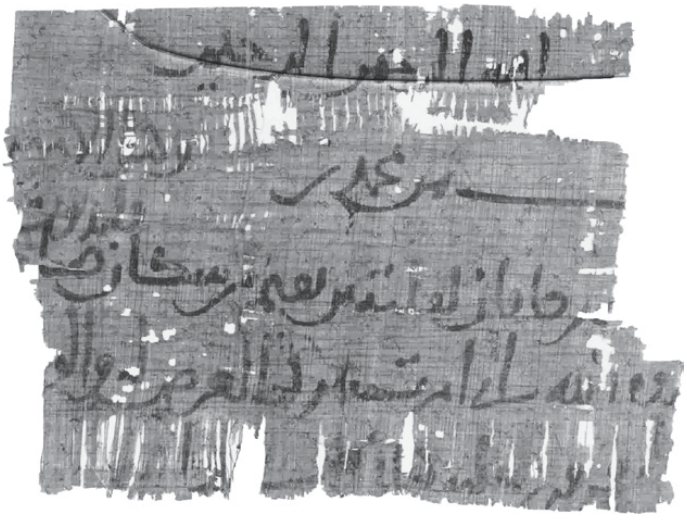

Figure 8.7 Decree in favour of a Christian Egyptian working on an estate belonging to amīr al-Fatḥ b. Khāqān. P.Cair.Arab. Inv. 100 (ed. by Adolf Grohmann, *P.Cair.Arab.* III 171). Credit: Egyptian National Library.

P.Cair.Arab. Inv. 100 (*P.Cair.Arab.* III 171) region of al-Ushmūnayn
11.5 × 16 cm 847–61

Light-brown papyrus written across the fibres. Only the upper margin has been preserved. The document is broken on the right and on the left but only a few letters are missing. The lower part is lost, resulting in the loss of a part the final injunctions of the decree as well as the date. There are small wormholes and lacunae all over the papyrus that have caused some damage to the text. The document is written in a flowing chancery hand in black ink that can be compared to *P.Cair.Arab.* III 172 and *P.Khalili* II 120. Diacritical dots occurs infrequently and are especially used for marking the proper names.

↓ [بسم] الله الرحمن الرحيم
[هذا كتا]ب من محمد بن *(vacat)* وكيل الامير
[الوزير الفتـ]ـح بن خاقان لقلتة بن بقيم من سكان ⸢قلندون⸣ [مـ]ـن ضيا[ع]
[الامير ا]يده الله اني امرت بترك العرض له والو[فا]ؤ [ ]
5 [ ] فمـ[ـن] قرى عليه كتابي هذا [من عمالنا فليعلم ذلك]

---

1 الرحيم pap. **3** حافان فلده بقيم سكان pap. 3–4 *m[in] ḍiyā*[ʿ] | [*al-amīr a]yyadahu allāh*: *m[in] ḍiyā*[ʿ *al-amīr* | *a*]*yyadahu allāh* ed.pr. **4** امرت pap.**5** *fa-ma*[*n*] *quriʾa* ʿ*alayhi kitābi hādhā* [*min* ʿ*ummālinā fa-li-ya*ʿ*lim dhālika*]: *ba*[ʿ*da*] *quriʾa* ʿ*alayhi kitābi hādhā* … ed.pr.

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"|[1] In the name of God the Merciful the Compassionate. |[2] This is a document from Muḥammad b. (*vacat*), the deputy of the *amīr* |[3] and vizier al-Fatḥ b. Khāqān in favour of Qulta b. Buqaym, who lives in Qalandūn, one of the |[4] *amīr*'s estates – may God support him! I ordered that he [*scil.* Qulta b. Buqaym] be allowed to trade and to fulfill[?] … |[5] … Whoever may be read this document of mine from among our agents shall know it …"

2 ***Muḥammad b. (vacat) wakīl al-amīr*** Instead of a patronym, there is a blank space appearing immediately after the word *b.*, as if the scribe omitted the name of the deputy's father on purpose.

3 ***al-Fatḥ b. Khāqān*** This financial director was an Abbasid diplomat, poet and scholar belonging to a family of courtiers living at the court of Samarra. According to several medieval sources he was the most influential of caliph al-Mutawakkil's (r. 232–47/847–61) advisors.[43] He was twice assigned duties in Egypt: he was appointed financial director in 847–48 and was also appointed as governor between 856 and 861 (see the commentary in *P.Cair.Arab.* III, pp. 106–107). He was killed in December 861 together with al-Mutawakkil.

3-4 ***ḍiyā***[ʿ] **|** [***al-amīr a]yyadahu allāh*** Adolf Grohmann edited the line as *ḍiyā*[ʿ *al-amīr*] | [*a*]*yyadahu allāh* but this reconstruction does not fill the lacuna properly on l. 4. Land holdings in Egypt belonging to al-Fatḥ b. Khāqān are also mentioned in *Chrest.Khoury* II 9, 3.

Qulta b. Buqaym Qulta is the transcription of the Graeco-Coptic name ⲕⲟⲗⲑⲉ, a variant of the name ⲕⲟⲗⲗⲟⲩⲑⲟⲥ. The Coptic name Buqaym occurs in several Arabic documents. Grohmann read the patronym as Baqīm, in which he saw a transcription of the Egyptian name Πακημις whereas this name had disappeared by the end of the third century. I propose to understand it as an Arabic diminutive of the very common Coptic name Baqām (= Pachomius) in the same way Arabic built the diminutive Jurayj for the Coptic name Jirja (= George).

Qalandūn The village is mentioned in two other Arabic documents (*P.Ryl.Arab.* I VIII 12 verso, 8 and 13, 4) as well as in the Arabic geographical literature (see the commentary in *P.Cair.Arab.* II, p. 82). It might be identified, as suggested by Grohmann and Timm, with the medieval toponyms Qalandiyūn and Qalandīmūn quoted in Arabic documents and in the Arabic geographical literature, and it might correspond to the modern village of Qalandūl, which is located to the west of Anṣinā. See the commentary in *P.Cair.Arab.* II, p. 82 and Timm, *Das christlich-koptische Ägypten*, vol. 5, 2094–95.

4 ***innī amartu bi-tark al-ʿaraḍ lahu wa-l-wa[fā?]*** Adolf Grohmann translated the sentence as "Verily, I ordered that there be yielded up to him compensation (?) and the … ." I wonder whether the text refers to trade, in which case one might understand "I ordered that he be allowed to trade and to fulfill[?] …." The decree would thus have forbidden anyone to impede Qulta b. Buqaym in his trading activity.

[43] Gordon, "The Khāqānid families," 239–41.

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5. Decree Related to Local Economic Matters

This papyrus was first described and published by David S. Margoliouth, who considered this decree to relate to disorder caused by criminals and thieves in an unknown province of Egypt (Fig. 8.8).[44] A new reading of this text suggests the document was actually related to economic matters. A man called al-Ḥasan b. ʿAbd al-ʿAzīz writes to his subordinate, ʿAbd Allāh b. Yūsuf, to inform him that his representative in charge of a village is helping to restore the state of something, and later mentions people, living in the islets and riverbanks, who are helping him. Al-Ḥasan b. ʿAbd al-ʿAzīz orders these people to stay away from the people living in the nearby city and from their goats as well as the skins of the goats that have been slaughtered. The document is dated to the month of Dhū al-ḥijja of an unknown year. Based on its palaeographic characteristics, especially on the extreme cursiveness of the writing, the document must date from the end of the third/ninth century or the beginning of the following century.

P.Ryl. Arab. Inv. 100 (ed. *P.Ryl. Arab.* I, I 17) Provenance unknown
32 × 23 cm end of 3rd/9th–beginning of the fourth/tenth century

Light-brown papyrus written across the fibres. The upper and lower margins as well as the left-hand margin have been preserved. The document is broken on the right-hand side resulting in the loss of the beginning of the first six lines. The document is written in black ink in a flowing script that can be compared to *P.Ryl.Arab.* I III 5 and 6.[45] Diacritical dots occur only infrequently, but the *sīn* is quite systematically marked with a horizontal stroke that allows it to be differentiated from the *shīn*. The sheet of papyrus has been reused to write another document (*P.Ryl.Arab.* I I 18), described by David S. Margoliouth in his catalogue.[46]

↓ [بسم الله الرحمن ا]لرحيم
[هذا كتاب مـ]ـن الحسن بن عبد العزيز لعبد الله بن يوسف
[اكرمه الله بدينه] وطاعته وان متولي القرية يعاون في اصلاح
[الـ]ـب اخر الى اهل الجزا[ئـ]ـر والريف وبعضهم
5 [ممن لا يعاون وبـ]ـعضهم ممن يعاون بما ينهى عنه الى المدينة
[فا]ني [امرتهم بمنـ]ـعهٔ من اهلها واتياسهم وسلخهم
(vacat)
فمن قرى عليه كتابي هذا من الحراس والاعوان

[44] David S. Margoliouth, *Catalogue of Arabic Papyri in the John Rylands Library Manchester* (Manchester: Manchester University Press, 1933), 12.

[45] See the re-edition of the documents in Naïm Vanthieghem, "Le dossier fiscal de Saʿdūn b. Abū Ḥamza. Réédition de *P.Ryl.Arab.* I III, 6," *Chronique d'Égypte* 91 (2016), 427–32.

[46] Margoliouth, *Catalogue,* 13.

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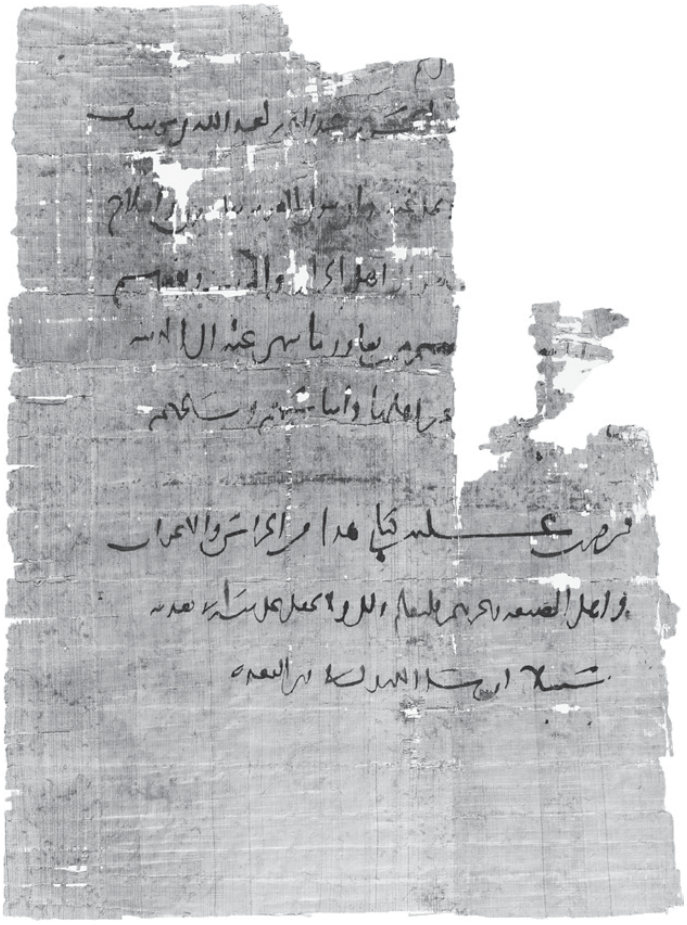

Figure 8.8 Decree related to local economic matters. P.Ryl.Arab.Inv. 100 (ed. by David. S. Margoliouth, *P.Ryl.Arab.* I I 17). Credit: University of Manchester.

واهل الضيعة وغيرهم فليعلم ذلك ولا يجعل على نفسه في تعديه
سبيلا ان شا الله و كتب في ذي القعدة

1 [*a*]*l-raḥīm* : [*al-raḥ*]*īm* ed. pr. **2** طاعته pap.; [*hādhā kitāb mi*]*n al-Ḥasan b.* ʿ*Abd al-*ʿ*Azīz* :] *b.* ʿ*Abd al-Qawī* ed. pr. **3** [*akramahu allāh bi-dīnihi*] *wa-ṭāʿatihi*: [ ] *wa-ṭāʿatihi* ed. pr.; *wa-inna mutawallī al-qarya yuʿāwin fī iṣlāḥ: wa-an yatawallī al-qarya* [ ] *wa-iṣlāḥ* ed. pr. **4** بعضهم pap.;] . *ākhar ilā ahl al-jazā*[*ʾi*]*r wa-l-rīf*:] *ahl al-jarāʾim wa-l-rīb* ed. pr.; *wa-baʿḍuhum*: *yaqmaʿuhum* ed. pr. **5** *wa-baʿḍuhum yuʿāwin bi-mā yunhā* ʿ*anhu ilā al-madīna*: *man tajāwaza mā yunhā* ʿ*anhu ilā al-raʿīya* ed. pr. **6** [*fa-*]*innī* [*amartuhum bi-man*]ʿ*ihi min ahlihā wa-atyāsihim wa-salkhihim: ghayr ahlihā wa-abyātihim wa-salkhihim* ed. pr.

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"|[1] In the name of God the Merciful the Compassionate. |[2] This is a document from al-Ḥasan b. ʿAbd al-ʿAzīz to ʿAbd Allāh b. Yūsuf, |[3] may God honour him with His faith and his obedience to Him! The representative in charge of the village is helping to restore the state of |[4] … another to the people of the islets and the riverbanks. Some of them |[5] are among the people helping while others are not helping in what is reported to the city. |[6] I have ordered them to hold him back from its inhabitants (i.e. the inhabitants of the city), their billy goats, and their skins. |[7] Whoever may be read this document of mine from among the guards, the police, |[8] the people of the village and others shall know this and he shall not give against himself any reason (to be admonished) by infringing it, |[9] God willing. Written in Dhū al-Qaʿda."

3 [***akrama-hu allāh bi-dīnihi?***] ***wa-ṭāʿatihi*** The eulogy *akramahu allāh bi-ṭāʿatihi* is common in the papyri, especially in the letters sent by the famous textile merchant Abū Hurayra. See for instance *P.Marchands* II 2 recto.2, *P.Marchands* II 5.12, and *P.Marchands* II 8.2. The word which precedes *ṭāʿatihi* in our document must belong to a close semantic register. I choose to supply here *bi-dīnihi*, but other reconstructions might be considered, for instance *bi-raḥmatihi*.

6 [***mi***]***n ahlihā wa-atyāsihim wa-salkhihim*** The reading of the *rasm* of the second word is obvious, but its interpretation is less obvious. David Margoliouth read it as ابياتهم, but the horizontal stroke above the final letter of the root indicates it should be read as a *sīn* and not a *tāʾ*. The word should just be read: واناسهم. The only possible interpretation I see here is واتياسهم ("and their billy goats"). In that case, the following word *wa-salkhihim* should be understood as "their skins."

Conclusion

The documentary genres of the Umayyad and Abbasid periods have so far been under-studied. To date, only a few specific types of documents, such as tax receipts[47] or petitions,[48] have been studied to any great extent, but all of this falls far short of what has been done on documents from more recent periods, such as the Fatimid or Mamluk eras. Of course, developed chancellery manuals such as those from the Mamluk period are lacking for earlier periods, so it is hard to know precisely about documentary practices in use during the first three centuries after the Arab conquest of Egypt. Nevertheless, although our source base is smaller than those from the Fatimid or Mamluk periods, the wealth of papyrological material allows us to

[47] See e.g. Frantz–Murphy, *Arabic Agricultural Leases and Tax Receipts*.

[48] See the recent book Rustow, *The Lost Archive*.

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undertake systematic studies of the documentary genres of the Umayyad and Abbasid periods as well.

The small corpus of papyri discussed in this chapter shows the existence in the early Abbasid period of a specific typology for decrees. This genre obviously had a specific layout that would visually structure decrees as well as a precise formulary, whose influence on later decrees should be highlighted. Copies of decrees kept in chronicles or biographical dictionaries show that, far from being an Egyptian genre, this genre was in use in the entire Islamic empire and was used by the caliph himself as well as by lower officials to communicate with their subordinates. The widespread use of common documentary genres over the entire caliphate, such as that of the decree, suggests a marked presence of the Abbasid state in all the provinces of the empire through the development of a documentary culture common to its administration and its people.

This said, it is not clear so far in what circumstances Egyptian officials or higher officials from the caliphal capital preferred to use the decree genre to communicate rather than straightforward administrative letters, of which dozens are preserved in the papyrological material. Could it be that decrees, unlike administrative epistles, were supposed to be read out publicly, or at least displayed for all to see? Or were these documents more binding than the administrative letters? It is impossible to say at this stage, but hopefully new unpublished Abbasid decrees will clarify this issue.

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9 A State Letter from a Marwanid Caliph to his Governor of Iraq: A Historiographical Investigation into Khālid b. ʿAbd Allāh al-Qasrī's Downfall

NOËMIE LUCAS

Introduction

Correspondence between caliphs and governors, or governors and their subordinates, was part of the workings of the Islamic empire, and it is no surprise to find numerous references to these letters in narrative sources. Most of them are mentioned only in passing, but sometimes these letters are quoted in full. Their contents varied, ranging freely from the official to the personal, and they allow us to reconstruct dynamics of communication within the empire. Moreover, these letters are in themselves symbols of political authority and they fulfil specific functions in historical narratives. They therefore constitute an interesting source for the study of governmental mechanisms.[1]

In a very important article, Wadād al-Qāḍī addressed the vexing question of the authenticity of these early letters preserved in non-contemporary sources.[2] She makes a strong case that 'they do not pose a serious challenge to the authenticity mainly because of a physical, continuous, and living [literary legacy], and because of the nature and degree of preservation and selection in the Arabic literary sources' in dealing with the correspondence of the secretary of the last Umayyad caliph ʿAbd al-Ḥamīd al-Kātib (d. 132/750).[3] In the present chapter, I will consider an example of

[1] I would like to thank the team of the ERC 'Embedding Conquest: Naturalising Muslim Rule in the Early Islamic Empire (600–1000) for organising the conference 'The Ties that Bind: Mechanisms and Structures of Social Dependency in the Early Islamic Empire', which led to such fruitful discussions and debates. I would also like to thank them, as well as the reviewers, for their feedback on my paper. I am also very grateful to Marie Legendre, Antoine Borrut, Samir Zhani, and Jaakko Hämeen-Anttila for their comments and suggestions on different versions of this chapter.

[2] Wadād al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', in *Problems in the Literary Source Material*, ed. Averil Cameron and Lawrence I. Conrad (Princeton: The Darwin Press, 1992), 215–75.

[3] al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 269.

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correspondence from the same period – that Wadād al-Qāḍī also mentioned in her article as will be explained below – which was not penned by the famous secretary. In this paper, I build upon the foundation of al-Qāḍī's work and start from the assumption that the authenticity of the letter I will be studying is not at stake here. Therefore, the question of authenticity will not be the focus of my investigation. The focus will be on a letter that the caliph Hishām b. ʿAbd al-Malik (r. 105–25/724–43) addressed to his governor of Iraq, Khālid b. ʿAbd Allāh al-Qasrī in 119/737–38.

Appointed in 105/724, Khālid al-Qasrī (d. 125/743) remained governor throughout nearly all of Hishām's caliphate, until 120/738.[4] He is particularly known for the dramatic circumstances of his downfall, which are described at length in several sources that will be examined below.[5]

Khālid al-Qasrī's governorate coincided with a key moment of the Marwanid period: the first stirrings of the third *fitna* (126–36/744–54) which led to the Abbasid takeover. Moreover, accounts about his life and career provide an exceptional case study for dealing with questions such as Umayyad governmentality, economic developments, and social change. A large array of medieval sources deals with Khālid al-Qasrī, in both personal and political terms: *adab* literature, chronicles, biographical dictionaries, genealogical works, lexicography, poetry. In all those works, he appears as a major historiographical figure, his downfall and its causes being an integral part of most of the narratives. Steven Judd, for example, has published a detailed study of the 'peculiar' biography Ibn ʿAsākir (d. 571/1176) devoted to Khālid in his *Tārīkh Madīnat Dimashq*. Judd shows that Ibn ʿAsākir's treatment of Khālid demonstrates a certain rehabilitation that subverts the dominant narratives offered in the work of al-Ṭabarī (d. 310/923), for example.[6] Part of Ibn ʿAsākir's agenda, according to Judd,

[4] See Gerald R. Hawting's entry for Khālid b. ʿAbd Allāh al-Ḳasrī in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill, 1960–2007).

[5] Stefan Leder devoted an important article to this downfall, comparing two narratives (al-Balādhurī's *Ansāb al-Ashrāf* and al-Ṭabarī's *Tāʾrīkh*): 'Features of the Novel in Early Historiography. The Downfall of Xālid al-Qasrī', *Oriens* 32 (1990): 72–96.

[6] Steven Judd, 'Ibn 'Asākir's Peculiar Biography of Khālid al-Qasrī', in *New Perspectives on Ibn 'Asākir in Islamic Historiography,* ed. Steven Judd and Jens Scheiner (Leiden/Boston: Brill, 2017), 139–55. In 2018, as part of a conference about the *Kitāb al-Aghānī,* or *Book of Songs*, Samir Zhani and I gave a presentation on the entry devoted to Khālid in Abū al-Faraj al-Iṣfahānī's book. The paper was entitled 'Comment écrire le gouverneur omeyyade? Étude de la figure de Khālid b. 'Abd Allāh al-Qasrī dans le *Kitāb al-Aghānī*'. We are currently preparing this paper for publication.

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involves the 'suppression of tribal dramas and their replacement with more general moral tales that emphasized the honour of his Damascene subjects'.[7]

The letter under investigation in this paper supports Judd's argument as it offers an interesting window into the making of Khālid al-Qasrī's dismissal narratives. I intend to highlight how 'documents' preserved in literary texts participate in the study of the relationships between rulers and their representatives. This contributes to the effort in this volume to offer multiple approaches to history writing.[8] State letters like this one inform about ties that bind the empire and about the way those ties are depicted in literature. My objective is to emphasise how historiographical investigation can bring insightful perspectives to historical interpretation of those ties in the specific context of contentious relationships leading to the dismissal of a governor. More precisely, it asks in what ways historiographical investigation contributes to understanding how these letters embodied the ties that linked a caliph to his governor. And more essentially, it questions to what extent our focus on the way these letters have been preserved in the literary corpus allows us to grasp their meaning, that being the exemplar of political gesture.

I shall begin my investigation by offering a summary of the content of the letter and an analysis of its transmission. I will go on to highlight the relationship between the letter and the most developed narratives about Khālid's career. In the last part, I will try to unpack these intricate relationships in order to look beyond them. I will shed light on insights provided by this letter with regard to Khālid's demise. At the end of this part, I will address the historical and historiographical meaning of this letter as an expression of power in a context of contentious relationships and tension.

Summary of the Letter

To the best of my knowledge, the letter in full is preserved in two sources. The earliest author to quote it is al-Zubayr b. Bakkār (d. 256/870) in his *Akhbār al-muwaffaqiyyāt*.[9] The second is al-Mubarrad (d. c. 285–86/898–900) in *Al-Kāmil fī al-adab wa-l-lugha*.[10]

[7] Judd, 'Ibn 'Asākir's al-Qasrī', 153.

[8] See the 'Introduction' to this volume.

[9] About al-Zubayr b. Bakkār, see Stefan Leder's entry in *Encyclopaedia of Islam, 2nd edition,* ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill, 1960–2007).

[10] al-Zubayr b. Bakkār, *Akhbār al-Muwaffaqiyyāt,* ed. Sāmī Makkī al-ʿĀnī (Beirut: ʿĀlam al-Kitāb li-l-Ṭibāʿa wa-l-Nashr wa-l-Tawzīʿ, 2008), 242–47; al-Mubarrad, *al-Kāmil fī al-lugha wa-l-adab,* ed. Muḥammad Abū al-Faḍl Ibrāhīm, 3rd ed. (Cairo: Dār al-Fikr al-ʿArabī, 1997), 4: 99–102.

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The full text from al-Zubayr b. Bakkār's source is given as an appendix of this article, as it is argued below that it is the oldest version. Another shorter version of this letter is quoted in al-Qalqashandī (d. 821/1418), *Ṣubḥ al-Aʿshā*, a source from the ninth/fifteenth century. This version contains nothing that informs the reader that the letter was addressed to Khālid al-Qasrī and dealt with his behaviour.[11] Besides, it is attributed to ʿAbd al-Ḥamīd al-Kātib.

The letter transmitted by al-Zubayr b. Bakkār and al-Mubarrad presents well-known formulaic features, beginning with the *basmala*. Then it opens with the standard formula *ammā baʿd* meaning 'thereafter'; which corresponds to 'after thanking God, praising his Prophet, and greeting the addressee'.[12] The letter ends with '*wa-kataba* [name of the secretary] *sanata* [followed by the date]' and provides the name of the secretary who wrote the letter for Hishām b. ʿAbd al-Malik. Between these features lies the core of the text that can be summed up as follows.

Hishām scolds Khālid for failing to be sufficiently grateful to him for all of his bounty. He attributes this ungratefulness to his corrupt *ḥasab* (fame) and *nasab* (bloodline), used here as arguments of authority and legitimacy (ll. 2–5). He also reminds Khālid that he could have reprimanded him for saying that the governorship of Iraq was not an honour for him (ll. 6–9). Hishām then compares him to al-Ḥajjāj (d. 95/714), who held the governorship of Iraq between 75/694 and 95/714. The caliph points out that al-Ḥajjāj had to face much more opposition from the Iraqi people than Khālid did (ll. 9–10). In this regard, Mughīra b. Saʿīd's rebellion (119/736–37) is briefly alluded to,[13] only as further evidence that it was minor (ll. 10–11), compared to what al-Ḥajjāj had to deal with. Khālid's cowardly response when he heard about the attack is ascribed to his Bajīla tribal affiliation.[14]

[11] I read this letter in Iḥsān ʿAbbās, *ʿAbd al-Ḥamīd ibn Yaḥyā al-kātib wa-mā tabaqqā min rasāʾilihi wa-rasāʾil Sālim Abī al-ʿAlāʾ* (Amman: Dār al-Shurūq li-l-Nashr wa-Tawzīʿ, 1988), 215; Iḥsān ʿAbbās also reproduced the longest version, at the end of his book (320–23).

[12] al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 226 (note 29). For comparison, Naïm Vanthieghem investigates early Arabic decrees on papyrus and deals with their formulary and structure, in 'Early Arabic Decrees on Papyrus from the Abbasid Period', chapter 8 in this volume.

[13] About the revolt, see al-Ṭabarī, *Tāʾrīkh,* ed. Muḥammad Abū al-Faḍl Ibrāhīm (Cairo: Dār al-Maʿārif, 1967–72), 7:128–30.

[14] About the Bajīla tribe, see William Montgomery Watt's entry in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill, 1960–2007). The questioning of the nobility of this tribe is due in particular to the uncertainties surrounding their ancestry. Steven C. Judd also mentions that the Bajīla was neither important nor powerful in the entry he devotes to Khālid al-Qasrī in *Encyclopedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (Leiden: Brill, 2023–).

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The letter goes on to say that if Hishām had wanted to punish Khālid for his statements and his ungratefulness, he would have. But that he refrained from doing so because Khālid's grandfather, Yazīd b. Asad, supported Muʿāwiya (d. 60/680) during the Battle of Ṣiffīn (l. 14). It states that Khālid benefited greatly from his grandfather's actions. In other words, Khālid's behaviour reflects poorly on his grandfather's memory. The section ends with a list of the tribes Hishām could have chosen instead of Khālid's (ll. 15–16). Once again, Hishām tells Khālid that he promoted him despite his lack of ancient nobility, compared to other families and tribes. Hishām admits he has been too lenient (l. 17). He would be justified in reprimanding him. That punishment would end Hishām's generosity. He is angry about what Khālid has done in Iraq, particularly the fact that he allowed Zoroastrians, Christians, and Jews to run the tax administration and therefore to take advantage of their power (ll. 22–23). Hishām explains this behaviour by referring to Khālid's lowly roots (ll. 23–24).

The following section deals with God's anger with Khālid and the fact that Khālid must be willing to be punished (ll. 25–29). The last section recounts specific grievances. First, the letter mentions that Khālid whipped a man from Quraysh in the Ḥijāz and was punished by receiving the same amount of lashes in front of his people (ll. 30–31). He misspent public money for digging the al-Mubārak canal, in the vicinity of Wāsiṭ (ll. 34–36) and tormented Muslims, imposing new officials over the districts (ll. 36–37). To add to these grievances, Khālid kept for himself gifts and money collected during the festivals of Nayruz (spring) and Mihrajān (autumn) (ll. 37–38). Moreover, Hishām blamed him for his hostility to Ḥassān al-Nabaṭī and to his agent who was in charge of the caliph's domains (ll. 38–39). The letter also mentions the fact that Khālid sent less revenues than his predecessor, ʿUmar b. Hubayra (ll. 40–42), and that he appointed his brother Asad over Khurāsān instead of someone from a better tribe, and Asad treated the people badly (ll. 42–43). Before the closure of the letter, a review of his genealogy and the story about his ancestor are provided (ll. 43–44).

The letter ends with a series of threats: Khālid should act more conscientiously in his position, more fearful of the consequences of his corruption and of the imminence of the punishments. The caliph concludes by stating that the letter will be followed by something worse, and that Khālid has many potential successors (ll. 46–47).

It is said that the letter was written a few months prior to Khālid al-Qasrī's downfall, and, considering its content, it seems to lay the groundwork for his removal. It heralds his downfall and can be read as a digest of Hishām's

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grievances towards Khālid. We will now turn to the works in which the letter is preserved and its transmission history.

Transmission History

Sources and Versions

The *Akhbār al-muwaffaqiyyāt*, of which only a minor part is known, is one of the three surviving works by al-Zubayr b. Bakkār. The book offers a collection of *akhbār* that circulated in the third/ninth century. Stefan Leder considers it 'an unstructured collection'.[15] Most of the content concerns caliphs and governors, who are depicted in situations of social and political significance or to praise the eloquence of some emblematic figures of early Islam. The letter follows a short section where exchanges of pieces of poetry between different people are reported.[16]

Al-Kāmil fī al-adab wa-l-lugha is an *adab* work, precisely a treatise developed for teaching purposes. We owe the final form of the work to Abū al-Ḥasan al-Akhfash (d. 315/927), one of al-Mubarrad's students.[17] The treatise is composed of separate chapters (*abwāb*), and the letter is part of the last one, a section including letters and *khuṭab*.[18] In this section, al-Mubarrad returned to information he mentioned only briefly in the course of his work and which he planned to elaborate on later. Immediately prior to the letter, another epistolary exchange is reported between al-Manṣūr (r. 136–158/754–75) and Muḥammad b. ʿAbd Allāh b. al-Ḥasan, also known as al-Nafs al-Zakiyya, who rebelled against the Abbasid caliph, challenging him for the caliphal position in 145/762.[19] The section where the letter is described in full refers to an earlier mention in one of the first *abwāb* of *al-Kāmil*.[20] Quoting two verses composed by Yaḥyā b. Nawfal in which he reproached Khālid for his behaviour, al-Mubarrad provides some context. We read that the verses refer to a particular event: when Khālid heard the

[15] Leder, 'al-Zubayr b. Bakkār'.

[16] al-Zubayr b. Bakkār, *Akhbār al-muwaffaqiyyāt*, 241–42.

[17] See Rudolf Sellheim's entry for al-Mubarrad in *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill, 1960–2007).

[18] al-Mubarrad, *al-Kāmil fī al-lugha wa-l-adab*: *bāb*'s title: *bāb qad taqaddamu dhikrunā iyyāhu wa-waʿadnā istiqṣāʾahu*, 4:88.

[19] al-Mubarrad, *al-Kāmil fī al-lugha wa-l-adab*, 4: 94–99; About the revolt, see Amikam Elad, *The Rebellion of Muḥammad al-Nafs al-Zakiyya in 145/762* (Leiden/Boston: Brill, 2015).

[20] I would like to thank Rebecca Ruf for bringing this to my attention and for sharing her paper about this letter.

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news of al-Mughīra's revolt, he requested some water while standing at the minbar delivering a sermon. Hishām then wrote to Khālid to reprimand him for this, and the author of *al-Kāmil* notes that he will come back to the letter later (*sanadhkuruhā fī mawḍiʿihā in shāʾa Allāh*), which he does.

In both cases, when the letter is recounted in full, it is introduced with some elements of context, and in the case of al-Zubayr b. Bakkār an *isnād* (chain of transmission) is provided. The *Akhbār al-muwaffaqiyyāt* thus offers the following: 'al-Zubayr told me that Abū al-Ḥasan al-Madāʾinī told him according to Qaḥdham, *mawlā* of Abū Bakra's family, who was the secretary of Yūsuf b. ʿUmar'.[21] This is coherent with what we know about al-Zubayr b. Bakkār, who was a poet, historian, and genealogist from Medina. He visited Baghdad many times and attended al-Madāʾinī's lectures. Ilkka Lindstedt showed that he was one of al-Madāʾinī's students.[22] Al-Madāʾinī was a famous scholar and a great collector and composer of historical and literary narratives. He was born in Basra in the year 135/752–53 or later, and died in 225/840. Although originally from Basra, his travels took him to al-Madāʾin, hence his *nīsba*. He devoted most of his life to teaching in Baghdad, where he died. According to Ibn al-Nadīm (d. 385/995), he composed around two hundred works, including *Kitāb Akhbār al-khulafāʾ al-kabīr,* which is quoted at length by al-Ṭabarī or al-Balādhurī (d. c. 279/892).[23] He was not only a compiler but also organised the historical material in sequences or packages.[24] Without any doubt, al-Madāʾinī can be regarded as a historiographical authority for material about the eighth century.[25]

[21] al-Zubayr b. Bakkār, *Akhbār al-muwaffaqiyyāt*, 242.

[22] Ilkka Lindstedt, 'The Role of al-Madāʾinī's Students in the Transmission of His Material', *Der Islam* 91 (2014): 323–25.

[23] Ibn al-Nadīm, *Kitāb al-Fihrist*, ed. Gutav L. Flügel (Leipzig: F. C. W. Vogel, 1871–72), 102.

[24] About the notion of 'package', see Edward Zychowicz-Coghill, 'How the West Was Won. Unearthing the Umayyad History of the Conquest of the Maghrib', in *The Umayyad World*, ed. Andrew Marsham (London/New York: Routledge, 2020), 543–44. He wrote: 'By 'package' is meant a body of information which was taught by a scholar as a whole in such a way that the whole might be again passed on by students (who nevertheless had agency to retransmit or use it partially). Each package may be seen as the repeatedly textually and/or orally reproduced remainder of an original instance of dissemination which was likely to have been constituted by a teacher's oral performance – supported by notes or even a full, prepared text – accompanied by students' listening, memorisation, note-taking or copying, and collation' (544).

[25] See articles of Ilkka Lindstedt, among them 'The Transmission of al-Madāʾinī's Historical Material to al-Balādhurī and al-Ṭabarī: A Comparison and Analysis of Two *khabars*', in *Travelling through Time: Essays in Honour of Kaj Öhrnberg* (Studia Orientalia 114), ed. Sylvia Akar, Jaakko Hämeen-Anttila, and Inka Nokso-Koivisto (Helsinki: Studia Orientalia, 2013), 41–65. See also, Noëmie Lucas, 'Le pouvoir de la terre: essai d'histoire de la société bas-iraqienne au IIe/VIIIe siècle' (PhD Dissertation, Paris 1 Panthéon-Sorbonne University, 2020), 36–40.

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As far as Qaḥdham is concerned, much of what we know was summarised by Wadād al-Qāḍī in an article about the translation of the *dīwān* in the Umayyad period.[26] Secretary to Yūsuf b. ʿUmar when he governed Iraq for Hishām (between 120/738 and 126/744), he may have also been secretary to Khālid al-Qasrī, perhaps of the treasury (*bayt al-māl*).[27] His presence in the chain of transmitters is especially important, since he had direct access to official documents such as state letters. His grandson al-Walīd b. Hishām al-Qaḥdhamī (d. 222/837), often referred to as al-Qaḥdhamī, is a well-known transmitter of second/eighth century material. He is often quoted by Khalīfa b. Khayyāṭ (d. 240/854),[28] who was his student, and by al-Balādhurī and al-Ṭabarī. Both al-Walīd and al-Madāʾinī received transmitted traditions on the authority of Hishām al-Qaḥdhamī, but they may have come directly from the elder Qaḥdham, since he died apparently in 170/786.[29] Otherwise, the *isnād* may need to be completed by adding a link between al-Madāʾinī and Qaḥdham, and that could be Hishām al-Qaḥdhamī.

Before al-Zubayr b. Bakkār quotes the entire letter, he provides some background about the deterioration of the relationship between Hishām and Khālid. We read that Hishām disapproved strongly of Khālid's great wealth. In this, Khālid's companions, including Bilāl b. Abī Burda and al-ʿUryān b. Haytham, advised Khālid that Hishām was demanding that he send revenues.[30] The letter is also followed by a short narrative recounting the dismissal and demise of Khālid. In other words, the letter occurs within a *khabar*.[31]

In al-Mubarrad's book, there is no *isnād* but only '*qāla Abū al-ʿAbbās*', which stands for Abū al-ʿAbbās Muḥammad b. Yazīd al-Mubarrad, followed

[26] Wadād al-Qāḍī, 'The Name of Estates in State Registers before and after the Arabization of the *Dīwāns*', in *Umayyad Legacies, Medieval Memories from Syria to Spain,* ed. Antoine Borrut and Paul M. Cobb (Leiden/Boston: Brill, 2010), 255–81.

[27] Al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 265. In al-Jahshiyārī, *Kitāb al-*Wuzarāʾ, ed. Muṣṭafā al-Saqqā, Ibrāhīm al-Ibyārī, ʿAbd al-Ḥafīẓ Shalabī (Cairo: Maṭbaʿat Muṣṭafā al-Bābī al-Ḥalabī wa-awlādihi, 1938) 64 and 65 we read that he was in charge of the *kharāj* for Yūsuf.

[28] Khalīfa b. Khayyāṭ, *Tāʾrīkh*, ed. Muṣṭapha Najīb Fawwāz and Ḥikmat Kashlī Fawwāz (Beirut: Dār al-kutub al-ʿilmiyya, 1995); see also Tobias Andersson, *Early Sunni Historiography: A Study of the* Tārīkh *of Khālīfa b. Khayyāt* (Leiden/Boston: Brill, 2019), esp. 108–109 and 126.

[29] al-Qāḍī, 'The Name of Estates in State Registers', 262; referring to al-Dhahabī, *Tāʾrīkh al-Islām*.

[30] al-Zubayr b. Bakkār, *Akhbār al-Muwaffaqiyyāt*, 242–43.

[31] About *akhbār,* see Stefan Leder, 'The Literary Use of the *Khabar*: A Basic Form of Historical Writing', in *The Byzantine and Early Islamic Near East: Problems in the Literary Source Material* (Studies in Late Antiquity and Early Islam), ed. Averil Cameron and Lawrence I. Conrad (Princeton: Darwin Press, 1999), 278–79.

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by a short contextualisation of the letter by him, in which he says that he has mentioned the letter earlier, and that it was sent because Khālid al-Qasrī's wrongdoings (*ifrāṭ*) came to Hishām's attention.[32] Thus, the introduction in al-Mubarrad's *Kāmil* is quite different from the one in the *Akhbār al-muwaffaqiyyāt* since they do not provide the same contextualisation for the drafting of this letter. Moreover, the letter is displayed differently in each source. In *Akhbār al-muwaffaqiyyāt*, the letter is part of a five-page *khabar*, introduced by an *isnād*, and inserted within a narrative about Khālid's downfall, like a literary device serving to expose the causes of the removal. In al-Mubarrad's *Kāmil*, the letter stands alone as a unit, with a short introduction aiming at contextualising its writing, although it is connected to previous passages within the larger work.

Biographical information gathered about al-Zubayr b. Bakkār and al-Mubarrad allows us to further contextualise their works. Both scholars are associated with the court of al-Mutawakkil (r. 232–57/847–61): al-Zubayr b. Bakkār was appointed to the office of *qāḍī* of Mecca by the Abbasid caliph around 242/856–57 after having served before that date as the tutor of the future al-Muwaffaq, al-Mutawakkil's son. Zubayr b. Bakkār died at Mecca, where he had remained in office for a decade-and-a-half.[33] As for al-Mubarrad, in 240/860, he was part of al-Mutawakkil's court in Sāmarrāʾ, where he had been summoned by the caliph. The two scholars were separated by a generation as al-Zubayr b. Bakkār was born in 172/788–89 and al-Mubarrad in 210/826. Al-Zubayr b. Bakkār died around twenty years before al-Mubarrad, and this interval is worth noting as developments of the historiographical figure of Khālid al-Qasrī and narratives related to it might have occurred in the meantime, explaining some of the small discrepancies between the two versions of the letter.

Although the two sources vary in their contextualisation of the letter, the discrepancies between the actual texts are mostly insignificant. Two types of difference occur: the first concerns spelling, prepositions, or particles,[34] and the second involves minor changes in wording; that is, deletions or additions.[35] These discrepancies are likely due to the vagaries of the transmission process. Even though the differences do not really alter the meaning, some of them deserve to be examined because they reinforce the idea of two distinct transmission channels and may make it possible to date the versions more accurately (see Table 9.1).

[32] al-Mubarrad, *Al-Kāmil fī al-lugha wa-l-adab*, 4:99.
[33] Leder, 'Zubayr b. Bakkār'.
[34] al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 264–65.
[35] Ibid.

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Table 9.1 *Selected examples of differences between versions of the letter that caliph Hishām wrote to his governor Khālid b. ʿAbd Allāh al-Qasrī in 119/737–38 as presented by al-Zubayr b. Bakkār and al-Mubarrad*

	al-Zubayr b. Bakkār's *Akhbār al-muwaffiqiyyāt*	al-Mubarrad's *al-Kāmil fī al-lugha wa-l-adab*
1	[…] You, relying on Jews, Christians, and Zoroastrians and entrusting them the Muslims' wealth and their taxes, and giving them power over them. (ll. 22–23)	[…] You, relying on Zoroastrians and Christians and entrusting them the life of the Muslims [lit. their necks] and the collection of their taxes, and giving them power over them.[36]
2	And, in fact, forty men attacked you and seized your Treasury and your storehouses. Then you only manage them asking for your safety. Then you betrayed the protection that was given to you. Among them were Razīn and his companions. (ll. 10–11)	And, in fact, forty men attacked you and seized your Treasury and your storehouses so that you said: 'Pour me water', by confusion, turmoil and cowardice. Then you only manage them asking for your safety. Then you betrayed the protection that was given to you. Among them were Razīn and his companions.[37]
3	*This passage is absent from al-Zubayr b. Bakkār's version.*	And from that, your mention of Zemzem, God's [office of] giving water and his grace for ʿAbd al-Muṭṭalib, this group is of the Quraysh and you named it 'the hyena'. May God not give you water from the basin of His Messenger, and may He make the worst of you both for the best of you both a ransom.[38]

These excerpts show that information was added in al-Mubarrad's version, which, as I will argue in 'The Ties that Bind a Caliph to His Deputy: Correspondence and Rhetorics of Power' below, is also the most recent one. The third example revealing a passage that is missing entirely from al-Zubayr b. Bakkār's transmission is unique and a bit surprising. I am not sure that it can be explained by the transmission process alone. It might show that al-Zubayr b. Bakkār's version is older than al-Mubarrad's, and that the letter transmitted to al-Mubarrad at the end of the third/ninth century was different and augmented, maybe by the narratives that circulated about the removal of the governor. This could be the reason why the first

[36] al-Mubarrad, *Al-Kāmil fī al-lugha wa-l-adab*, 4:308, ll. 5–6: من استعانتك بالمجوس والنصارى، وتوليتهم رقاب المسلمين وجبوة خراجهم، وتسلطهم عليهم

[37] al-Mubarrad, *Al-Kāmil fī al-lugha wa-l-adab*, 4:307, ll. 16–19: فقد خرج عليك أربعون رجلا فغلبوك على ، بيت مالك وخزائنك، حتى قلت "أطعموني ماء" دهشا وبعلا وجبنا، فما استطعتهم إلا بأمان، ثم أخفرت ذمتك، منهم رزين وأصحابه

[38] al-Mubarrad, *Al-Kāmil fī al-lugha wa-l-adab*, 4:308, ll. 18–20: ومن ذلك ذكرك زمزم، وهي سقيا الله وكرامته لعبد المطلب وهذا الحيّ من قريش تسميها "أمّ جعار" فلا سقاك الله من حوض رسوله، وجعل شركما لخير كما الفداء

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example mentioned in the table is more incriminatory of Khālid in al-Mubarrad's version. Whereas in al-Zubayr b. Bakkār's version Christians, Zoroastrians, and Jews controlled the wealth of the Muslims by taxing them (*wa-tuwallihim amwāl al-muslimīn kharājihim*), in al-Mubarrad's version, Christians and Zoroastrians (the Jews have been deleted) were not only in charge of taxation (*wa-jibwati kharājihim*) but also had their say on life and death when it came to Muslims (*tawliyatuhum riqāb al-muslimīn*), a harsh accusation indeed. This allegation may have been added in order to worsen Khālid's image, since the power granted to the non-Muslims by Khālid is greater in al-Mubarrad's version.

Date and 'Writer' of the Letter

Both versions agree on 119 as the date when the letter was written, which corresponds to 736–37; that is probably a few months before Khālid's dismissal in 120/738. The letter mentions Mughīra b. Saʿīd's rebellion, which occurred the same year, in 119/736–37. Therefore, it must have been composed shortly after this episode. Besides, among the criticisms of Khālid listed in the letter, one finds his hostility towards Ḥassān al-Nabaṭī, a *mawla* of Hishām and follower of the subsequent governor Yūsuf b. ʿUmar. This information is part of the narratives of Khālid's downfall,[39] and it is used as an opening to the historiographical section on that topic in sources like al-Ṭabarī's *Tārīkh* or the *Kitāb al-Wuzarāʾ* of al-Jahshiyārī (d. 331/942). First, the poor relationship between the two men is recalled. Next, Ḥassān al-Nabaṭī's intrigue is told. The 'stratagem' Ḥassān used to tell the caliph about Khālid's huge wealth comprises most of the report. The narratives end with the following note: 'This thought became established in Hishām's mind, so that he resolved to dismiss Khālid.'[40]

Even though this account is also part of the chapter on the year 120 in al-Ṭabarī's *Tārīkh*, the letter sent to Khālid may have been a consequence of Ḥassān's revelation to Hishām of Khālid's fortune. On the one hand, Khālid's wealth is one of the main themes of the letter. On the other hand, in one section of the letter, the caliph writes that Khālid must fear God's punishment and that he cannot reprimand him without bringing him to Damascus. Hishām then specifies that someone has the power to force

[39] Especially in the accounts by al-Ṭabarī (d. 310/923), al-Balādhurī (d. 302/892), and al-Jahshiyārī (d. 265/868–69): al-Ṭabarī, *Taʾrīkh*, 7:142–43 (2:1641–42); al-Balādhurī, *Ansāb al-Ashrāf*, ed. Suhayl Zakkār and Riyāḍ Ziriklī, (Beirut: Dār al-fikr, 1996), 9:94; al-Jahshiyārī, *Kitāb al-Wuzarāʾ*, 61–62.

[40] For example, in al-Ṭabarī, *Taʾrīkh*, 7:143: *fa-wuqirat fī nafasi Hishām, fa-azmaʿa ʿalā ʿazlihi.*

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Khālid to confess his faults one by one.[41] This person may have been Ḥassān al-Nabaṭī.

This interpretation is confirmed by al-Mubarrad's introduction to the letter, presenting it as a consequence of Ḥassān's revelations of Khālid's excesses and misdeeds, together with the denunciation of Khālid's behaviour with Ḥassān's son. However, according to the introduction in al-Zubayr b. Bakkār's version, what prompted the letter is not directly related to Ḥassān al-Nabaṭī but derived from the fact that Khālid had accumulated significant wealth and estates. Although they do not focus on the same grounds, these two ways of contextualising the letter do not contradict each other since Khālid's wealth is also part of what Ḥassān has to say about him to Hishām.

As for the writer of the letter, Wadād al-Qādī dissipates some of the mysteries surrounding his identity in her article 'Early Islamic State Letters: The Question of Authenticity'. Her paper chiefly concerns the missives of ʿAbd al-Ḥamīd al-Kātib, but she has to deal with this letter in the last part when she discussed problems of attribution of letters supposedly written by ʿAbd al-Ḥamīd.[42] As previously mentioned, a shorter version had been attributed to ʿAbd al-Ḥamīd by al-Qalqashandī. The two other versions are attributed either to Sālim Abū al-ʿAlāʾ or to his son, ʿAbd Allāh. Sālim was ʿAbd al-Ḥamīd's teacher and also his father-in-law or brother-in-law. Sālim was an established secretary, known to have been Hishām's chief of chancery. A *khabar* about the writing of another letter in al-Ṭabarī's *Tārīkh,* in the narratives about Khālid's downfall, clearly confirms this fact. In this account, Hishām became angry with Khālid after receiving a letter. He asks Sālim to 'answer [Khālid] in his own words'. Then, al-Ṭabarī specifies that 'Sālim was in charge of the *dīwān*' (*wa-kāna Sālim ʿalā al-dīwān*).[43] This event presumably occurred after Hishām resolved to dismiss Khālid, which is supposedly not yet the case in the letter examined here.

Al-Qāḍī compared the three versions of our letter (al-Zubayr's, al-Mubarrad's and al-Qalqashandī's) and came to the conclusion that the original text is the long Sālim/ʿAbd Allāh version as transmitted by both al-Zubayr and al-Mubarrad. The shorter one, attributed to ʿAbd al-Ḥamīd, has been 'neutralised'. All the historical references were deleted (perhaps by al-Qalqashandī), so that it could be used as a template for the ruler's secretaries. Taken in isolation, nothing enables us to trace it back to Khālid.[44] Moreover, ʿAbd al-Ḥamīd is not known to have worked at Hishām's court

[41] See Appendix, ll. 28–30, for al-Mubarrad's version, Appendix, note 50.
[42] al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 260–69.
[43] al-Ṭabarī, *Taʾrīkh,* 7:148 (2:1649–50).
[44] al-Qāḍī, 'Early Islamic State Letters', 266.

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in Syria when the letter was composed. Instead, he was serving Marwān b. Muḥammad (r. 127–32/744–50) in Armenia.[45] Therefore, he could not have written the letter.

It is harder to determine whether the letter was written by Sālim or by his son, ʿAbd Allāh b. Sālim. Judging on the basis of style and renown, al-Qāḍī is inclined to believe that the original letter was written by the son. When she uses renown as a criterion, she points out that Sālim was certainly more famous than his son. He was ʿAbd al-Ḥamīd's tutor and his letters were collected into a book, unlike those of his son.[46] Therefore, a letter from the hand of Sālim's son could easily be attributed to the father. The opposite is far less likely.[47] According to this reasoning, I concur with al-Qāḍī's conclusions that the letter was written by a secretary in Hishām's chancery, likely ʿAbd Allāh b. Sālim.

In the narratives about Khālid's life and death, found notably in some of the most important narrative sources on the Umayyad period, al-Balādhurī's *Ansāb al-ashrāf* and al-Ṭabarī's *Tārīkh al-rusūl wa-l-mulūk*, the letter is not quoted. When it comes to the story of his downfall, other correspondence is mentioned and letters (*rasāʾil*) are often quoted, but this particular epistle is omitted. To be more specific, although this letter may be mentioned, it is not singled out from the rest of the correspondence, whereas other letters are reproduced in full.[48] What is however striking is that even though the letter is not quoted, many of the specifics in the letter match up nicely with the standard narratives about Khālid, as examined in 'Intertextuality: The Letter in Light of Narratives of Khālid's Fall' below.

Intertextuality: The Letter in Light of Narratives of Khālid's Fall

When the letter is compared to narratives in al-Ṭabarī's *Tārīkh*,[49] al-Balādhurī's *Ansāb al-ashrāf,*[50] and the *Kitāb al-Aghānī* of Abū al-Faraj al-Iṣfahanī (d. shortly after 360/971)[51] as well as al-Jahshiyārī's *Kitāb al-Wuzarāʾ* in one case,[52] it is clear that parts of it match with events

[45] al-Qāḍī, 'Early Islamic State Letters', 222, 267.
[46] al-Qāḍī, 'Early Islamic State Letters', 269 referring to Ibn al-Nadīm, *Kitāb al-Fihrist*, 131.
[47] al-Qāḍī, 'Early Islamic State Letters', 267–68.
[48] See for example in al-Ṭabarī's *Tāʾrīkh*, 7:143–45 (2:1642–44).
[49] al-Ṭabarī, *Tāʾrīkh,* vol. 7.
[50] al-Balādhurī, *Ansāb al-Ashrāf*, vol. 9.
[51] Abū al-Faraj ʿAlī b. al-Ḥusayn al-Iṣfahānī, *Kitāb al-Aghānī* (Cairo: Dār al-Kutub, 1927–81), 22:1–29.
[52] al-Jahshiyārī, *Kitāb al-Wuzarāʾ*, 61.

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Table 9.2a *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 1*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
1	When you say to your companions, 'By God, Iraq gave me neither eminence nor honour and the Commander of the Faithful did not grant me something men before me, among those who were less than me, did not get' (ll. 7–8).	9:95 Transmission/ *isnād*: al-Madāʾinī.	7:146 (2:1646), year 120/738 without specified *isnād*: *dhukira*.	22:25 Transmission: al-Madāʾinī.

recounted in those narratives, or with general themes about Khālid's life and downfall in Arabic historiography.[53] I should mention that these reports appear not only in narratives about Khālid's downfall but also elsewhere in other parts of his biographical narratives. In the following development, I concentrate on eight specific references. Each item sheds light on connections and intertextuality between the letter and narratives about Khālid.

The first excerpt from the letter deals with Khālid's statement that he was not honoured to be the governor of Iraq (Table 9.2a). It can be understood as evidence of Khālid's ingratitude towards Hishām for the benefits he obtained from this caliphal appointment. The text goes on to recall Khālid's origins in the Bajīla tribe, which is not one of the most noble. The same statement Khālid supposedly said is also carefully transmitted and quoted in the three sources investigated (al-Balādhurī, al-Ṭabarī, and al-Iṣfahānī). In all three cases, the statement is inserted in a *khabar* explaining that Hishām was informed about it, and wrote to Khālid denigrating him by pointing to his Christian mother and his tribe, the 'small contemptible Bajīla'. The three *akhbār* are almost identical and in al-Balādhurī and al-Iṣfahānī's books, al-Madāʾinī is the historiographical authority. As for al-Ṭabarī, he does not give an *isnād*, but I can firmly assume that it was also transmitted by him.[54] Given the *isnād* in al-Zubayr b. Bakkār's version of the letter, we

[53] The investigation will need to be conducted beyond these sources which have been selected. It is worth pointing out that other sources preserved long developments about Khālid al-Qasrī, such as Khālid's entry in *Taʾrīkh Dimashq* of Ibn ʿAsākir (about his biography, see Judd, 'Ibn 'Asākir's Peculiar Biography of Khālid al-Qasrī').

[54] In a forthcoming article about Khālid al-Qasrī's notice in the *Kitāb al-Aghānī*, I offer a demonstration arguing why al-Madāʾinī was also the authority for the transmission of this specific *khabar* in al-Ṭabarī's book. I do so by comparing a similar sequence of *akhbār* found in al-Ṭabarī, al-Balādhurī and al-Iṣfahānī's works.

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know that this information was also transmitted there and most importantly within the letter by al-Madāʾinī. Therefore, I suggest that the *khabar* about Khālid's statements may stem from the letter, especially because the *khabar* does not indicate the context of the statements. Al-Madāʾinī might have derived it from the letter, perhaps in the course of his teaching.

The second excerpt from the letter is devoted to Mughīra b. Saʿīd's rebellion that occurred around al-Kūfa in 119/737–38 (Table 9.2b). Both versions refer to the rebellion, but only al-Mubarrad's specifies that Khālid asked for water when he heard about the fighting. In each of the three other narrative sources, a slightly different *khabar* reports this incident and they all include reference to the request for water. Each *khabar* has a different *isnād*, tracing different chains of transmission, and each contains a short part in prose and some verses of poetry, composed by a different poet in each case. This paper is not the place to discuss the relationship between poetry and prose in Arabic historiography.[55] Therefore, I will simply observe that if the addendum in al-Mubarrad's version is absent from the al-Zubayr's version of the letter, it may be because al-Mubarrad or the one who transmitted the letter to him had learned of the *akhbār* and poetry about this event and added it into the letter. When the letter was written in 119, the details of the rebellion, the poems, and the story of Khālid's reaction to the news may not yet have spread very far outside of Iraq, especially given the fact that the letter was written the same year that this rebellion occurred. In any case, the episode of rebellion and Khālid's reaction are cited to denounce his behaviour and lack of courage. As in the letter, the *khabar* blame his lowly tribal background, in part, for this cowardice.

The third excerpt is quoted only in the *Kitāb al-Aghānī,* in the first section of Khālid's biography, when al-Iṣfahānī writes down his genealogy (Table 9.2c). More generally, this reference to Khālid's grandfather's loyalty to Muʿāwiya during the Battle of Ṣiffīn is related to Khālid's genealogy and tribal origin. Both are important themes of the letter, and of the narratives that I have read about him as well.

In the fourth excerpt, the letter mentions an event which took place during Khālid's governorship over Mecca when he whipped a Qurashī and was then whipped as a punishment for his action by Sulaymān b. ʿAbd al-Malik

[55] About poetry in narrative sources, see notably Ramzi Baalbaki, Saleh Said Agha, and Tarif Khalidi (ed.), *Poetry and History, The Value of Poetry in Reconstructing Arab History* (Beirut: American University of Beirut Press, 2011); Peter Webb, 'Poetry and the Early Islamic Historical Tradition: Poetry and Narratives of the Battle of Ṣiffīn', in *Warfare and Poetry in the Middle East,* ed. Hugh Kennedy (London/New York: I. B. Tauris, 2013), 119–49.

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Table 9.2b *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 2*

	Excerpts from the letter (al-Mubarrad's version in *al-Kāmil fī al-lugha wa-l-adab,* 4:308 ll. 18–20*)*	*Ansāb al-Aahrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
2	And, in fact, forty men attacked you and seized your Treasury and your storehouses so that you said: 'Pour me water', by confusion, turmoil and cowardice. Then you only manage them asking for your safety. Then you betrayed the protection that was given to you. Among them were Razīn and his companions.	9:76 Last *khabar* of the section devoted to Mughīra b. Saʿīd. Collective *isnād*: *qālū.* Some verses of poetry: poet: Mālik b. Asmāʾ b. Khārija.	7:129 (2:1621) Transmission/*isnād*: ʿAlī b. Muḥammad and Aḥmad b. Zuhayr. Very short prose part and verses of poetry composed by Ibn Nawfal.	22:13 Transmission/*isnād:* 'al-Yazīdī told me according to Sulaymān b. Abī Shaykh according to Muḥammad b. al-Ḥakam, and Abū ʿUbayda reported it, and the wording is his, they said.' Verses of poetry: poet: al-Kumayt.

Table 9.2c *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 3*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
3	Your grandfather Yazīd b. Asad has joined with Muʿāwīya in the Battle of Ṣiffīn and he exposed his religion and his blood (meaning his life), though Muʿāwīya did not appoint him, nor grant him what the Commander of the Faithful granted you and appointed you (ll. 14–15).			22:4 Transmission/*isnād* 'As for Yazīd, his son, and he transmitted from him (the Prophet) many accounts and Jarīr b. ʿAbd Allāh reported a *khabar* about his conversion to Islam, Khālid b. Yazīd related about that from him, from Ismāʿīl b. Abī Khālid, from Qays b. Abī Ḥāzim, from Jarīr b. ʿAbd Allāh, he said.'

(r. 96–99/715–17), according to al-Iṣfahānī (Table 9.2d).[56] This episode is described at length in *Ansāb al-ashrāf* (immediately after the report about the rebellion of Mughīra b. Saʿīd) according to two transmitters from

[56] Khālid's governorship of Mecca probably occurred during the caliphate of Sulaymān b. ʿAbd al-Malik (r. 96-9/715–17), but there is some doubt as it could have been under ʿAbd al-Malik (r. 65–88/685–705) or al-Wālid (r. 86–96/705–15). See Steven C. Judd's entry about Khālid al-Qasrī in *Encyclopedia of Islam THREE. ONLINE.*

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Basra, al-Aṣmaʿī (d. 213/828 or 216/831) and Abū ʿUbayda (d. c. 210/825). This incident is presented in the *Kitāb al-Aghānī,* when al-Iṣfahānī gives an account of the relationship between Khālid and the Umayyad poet al-Farazdaq (c. 20-114/c. 641–732). Al-Farazdaq composed some verses of poetry, first when the man who had to suffer from Khālid made a complaint about him and then, when Khālid was publicly whipped in front of his people as caliphal punishment for his reckless behaviour. Within the historiography about Khālid, this Meccan episode is important for many reasons. One of them is related to the relationship between Khālid and al-Farazdaq. The poet's satirical verses about Khālid's humiliating whipping are considered to be the source of Khālid's hostility towards him. Later, during Khālid's governorship over Iraq, al-Farazdaq was imprisoned. Some *akhbār* link his decision with the verses written about the Meccan episode and some with a different series of satirical verses al-Farazdaq wrote, about the al-Mubārak canal.[57] This is further evidence that stories about Khālid's ill-advised behaviour as mentioned in the letter are also a common theme in Khālid's biographies.

The fifth excerpt refers to a precise event as well: the digging of the al-Mubārak canal (Table 9.2e). One of the central themes of standard narratives about Khālid's downfall is his fortune and the suspicion of misappropriation. Hishām criticises Khālid for spending too much money on building the canal (12 million dirhams). Thus, in the narratives of the

Table 9.2d *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 4*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
4	Among them [your stupidities], the Qurashī that you took it out on with abuse in the Ḥijāz, and God hit you with the whip you have stricken that man with, shamed in front of your subjects! The Commander of the Faithful might retaliate against you with something similar. If he does so, you would deserve it, if he is forgiving, it would be worthy of him (ll. 30–32).	9:75–78 *isnād*: al-Aṣmaʿī and Abū ʿUbayda. NB on page 45: in a report about al-Farazdaq's imprisonment. *Isnād*: Abū Yaqẓān.		22:19–20 *Khabar* about relationships between Khālid and al-Farazdaq. *Isnād*: Ibn al-Kalbī. Verses of poetry composed by al-Farazdaq.

[57] al-Iṣfahānī, *Kitāb al-Aghānī*, 22:21.

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causes of Khālid's downfall in *Ansāb al-Ahsrāf*, in a *khabar* transmitted by Ibn ʿAyyāsh (d. c. 193/809),[58] the al-Mubārak canal is listed among the canals dug by Khālid from which he skimmed off millions of dirhams.[59] It is said that the canals are one of the reasons why Hishām resolved to remove him, for laying his hands on the provincial wealth. Besides, this is how the letter is contextualised in the *Akhbār al-muwaffaqiyyāt*. The al-Mubārak canal is mentioned multiple times in the *Ansāb al-Ashrāf* when it comes to Khālid. Further *akhbār* can be identified in the *Kitāb al-Aghānī* (not to mention in *Futūḥ al-buldān*, Ibn Sallām's *Ṭabaqāt al-shuʿarāʾ* or Yāqūt's *Muʿjam al-buldān*).[60] In all those *akhbār*, nothing is said about the expenses and the canal is often mentioned (except in *Futūḥ al-buldān*) in relation to satirical verses of poetry composed by al-Farazdaq. The narratives about this canal comprising the verses of poetry are really interesting, since two completely distinct *akhbār* can be found in the sources. The verses are identical, but the contextualization differs. The prose tells different stories and the *isnāds* suggest that we are dealing with two chains of transmission. For the purpose of this chapter, it is worth specifying that the al-Mubārak canal is associated with two subjects: building projects undertaken by Khālid during his governorship, and his relationship with al-Farazdaq. What deserves to be singled out is that in the narratives about Khālid, to the best of my knowledge, it is the only canal that receives such a level of interest and specific *akhbār*, even though Khālid dug several. The al-Mubārak canal is also the only canal named and condemned in Hishām's letter. It is thus tempting to conclude that the al-Mubārak was singled out by the *akhbāriyyūn* who transmitted stories about Khālid due to the letter. It is not unlikely that numerous *akhbār* about Khālid's public works projects were circulating at the time and were transmitted, especially if poetry was composed about them. In narratives of Khālid's governorship, however, only the al-Mubārak canal is identified. This could be a sign that the letter was used as a historiographical 'pattern'.

[58] ʿAbd Allāh Ibn ʿAyyāsh al-Mantūf (d. 158/775) was an *akhbārī* from Kūfa. About him, see notably al-Khātib al-Baghdādī, *Taʾrīkh Madīnat al-Salām,* ed. Bashar A. Maʿrouf (Beirut: Dār al-Gharb al-Islamī, 2001), 11:187–88; Leder, 'Features of the Novel in Early Historiography. The Downfall of Xālid al-Qasrī', 79, note 32.

[59] al-Balādhurī, *Ansāb al-Ashrāf*, 9:98.

[60] I studied this particular *khabar* in a lecture entitled: 'From Political to Historiographical Use. About the Governor Khālid ibn ʿAbd Allāh al-Qasrī in *Ansāb al-Ashrāf* of al-Balādhurī'. for a conference in Cairo in April 2018. See also, Lucas, 'Le pouvoir de la terre', 45–48; 62–63.

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Table 9.2e *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 5*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
5	In addition to the 12 million dirhams you have misspent from God's money on [canal] al-Mubārak. (ll. 34–35).	Numerous references, among them: 9:98: short mention in a list of canals dug by Khālid from which Khālid earns a lot of revenues. *Isnād*: al-'Umarī according to Ibn ʿAyyāsh. 9:64–65: report about the digging of the canal. *Isnād:* Hishām b. al-Kalbī and al-Haytham b. ʿAdī.		22:20–21 *Isnād*: Ibn al-Kalbī. Verses of *hijāʾ*: al-Farazdaq. And from another poet.

The sixth excerpt has already been mentioned in relation to the contextualisation of the letter in al-Mubarrad's book (Table 9.2f). It concerns Ḥassān al-Nabaṭī and Khālid's hostility towards him. Both al-Balādhurī and al-Ṭabarī describe this hostility and Ḥassān al-Nabaṭī's role in revealing Khālid's fortune to Hishām, who accordingly resolved to dismiss him. Both 'opened' their narratives of the downfall with a similar *khabar*. This is also the opening that al-Jahshiyārī selected for his own section on Khālid's dismissal. The source of the narrative is al-Haytham b. ʿAdī (d. c. 207/822), who is known for his work about Khālid, the *Kitāb Maqtal Khālid b. ʿAbd Allāh al-Qasrī*.[61] I would argue that al-Mubarrad introduced the letter with a *khabar* related to Ḥassān al-Nabaṭī because the 'narratives' about Khālid had been packed and structured when he was writing, and one main narrative prevailed, which may not have been the case when al-Zubayr b. Bakkār composed his *Akhbār al-muwaffaqiyyāt*.

The seventh excerpt deals with Asad b. ʿAbd Allāh, Khālid al-Qasrī's brother, and refers to his first appointment over Khurāsān (Table 9.2g). There are multiple *akhbār* in al-Ṭabarī's *Tārīkh* about him, but this precise reference concerns the year 109/727, when Hishām was forced to remove Asad b. ʿAbd Allāh from office due to his violence against the local Muḍarites. Asad had been appointed in 106/725 by his brother Khālid. In the letter, the mention of Asad serves a double purpose. On the one hand, Hishām uses it to denounce Khālid's shortcomings as an administrator, in that he chose the wrong man for the job. On the other hand, it is further evidence of insufficient *nasab* and a corrupted tribe.

[61] Ibn al-Nadīm, *Kitāb al-Fihrist,* 100.

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Table 9.2f *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 6*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	al-Jahshiyārī, *Kitāb al-Wuzarā'*
6	And your opposition to the Commander of the Faithful in the matter of Ḥassān's patronage and the agent in charge of his estates and possessions in Iraq (ll. 38–39).	9:94 *Isnād*: al-ʿUmarī according al-Haytham b. ʿAdī.	7:142–43 (2:1641) Opening of the historiographical sequence about the downfall. No *isnād* but: 'Statements have been given about that. We will mention those which have reached us containing a report on that subject.'	al-Jahshiyārī, *Kitāb al-Wuzarā'*, 61.

Table 9.2g *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 7*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	Others sources
7	And the fact that you sent your brother Asad to the Khurāsān, showing partisanship to the detriment of a group of Muḍar. The Commander of the Faithful's spies told him that he belittled and despised them (ll. 42–43).		7:47 (2:1497–99), Year 109/727. Isnād: ʿAlī b. Muḥammad.	

The eighth and last excerpt (Table 9.2h), the last piece of precise information before the letter concludes, is another reference to Khālid's ancestry. It is so laconic that, without intertextuality, it is actually very difficult to understand. The sentence mentions Zirnab and the people of Ḥajar. In the *Kitāb al-Aghānī*, a *khabar* transmitted by Abū ʿUbayda explains the sentence. The *khabar* is in the section devoted to Khālid's genealogy and tells the story of his ancestor Kurz, a slave who ran away from his masters, the ʿAbd al-Qays. He found refuge with the Banū Asad and married Zirnab, another slave,[62] who gave birth to Asad. Kurz and his son freed themselves

[62] In al-Iṣfahānī, *Kitāb al-Aghānī*, 22:13, we read a *khabar* where Ibn al-Kalbī says that he lied about her being an Arab, that she was actually a slave.

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Table 9.2h *Comparing different versions of the letter as presented by al-Zubayr b. Bakkār, al-Mubarrad, al-Balādhurī, al-Ṭabarī and al-Isfahānī: part 8*

	Excerpts from the letter (al-Zubayr b. Bakkār's version)	*Ansāb al-ashrāf* of al-Balādhurī	*Tārīkh* of al-Ṭabarī	*Kitāb al-Aghānī* of al-Iṣfahānī
8	Forgetting the story of Zarnab and the stories of the people of Ḥajar, and what they said about Yazīd b. Asad (ll. 43–44).			22:11–12 *Isnād*: Abū ʿUbayda.

and settled with the Bajīla in Arabia. After some time, they claimed to belong to that tribe. The story goes on to say that they found refuge with Banū Suḥma. They killed a cousin of al-Qattāl, and then emigrated once again, to Bahrein.[63] It is worth mentioning that in the *Kitāb al-Aghānī*, this genealogy is regarded as the true genealogy, as opposed to another forged at Khālid's request.[64]

Across these specific episodes, with corresponding narratives in the historiography about Khālid, the letter encapsulates all the themes associated with Khālid in Arabic historiography: ungratefulness and lack of deference; wealth and suspicion of embezzlement; poor administration; and lowly roots (genealogy, that is, tribal origin, a Christian mother and slave ancestors). Although the narratives about Khālid and his downfall in the various literary sources I have investigated do not reproduce this particular letter, my study has clearly shown the links that existed between this letter and the *akhbār* circulating about Khālid. In 'The Ties that Bind a Caliph to His Deputy: Correspondence and Rhetorics of Power' below, I will unpack the nature of these connections to offer sharper insights into narrations about power figures and the expression of the ties that bound them together.

The Ties that Bind a Caliph to His Deputy: Correspondence and Rhetorics of Power

In this section, I will demonstrate what this type of letter tells us about the relationships between rulers and their representatives first through the nature of the relationships between this letter and Khālid's downfall narratives. This historiographical perspective is in my view significant since it participates actively in assessing the expression of ties that bound the

[63] al-Iṣfahānī, *Kitāb al-Aghānī*, 22:11–12.
[64] al-Iṣfahānī, *Kitāb al-Aghānī*, 22:13.

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empire as the letter unveils the cause of Khālid's removal. In the last part, I will address the meaning of state letters for historians as an expression of the 'power in writing'.

An Attempt at Unearthing the Relationships between the Letter and the Akhbār

It is no surprise that we find abundant developments on Khālid's downfall in an array of sources dealing with history or *adab*. Khālid al-Qasrī was indeed an important figure of the Marwanid period, remaining in office for fourteen years in Iraq. His term as governor of Iraq was therefore the second longest of the Umayyad period after al-Ḥajjāj. In the previous section, I highlighted how the letter interacts with specific *akhbār*. Now, how can we reconcile the narratives and this letter?

My investigation into the intertextuality process suggests that the slight variations noticed between the two versions of the letter and its contextualisation in al-Zubayr b. Bakkār's and al-Mubarrad's works could be explained by the generational gap between the two authors. I assume that these two works belong to two different strata in the making of Khālid's downfall narratives, and that the state of the transmission of the letter in the *Kāmil* of al-Mubarrad was the result of the influence of the structuration of Khālid's downfall narratives, as we can read them in al-Ṭabarī's or al-Balādhurī's works.

I notably highlighted the role of al-Madāʾinī and other *akhbāriyyūn* from the late eighth century and the first half of the ninth century in the transmission of both the letter and the *akhbār* about Khālid. A focus on the actors involved in the transmission can provide further evidence of the historiographical strata I want to underline. As previously stated, one of the proofs of the historical existence of the letter rests upon aspects of the transmission notably in al-Zubayr b. Bakkār's text. The *isnād* found in *Akhbār al-muwaffaqiyyāt* relies upon the transmission of Qaḥdham, whose identity I discussed above. The role he played in the provincial administration and his position as a secretary offer evidence for explaining its preservation. Moreover, direct links can be reconstructed between al-Madāʾinī and Qaḥdham and between al-Madāʾinī and al-Zubayr b. Bakkār. Therefore, I am confident that al-Madāʾinī had a role to play in the collection, preservation, and transmission of this letter. I would like to argue that al-Zubayr b. Bakkār preserves an earlier stage of the construction of Khālid's downfall narratives, the one of al-Madāʾinī, in which the letter plays an important part.

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Although al-Madāʾinī appears to be one of the main historiographical authorities in the narratives about Khālid in the sources investigated, this letter is not repeated by either al-Ṭabarī, al-Balādhurī or al-Iṣfahānī. How can this be explained? First, it is worth pointing out that the teaching of an *akhbārī* might have changed and evolved over time inasmuch as al-Zubayr b. Bakkār recorded a certain state of al-Madāʾinī's teaching where he uses the letter as an integral part of the narratives.[65] As it turns out, I showed that *akhbār* transmitted by al-Madāʾinī might have stemmed from the letter (see the first excerpt analysed in 'Intertextuality: The Letter in Light of Narratives of Khālid's Fall' above) or at least might have participated in preserving some *akhbār* over others, as in the case of the al-Mubārak canal.

Second, we have to consider what the sources of al-Balādhurī and al-Ṭabarī actually were when they composed their narratives about Khālid's downfall. In the article that he devoted to these narratives, Stefan Leder makes a strong case for the role played by al-Haytham b. ʿAdī as an important common source to both authors about the history of Khālid's dismissal.[66] Interestingly, what he also assumes is that the missing link between al-Haytham b. ʿAdī and the other *akhbāriyyūn* from the beginning of the ninth century on the one hand, and al-Balādhurī and al-Ṭabarī on the other hand, might have been a certain al-ʿUmarī. The latter, also known as Ḥafs b. ʿUmar, was a transmitter of al-Haytham.[67] Leder's hypothesis is that al-ʿUmarī would have transmitted a compilation of *akhbār* coming from al-Haytham but also other *akhbāriyyūn*, among which we could count al-Madāʾinī.[68] What is important to highlight with Leder is the existence of this 'missing link', possibly al-ʿUmarī, who played a role in the transmission of *akhbār* about Khālid's dismissal. If we are to assume that al-Balādhurī and al-Ṭabarī reported narratives about Khālid which had already been packed in thematic clusters and sequenced, the absence of the letter in their narratives would mean that the reproduction of this letter had been removed from Khālid's narratives before they composed their works. Therefore, the letter, used as a literary device in the story of Khālid's removal, as one can read it in al-Zubayr's work, only represents a certain stage of Khālid's

[65] About al-Madāʾinī's teaching practices, see Ilkka Lindstedt, 'Who Authored al-Madāʾinī's Works?'. in *Concepts of Authorship in Pre-Modern Arabic Texts*, ed. Lale Behzadi and Jaakko Hämeen-Anttila (Bamberg: University of Bamberg Press, 2016), 157; and about transmission in general and the dissemination of these *akhāriyyūn*'s works, see Gregor Schoeler. *The Oral and the Written in Early Islam,* transl. Uwe Vagelpohl, ed. James Montgomery (London & New York: Routledge, 2006), 40–42.

[66] Leder, 'Features of the Novel in Early Historiography. The Downfall of Xālid al-Qasrī', 77–80.

[67] Ibid. 81.

[68] Ibid. 82.

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removal narratives if we place it in a temporal frame, and at the same time it represents a certain version of Khālid's removal narratives. It might also mean that al-Madāʾinī's teaching about Khālid and his demise was not the one which prevailed in al-ʿUmarī's compilation and in later sources. This is actually consistent with the fact that al-ʿUmarī is known to have been primarily a transmitter of al-Haytham b. ʿAdī, meaning that the narratives in al-Balādhurī and al-Ṭabarī mainly stem from him, as suggested by Leder, even though some *akhbār* come from al-Madāʾinī.

This hypothesis can be supported by the death dates of the authors. Al-Zubayr b. Bakkār, who died in 256/870, is obviously the oldest one to recall the letter. In his article, Leder proposed to identify al-ʿUmarī with a shiʿite dignitary who died after 260/873.[69] If the identification of al-ʿUmarī by Leder is right, his death would therefore be contemporary with that of al-Zubayr, and he would then belong to the same generation as al-Zubayr. Even if this identification is on the contrary incorrect, one can nevertheless assume that al-ʿUmarī, whoever he was, died in the second half of the ninth century, or at least that he survived al-Haytham b. ʿAdi, who died around 27/822. A second stratum can be identified comprising al-Balādhurī (d. 279/892), al-Mubarrad (d. 285–86/898–900), and al-Ṭabarī (d. 310/923). In this second stage, it is necessary to separate al-Balādhurī and al-Ṭabarī, who did not record the letter, and al-Mubarrad, who did.

Where these three authors meet however is in the way al-Mubarrad contextualises the letter, in a similar fashion to the other two narratives that give to Ḥassan al-Nabaṭī an important role. Besides, the discrepancies between the two versions of the letter are easily explained when we look at this chronology. When al-Mubarrad recorded the letter, he or the one who transmitted it to him, made some additions that seem to stem from the *akhbār*. However the fact that al-Mubarrad reproduced the letter in his work testifies that the letter continued to be transmitted but with a different purpose to that of al-Zubayr b. Bakkār. The reason why al-Mubarrad chose to reproduce the entire letter, other than for the sake of comprehensiveness, might have been for the letter to serve as a model for his readership, possibly some secretaries of the chancery. The subject would then be that of an impaired relationship between a caliph and a governor, and more generally between a delegating authority and a delegate, about the delegate's misconduct.

[69] Leder, 'Features of the Novel in Early Historiography. The Downfall of Xālid al-Qasrī', 81. As has been pointed out to me by Edmund Hayes, Leder's identification is problematic and deserves further investigation since he might have conflated two men, a shiʿite dignitary and another shiʿite transmitter.

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So far, I have tried to get a better understanding of the absence of this letter in al-Ṭabarī and al-Balādhurī's narratives and to explain how the differences between both sources recording the letter might have come from the transmission processes and the making of Khālid's downfall narratives. I would like to develop some other hypotheses about the relationships between the letter and the *akhbār*. One can assume that selection of *akhbār* from the bulk of anecdotes about Khālid might have been guided somehow by the letter, and overall we might wonder to what extent this particular letter participated in drawing a negative image of Khālid in the narratives. The letter could be regarded therefore as a kind of framework or template used by some authors, first of all al-Madāʾinī, to compose historiographical sections or packages devoted to Khālid and his demise.

We may envision an entangled development of the letter and the *akhbār*. One can recall that, before the letter was penned in 119/737, *akhbār* (in the prosaic meaning of 'news') about Khālid and his conduct in Iraq are said to have been transmitted to Hishām in one way or another. Thus, information about Khālid circulated before the letter had been written, which is actually confirmed by the letter itself.[70] For the letter to be written by Hishām's secretary, the caliph needed to have been informed about Khālid's acts and sayings. In other words, the existence of this letter depends on testimonies and information already circulating in Hishām's time. Once the letter had been written and sent, it existed as a document that could be used for multiple purposes. As a state letter, it could be transmitted as a template for secretaries of the chancery when they needed to write letters on similar subjects on behalf of their superiors.[71] In that context, intelligibility issues can explain changes in the wording. The transmitters actualised or upgraded the meaning in a modified wording because of the evolution of the Arabic language, for example. A fragile balance between preserving rhetorical forms and formulaic expressions and maintaining the understandability of the text was at stake. The differences between both versions of the letter are also highlighted here. At no time did the discrepancies have an impact on the meaning (we could also use the Arabic concept *maʿnā*).[72] Moreover, the use and transmission of the letter were not restricted to chancery manuals but also applied to the various literary contexts in which

[70] Explicitly ll. 2 and 27–29 and implicitly when Hishām mentions different events and Khālid's wrongdoings.

[71] al-Qāḍī, 'Early Islamic State Letters: The Question of Authenticity', 223–24; 237–40.

[72] About the notion of *maʿnā*, see Nadja Germann's entry for *maʿnā* in *Encyclopedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (Leiden: Brill, 2023–).

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the letter was cited, most notably in the context of Khālid's downfall as it happens in *Akhbār al-muwaffaqiyyāt,* where the letter is placed into a 'new written context'. The letter could also, as I tried to demonstrate, influence these narratives. In any case, whether the letter was recorded or not, we deal with sources which were composed and come to us shaped by their authors and modified through the transmission. Therefore, the intertwined fabric of Khālid's downfall narratives and the circulation of the letter must defy us at some point, notably because we have to deal with sources that only represent a certain stage in the entire course of the transmission and leave us with missing links. This does not preclude understanding what was the purpose of the authors who recorded the letter. Moreover, this investigation into the relationships between the letter and the narratives allows us to assess to what extent this letter provides insights into Khālid's removal, as I will demonstrate in 'The Mechanisms of Khālid's Downfall' below.

The Mechanisms of Khālid's Downfall

In his important article, Stefan Leder wrote that 'our sources do not offer us any clear and plausible explanation for Khālid's fate. Apart from Haytham's account many opinions have been expressed'.[73] There is indeed no way to know which specific event convinced Hishām to remove Khālid. Consider the variety of reasons offered in the sources: I have already evoked the *khabar* shared by al-Ṭabarī, al-Balādhurī and al-Jahshiyārī in which Hishām resolved to dismiss Khālid after Ḥassān al-Nabaṭī's revelation about Khālid's wealth. Abū al-Faraj al-Iṣfahānī highlights another episode which is not related to Khālid's fortune. According to him, Hishām resolved to dismiss Khālid because he had told his son that he was just as important as Hishām's son.[74] In other words, Khālid took side with regard to Hishām's succession and al-Iṣfahānī explains: 'This is the reason for his removal from Iraq.'[75] Ibn ʿAsākir offers another explanation relying on another important Basran *akhbārī* and philologist of Basra, al-Aṣmaʿī (d. 213/828). According to the report, a woman came to Khālid complaining that one of her *ghulāms* had raped her. Khālid responded in an unacceptable manner to this accusation by asking if she had enjoyed the encounter with an uncircumcised man. Al-Ḥassān al-Nabaṭī, who appears to have witnessed the exchange, reported the incident to Hishām, prompting Khālid's dismissal.[76]

[73] Leder, 'Features of the Novel in Early Historiography. The Downfall of Xālid al-Qasrī', 76.
[74] al-Iṣfahānī, *Kitāb al-Aghānī*, 22:17.
[75] Ibid.
[76] Judd, 'Ibn 'Asākir's Peculiar Biography of Khālid al-Qasrī', 144–45.

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Although the historiography does not agree on why exactly Khālid fell from grace, Ḥassān al-Nabaṭī often emerges as a key player; at least some of the narratives attribute a role to him, but that may be because he was a close ally of Khālid's successor Yūsuf b. ʿUmar. On that matter, there may have been some revisionism in writing about the end of the Marwanid dynasty. The involvement of Yūsuf b. ʿUmar, who succeeded Khālid, in his downfall might have been overlooked somehow. Yet, one cannot ignore that Yūsuf b. ʿUmar was the son of ʿUmar b. Hubayra, who preceded Khālid in the governorship of Iraq and was replaced by him in 123/724 at the very beginning of Hishām's reign.[77] As for ʿUmar's dismissal, al-Balādhurī records how the replacement went and how ʿUmar's put him in jail.[78] In that context, one might wonder to what extent the dismissal of Khālid was also the result of a manoeuvre by Yūsuf and his allies, notably Ḥassān al-Nabaṭī. In the letter, Yūsuf b. ʿUmar is not mentioned explicitly, but Ḥassan is, and Hishām insists on the fact that Khālid has many potential successors (l. 47) who would include Yūsuf b. ʿUmar. In any case, we can firmly say that the specific trigger for the removal of Khālid remains somehow unveiled to us. It is possible, however, to observe the ways the letter allows us to get a better picture of how Hishām justifies the removal to come.

If we leave aside the specific grievances addressed to Khālid in the letter, for which some corresponding *akhbār* are found in other sources, blame can be summarised as follows. Hishām blames Khālid for his ingratitude and his lack of respect, for his poor performance in the administration of Iraq and for his fortune with suspicion of misappropriation. They can be divided into two groups. Ingratitude and lack of respect are personal criticisms of Khālid's behaviour and character. In other words, he is accused of failings as an individual and in his personal relationship with Hishām. The other two criticisms refer to him as a governor, and how he carries out his duties. Of course, the boundary between the individual and the governor is difficult to identify, and in the letter they do overlap. This overlapping can be understood insofar as all these criticisms come together in the figure of the deputy.

Khālid is merely a representative of Hishām in Iraq. His authority derives from a delegation of power alone. As Hishām's deputy, Khālid is his subordinate, and what Hishām blames him for is overstepping his governmental function and position as a subordinate. In a way, Khālid has disrespected

[77] al-Balādhurī, *Ansāb al-ashrāf*, 9:31.
[78] al-Balādhurī, *Ansāb al-ashrāf*, 9:35 and ss.

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the social and political hierarchy.[79] The delegation system, from God to the simple official, is recalled in one of the paragraphs of the letter (ll. 24–30).

Of course, Hishām is not explicitly the author of the letter. His secretary wrote it, on behalf of the caliph, referring to him in the third person singular. Nevertheless, Hishām should be considered to be the person addressing Khālid. In the paragraph in question, we read that God is angry with Khālid especially because of his lack of gratitude toward Hishām, and that Khālid must fear God's punishment. From this paragraph, the chain of delegation can be inferred: Hishām is the delegate of God, and Khālid is Hishām's delegate.[80] The aforesaid paragraph mentions Khālid's appointment of non-Muslim officials (ll. 22–23). Once again, we can read this reproach in light of the delegation rationale at the heart of the workings of the empire. To the caliph, these non-Muslim officials are his delegates. Therefore, if they abuse their power, it is as if the caliph has abused it.[81]

To ensure the workings of the empire through delegation of authority from God to the simple servant, the delegate needed to stick to his position and not exceed his office. Otherwise, the equilibrium was at risk. The main problem for Hishām was, on the one hand, Khālid's administration of Iraq, and, on the other hand, the issue of wealth. Hishām criticises Khālid for keeping tax revenues for himself and his people (ll. 37–38), sending less revenues than his predecessor (ll. 40–41) and misappropriating public funds (ll. 34–35). In addition, he insists that Khālid obtained great benefits thanks to his governorship over Iraq, and there is no doubt that he is referring to Khālid's considerable fortune. From Hishām's point of view, Khālid's wealth was acquired while he was governor, benefiting from his position. Therefore, Khālid's ingratitude and lack of respect is depicted as a sign of competition and a lack of loyalty. This is one of the paradoxes of an empire: to ensure its workings, caliphs must delegate their authority over large, wealthy regions like Iraq, but this delegation of power is a risk to their

[79] About the concept of delegation, see Annliese Nef, 'La délégation politique dans l'Occident fatimide avant 973', *Revue des mondes musulmans et de la Méditerranée* 136 (2016), 51–72.

[80] About the caliph as God's delegate and the expression 'God's Caliph', see Andrew Marsham, '"God's Caliph" Revisited. Umayyad Political Thought in Its Late Antique Context', in *Power, Patronage and Memory in Early Islam. Perspectives on Umayyad Elites*, ed. Alain George and Andrew Marsham (Oxford: Oxford University Press, 2018), 3–39.

[81] This rationale is implied in a section of the *Kitāb al-Kharāj* of Abū Yūsuf (d. 182/798) where he deals with the importance of monitoring the officials in charge of the fiscal administration. Abū Yūsuf mentions to the Caliph (the addressee of his treatise) that unjust behaviour and wrongdoings committed by these officials are regarded as the results of the order they received. In other words, the behaviour of the officials reflects upon the Caliph, who is the ultimate commander. Abū Yūsuf, *Kitāb al-Kharāj*, ed. Muḥammad Ibrāhīm al-Banā (Cairo: Dār al-Salām, 2016), 192.

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own position and authority. That is why they demand boundless loyalty from their delegates which they show through gratitude, deference, and the sending of some revenues to Damascus.[82] In this letter, issues of ingratitude and deference pertain to a certain rhetoric of governmentality that I shall address in 'A State Letter as a Political Gesture: Power in Writing and Other Historiographical Tools' below.

If we are to consider only the letter, it foreshadows the mechanism of Khālid's removal, emphasising the fact that Khālid overstepped his position. Khālid did not resolve to remain a subordinate and acted accordingly. This letter appears as an ultimate warning where specific grievances are used to illustrate the wrongdoings of Khālid not being the right delegate of the caliphal power.

Whether in the works of al-Zubayr b. Bakkār or al-Mubarrad, which recorded the letter in full, or in other sources where its shadow looms without being quoted by name, the significance of the contents and form of the letter can be considered to go beyond the story of the Iraqi governor. It serves as a more general example of the relationship between the caliph and his subordinate.

A State Letter as a Political Gesture: Power in Writing and Other Historiographical Tools

As I mentioned in the introduction to this chapter, correspondence between caliphs and their subordinates was common. Thanks to the *barīd,* or postal system, taking shape from the beginning of the Marwanid period onwards, written communication was transmitted relatively fast throughout the empire.[83] Reaching Kūfa from Damascus, during the Umayyad time, might have required between twelve and twenty days, and Kūfa from al-Ruṣāfa, about sixteen days.[84] This correspondence could also take the form of

[82] Marie Legendre, 'Aspects of Umayyad Administration', in *The Umayyad World*, ed. Andrew Marsham (London/New York: Routledge, 2020), 133–57, therein 135–36, 137.

[83] See Adam Silverstein, *Postal Systems in the Pre-Modern Islamic World* (Cambridge: Cambridge University Press, 2007), 59ff. On p. 85, Silverstein notes that Hishām's reign represents a turning point for the *barīd* as he spent 4 million dirhams a year on the facilities in the Sawād (57).

[84] Yūsuf Rāġib, 'La transmission des nouvelles en terre d'Islam. Les modes de transmission', in *La Circulation des nouvelles au Moyen Âge, XXIVe Congrès de la S.H.M.E.S. (Avignon, juin 1993)* (Rome: École française de Rome, 1994), 39. Legendre, 'Aspects of Umayyad Administration', 136. Following Legendre, an estimate of travel time between Kūfa and al-Ruṣāfa is produced through the website of the al-Thurayya project: https://althurayya.github.io/.

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decrees as addressed in Naïm Vanthieghem's contribution in this volume.[85] Letters were, generally speaking, convenient and efficient tools of communication and they were part of a complex administrative web, as Edmund Hayes shows in his contribution about communication between the Shiʿi imams and their followers.[86] Whether found as documents, such as papyri, reproduced in literary sources or only mentioned in passing in narratives, letters appear as a means par excellence of fostering links within the empire and ensuring its administration.

Therefore, it is no surprise to find letters frequently mentioned in narrative sources. When it comes to the most detailed narratives of the life and death of Khālid (e.g. in two of our main narrative sources on the Umayyad period, al-Balādhurī's *Ansāb al-Ashrāf* and al-Ṭabarī's *Tārīkh al-rusūl wa-l-mulūk*), correspondence between Khālid and Hishām appears regularly. We notably find them in the narratives about the cause of his dismissal. Twice, in al-Balādhurī's and al-Ṭabarī, Hishām is said to send letters to Khālid in response to some of his sayings.[87] On top of that, al-Ṭabarī inserted in his narratives another letter that is not in *Ansāb al-Ashrāf*. After the complaint of a man to Hishām that Khālid had offended him, Hishām addressed a letter to Khālid and another one to the other man. Both are reproduced in al-Ṭabarī's *Tārīkh*.[88]

Contrary to the letter studied here which addressed multiple wrongdoings of Khālid in an attempt to blame his condemnable behaviour as a governor, this letter deals with a specific misdeed. Khālid acted poorly towards Ibn ʿAmr al-Ashdaq and he mistreated an Umayyad who was, on top of that, the son of the patron of Khālid's father.[89] In both the letters addressed to Khālid, Hishām points out Khālid's ingratitude and the fact that his behaviour is inappropriate given his political and social position. In a similar fashion to the letter studied in this paper, he emphasizes his low *nasab* and insists on Khālid's genealogy as a justification for his poor behaviour.[90] A comparison between the two extended letters reveals a similar

[85] Naïm Vanthieghem, 'Early Arabic Decrees on Papyrus from the Abbasid Period', chapter 8 in this volume.

[86] Edmund Hayes, 'The Epistolary Imamate: Circular Letters in the Administration of the Shiʿi Community', chapter 7 in this volume.

[87] al-Balādhurī, *Ansāb al-Ahsrāf,* 9:95; al-Ṭabarī, *Taʾrīkh,* 7:146.

[88] al-Ṭabarī, *Taʾrīkh,* 7:143–45.

[89] ʿAbdallāh b. Yazīd al-Qasrī was the chief of security to ʿAmr b. Saʿīd al-Ashdaq, the son of ʿUthmān's governor of al-Kūfa and famous as a rebel executed by ʿAbd al-Malik. About the revolt, see al-Ṭabarī, *Taʾrīkh*, 6:140–49.

[90] Among the mentions of Khālid's genealogy in the letter, there is a laconic reference at the end to Khālid's ancestors Kurz and his son Asad, recalling his origin as a slave (ll. 44–46), the ascriptions of Khālid's ingratitude to his lowly birth (l. 6) and also the list of tribes with greater and longer-standing nobility from whom Hishām might have chosen a better suited governor (ll. 14–17).

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tone and rhetoric. We find echoes in the way Hishām speaks to Khālid and we witness interesting evidence of the language of disapproval of a caliph towards his governor. What it also shows us is the arena of speech in which the Caliph could address his governor, that is, what he could say to him when he wished to reproach him and how he did so. This emphasises the importance of the individual's social and genealogical position, as well as the obligations of being a governor and a delegate. These multiple letters addressed by a caliph to his governor are not only manifestations of their tensions; they also reveal mechanisms of power and, particularly in this specific case, mechanisms of a removal.[91]

At the same time, these letters are testimonies of the power in writing. As such, they not only convey a message to their addressees but are also acts of power on the part of issuers. As political gestures, these writings embodied the power of the ruler and it is no accident that some of these letters, namely the decrees, were performative. The fact that some letters were recorded and could be transmitted in literary sources is precisely because they were not only means of communication. In his article, Hayes describes the correspondence he studies as 'institutions of the imamate'. I would like to suggest that these letters were not only considered as discourses but also embodied political acts. In my view, their preservation in the narrative sources does just that. When they are reproduced, these letters become at the same time historiographic tools that aim to account for caliphal power in action. In the case of the work of al-Zubayr b. Bakkār, the letter clearly serves two purposes as it is used as an integral part of the narrative of the causes of Khalid's downfall. Ultimately, the letters reproduced in the narrative sources are particularly appropriate tools for speaking to questions of governance and the right way to rule. We could say, with M. Gordon, that they are good evidence that historical narratives operate like mirrors-for-princes,[92] inasmuch as they reproduce and actualise how ties

[91] It may be important to single out the correspondence between a caliph and his governor from the other correspondence for which we have evidence, such as the correspondence between a governor and his delegates. In this respect, Arietta Papaconstantinou devotes a very interesting article to these relationships in 'The Rhetoric of Power and the Voice of Reason: Tensions between Central and Local in the Correspondence of Qurra ibn Sharīk', in *Official Epistolography and the Language(s) of Power. Proceedings of the 1st International Conference of the Research Network Imperium and Officium: Comparative Studies in Ancient Bureaucracy and Officialdom, University of Vienna, 10–12 November 2010*, ed. Stephan Procházka, Lucian Reinfandt and Sven Tost (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2015), 267–81.

[92] Matthew Gordon, 'Swearing Abū al-Jaysh into Office: The Loyalties of Ṭūlūnid Egypt', chapter 5 and Edmund Hayes and Petra Sijpesteijn, 'Introduction: The Ties that Bound the Societies of the Islamic Empire', in this volume.

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are to be understood by later generations. This is particularly the case with the letter addressed to Khālid by Hishām. At the same time, the posterity of this letter, as illustrated by its presence in al-Qalqashandī's work, lies in the fact that it can be used as a template to compose other letters that would fit a similar context.

Conclusion

This chapter has shown that letters transmitted into narrative sources constitute useful material for the study of ties that bound the Islamic empire. The eighth-century letter analysed is transmitted in its entirety in two sources from the ninth century: in *Akhbār al-Muwaffaqiyāt* composed by al-Zubayr b. Bakkār and *al-Kāmil fi l-adab wa-l-lugha* of al-Mubarrad. We considered both versions that we compared in the course of this chapter. Looking at the transmission processes, we highlighted the role played by the milieu of the secretaries in Iraq and the actors of the historical writing during the eighth and ninth centuries. Our analysis contributes, in that sense, to reinforce the argument of Wadād al-Qāḍī regarding the authenticity of these state letters.

As the letter heralds Khālid al-Qasrī's downfall and lays the groundwork for his removal, we studied intertextuality between the letter and the narratives about Khālid's downfall in some well-known literary sources. This work allowed us to offer perspectives on the making of Khālid's dismissal narratives and to assess the role that the letter might have played in that. If the relationships between the *akhbār* and the letter are not straightforward, it remains possible to grasp some of the rationales when looking closely at evidence in transmission and composition.

Whereas the letter deals with a specific correspondence between Hishām b. ʿAbd al-Malik and one of his governors, Khālid al-Qasrī, and as such is specifically embodied in Khālid's narratives, its historical and historiographical relevance goes beyond that. Suffice to recall here that al-Qalqashandī records it neutralised of any specifics in order to provide templates to a secretary six centuries later.

Overall, this letter makes, in a way, explicit the conditions of possibility of these ties within the empire because it sheds light on the way communication between the caliph and his subordinates worked on issues as crucial as the condemnable behaviour of a governor and his possible dismissal. More importantly for the historian's scrutiny, if the letter has been preserved in narrative sources, it is due to its meaning, precisely the fact that it comprises

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an exemplar of a political gesture. This exemplarity is rooted in its literary qualities and also in the fact that it is an expression of the writing of power. In this letter, the caliph justifies his decision to dismiss his governor. This letter thus provides a better characterization of the ties between the caliph and his subordinates.

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Appendix

State letter from Hishām b. ʿAbd al-Malik to Khālid b. ʿAbd Allāh al-Qasrī

Edition from al-Zubayr b. Bakkār, *akhbār al-Muwaffaqiyyāt,* ed. Sāmī Makkī al-ʿĀnī (Beirut: ʿĀlam al-Kitāb li-l-Ṭibāʿa wa-l-nashr wa-l-Tawzīʿ, 2008), 243–47.[93]

[93] In the footnotes, I indicate the differences in readings between al-Zubayr b. Bakkār and al-Mubarrad's version; i.e. orthographical, preposition or particle differences as well as those involving changing words, deletion or addenda. Edition: Al-Mubarrad, *al-Kāmil fī al-lugha wa-l-adab,* ed. Muḥammad Abū l-Faḍl Ibrāhīm (Cairo: Dār al-Fikr al-ʿArabī, 1997, third edition), vol. 4, 99–102.

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بسم الله الرحمن الرحيم؛ أما بعد، فقد بلغ أمير المؤمنين عنك أمرٌ لم يحتمله منك[1] إلا لِما أحبَّ من رب صنيعته[2] قبلك، واستتمام معروفه عندك، وكان أمير المؤمنين أحق مَن استصلح ما فسد منك[3]، فإنْ تعُدْ لمثل مقالتك وما بلغ أمير المؤمنين عنك، رأى في معاجلتك بالعقوبة رأيه، إنّ النعمة إذا طالت بالعبد ممتدة أبطرته، فأساء حمل الكرامة، واستغل النعمة [4]، ونسب ما في يده[5] إلى جبلته وبيته ورهطه وعشيرته[6]، فإذا نزلت به الغير[7]، وانكشط[8] عنه عماية الغنى[9] والسلطان، ذلّ منقاداً وندم قسراً[10]، وتمكّن منه عدوه قادراً عليه، قاهراً له، ولو أراد أمير المؤمنين إفسادك لجمع بينك وبين من شهد فلتات خطلك[11]، وعظيم زللك، حيث تقول لجلسائك: والله ما زادني العراق[12] رفعةً ولا شرفاً[13] ولا ولاني أمير المؤمنين شيئاً لم يكن مَن كان قبلي[14]، ممّن هو دوني، يلي مثله. ولو[15] ابتليت ببعض مقاوم الحَجّاج أهل العراق[16] في تلك المضايق بمثل الجماعات التي لَقِي، لعلمتَ أنك من بَجيلة[17]، ولقد[18] خرج عليك أربعون رجلاً فغلبوك على بيت مالك وخزائنك، فما استطعتم إلاّ بأمان، ثم أخفرتَ ذِمّتك، فيهم رزين وأصحابه[19]، ولعمري لو حاول[20] أمير المؤمنين مكافأتك بلفظك[21] في مجلسك، وجحودك فضله عليك[22]، في تصغير عظيم[23] ما أنعمَ به عليك، فحلَّ العقدة، ونقض الصّنيعة، وردَّك إلى منزلة أنت أهلها، لكنتَ له مستحقاً[24]، ولقد حشدَ جدُّك يزيد بن أسد[25] مع معاوية يوم صفّين[26]، وعرّض دينه ودمه[27] فما اصطنع إليه، ولا ولاّه ما اصطنع إليك أمير المؤمنين وولاّك[28]، وقِبله من أشراف أهل اليمن[29] والبيوتات[30] مَن قبيلتُه أكرم من قبيلتك من كندة وغسّان وآل ذي يَزن وذي كَلاع

1 في الكامل: لكَ
2 في الكامل: الصنيعة
3 في الكامل: ما فسد عليه منك
4 في الكامل: استقلّ العافية
5 يديه
6 في الكامل: حيلته وحسبه وبيته ورهطه وعشيرته
7 في الكامل: القير
8 في الكامل: وانكشطت
9 في الكامل: الغيّ
10 في الكامل: حسيرا
11 في الكامل: حظّك
12 في الكامل: زدتني ولاية العراق
13 في الكامل: شرفا
14 في الكامل: من قبلي
15 في الكامل: ولعمري لو
16 في الكامل: في أهل العراق
17 في الكامل: في تلك المضايق التي لقي لعلمت أنك رجل من بجيلة
18 في الكامل: فقد
19 After خزائنك the construction in al-Mubarrad's version is different:
]قال أبو الحسن ٠هو شدة الضجر من الفزع. والبعل٠ الأرض التي تسقيها السماء[، حتى قلت: 'أطعموني ماء" دهشا وبعل وجبنا، فما استطعتهم إلا بأمان، ثم أخفرت ذمتك، منهم رزين وأصحابه
20 في الكامل: ولعمري أن لو حاول
21 في الكامل: بخطلك
22 في الكامل: إليه
23 في الكامل: وتصغير
24 في الكامل: كنت لذلك مستحقا
25 في الكامل: فهذا جدّك يزيد بن أسد قد حشد
26 في الكامل: في يوم صفين
27 في الكامل: وعرّض له دينه ودمه
28 في الكامل: فما اصطنع إلا عنده، ولا ولاه ما اصطنع إليك أمير المؤمنين وولاك
29 في الكامل: من أهل اليمن
30 في الكامل: بيوتاتهم

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وذي رُعَين، في نظرائهم من بيوتات قومهم، كلُّهم أكرم أوليّة، وأشرف أسلافاً من آل عبد الله بن يزيد. ثم آثرك أمير المؤمنين بولاية العراق، بلا بيت عظيم[31] ولا شرف قديم ولَهذه البيوت تغمرك وتعلوك، وتُسكتك وتتقدمك[32] في المحال[33] والمجامع عند ابتداء[34] الأمور وأبواب الخلفاء. ولولا ما أحبّ أمير المؤمنين من ردّ غَربك لعاجلك بالتي كنتَ أهلها، وإنها لقريبٌ منك مأخذها[35]، سريع مكروهها، فمنها[36] ـ إنْ اتّقى[37] الله أمير المؤمنين ـ زوال نعمة الله عليك[38]، وحلول نقمته[39] بك، فيما صنعت وارتكبت بالعراق من أهله، استعانتك باليهود والنصارى والمجوس[40]، توليِّهم أموال المسلمين خراجَهم[41]، وتسلطهم عليهم، نزعَ بك إلى ذلك عرق سوءٍ من التي قامت عنك[42]، فبئس الجنين أنت عُديّ نفسه[43]، وإن الله[44] لَما رأى إحسان أمير المؤمنين إليك وسوءَ قيامك بشكره، قلب قلبه لك[45] فأسخطه عليك، حتى قبحت أمورك عنده، وآيسه مع[46] شكرك ما ظهر له من كفرك النعمة عندك[47]، فأصبحتَ تنتظر غير النعمة[48] وزوال الكرامة، وحلول الخزي، فتأهّبْ لنوازل عقوبة الله بك، فإنّ الله عليك أوجد، ولِما عملتَ أكره، فقد أصبحتَ وذنوبك[49] أعظم من أن يبكّتك بها أمير المؤمنين ذنباً ذنباً، ومَن يرفع عليك عنده يُبكّتك منها بما نسيته وأحصاه الله عليك، ولقد كان لأمير المؤمنين زاجر عنك بما عرفك من التسرع إلى حمقاتك في غير واحدة،[50] منها القرشي الذي تناولته بالحجاز ظالماً[51]، فضربك الله بالسوط الذي ضربته به، مفتضحاً على رؤوس رعيتك، ولعلّ أمير المؤمنين أن يعود عليك بمثلها[52]، فإن فعل فأنت أهله[53]، وإن صفح[54] فأهلُه هو،[55] والله[56] لو لم يستدلّ أمير المؤمنين على ضعف نحائزك، وسوء

31 في الكامل: رفيع
32 في الكامل: وهذه البيوتات تعلوك وتغمرك وتسكتك، وتتقدمك
33 في الكامل: المحافل
34 في الكامل: بدأة
35 في الكامل: وإنها منك لقريب مأخذها
36 في الكامل: فيها
37 في الكامل: أبقي
38 في الكامل: نعمه عنك
39 في الكامل: نقمه
40 في الكامل: وارتكبت بالعراق، من استعانتك بالمجوس والنصارى
41 في الكامل: وتوليتهم رقاب المسلمين وجبوة خراجهم
42 في الكامل: نزع بك إلى ذلك عرق سوء فيهم، من التي قامت عنك
43 في الكامل: فبئس الجنين أنت يا عديّ نفسه
44 في الكامل: وإن الله عزّ وجلّ
45 في الكامل: قلب قلبه
46 في الكامل: من
47 في الكامل: ما ظهرمن كفرك النعمة عنك
48 في الكامل: سقوط النعمة
49 الكامل: وذنوبك عند أمير المؤمنين في
50 في الكامل:
أن يبكّتك بها أمير المؤمنين إلا راتبا بين يديه وعنده من يقررك بها ذنبا ذنبا ويبكتك بما أنيت منها أمرا أمرا، فقد نسيته وأحصاه الله عليك، ولقد كان لأمير المؤمنين زاجر عنك فيما عرفك به من التسرع إلى حماقتك في غير واحدة
51 في الكامل: ظالما له
52 في الكامل: ولعلّ أمير المؤمنين يعود لك بمثل ذلك
53 في الكامل: فأن يفعل فأهله أنت
54 في الكامل: يصفح
55 ومن ذلك ذكرك زمزم، وهي سقيا الله وكرامته لعبد المطلب وهذا الحيّ من قريش تسميها "أمّ جعار" فلا سقاك الله من حوض رسوله، وجعل شركما لخير كما الفداء،
56 في الكامل: ووالله أن

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تدبيرك إلا فسالة[57] دخلائك، وبطانتك وعمّالك، والغالبة عليك جاريتك الرائقة، بائعة العهود، ومُشغلة[58] الرجال، مع ما أتلفتَ من مال الله، بالمبارك اثني عشر ألف ألف درهم[59]، والله أنْ[60] لو كنتَ من ولد عبد الملك لما[61] احتمل لك أمير المؤمنين ما أفسدت من أموال الله[62]، وضيّعت من أمور المسلمين، وسلّطت من ولاة السوء على جميع كوَر الإسلام[63]، تُحمَل إليك[64] هدايا النيروز والمهرجان، خالساً لأكثرها[65]، رافعاً لأقلّها[66] مع كثرة مساويك المتروك تقريرك بها، ومناصبتك[67] أمير المؤمنين في موالاة[68] حسّان ووكيله في ضياعه، وأحوازه في العراق،[69] وسيكون لك[70] ولأمير المؤمنين نبأ إن لم يعفُ عنك[71]، ولكنه يظن الله طالبك بأمور، غير تارك لتكشيفك عنها[72]، وحملِك الأموال ناقصة عن وظائفها التي جباها عمر بن هبيرة، وترك رفع محاسبتك سنة كذا وكذا لما وليتَ من خراج العراق[73]، وتوجيهك أخاك أسداً إلى خرَاسان، مظهراً بها العصبية[74]، متحاملاً على هذا الحيّ من مضرَ[75]، قد[76] أتت أمير المؤمنين عيونه بتصغيره لهم[77]، واحتقاره إياهم[78]، ناسياً لحديث زرْنَب وقِصَص الهجريّين كيف كانت في يزيد بن أسد[79]، فإذا خلوتَ أو توسَّطتَ مَلأ فاعرف نفسَك، واحذر رواجع[80] البغي عليك، وعاجلات العقوبة[81]، فإنّ[82] ما بعد كتاب أمير المؤمنين هذا أفسدُ لك، وأشدُّ عليك[83]، فإن أمير المؤمنين قد تأنّى فَينك، وأمَّل رجعتك، واستنظر توبتك[84]، وقِبلَ أمير المؤمنين خلف كثير[85]، في أحسابهم وبيوتاتهم وأديانهم، وفيهم عِوَضٌ منك، والله من ورائك إن شاء الله[86]، وكتب سالم مولى أمير المؤمنين[87] سنة تسع عشرة ومائة

57 في الكامل: بفسالة
58 في الكامل: مستعملة
59 في الكامل: فإنك ادعيت أنك أنفقت عليه اثني عشر ألف درهم
60 في الكامل: والله
61 في الكامل: لو كنت من ولد عبد الملك بن مروان ما
62 في الكامل: من مال الله
63 في الكامل: على جميع أهل كور عملك
64 في الكامل: تجمع إليك الدهاقين
65 في الكامل: حابسا لأكثره
66 في الكامل: لأقله
67 في الكامل: مع مخابث مساويك التي قد أخر أمير المؤمنين تقريرك، ومناصبتك
68 في الكامل: مولاه
69 Addenda وإقدامك على ابنه بما أقدمت به
70 في الكامل: وسيكون
71 في الكامل: لأمير المؤمنين في ذلك نبأ إن لم يعف عنك
72 في الكامل: ولكنه يظن أن الله طالبك بأمور أتيتها غير تارك لتكشيفك عنها
73 The sentence is not present in al-Mubarrad's version.
74 في الكامل: مظهرا العصبية بها
75 في الكامل: حضر
76 في الكامل: فقد
77 في الكامل: بتصغيره بهم
78 في الكامل: واحتقاره لهم وركوبه إياهم الثقات
79 في الكامل: في أسد بن كرز
80 في الكامل: وخف رواجع
81 في الكامل: النقم فيك
82 في الكامل: واعلم أن
83 في الكامل: هذا أشد عليك، وأفسد لك
84 This sentence is not present in al-Mubarrad's version.
85 في الكامل: خلف منك كثير
86 في الكامل: والله من وراء ذلك
87 في الكامل: وكتب عبد الله بن سالم

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10 Between the Arabs and the Turks: Household, Conversion and Power Dynamics in Early Islamic Bactria

SAID REZA HUSEINI

This chapter addresses conversion and its consequences for a Bactrian family in early Islamic Bactria.[1] It discusses the social, legal and economic ties that bound this Bactrian family and the problems created within it after one member converted to Islam. The family under discussion is known as the family of Mir b. Bek.[2] It consisted of four brothers named

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[1] Historical Bactria covered all lands between the Hindukush mountains and the Amu Darya River. In its broadest sense, this region stretched from the Marw al-Rūd River in the west to Badakhshan in the east, the Hindukush to the south and the Hisar mountains to the north, with the Amu Darya flowing through the middle of it. Bactria's geography mentioned here has been discussed in different sources. Cf. the seventh-century Chinese discussion on Bactria given in *Si-Yu-Ki, Buddhist Records of the Western World*, trans. Samuel Beal (London: Kegan Paul, Trench, Trübner, 1906), 3–38; tenth-century Muslim geographers' reports on Bactria as reflected in Ibrāhīm b. Muḥammad al-Istakhrī, *al-Masālik wa-l-mamālik*, ed. Muḥammad Jābir ʿAbd al-ʿAdil al-Ḥusaynī (Cairo: Dār al-Thiqāfat wa-l-Irshād al-Qawmī, 1381/1961, 155–56); Aḥmad b. Abī Yaʿqūb b. Wāḍiḥ al-Yaʿqūbī, *Kitāb al-Buldān*, ed. Michael J. De Goeje (Leiden: Brill, 1892), 66–70; trans. Matthew S. Gordon *et al. The Works of Ibn Wādiḥ al-Yaʿqūbi*, vol. 1 (Leiden: Brill, 2017).

[2] This family has been discussed in different contexts. François de Blois referred to it in order to understand the Bactrian chronology (François de Blois, 'Du nouveau sur la chronologie bactrienne post-hellénistique: l'ère de 223–224 après J.-C.', *Comptes rendus des séances de l'Académie des Inscriptions et Belles Letters* 150 (2006): 991–97; Geoffrey Khan, *Arabic Documents from Early Islamic Khurasan* (Studies in the Khalili Collection 5) (London: Nour Foundation in association with the Azimuth Press, 2007), 20–22; Nicholas Schindel, 'The Era of the Bactrian Documents: A Reassessment', *Gandhāran Studies* 5 (2011): 1–10; Nicholas Sims-Williams and François de Blois, *Studies in the Chronology of the Bactrian Documents from Northern Afghanistan*, with contributions by Harry Falk and Dieter Weber (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2018), 33–39. In separate publications, Patricia Crone and Arezou Azad discussed this family and highlighted fraternal polyandry, the motivations behind it and the impact of the Islamic taxation system on this type of marriage. Cf. Crone, *The Nativist Prophets,* 400–405; Arezou Azad, 'Living Happily Ever After: Fraternal Polyandry, Taxes and 'the House' in Early Islamic Bactria', *Bulletin of the School for Oriental and African Studies* 79 (2016): 33–56.

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Mir, Kamird-far, Wahran and Bab, the sons of Bek, and their children. They lived together in the Rob region of southern Bactria. They jointly managed the properties that belonged to their household. Except for Bab, the other three brothers possessed a woman named Zeran. The conversion of Kamird-far to Islam severed the social, legal and economic ties that once bound this family together.

Information about this comes from Bactrian and Arabic documents belonging to this family. The Muslim and non-Muslim authorities issued these documents between 700 and 777 CE. That leads to the fact that the family lived where the Muslim and local Bactrian administrations coexisted (Figs 10.1 and 10.2). These documents are part of a larger group of documents found since the 1990s in the northern parts of the Hindukush mountains (in modern Afghanistan), now preserved in various collections and archives. They date from the fourth to the late eighth century and reflect valuable information about the socio-political situation in Bactria.

The Bactrian documents were written in the Bactrian language. Bactrian is the only Middle Iranian language scripted in the Greek alphabet, thanks to Bactria's Hellenistic heritage.[3] Their subject matter varies from financial

Figure 10.1 Map of Bactria.

[3] For a brief survey on the Hellenistic heritage of Bactria, see Rachel Maris, *The Graeco-Bactrian and Indo-Greek World* (London: Routledge, 2020); Burzine Waghmar, 'Between Hind and Hellas: The Bactrian Bridgehead (with an Appendix on Indo-Hellenic Interactions)', in *Indo-Hellenic Cultural Transactions*, ed. Radhika Seshan (Mumbai: The K R Cama Oriental Institute, 2020), 187–228.

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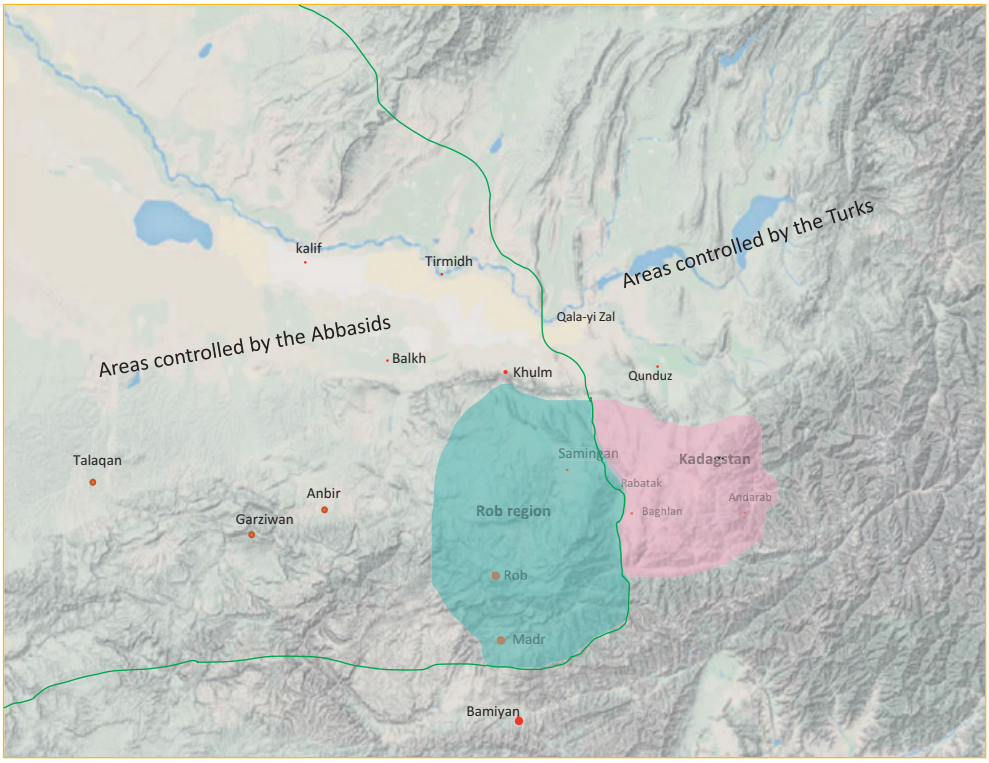

Figure 10.2 Map of Rob and Kadagstan where the Bactrian and Arabic documents were found.

and legal documents to official and private letters reflecting socio-political circumstances in late antique Bactria. They represent continuity in their layout, form and formulas, implying administrative and cultural continuity for a long time despite regime changes.[4] The main advantage of the

[4] Nicholas Sims-Williams, 'New Documents in Ancient Bactrian Reveal Afghanistan's Past', *International Institute for Asian Studies Newsletter* 27 (2002): 12–13; Nicholas Sims-Williams, 'Nouveaux documents bactriens du Guzgan (New Bactrian Documents from Guzgan)', *Comptes rendus de l'Académie des Inscriptions et Belles-Letters* (2002): 1047–58; Nicholas Sims-Williams, 'Bactrian Letters from the Sasanian and Hephthalite', in *Proceedings of the 5th* Conference of the Societas Iranologica Europa, Ravenna, 6–22 October 2003, vol. 1, *Ancient and Middle Iranian Studies,* ed. Antonio Panaino and Andrea Piras (Milan: Mimesis, 2006), 701–13; Nicholas Sims-Williams, *Bactrian Documents from Northern Afghanistan. I: Legal and Economic Documents, Studied in the Khalili Collection, vol. 3; Corpus Inscriptionum Iranicarum, pt.* 2, vol. 6 (Oxford: The Nour Foundation/Azimuth Edition/Oxford University Press, 2001, rev. ed. 2012); Sims-Williams and De Blois, *Studies in the Chronology of the Bactrian Documents; Nicholas* Sims-Williams and Étienne de la Vaissière, 'A Bactrian Document from Southern Afghanistan?' *Bulletin of the Asia Institute*, New Series 25 (2011): 39–53. Recently, twenty-nine Bactrian letters written on birchbark appeared in a private collection in London. They were written in the late

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Bactrian documents is their originality. Most of them are completely preserved. Some of them retained their original clay sealings before they were opened for translation.[5] That means their texts remained untouched for centuries and were saved from editing. Equally important, the legal documents are in the form of double documents, in which the text is written twice by the same person and then sealed by authorities.[6] That method provides us with two copies of the same text. However, despite their advantages, the Bactrian documents are limited to only some areas in Bactria.[7] Furthermore, they were made after negotiations between various parties and their backgrounds remain unknown.[8] Hence, any suggestions made in this chapter are limited to the information reflected in these documents.

fourth century somewhere in the south-east of modern Afghanistan. For details, see Nicholas Sims-Williams, 'A New Collection of Bactrian Letters on Birchbark', With an Additional Note by Frantz Grenet, *Bulletin of Asia Institute* 31 (2022–2023): 135–44. These letters are not incorporated in this study because they are from outside Bactria.

5 See Nicholas Sims-Williams, *Bactrian Documents from Northern Afghanistan* III: Plates (London: The Nour Foundation, 2012).

6 In a double contract, the text is written twice on the same parchment or cloth with a small gap in-between, then the upper part is rolled and sealed (closed part) and the lower part is left open for reading (open part). The closed part only is opened before the judge in case of a dispute. For layout and structure of Bactrian documents, see Sims-Williams, *Bactrian Documents from Northern Afghanistan II*; 15–17; Sims-Williams, 'Bactrian Letters', 701–13. For details about the making of a double contract, see www.trismegistos.org/seals/overview_2d.html, accessed 24/02/22.

7 They were produced in Guzgan (modern Juzjan), Gaz (possibly Darray-i Gaz south of Balkh), Rob and Samingan (modern Samangan), Kalf (modern Kalif), Kadagstan (possibly located in Baghlan) and Warnu (probably Qala-i Zal or Qunduz). No Bactrian document from the Balkh Oasis is known so far.

8 These documents have been available for more than two decades but have still not made the impact on historiography that their importance deserves. Interest in this material has, however, increased in recent years. For earlier studies, see Geffrey Khan, 'The Pre-Islamic Background of Muslim Legal Formularies', *ARAM* 6 (1994): 193–224; Khodadad Rezakhani, 'The Bactrian Collection: An Important Source for Sasanian Economic History', *Sasanika* 13 (2008); 1–14; Khodadad Rezakhani, 'Balkh and the Sasanians: Economy and Society of Northern Afghanistan as Reflected in the Bactrian Economic Documents', in *Ancient and Middle Iranian Studies*, ed. Maria Macuch, Dieter Weber and Desmond Durkin-Meisterernst (Wiesbaden: Harrassowitz, 2010), 1–21; Étienne de la Vaissière, 'The Last Bactrian Kings', in *Coins, Art and Chronology II. The First Millennium C.E. in the Indo-Iranian Borderlands*, ed. Michael Alram, Deborah Klimburg-Salter, Minoru Inaba and Mattias Pfisterer (Vienna: Österreichische Akademie der Wissenschaften, 2010), 213–18; Kevin van Bladel, 'The Bactrian Background of the Barmakids', in *Islam and Tibet – Interactions along the Musk Routes*, ed. Ana Akasoy, Charles Burnett and Ronit Yoeli-Tlalim (Burlington: Ashgate Publishing Company, 2011), 43–88; Richard Payne, 'The Making of Turan: The Fall and Transformation of the Iranian East in Late Antiquity', *Journal of Late Antiquity* 9 (2016): 4–41; Arezou Azad, 'Living Happily Ever After', 33–56. For more recent work, see Khodadad Rezakhani, *ReOrienting the Sasanians: East Iran in Late Antiquity* (Edinburgh: Edinburgh University Press, 2017); Arezou Azad, 'The Beginning of Islam in Afghanistan: Conquest, Acculturation and Islamization', in *Afghanistan's Islam from Conversion to the Taliban*, ed. Nile Green (University of California Press, 2017), 41–55; Said Reza Huseini,

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The Arabic documents (total 32) were produced in Bactria between 135 and 160/755 and 777. Except for some legal documents, most of them are land tax (*kharāj*) receipts. Many of them belonged to the family of Mir b. Bek, who is the subject of this study.[9] Like the Bactrian documents, these ones are completely preserved and some have clay sealings attached. The Arabic documents show that Islam had expanded to southern parts of Bactria, where the Mir family lived. However, unlike the Bactrian documents, the Arabic ones are limited to the Rob region only. Moreover, their contents are short and their socio-political context is unknown.

This chapter brings the Bactrian and Arabic documents into a dialogue to answer the following questions. What social, legal and economic ties bound Mir's family together? How did the members of this family interact with the Muslim and non-Muslim authorities simultaneously? Did they prefer one authority over another? If they did, what were the reasons behind this? To provide some answers, I first discuss the Bactrian documents related to Mir's family to understand its interfamilial relation and interaction with the non-Muslim authorities. Subsequently, I analyse the relevant Arabic documents to show conversion and its consequences for this family. Finally, I discuss the coexistence of the Islamic and non-Islamic administration systems in late eighth-century Bactria.

Based on a systematic analysis of these documents, the chapter shows the centrality of the 'household' in Bactrian society and the changes that occurred to it after the arrival of Islam. It argues that conversion to Islam seriously affected Mir's family and eventually dismantled it. Although conversion did not remove the kinship within the household, it ended cohabitation and joint ownership, which were central social elements in Bactrian law that kept the household together. In this situation, different members of Mir's household separately approached the Muslim and non-Muslim authorities to protect their properties. Their petitions created space not only for the intervention of Islamic and non-Islamic laws but also paved

'Acts of Protection Represented in Bactrian Documents', *Annales Islamologiques* 54 (2020/2021): 107–24; Said Reza Huseini, 'The Idea and Practice of Justice Represented in Bactrian Documents', *Association for Iranian Studies* 41 (2020): 28–31; Said Reza Huseini, 'Framing the Conquests: Bactrian Rulers and the Arab Muslim Domination of Bactria (31–128 AH/652–746 CE)' (PhD Dissertation, Leiden University, 2024); Julian Kreidl and Jamsheed K. Chosky, 'Zoroastrian Deities in Bactria', *Himalayan and Central Asia Studies* 25 (2021): 20–53; Hossein Sheikh, *Studies of Bactrian Legal Documents* (Leiden: Brill, 2023).

[9] The documents were edited by Geoffrey Khan in *Arabic Documents*, known under the abbreviation *P.Khurasan*. The editions of the Arabic documents can be found under the abbreviation *P.Khurasan* in the Arabic Papyrology Database, www.apd.gwi.uni-muenchen.de/apd/show_new.jsp.

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the way for the Muslim and non-Muslim authorities to compete with each other to show their areas of influence in Bactria. This case study provides valuable information about social relations, the coexistence of Muslim and non-Muslim laws and administration systems, and the ways local Bactrians related themselves to the political structure of the early Islamic empire that are not much known from literary sources.[10]

Protecting the Bactrian Household

The story begins as follows. In the year 549 of the Bactrian calendar corresponding to 771–72 CE, Mir son of Bek, an inhabitant of Asp in the Rob region of southern Bactria, travelled to the court of Kera-tonga, the Turkic king of Kadagstan in eastern Bactria, to obtain a protection letter. He made this journey having recently paid his land taxes (*kharāj*) to Bishr b. ʿUmar the financial administrator (ʿ*āmil*) of the Abbasid governor (*amīr*) Ghālib in his region.[11] Mir's journey to Kadagstan raises several questions. Why should he go to the court of the Turkic ruler and not visit the Abbasid governor or his ʿ*āmil*? What was the problem that required the protection letter from a neighbouring non-Muslim authority? More importantly, how did the protection letter issued by a non-Muslim Turkic king work for Mir while the Muslim administrators were active in the Rob region? To provide some answers to these questions, we should first look at this protection letter.

The protection letter (Fig. 10.3) is a judicial declaration in the form of an open letter written on white parchment sealed by one clay sealing

[10] There is a rich bibliogrpahy on Umayyad Khurasan. However, they hardly discuss the Umayyad administration in Bactria. For instance, see Hamilton Alexander Gibb, *The Arab Conquests in Central Asia* (London: Royal Asiatic Society, 1923); Muhammad A. Shaban, *The ʿAbbāsid Revolution* (Cambridge: Cambridge University Press, 1970); ʿAbd Allāh Mahdī al-Khaṭīb, *Ḥukumat-i Banī Umayya dar Khurāsān*, trans. Bāqir Musavī (Tehran: Intishārāt-i Tūkā, 1357/1978); Elton Daniel, *The Political and Social History of Khurasan under Abbasid Rule 747–820* (Minneapolis/Chicago: Bibliotheca Islamica, 1979); Khalil Athamina, 'Taxation Reforms in Early Islamic Khurasan', *Der Islam* 65 (1988): 272–78; Ḥusayn ʿAṭwān, *Al-Murjiʾī wa-l-jahmīyya bi Khurāsān fī ʿasr al-umawī* (Beirut: Dār al-Jil, 1413/1993); Parvaneh Pourshariati, 'Iranian Tradition in Ṭus and the Arab Presence in Khurasān' (PhD Dissertation, Colombia University, 1995); Saleh Said Agha, *The Revolution which Toppled the Umayyads: Neither Arabs nor ʿAbbāsids* (Leiden/Boston: Brill, 2003); Marc David Luce, 'Frontier as Process: Umayyad Khurāsān' (PhD Dissertation, University of Chicago, 2009); Patricia Crone, *The Nativist Prophets of Early Islamic Iran: Rural Revolts and Local Zoroastrianism* (Cambridge: Cambridge University Press, 2012); Étienne de la Vaissière, 'The ʿAbbāsid Revolution in Marw: New Data', *Der Islam* 95 (2018): 110–46; Robert Haug, *The Eastern Frontier: Limits of Empire in Late Antique and Early Medieval Central Asia* (London, New York: I. B. Tauris, 2019).

[11] *P.Khurasan* 11.

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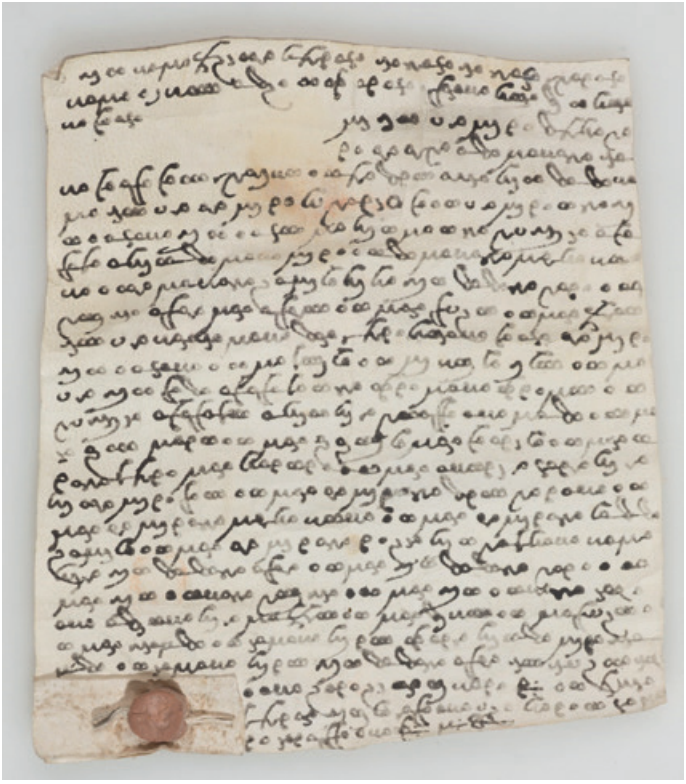

Figure 10.3 Protection letter. DOC 0117 (ed. Sims-Williams, *Bactrian Documents from Northern Afghanistan I*, no. Y, pp. 142–43). Credit: The Nasser D. Khalili Collection of Islamic Art. Copyright Khalili Family Trust.

representing the royal decree.[12] It is issued by Kera-tonga, King of Kadagstan, for Mir, son of Bek. This protection letter explains that Mir has appealed to King Kera-tonga and informed him about his brother Bab, who has left the household. Mir asked the King to protect him, his family and his properties, particularly a vineyard named Palkan. Mir also asked the King to protect him from the people who had disputes with his brother Bab. The King found Mir's request 'just and necessary' (λαδδιιο οδο μινδδιιο) and ordered that 'no one' (μαγο), be they a freeman, an aristocrat, citizen, an

[12] Bactrian document no. Y in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 142–43. Since these documents are not studied in their historical context and there is no standardised way of referring to them, I follow Sims-Williams's alphabetical method. I did not transliterate the Bactrian words because of uncertainty in their actual pronunciation, so Sims-Williams's reproduced text is given here. All translations of Bactrian documents in this chapter are taken from the editions of Nicholas Sims-Williams, except where I indicate otherwise.

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official, a foreman, or anyone else, had the right to take anything, to distrain or to demand anything from Mir. He added that no one had the right to commit injury towards Mir, his brothers and sons, or his people and properties. If anyone did so, that person should pay a fine of 100 gold dinars.[13] The letter raises these questions: Why did Mir inform the King about his brother Bab? What was the problem with him?

In the first place, the protection letter clarifies that Mir's brother Bab has left him altogether (ασο μιρο ιωπαριο βοδο). That makes Mir's complaint a familial case. We may ask why Mir should have met the King for an internal familial issue. The fact that Mir appealed to the King shows that this was not a simple issue to be solved within the family and required the intervention of high authority. Here, leaving Mir altogether does not mean Bab left an individual named Mir, but that he left the 'household' they had shared together. Some explanations on the centrality of the household in Bactrian society and the consequences of leaving it help one to understand the story better.

In the Bactrian legal system, the household was the main social unit, and social relations were broadly understood around its axis. The Bactrian terms καδαγο and χανο are frequently used for the household in the Bactrian documents.[14] The household was a space where family members (such as grandparents, parents and children) lived together. Possibly, the male and female slaves lived in the same place.[15] Thus, the Bactrian family was not a nuclear family consisting of parents and their children but a household that included more members.[16] The term 'family' as it appears in this chapter should be understood in this broader sense. The household was an element of social identity as well. The individuals were each identified by their association with certain households.[17] Each household had a specific name,[18] often that of a father or grandfather. Possibly, the Bactrian μοβαγο

[13] Bactrian document no. Y in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 142–43. I have discussed this protection document for understanding the concept and mechanism of protection in Bactria in Huseini, 'Acts of Protection', 107–24.

[14] Bactrian documents no. A, F, J, L, M, N, P, Q, T, U, V, W, X, Y in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 26–29, 38–41, 48–53, 58–65, 66–67, 68–73, 84–87, 98–103, 106–11, 116–17, 136–35, 136–41, 142–43.

[15] Bactrian document no. X in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 136–41.

[16] Bactrian documents no. J, L, P in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 48–49, 58–65, 84–87. Cf. Sims-Williams, 'Bactrian Documents from 7th–8th Century Guzgan', 11–12.

[17] Bactrian documents no. A, N, O, Q, V, W, X in Sims–Williams, *Bactrian Documents from Northern Afghanistan* I, 26–29, 68–73, 80–83, 88–91, 116–17, 126–35, 136–41.

[18] Bactrian document no. Nn in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 74–75.

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should be understood as a combination of several close and extended families (ασογωρο παργωρο).[19]

In the Bactrian tradition, after kinship, fraternal polyandry (in which several brothers married one woman) bound the brothers together. This type of marriage was an old custom practised in southern Bactria, attested in a marriage document produced possibly in 332 CE in the Rob region,[20] and also mentioned in the Chinese sources referring to its practice in the fifth century among the Hephthalites of eastern Bactria.[21] The reasons behind this type of marriage are not entirely known, but the economic issues, such as pooling capital within the households that paid taxes to the government,[22] and the eastern form of Zoroastrianism should have justified it.[23] This type of marriage was not known from Sasanian Zoroastrianism.[24] The eastern form of Zoroastrianism had fire-worshipping and worshipping the images of different Iranian and non-Iranian deities. This indicates diversity in Zoroastrianism that is not often noticed.[25]

[19] Bactrian documents no. cf, cg in Sims-Williams, *Bactrian Documents from Northern Afghanistan* II, 78–79, 80–81. The structure of the Bactrian household had some of the characteristics of the Iranian family structure of the Parthian and Sasanian periods. In the latter contexts, both small and extended families, designated respectively by the Middle Persian terms *dutak* (literally meaning smoke) and *katak* (house), consisted of 'a group of agnates limited to three or four generations counting in descending order from the head of the family'. Cf. Parvaneh Pourshariati, *Decline and Fall of the Sasanian Empire: The Sasanian–Parthian Confederacy and the Arab Conquest of Iran* (London/New York: I. B. Tauris, 2008), 27. The family shared worship that was structured around the 'domestic altar and the cult of the souls of ancestors on the father's side', as well as specific religious rituals (Pourshariati, *Decline and Fall of the Sasanian Empire*, 27). In addition, the agnatic group included several dozen extended families who defined themselves based on their lineage from a common ancestor from the father's side three or four generations down the line. For more detail about the ancient Iranian family structure, see Anahit Perikhanian, 'Iranian Society and Law', in *Cambridge History of Iran*, vol. 3, *The Seleucid, Parthian, and Sasanian Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 627–80.

[20] Bactrian document no. A in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 26–29.

[21] Frantz Grenet, 'Regional interaction in Central Asia and Northwest India in the Kidarite and Hephthalite Periods', *Proceedings of the British Academy* 116 (2002): 210.

[22] Crone, *The Nativist Prophets of Early Islamic Iran*, 400–405; Azad, 'Living Happily Ever After', 33–56.

[23] I prefer not to apply the term 'Zoroastrianism' to Bactria because Bactrians did not label themselves as such.

[24] Maria Macuch has discussed marriages in Sasanian Iran. Her study shows that the *Xwēdōdah* form of marriage conducted within the family members was a legitimised act in Sasanian Iran. Cf. Maria Macuch, 'The Function of Temporary Marriage in the Context of Sasanian Family Law', in *Proceedings of the 5th Conference of the Societas Iranologica Europea held in Ravenna, 6–11 October 2003,* vol. 1, *Ancient and Middle Iranian Studies*, ed. Antonio Panaino and Anrea Piras (Milano: Mimesis, 2006), 594.

[25] Frantz Grenet calls this form of Iranian religion 'Zoroastrianism' and argues that it was different from the Zoroastrianism practised in western Iranian regions. Cf. Frantz Grenet, 'Zoroastrian-

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Bactrian fraternal polyandry had two direct consequences: cohabitation, in which brothers lived together in the same house, and joint ownership, in which all adult male members had equal rights on the family properties.[26] Most of the Bactrian legal documents related to the purchase of properties show that ownership rights were transferred from one household to another.[27] The cohabitation and joint ownership created a sense of solidarity within the household and responsibility for protecting the household properties.[28] Hence, Mir's appeal to Kera-tonga and the King's willingness to listen to and help him indicate that the latter was aware of the Bactrian laws. Likewise, Bab's act of leaving the household was unlawful according to the Bactrian law in which brother lived with brother. However, why did Bab leave the household, and why did it disturb Mir?

The problem between Mir and his brother Bab is not explained in the protection letter but is reflected in another legal document produced in 527 of the Bactrian calendar corresponding to 750 CE in Kadagstan. The brothers first had a meeting with Bah, the treasurer of Kurwad, an area in Kadagstan, and then made this document in the presence of Sävüglig (the Turkic local lord and commander of the army of Kadagstan) and some citizens. It is a document of undertaking to keep the peace between Mir and his brothers. It is written in the form of a double contract.[29] It clarifies that Mir had three brothers, named Kamird-far, Wahran and Bab. A quarrel, possibly over the household's properties, divided these four brothers into two groups: Mir and Wahran versus Bab and Kamird-far. However, Mir, Wahran and Kamird-far possessed a woman named Zeran together. The document mentions that these brothers had complaints against each other, but they realised that their conflicts would 'destroy their house' while they did not need to do that (χανο ναβτιιο ναβαρτιδο). Therefore, the only way to protect the household was to return to the Bactrian custom in which brother lived with brother (βραδο αλο βραδο αβδδινιδο) and owned the

ism among the Kushan', in *Kushan Histories. Literary Sources and Selected Papers from a Symposium at Berlin, December 5 to 7, 2013* (Monographien zur indischen Archäologie, Kunst und Philologie 23), ed. Hary Falk (Bremen: Hempen Verlag, 2015), 203–39; Frantz Grenet, 'Zoroastrianism in Central Asia', in *The Wiley Blackwell Companion to Zoroastrianism*, ed. Michael Stausberg, Sohrab Y. Vevaina and Anna Tessmann (Chichester: John Wiley & Sons, Ltd., 2015), 129–46.

[26] Bactrian documents no. W, X in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 126–35, 136–41.

[27] Bactrian documents no. J, L. V in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 48–55, 58–65, 116–25.

[28] Bactrian document no. X in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 136–41.

[29] For double-documents, see above n. 7.

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household's properties together. That meant they needed to continue cohabitation and joint ownership. If a person witnessed one of them acting otherwise, or if one of them brought another document to claim anything from the properties, then that person would be guilty and should 'go from the house without a share of the property' (ασο χανο αβηιοβαγο βοαδο) and pay fees to the government and the other brothers. Thus, acting against the established Bactrian custom was unlawful and had legal and economic consequences.[30]

The document of undertaking is significant in several ways. It shows that cohabitation, possession of one woman by three brothers and equal right of ownership over the household's properties were the main ties that bound the adult male members. However, the same element of joint ownership caused a quarrel among them. Putting the document of undertaking and the protection letter together, we may assume that Bab was not happy, violated the document of undertaking, left the household and as a result may have been deprived of his share of properties, now controlled by the other brothers, including Mir. Nevertheless, Mir's ownership was disputed, and people may have asked him to pay Bab's debts or fulfil his promises. The pressure must have forced Mir to appeal to the King to obtain the protection letter. This hypothesis can be supported by the protection letter declaring that Bab left the household, which worried Mir. However, the protection letter and the undertaking document do not clarify what disappointed Bab and forced him to leave the house. A quick look at the family's financial situation may help to explain.

The document of undertaking and a few other Bactrian legal documents related to Mir's family show that they had large estates, including male and female slaves in Rob. Mir's father, Bek, possessed a garden called Palkan and leased another garden next to his own.[31] That means the Palkan mentioned in the protection letter belonged to Mir's father. This type of property was called 'ancestral land' (πιδοραστο)[32] or 'ancestral estate' (βοναγο πιδοριβτο) in Bactrian documents and often remained within the family.[33] However, it is unclear how Mir possessed it alone while it was part of the

[30] Bactrian document no. X in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 136–41.

[31] Bactrian document no. U in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 106–11.

[32] Bactrian document no. eb in Sims-Williams, *Bactrian Documents from Northern Afghanistan* II, 110–11.

[33] Bactrian document no. J, L in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 48–55, 58–65.

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household's property. Another legal document, dated to 478 of the Bactrian calendar (700 CE), shows that Mir's grandfather, named Kamird-far, was a priest (κιδο). In Bactrian tradition, the elder son was often named after his grandfather; thus, Mir's brother Kamird-far was named after this priest. The document mentions that the priest received a piece of irrigated land located in Asp (where Mir lived and which is mentioned in the protection letter) and a slave-girl from Bag-aziyas, the Queen of Kadagstan, wife of Qutlugh Tapaghlïgh Bilgä Sävüg from the Khalach Turks. The Queen honoured the priest after she saw a miracle from the god Kamird, performed by his priest Kamird-far in healing her ill infant.[34] The miracle connected Mir's family with the Turkic royal house, and the gifted land should have remained within Mir's family.

Mir's family had more properties in the Rob region. Just five years before the outbreak of the quarrel between Mir and his brothers in 750 CE, mentioned in the document of undertaking explained earlier, Mir and his brother Wahran purchased farming land in Askin in Rob. The purchase document refers to Mir and Wahran as inhabitants of Asp and servants of the *ser* (σηρο), a title meaning the 'ruler'.[35] The protection letter also calls Kera-tonga the *ser*. The ownership of all these properties must have remained in Mir's family.

The above mentioned documents related to Mir's household, produced between 700 and 750 CE, highlight two crucial points. First, Mir's family was from Asp in Rob and had properties there, and its members worshipped the old Iranian deities.[36] They had a special relation with the Turkic royal family in Kadagstan because their grandfather was honoured by the Queen. Therefore, their relation to the Turkic royal family must have remained a mark of honour within Mir's family. Second, a quarrel had already happened between Mir and his brothers over the household's properties, and to protect their household they visited the Turkic authorities in Kadagstan and obtained a document of undertaking. These documents also show that Mir and his brothers recognised the Turkic rulers of Kadagstan as legal authorities and guardians of the Bactrian laws and approached them in time of need. In all these purchase documents produced between 712 and

[34] Bactrian document no. T in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 98–103. The location of the temple dedicated to Kamird is unknown, but it is possible that it was in Rob, housed the image of the god Kamird, and that the Queen visited it.

[35] Bactrian document no. W in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 126–35.

[36] The documents refer to Kamird and Wakhsh being related to this family. These two deities are not known from the Sasanian Zoroastrianism but they were worshipped in Bactria.

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745 CE, Bab is absent. That means either he was not yet born or he was too young to be included in a legal document. However, he was part of the quarrel later, which raises the question of what forced him to leave the household while he knew the negative consequences of such an act. This will be explored next.

Conversion and Dismantling of the Household

The Bactrian documents discussed so far show that Mir and his brothers had a quarrel with each other, but they do not clarify the actual reason behind the dispute. However, among the Arabic documents belonging to Mir's family, there is an Arabic legal document that helps to explain the root of the quarrel between Mir and his brothers. This document (Fig. 10.4) is an emancipation letter (ʿ*itq*), written on parchment, issued in 138/755 for a woman named Zeran, called *umm walad* (mother of the son) of Saʿīd.[37] In this document, Saʿīd is the client (*mawlā*) of Ghālib b. Nāfiʿ and he has four children with Zeran. Moreover, her daughter Umm ʿAbd Allāh may have had a son named ʿAbd Allāh and that makes Zeran a grandmother at this time.[38] The document is issued by Ghālib b. Nāfiʿ and witnessed by eight people.

Zeran and her relation to Mir's family have already been the subject of some studies. Francois de Blois identified this Zeran with a Zeran mentioned in the Bactrian document of undertaking signed between Mir and his brothers. He suggested that one of the brothers converted to Islam and took Zeran with him.[39] Though De Blois does not explain how conversion allowed one brother to take a woman also possessed by other brothers, his point on conversion is crucial for the present chapter.

In relation to the emancipation letter issued for Zeran, Patricia Crone offered a different view. She suggested that these were not the same woman, proposing instead that the Zeran of the emancipation letter was a 'slave-girl' who was 'freed and thus owned by Ghālib b. Nāfiʿ, and living with Saʿīd, Ghālib's client and presumably a former slave of his'.[40] The Zeran of the document of undertaking was another woman and 'the shared wife of a

[37] *P.Khurasan* 29.

[38] Sims-Williams and De Blois, *Studies in the Chronology of the Bactrian Documents*, 39. For the concept of client in the Islamic empire, see Monique Bernards and John Nawas, ed. *Patronate and Patronage in Early and Classical Islam* (Leiden: Brill, 2005).

[39] De Blois, 'Du nouveau sur la chronologie bactrienne post-hellénistique', 991–97.

[40] Crone, *The Nativist Prophets of Early Islamic Iran*, 404.

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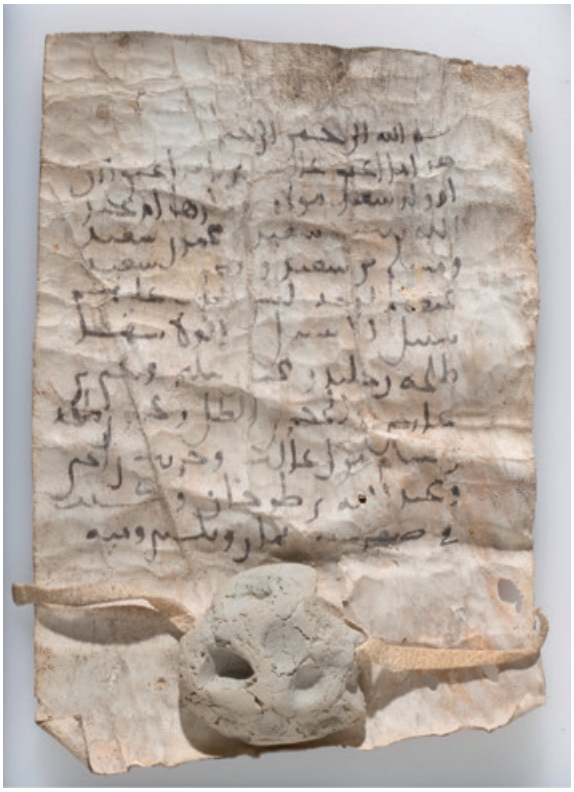

Figure 10.4 Emancipation act. DOC 0036 (ed. by Geoffrey Khan *Arabic Documents*, no. 29, pp. 152–53). Credit: The Nasser D. Khalili Collection of Islamic Art. Copyright Khalili Family Trust.

polyandrous husband cannot be the slave of another man (or slave at all)'.[41] Thus, for Crone, these were two different cases. Crone assumed that Zeran was the wife of the three brothers and took it as indisputable evidence for the practice of fraternal polyandry in Bactria.[42] Crone's point is valid because the wife in fraternal polyandry could not have been claimed as a slave-girl under Bactrian law. The marriage document from Rob asserts the importance of the wife, the authority she gained in her new house and that other men could not claim her or her children.[43] However, Crone's suggestion

[41] Cited in Sims-Williams and De Blois, *Studies in the Chronology of the Bactrian Documents*, 39; Crone, *The Nativist Prophets of Early Islamic Iran*, 404.

[42] Crone went a step further to explain the reason behind this type of marriage. Comparing the Bactrian case with fraternal polyandry practised in Tibet, she adds that this type of marriage was to keep the family properties within the family (Crone, *The Nativist Prophets of Early Islamic Iran*, 402–404).

[43] Bactrian document no. A in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 26–29.

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that Bab was converted to Islam and that he was related to Khidāsh, one of the Abbasid missionaries in Khurasan, does not relate to these documents.

In contrast to Crone's view, Nicholas Sims-Williams argued that Zeran in the Arabic and Bactrian documents is the same person. According to him, Zeran was not a Bactrian but a Sogdian name that appears only in this document of undertaking. Not Bab but Kamird-far converted to Islam and took the Arabic name Saʿīd meaning 'fortune', which is a near translation of his Bactrian name Kamird-far 'whose fortune is (from the god) Kamird'.[44] However, when and how Kamird-far converted to Islam is unknown.

Similar to Crone's view, Arezou Azad has argued that Zeran was a wife in fraternal polyandry. In Azad's interpretation, Zeran was 'perhaps previously a slave' but then became the wife of the three brothers.[45] However, Bactrian documents do not show if a slave-girl, often counted as property, could become the legal wife in a polyandrous marriage. Like Crone, Azad mentions that this type of marriage was 'a way to avoid the fragmentation of family estate'.[46] She suggests the Bactrian taxation system (in which taxes were levied on houses) was the main reason behind this type of marriage, but the early Abbasid taxation system (in which individuals paid their taxes) did not leave any reason to continue this type of marriage in the region. Though she connects fraternal polyandry directly with the Bactrian taxation system, which is a very important point, this type of marriage did not vanish altogether. The eleventh-century historian Abū Rayḥān al-Bīrūnī (d. > 442/1050) reported its continuance in Panjshir, a mountainous region near Kabul, in the eleventh century.[47]

Apart from the above mentioned arguments on Zeran, the language of the Bactrian document of undertaking and the Arabic emancipation letter offers a different interpretation that the author of this chapter is inclined to accept. In the document of undertaking, the word used for Zeran is ζινο meaning 'woman'. In other legal documents, the wife in fraternal polyandry is often called ολο meaning 'wife'.[48] Like other Bactrian documents, the document of undertaking uses the term βανζο for the 'slave-girl' owned by Mir's household. This means the document of undertaking does not refer

[44] Sims–Williams and De Blois, *Studies in the Chronology of the Bactrian Documents*, 37–39.
[45] Azad, 'Living Happily Ever After', 43.
[46] Azad, 'Living Happily Ever After', 43.
[47] Cited in Crone, *The Nativist Prophets of Early Islamic Iran*, 404.
[48] Bactrian documents no. A, V in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 26–29, 80–81, 116–17. Sims-Williams also discussed the meaning of ολο as 'wife' mentioned in a document from the south of the Hindukush (Sims-Williams and La Vaissière, 'A Bactrian Document from Southern Afghanistan?' 46–47).

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to Zeran as a 'slave-girl' or as a 'wife' in polyandry, so she was likely neither. Sims-Williams highlighted these two points and suggested that Zeran was 'a chattel and not a spouse' (see Fig. 10.5).[49] She could have been a concubine (not necessarily a slave-girl) who could be taken by one of the brothers if the other brothers agreed to it. The fact that a concubine was not necessarily a slave-girl can be supported by the term αζαδο meaning 'free', mentioned for a concubine in the Bactrian marriage document. Moreover, in the document of undertaking, three brothers mention that they possessed Zeran together (υαρηιο ληραμο), and if she was a wife in polyandry, then the document would have clarified it with the term ολο. Hence, the brothers agreed to possess Zeran together while she was not their legal wife.

A similar issue is reflected in the Arabic emancipation letter. It does not call Zeran an *umm walad* of Ghālib but of Saʿīd. This supports the idea that she belonged to Saʿīd and not to Ghālib. If that is the case, how could Ghālib emancipate Zeran and her children while she was legally a woman possessed by three brothers in 750 CE, just five years before the date of this emancipation letter, and then owned by Saʿīd?

Possibly, the scenario was as follows. Mir and his brothers (Kamirdfar, Wahran and Bab) still had some problems over the household properties even after they signed the document of undertaking in 750. Their agreement about possessing Zeran together did not work. Zeran was probably inclined towards Kamird-far, and other brothers Wahran and Mir were

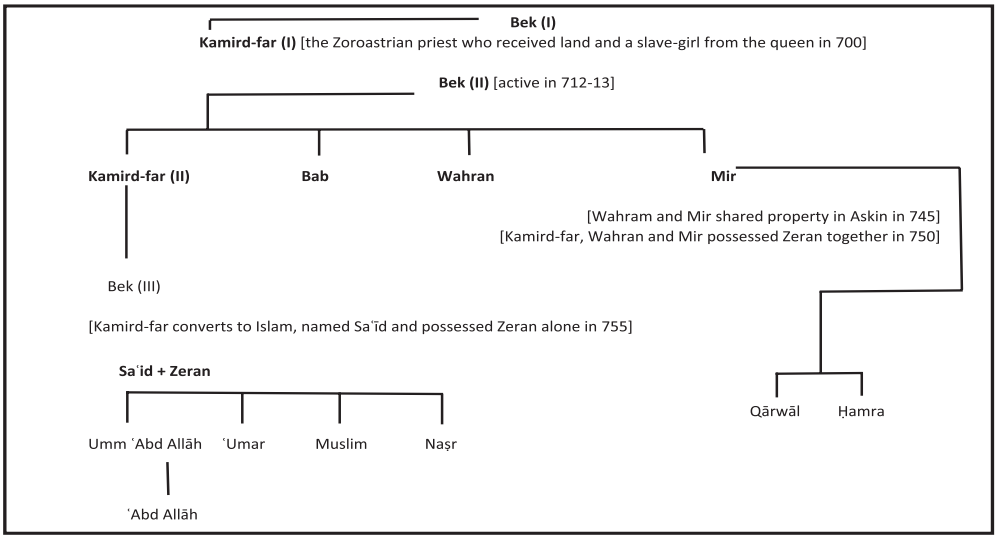

Figure 10.5 Family tree of Mir. With some modifications after Sims-Williams and De Blois. *Studies in the Chronology of the Bactrian Documents from Northern Afghanistan*, 37.

[49] Sims-Williams and De Blois, *Studies in the Chronology of the Bactrian Documents*, 39.

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unhappy about it and wanted equal rights over her based on the Bactrian law of joint ownership. The brothers' claim could have disturbed Kamird-far and Zeran. The fact that Bab is not part of it may suggest his disagreement with the claim. To deal with the Bactrian law of joint ownership, Kamird-far needed the legal support of an authority outside Bactrian law.

Theoretically, Kamird-far's conversion to Islam and his association with Ghālib as an Arab Muslim authority could have solved the problem. Perhaps, upon the request of Kamird-far, now called Saʿīd, Ghālib issued this emancipation letter in 755 to help his *mawlā*.[50] Saʿīd had four children with Zeran, all of whom bore Arabic names. This suggests that they had all converted, or perhaps the choice of names was to show Saʿīd's affiliation with Muslims. The emancipation letter (ʿ*itq*) was an Islamic legal document giving Zeran and her children certain rights. This legal document could fulfil Kamird-far's need to counter the Bactrian law of joint ownership.

Legally speaking, a family which had converted to Islam could not be owned by other people, and the non-Muslim brothers would not have had any rights to Zeran. If Mir and his other brothers harassed her, the Muslim authorities could be called in. Hence, conversion provided the solution for Kamird-far and released him from the old Bactrian traditions of cohabitation and joint ownership. After their conversion, Kamird-far, Zeran and their children became part of the Muslim religious community, in which Islamic law provided no space for customs of brothers possessing a woman together.

The above mentioned scenario helps us understand why Bab left the household, as discussed in the first part of this chapter. The conversion of Bab's elder brother Kamird-far (Saʿīd) changed the latter's status within the household. Kamird-far could also avoid other Bactrian laws, such as joint ownership over household properties, and follow the Islamic laws existing in his time. Conversion also forced the division of properties among the brothers, which was strongly discouraged by the Bactrian tradition because it could destroy the household. This is the warning clause mentioned in the Bactrian document of undertaking signed by Mir and his brothers in 750 CE. Bab must have witnessed all these, especially Kamird-far's conversion, which allowed him to take Zeran and his share of the household's properties.

Did the conversion of Kamird-far motivate Bab to leave the household? Possibly, yes. Several Arabic tax receipts issued in the name of Mir and Bab

[50] Sims-Williams also pointed out that after Kamir-far's conversion, Zeran additionally acquired the status of *umm walad*, but Kamird-far was not in a position to issue the emancipating letter and thus needed Ghālib's help (Sims-Williams and De Blois, *Studies in the Chronology of the Bactrian Documents*, 38).

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between 147 and 155/764 and 772 suggest that the division of properties between Mir and his brothers had taken place. That means the Bactrian law of joint ownership collapsed within this household. The earliest preserved tax receipt mentions that Mir paid taxes for the year 144/761. Thus, the division of properties must have happened earlier than this date and probably after Kamird-far's conversion. The division of properties between brothers denoted individual ownership and that obliged Mir and his brothers to pay taxes from the lands they possessed.[51] Thus, conversion severed the economic ties that had once bound this family together.

The conversion of Kamird-far was not simply an individual issue but had an impact on the whole household. It dismantled the household and created separation between the brothers. From Mir's protection letter, we learn that Bab left some problems such as debts, promises and disputes for his elder brother Mir to resolve. Resenting the situation and isolated at home in Rob, Mir decided to visit the court of King Kera-tonga to save what remained for him.[52] Probably, Mir carried his copy of the document of undertaking signed by all brothers in 750 to support his appeal against his brothers, particularly Bab.[53] This helps one to understand why the King mentions that he found Mir's petition just and necessary. It legitimised Mir's petition, and the protection letter was issued.

The Bactrian protection letter given to Mir and the Arabic emancipation letter issued for Kamird-far (Saʿīd) offer significant information beyond Mir's familial problem. They reflect the political situation that affected Mir's family. They show the coexistence of Muslim and non-Muslim political structures and how their administrative systems functioned side by side in early Islamic Bactria, an issue that is rarely encountered in literary sources.[54] Recognising this reality helps us understand why Mir's family members decided to visit different authorities. This will be discussed next.

[51] Bactrian document no. W in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 126–35. Interestingly, when the Arab Muslims took Rob, the Bactrian tradition of taxation in which taxes were levied on the households continued until 747. Most probably, the conversion that led to individual ownership of land became the reason for the change in the taxation system in Bactria under the early Abbasids. However, this is an academic conjecture, and more sources are needed to support it. At the moment, we do not have one. In contrast to this suggestion, Azad views the situation from a top–down perspective. She argues that the Abbasid taxation system ended fraternal polyandry and, with that, joint ownership in Bactria. So far, there is not enough evidence to describe the process of forming the early Abbasid taxation in Khurasan (Azad, 'Living Happily Ever After').

[52] This issue was also pointed out by Sims-Williams in a personal conversation (18 October 2019).

[53] In the Bactrian legal system, each party received their copy of the contract and the record of the deal was registered in the local offices for supervision.

[54] Coexistence of the two systems is briefly mentioned by Azad 'The Beginning of Islam in Afghanistan', 41, 50–54.

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A Historical Context: Power Dynamics in Early Islamic Bactria

The protection letter given to Mir by Kera-tonga, the emancipation letter (*ʿitq*) issued by Ghālib for Zeran and her children, and the Arabic tax receipts issued by the Muslim administrators for Bab and Mir are written in two different languages: Bactrian and Arabic. These languages belong to linguistic families with different alphabets and writing systems. Bactrian was a spoken language in Bactria and became the main administrative language from the second century CE.[55] It continued to the ninth century without any interruption.[56] In contrast, Arabic was a new language brought to Bactria by the seventh-century Arab Muslim conquerors.[57] It did not become an administrative language among local Bactrians during the Umayyad period.[58] Possibly, Arabic was limited to the Arab Muslim garrisons. However, the Arabic documents belonging to the Mir family discussed earlier show that Arabic was used as an administrative language

[55] The Kushan monumental inscriptions at Rabatak and Surkh Kotal temples, constructed during the second century, were written in the Bactrian language (Nicholas Sims-Williams, 'The Bactrian Inscription of Rabatak: A New Reading', *Bulletin of Asia Institute,* New Series 18 [2004]: 53–68). Possibly, Bactrian was the lingua franca to the north and south of the Hindukush. The recent discovery of a Bactrian inscription in Ghazni supports this idea. For further detail, see Nicholas Sims-Williams, 'The Bactrian Inscription of Jaghori: A Preliminary Reading', *Bulletin of Asia Studies* 30 (2021–22): 67–73.

[56] Even under the Sasanians (223–651), Middle Persian did not replace the Bactrian language. The evidence comes from a Middle Persian document from Rob. See Dieter Weber, 'Appendix 2: The Pahlavi Letter Doc.129 of the Khalili Collection', in *Studies in the Chronology of the Bactrian Documents from Northern Afghanistan*, by Nicholas Sims-Williams and François de Blois with contributions by Harry Falk and Dieter Weber (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2018), 99–108. Bactrian continued during the Kidarites (third–fifth century), the Hephthalites (fifth–sixth century) and the Western Turks (551–650).

[57] It is not certain if it was ever used as an administrative language by Bactrians during the Umayyad period. If the Arabic document from Mount Mugh (known as *P.Krachkovski*) in Sogdiana, dating to 718–19, and those found from Sanjar Shah near Panjikent, dating to 721–80, are considered, then it is possible to say that Arabic was already used in the region by the early eighth century. However, that evidence comes from Sogdiana, and so far there is no indication that Arabic was a language of administration in Bactria. For an Arabic document from Sogdiana see V. A. Kračkovskaja and Ignatij J. Kračkovskij, 'Drevenjškij arabskij document iz Srednej Azii', in *Sogdijskij Sbrinik*, 52–90; Ofir Haim, Michael Shenkar and Sharof Kurbanov, 'The Earliest Arabic Documents Written on Paper: Three Letters from Sanjar-Shah (Tajikistan)', *Jerusalem Studies in Arabic and Islam* 43 (2016): 141–89.

[58] Joe Cribb has recently shown that the local kings of Guzgan in western Bactria used Arab-Sasanian coins on which the Arabic legends were written next to Bactrian and Middle Persian (Personal communication, SOAS, October 2019). Cf. Joe Cribb, 'Coinage in Afghanistan during the Period of Islamic Conquest, c. AH 70–150 [AD 690–767]'. Paper presented at the workshop 'Contesting Empires: Sogdiana, Bactria and Gandhara between the Sasanian Empire, the Tang Dynasty and the Muslim Caliphate (ca. 600– 1000 CE)', Leiden, 17 September 2020. He has kindly shared his draft on these coins with me.

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besides Bactrian in the early Abbasid period. The presence of two languages also signified the presence of two different political powers. The Turkic king issued the Bactrian document for Mir and an Arab Muslim authority gave the emancipation letter to Zaran.

The coexistence of Turkic and Arab Muslim authorities was related to the conquests in Bactria. When the Arab Muslims entered Bactria in 32/652, different principalities controlled the region. Though they were autonomous in their internal affairs and had their military forces, they recognised the political overlordship of the *qaghān* of Western Turks and paid him tributes.[59] The *qaghān* did not interfere in local rulers' internal affairs. In the early eighth century, the Arab Muslim forces incorporated most parts of Bactria into the Umayyad empire.[60] The kingdom of Rob in southern Bactria, where the Mir family lived, became part of the Umayyad empire in 128/747.[61] However, the Arab Muslims could not conquer the eastern parts of Bactria, and Kadagstan remained under the Turks' control.[62] Hence, the Rob region was the Muslim frontier with the Turks in Bactria. Muslim and non-Muslim authorities controlled their areas independently and had their political structures and administrative systems.[63]

[59] This is reported by Xunazang, who visited Bactria in 630 (*Si-Yu-Ki*, 28). It is also reflected in some Bactrian documents. See Bactrian documents no. N, Nn, P, Q in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 68–73, 74–75, 84–87, 88–91.

[60] The conquests of Bactria began around 90/710 after Qutayba b. Muslim suppressed the revolt of *nizak ṭarkhān*, the Hephthalite prince of Badghis who led an anti-Umayyad regional alliance (Muḥammad b. Jarīr al-Ṭabarī, *Taʾrīkh al-rusul wa-l-mulūk*, ed. Michael J. De Goeje [Leiden: Brill, 1879–81], 9:1218–25). Qutayba's military operations in Bactria are reflected in most Arabic narratives related to Umayyad Khurasan. See Ibn ʿAtham al-Kūfī, *Kitāb al-futūḥ*, ed. ʿAlī Shīrī (Beirut: Dār al-Aḍwāʾ, 1411/1991), 7:149–52; Aḥmad b. Abī Yaʿqūb b. Wāḍiḥ al-Yaʿqūbī, *Taʾrīkh al-Yaʿqūbī*, ed. ʿAbd al-Amīr Muhannā (Beirut: Shirkat al-ʿilmī li-l-Maṭbuʿāt, 1431/2010), 2:208; Al-Ṭabarī, *Taʾrīkh*, 8:1206–07, 1218–19, 1225; Abū Bakr ʿAbd Allāh b. ʿUmar b. Muḥammad al-Wāʿiẓ al-Balkhī, *Faḍāʾil-i Balkh*, trans. ʿAbd Allāh Muḥammad b. Muḥammad al-Ḥusaynī al-Balkhī, ed. ʿAbd al-Ḥayy Ḥabībī (Tehran: Intishārāt-i Bunyād-i Farhang-i Iran, 1350/1971), 32–33; Ḥusayn b. Aḥmad al-Sullāmī *Akhbār wulāt Khurāsān*, reconstructed text by Muḥammad ʿAlī Kāẓim Bigī (Tehran: Mīrāth-i Maktūb, 1390/2011), 105.

[61] This idea can be supported by a Bactrian legal document produced in 525 of the Bactrian calendar equal to 747 CE in Rob. It mentions a local family which had to sell its farming land because of two types of taxes called γαζιτο and βαριτο (ταζιιαγγο γαζιτο οδο βαριτο) imposed by the Arabs (Bactrian document no. W in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 126–35). Unlike earlier documents from Rob, this document no longer refers to the Turkic rulers, showing that the region had been incorporated into the political structure of Umayyad Khurasan.

[62] See Bactrian document no. T in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 98–103; This issue is also reflected in al-Ṭabarī's report on the rebellion of the *nizak ṭarkhān* (al-Ṭabarī, *Taʾrīkh*, 9:1218–25).

[63] Bactria had long been a militarily contested frontier. The Sasanians, the Kidarites, the Hephthalites and the Western Turks fought each other over this region. To a lesser extent, the Tang

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The coincidence of Muslim and non-Muslim powers in Bactria had several impacts on the region. Politically, it could turn the region into a bone of contention, and the competition between these powerful rivals could be detrimental to the local populace. For instance, they had to pay taxes to both sides at the same time.[64] However, some people could use this rivalry between the more considerable powers for their socio-political interests. Using a bigger political power for local interest was already known in the region. For instance, in the early eighth century, the King of Chaghaniyan in northern Bactria invited Qutayba b. Muslim al-Bāhilī (d. 96/715), the Umayyad governor of Khurasan, to his region to overcome his neighbouring rival kings.[65] The king of Rob, who had a problem with his neighbouring Hephthalites, supported the Arab Muslims against them.[66] Bactrian rulers helped the famous Arab Muslim anti-Umayyad rebels such as Mūsā b. ʿAbd Allāh b. Khāzim (d. 85/705)[67] and al-Ḥārith b. Surayj (d. 128/746).[68] Another example is the King of Khuttal in northern Bactria, who invited the Türgesh Turks to remove the Umayyad forces from his area.[69] The history of Umayyad East is full of such examples.[70] People's appeal to these

Empire of China (618–907) and the Tibetans entered this competition shortly after the Arab Muslims arrived. Each side attempted to expand or consolidate its political and military control here. However, the complex geography and military competition prevented any of these powers from dominating the entire region for a long time. For a general view of the competing empires, see Thomas Barfield, *The Perilous Frontier: Nomadic Empires and China, 221 B.C. to A.D.* 1757 (Cambridge MA/Oxford: Blackwell, 1989); Christopher I. Beckwith, *Empires of the Silk Road: A History of Central Eurasia from the Bronze Age to the Present* (Princeton: Princeton University Press, 2009), 112–40; Haug, *the Eastern Frontier*.

64 This was not unknown in Bactria. For example, a Bactrian document produced possibly in fifth-century Kadagstan mentions that an elite person had to pay taxes to the Sasanians and the Hephthalites who fought each other on Bactrian soil (Bactrian document no. al in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 164–65).

65 Aḥmad b. Yaḥyā al-Baladhurī, *Futūḥ al-buldān*, ed. Michael J. De Goeje (Leiden: Brill, 1866), 419–20; al-Tabarī, *Tārīkh*, 8:1180.

66 Al-Ṭabarī, *Taʾrīkh*, 9:1218–20.

67 Al-Ṭabarī, *Taʾrīkh*, 8:1153–61.

68 See also my study on al-Ḥārith's rebellion in Bactria: 'The Rebellion of al-Ḥārith b. Surayj (116–28/734–46): The Local Perspective', in *Acts of Rebellion and Revolt in the Early Islamic Caliphate*, ed. Alon Dar and Petra M. Sijpesteijn, *al-ʿUṣūr al-Wusṭā* 30 (2022): 516–53.

69 al-Ṭabarī, *Taʾrīkh*, 9:1594–96.

70 This is known from Sogdiana as well. In the eighth century, the Sogdian converts appealed to the Türgesh forces to intervene after the Umayyad governors imposed poll-tax (*jizya*) on them (al-Ṭabarī, *Taʾrīkh*, 9:1507–10). Ghūrak, King of Samarkand, requested the Türgesh *qaghān* and the Tang Emperor to help him against the Umayyads, while he had peace treaties with the Umayyad governors of Khurasan (al-Ṭabarī, *Taʾrīkh*, 9:1594–96). The *yabghu* of Tukharistan in eastern Bactria supported the Türgesh against the Umayyads (al-Ṭabarī, *Taʾrīkh*, 9:1547). The *yabghu*'s brother contacted the Tang Emperor for help as well (Chavannes, *Documents sur les Tou-kiue*, 200–20).

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rival powers not only benefited them but also provided space for those rivals to show off their authority and areas of influence within each other's territories. The Mir family was part of this complicated political situation in which both Muslim and non-Muslim authorities coexisted and ruled their areas independently. Mir's appeal to the Turkic King provided an opportunity for the latter to play off his influence in Rob, which was controlled by the Muslims. The Bactrian protection letter reflects this situation.

The protection letter applies majestic language to King Kera-tonga. He is called 'the king of the people of Kadag, the governor of the renowned *qaghān*, prosperous in glory'.[71] He was also called the *ser*, which was a high political title. He was related to the house of Tonga-spara and recognised the suzerainty of the Turkic *qaghān* and not the Abbasid Caliph or his governor of Khurasan. The protection letter glorifies the King for his kindness in listening to Mir's petition and for his justice in indulging him by giving him the document. Mir is also said to have carried out service for the King. The nature of this service is unknown, but Mir was previously mentioned as having been a servant of the *ser*. Interestingly, the letter clarifies that Mir was a resident of Rob but a subject of the Turkic King, who did not control Rob. This indicates Kera-tonga's long arm within the Muslim area of political control. It also helps us understand why the King supports Mir's petitions, given that he has travelled to this court instead of approaching the Muslim authority in his own area (see Fig. 10.6).

The protection letter is very general in formula and universal in its message. This could not have been accidental but was intentionally designed to be general and universal. It does not specify any region but addresses all freemen, aristocrats, citizens and officials. Mir's problem was a familial issue and might not have been related to all those groups of people mentioned in the protection letter. He was probably not threatened by aristocrats but by his own relatives or those who had issues with his brother Bab. So why should the King have addressed his protection letter so universally?

Theoretically, Kera-tonga's universalistic forms of address cover all inhabitants of the region, including Muslims. Using such formulas, the King showed off his presence and glory and his claim to authority over the entire region. Thus, it is not surprising that his letter opens with the Bactrian formula 'In the name of God' (πιδο ναμο ιεζδασο), which is equivalent to the Arabic *bismallah*. This formula must have been known to Bactrian Muslim audiences. By issuing this letter, Kera-tonga shows that even people

[71] Bactrian document no. Y in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 142–43.

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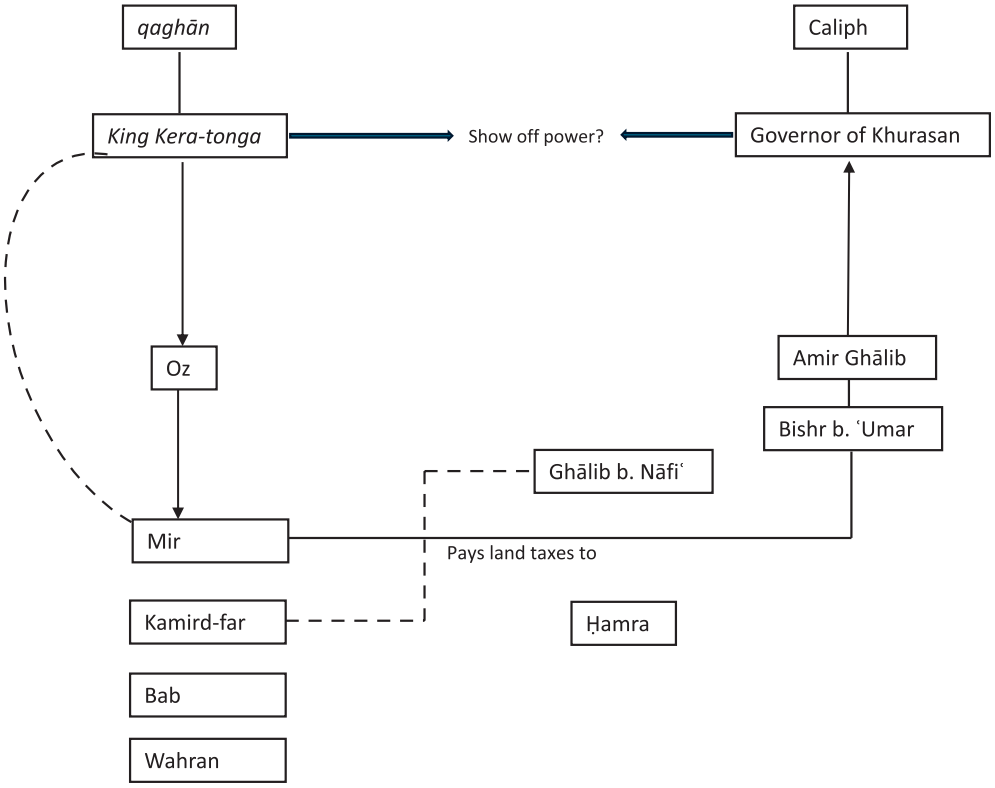

Figure 10.6 Mir and his family between the Arabs and Turks.

in Rob, whose region was controlled by the Muslims, recognised him as a 'just' and legitimised authority for legal judgment. For this reason, Mir decided to appeal to him rather than to the Arab Muslim authorities.

Compared to the Bactrian protection letter, the emancipation letter issued by Ghālib does not elaborate on his socio-political position. Whether he was the Arab Muslim authority is unknown. The emancipation letter has the formula 'nobody has any right over them' (*laysa li-aḥadin ʿalayhim sabīlun*). This formula is general and does not refer to one specific individual(s). In any case, it is issued for a local person who visited Ghālib to obtain it. The document has a clay sealing with the thumbnail imprints of witnesses attached to the document. Though it is an Islamic legal document, it follows the Bactrian convention of validating a legal document.[72]

[72] The sealing was made by rolling a small portion of soft and wet clay, which was then attached to the document to keep the folding in place. Subsequently, the thumbnail impressions were made on the clay sealing. The thumbnail impression was an act of validation, an established practice in Bactria. See Sims-Williams and La Vaissière, 'A Bactrian Document from Southern Afghan-

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This should not be surprising. Ghālib lived in Bactria and issued his letter for a local witnessed by other locals who knew their legal tradition.

The protection letter and the emancipation letter reflect a significant point. In the eastern frontier region (where the more considerable political powers, such as the Arabs and the Turks, contested control) one had to compromise and adjust to the local situation. These political powers acted flexibly and did not hesitate to adopt administrative and cultural elements from each other as long as it helped them to be seen as just and legitimised rulers by the people. Similarly, the emancipation letter issued for Zeran shows that the Islamic legal tradition was not yet fully crystalised in this period, and it is not a surprise to find it adopting the Bactrian legal tradition.[73]

The Bactrian and Arabic documents issued for the Mir family reflect people's interaction with different authorities. The coexistence of Muslims and non-Muslim powers provided locals with the option of selecting between one of these authorities in time of need. The case of Mir's family shows that Kamird-far preferred to approach the Muslims and solve his problem by seeking their help. In contrast, Mir appealed to the Turkic King and asked for his protection. Moreover, there are two Arabic documents possibly related to Mir's daughter Ḥamra, dating to 149/766, which show she did not follow her father's example. These two documents are related to her dowry and were issued by Arab Muslim authorities in Rob. In one of them, Ḥamra appointed a certain ʿIsā b. Salīm as her legatee to receive her dowry. Whether Ḥamra was converted is not clear from the documents.[74] However, if these two documents do belong to Mir's family, then they show that members approached both the Muslim and non-Muslim authorities to obtain the best outcome for their particular situation.

Conclusion

The Bactrian and Arabic documents discussed in this chapter highlight the social relations in early Islamic Bactria. They show the position of the household as the foundational pillar of Bactrian society. The household members lived together, shared the same physical space and jointly owned the properties. Anything that threatened the existence of the household was

istan?' 39–53; Bactrian document no. U in Sims-Williams, *Bactrian Documents from Northern Afghanistan* I, 106–11.

[73] This can be seen on another Arabic emancipation letter issued for a certain Nūfāḥ and her children (*P.Khurasan* 30).

[74] *P.Khurasan* 27 and 28.

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considered unjust and unlawful. To protect the household, its members often visited the Bactrian authorities who knew the Bactrian laws, presented their petitions and asked for help. Mir's visit to the King in Kadagstan was to protect his property with the King's help.

The case of Mir and his brothers shows that conversion to Islam threatened the foundation of the Bactrian household. The conversion of one family member could cause disagreement within the family and eventually disperse it's members. Though the Arab Muslim authorities did not bother about the local customs in practice due to their political concerns in the frontier region of Khurasan, the coexistence of Arab Muslims and local Bactrians created space for exchanging some legal elements. The coexistence of two different legal systems was not only about cooperation and compromise but also led to competition over dominating the jurisdictional ground. Bactrian law emphasised the continuation of Bactrian traditions to protect the household. Islamic law acted in opposition to Bactrian laws concerning, for example, marriage and inheritance. The coexistence also created competition between the two administrations.

Cultural exchange and legal competition were not confined to Bactria. Other scholars discuss it for different regions in this edited volume. For instance, Lajos Berkes discusses the impact of Arabic epistolary culture in the seventh–eighth centuries and the influence of Arabic formulaic phrases in Greek and Coptic documents from Egypt and Palestine.[75] Simon V. Pierre discusses the legal boundaries drawn between Christians and Muslims by their religious authorities. He argues that the rival ecclesiastical and religious hierarchies attempted to create borders between people to keep them under their authority.[76] Similarly, the division among family members due to conversion was not specific to early Islamic Bactria. Peter Brown shows that conversion to Christianity divided four brothers from Aphrodisias in Caria after one converted and became a monk in Alexandria. Two other brothers remained prominent local figures, and the fourth brother 'was sent to complete his studies in Alexandria on condition that he made no contact with his brother, the renegade to Christianity'.[77]

At the same time, conversion allowed locals to solve their problems by appealing to the Muslim authorities. In the case of Mir's family, conversion

[75] Lajos Berkes, 'Peace Be upon You': Arabic Greetings in Greek and Coptic Letters Written by Christians in Early Islamic Egypt', chapter 16 in this volume.

[76] Simon V. Pierre, 'Boundaries that Bind? Christian and Pagan Arabs between Islamic and Syriac Strategies of Distinction (Late First Century AH)', chapter 15 in this volume.

[77] Peter Brown, *Power and Persuasion in Late Antiquity towards a Christian Empire* (Madison, WI: The University of Wisconsin Press, 1992), 130.

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provided the opportunity for Kamird-far to solve his problem, but the process split the family. Mir's daughter Ḥamra also approached the Muslim authority to solve her problem. In short, the arrival of Muslims affected the fundamental fabric of Bactrian society, including the pre-Islamic household structure.

The Bactrian and Arabic documents show the limit of the Islamic empire in the region, the coexistence of Muslim and non-Muslim political power, and two different administration systems working side by side in Bactria in a way that is less known from the literary sources. The coexistence of the early Abbasid and Turkic powers in Bactria had different impacts on the locals. Though it could create pressure on them, it also could provide an opportunity for local elites to keep the balance between them. However, approaches to these authorities would allow one rival power to show off its influence within the other's area of political control. Kera-tonga's letter illustrates that he was aware of this power competition and tried to project himself as a universal ruler (at least in words) whose justice reached the inhabitants of Rob living under the Muslim authorities.

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11 Emotion in Early Islamic Social Hierarchies: Affection, Threats, and Appeals to Piety in Official Documents from the Umayyad and Abbasid Periods

KAREN BAUER

Despite the proliferation of writing in the field of emotions history, emotions have been very little studied in the medieval Arabic and Islamic context, and the study of emotion in medieval politics has been particularly neglected.[1] This paper offers an initial overview of the emotively charged language of affection, threats, and appeals to God and pious behaviour in early Islamic documents that have an official function and some kind of persuasive element: letters to officials, tax demand letters, a caliph's speech at a time of political unrest, and marriage contracts which encourage proper moral behaviour. The documents analysed here have different functions and forms and were written in different periods, but they all represent relationships with a power differential in which one of the parties has power (state official or husband) and the other is subject to their authority (subject of the state, lesser official, employee, or wife). It soon becomes clear that the emotive appeals analysed here work within a specific morality underlying the hierarchical relationship in which that relationship is not only based on raw power and brute force: appeals, whether to or from a person in authority, depend on goodwill, affection, loyalty, and willing compliance. This suggests that such persuasive documents seek to strengthen or to create an affective relationship within social hierarchies that has its own rationale, beyond mere rational arguments or coercive force.

I would like to thank Feras Hamza for his insightful comments on this piece. I would also like to thank Ed Hayes and Petra Sijpesteijn for inviting me to this conference and particularly Petra for her comments on an earlier draft. We first discussed emotion in documents in 2018; it has been a pleasure to have the opportunity to think this through more thoroughly.

[1] For initial work on emotion in Arabic documents, see e.g. Khaled Mohamed Mahmoud Younes, 'Joy and Sorrow in Early Muslim Egypt: Arabic Papyrus Letters, Text and Content' (PhD Dissertation, Leiden University, 2013); Khaled Younes, 'Arabic Letters of Condolence on Papyrus', in *New Frontiers in Arabic Papyrology: Arabic and Multilingual Texts from Early Islam*, ed. Sobhi Bouderbala, Sylvie Denoix, and Matt Malczycki (Leiden: Brill, 2017), 65–100. Also see the work of Petra Sijpesteijn in this volume.

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Recent contributions that steer away from purely top–down models of Islamic governance, such as those noted in the introduction to this volume, mark a significant difference from earlier characterisations. Earlier models might be represented by Patricia Crone, who characterised Islamic governance as coercive, based on 'institutionalised violence … in accordance with God's law'. Crone notes that 'coercive power was wielded only against evildoers. This was the essence of good government.'[2] Therefore, in her conception, the ideal medieval Islamic polity was inherently just, but it was also inherently violent: the threat of force was always present for wrongdoers. Linda Darling nuances the picture of justice by tracing the 'circle of justice' through time. In its shorthand form, this circle is: no power without troops, no troops without money, no money without prosperity, no prosperity without justice and good administration. This formulation, which shows that economic and social justice were key to Islamic rule, was present from pre-Islamic times and is cited by influential Islamic sources such as Ibn Qutayba (d. 276/889).[3] The circle of justice ensures that good administration will entail social and economic justice toward the poor and the needy;[4] yet equal weight is given to the power of the state, represented by troops.

There can be no doubt that medieval Islamic governance involved a measure of violence: this can be seen in the threats issued in documents as well as in the descriptions in histories. Yet in some of the documents surveyed here, appeals to affection, loyalty, or piety outweigh threats, while in others it seems well understood that the threats of violence will not be carried out. Threats in such cases seem to be a rhetorical performance of state power, which is deployed along with rhetoric that invokes affection and appeals to ideals of piety, fairness, and morality. Hence it is possible to refine prior models: early Islamic governance was not merely violence tempered by a strictly functional or economic justice, but was also ideally an emotional connection of moral goodness, piety, affection, and loyalty between ruler and ruled.

Historians of emotion have long argued that it is worth paying attention to emotions in political discourse. Nicole Eustace, who specialises in eighteenth-century America, highlights the crossover in the language of love and affection between politics and personal relationships: in colonial America, ceremonial political declarations between king and subjects 'relied heavily

[2] Patricia Crone, *Medieval Islamic Political Thought* (Edinburgh: Edinburgh University Press, 2005), 8.

[3] Linda Darling, *A History of Social Justice and Political Power in the Middle East: The Circle of Justice from Mesopotamia to Globalization* (New York: Routledge, 2013), 61. The whole book is of great interest for ideas of social justice in the Islamic context.

[4] Ibid. 7.

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on the language of love'. The slippage between personal and political is no accident; she comments on how such language 'helped further the fiction that their interests naturally and entirely coincided … [and] worked to elide distinctions between self and society, theoretically easing the tensions between communal and individual visions of the self'.[5] Taking a cue from such approaches, this article briefly compares the language used in communications to and from state officials with marriage contracts, and shows that both types of document rely more heavily on notions of piety and loyalty than they do on direct appeals to affection: it is God who is cast as the ultimate arbiter in both marriage contracts and in state communications, with the end result being the very same elision of the personal and political that Eustace notes in more direct expressions of affection. Personal piety becomes a reason for doing the right thing, either politically or within marriage; personal salvation comes to rest on correct actions in the body politic and in the household, and the hierarchical relationship becomes piously and emotionally charged.

Emotive appeals are particularly acute in documents that have a persuasive function such as those analysed here. The authors want something concrete, and in order to get it they seek to invoke a bond beyond the mere utilitarian. Ideally, such affective bonds would already exist; but presumably they were invoked more overtly in moments of tension, when there was a greater need to persuade. The connection between emotion and persuasion, which might be in some senses intuitive, has been subject to modern scientific studies focusing on the role of emotion in decision making,[6] but it is not entirely obvious how one might assess a medieval text's emotiveness. Emotion words might be a part of this effect, or the text might be written to provoke a feeling in its reader without any emotion words at all.[7] The

[5] Nicole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill: University of North Carolina Press, 2008), 109.

[6] There are many examples of scientific papers on the subjects of emotion and decision making and emotion and persuasion. A few include Jennifer Lerner, Ye Li, Piercarlo Valdesolo, and Karim S. Kassam, 'Emotion in Decision Making', *Annual Review of Psychology* 66 (2015), 799–823; Maria Micelli and Fiorella de Rosis, 'Emotional and Non-Emotional Persuasion', *Applied Artificial Intelligence* 20 (2006), 849–79; Richard Petty and Pablo Briñol, 'Emotion and Persuasion: Cognitive and Meta-Cognitive Processes Impact Attitudes', *Cognition and Emotion* 29 (2015), 1–26; Edmund T. Rolls, *Emotion and Decision Making Explained* (Oxford: Oxford University Press, 2014).

[7] Few authors have attempted to assess what might be emotive about medieval texts in the Arabic/Islamic context, however. I have attempted to address this scholarly lacuna by focusing on the emotive aspect of texts, as well as their emotion words. See Karen Bauer, 'Emotion in the Qurʾan: An Overview', *Journal of Qurʾanic Studies* 19 (2017), 1–30; 'Emotive Rhetoric, Plot, and Persuasion in a *Jihād* Sura (Q 8 Al-Anfāl)', in *Unlocking the Medinan Qurʾan,* ed. Nicolai Sinai (Leiden: Brill, 2022), 480–512.

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possibility of invoking emotion beyond emotion words has already been recognised by Willy Clarysse, who states that some of the most emotional letters in the Greek papyrus letters that he studied cannot be found through a word search, and that rather it is the tone that renders the letter emotional.[8] This paper highlights the affective potential of appeals to pious sentiment and goodness. Whether such appeals were believed, or whether they worked, are other questions; in some of the instances cited below, it seems certain that the answer was no.

This article is divided into four parts: (1) affection in greetings and blessings; (2) threats and appeals in the Arabic tax demands from the Umayyad governor of Egypt Qurra b. Sharīk (in office 90–96/709–14) to the pagarch Basileios; (3) piety, affection, and loyalty between ruler and ruled, which examines a speech of the caliph al-Muʿtaḍid bi-llāh (r. 279–89/892–902) preserved by al-Ṭabarī; (4) the crossover between the personal and political: marriage contracts, which very briefly summarises the appeals to the husband's piety and threats against him in marriage contracts, with some cross references to *ḥadīth*s and *tafsīr*. All of the parts of the paper show the importance of piety and argue that it represents an emotional connection between both parties in the hierarchical relationship, but the final two sections most clearly demonstrate the slippage between the language of piety and the nature of duty in both personal and political relations.

Affection in Greetings and Blessings

Most of the emotion in the documentary corpus is stylised: particular formulae were included for both state and private correspondence, and even from an early period there was a scribal culture which affected the writing of both official and private correspondence.[9] Many of the expressions of emotion in the documentary corpus, particularly in letters to or from state officials,

[8] In order to identify emotional content without a word search, Clarisse focuses on the way authors might stress concepts through the repetition of words, accumulating synonyms, polyptoton (in which the same word is used in different forms), hendiadys (in which two words are connected by 'and' when one could be an adverb of another), superlatives and intensifiers ('always', 'never', etc.), and litotes, which is ironic understatement. Willy Clarisse, 'Emotions in Greek Private Papyrus Letters', *Ancient Society* 47 (2017), 63–86.

[9] Petra M. Sijpesteijn, *Shaping a Muslim State: The World of a Mid-Eighth Century Egyptian Official* (Oxford: Oxford University Press, 2013), 226; see also Eugenio Garosi, 'Cross-Cultural Parameters of Scribal Politesse in the Correspondence of Arab-Muslim Officials from Early Islamic Egypt', in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt*, edited by Sabine R. Huebner *et al.* (Berlin: De Gruyter, 2020), 73–94.

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therefore, occur in the greetings and blessings that were standard parts of the letter. Yet the formulaic nature of a corpus does not render it meaningless; on the contrary, a standard form makes it easier to recognise deviations from the norm, which might be emotive in character. Historians of emotion have argued that rhetorical and formulaic expressions of emotion are still meaningful: speaking about letters, Barbara Rosenwein even welcomes 'commonplaces' for, in her view, 'one cannot separate feeling from rhetoric', and 'boilerplate has significance'.[10] For Rosenwein, the stylised nature of the emotion terms in greetings ('Dear' being her example) is significant in that such greetings delineate group affiliation: any change in the norms for letters and other correspondence can have significance. There is good evidence that the approach of paying attention to the stylised forms will pay off in Islamic studies: Rustow has recently argued that the increasingly stylised Fatimid petition is indicative of an ideology that the caliphs and other functionaries of the state 'should take their role as patrons and protectors of the weak seriously'.[11] Greetings and blessings, therefore, can indicate something about proper comportment and moral expectations within the norms of just governance.

All of the letters in the documentary corpus contain greetings with some emotive sentiments, and these were a part of the formulae for this type of communication. So, for instance, a third-/ninth-century return by a tax officer from the *kūra* of al-Ushmūnayn to the central tax office includes several blessings and references to God's help, which could be considered emotive:

> 2. what, by God's help, has been done in numbering the asses belonging to the herds of Baḥr b. al-Ḥasan and […]
> 3. We have written this, village by village; thus you may – may God strengthen you – order to expose this to Minā and Athantā
> 4. of your tax-office (*dīwān*) … if God will
> 5. May God prolong your life and be generous with you, may His grace upon you be complete, and may He increase [His beneficence towards you] (*aṭāla Allāh baqāʾaka wa-akramaka wa-atamma nʿimatahu ʿalayka wa-zāda fī i*[*ḥsānihi ilayka*])
> 6. in the name of God the Merciful, Compassionate (*al-Raḥmān al-Raḥīm*).[12]

This letter seems to be typical of one from a subordinate to his superior. Its author asks that God strengthen the recipient, that He prolong his life, be

[10] Barbara Rosenwein, *Generations of Feeling: A History of Emotions, 600–1700* (Cambridge: Cambridge University Press, 2016), 9. See also how she approaches emotion in the highly formulaic genre of martyrdom accounts, ibid. 59.

[11] Marina Rustow, 'The Fatimid Petition', *Jewish History* 32 (2019), 351–72.

[12] Edited by Adolf Grohmann as *P.Cair.Arab.* IV 261.

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generous, and so forth. These pious blessings are emotive because they indicate the sender's goodwill towards the recipient; invoking positive sentiment and God's goodwill is a way of bolstering the request in the letter. We know nothing of how this sender may have actually felt about the recipient of the letter, but it seems that such greetings may have been expected as a part of the proper comportment of a subordinate to his or her social superior. Petra Sijpesteijn shows that, in at least one instance, extensive greetings indicate that the sender is of inferior social status to the recipient; greetings can also differ when the letter's recipient is a Christian rather than a Muslim.[13] She also notes all of the instances in her corpus where the greetings are more extensive and elaborate than normal, and indicates that this usually occurs in private letters.

In some of the letters published by Sijpesteijn, the greetings and emotive appeals seem to occur when making demands of the recipient. For instance, when Jarīd b. Asʿad writes to ʿAbd Allāh b. Asʿad requesting that the *jizya* payments only be made after the harvest, he includes the unusual 'may God make me your ransom for all evil in this world and the next', which Sijpesteijn notes is an unusual formulation at that time, though it later became common.[14] He furthermore says that failure in this 'is very harmful for us', thus encouraging his subordinate to make the tax collection properly and thereby co-opting him into the greater moral good. There are particularly extensive greetings in two of Sijpesteijn's published letters, and these are both from people in subordinate positions. In one case, the letter writer, al-Salṭ b. Muhājir, explains that he cannot yet pay back the money that he has been given,[15] and in one case the extensive greetings, which take up most of the preserved part of the papyrus, are a prelude to a request which has been lost with the rest of the papyrus.[16] These variations within what Sijpesteijn calls 'an intentional literary culture'[17] are enough to warrant further investigation into emotively charged language in requests; indeed, both Sijpesteijn and Oded Zinger have noted that the language of loneliness is used in both personal and official correspondence in order to strengthen requests. As in the case of the blessings noted above, this affective language

[13] Sijpesteijn, *Shaping a Muslim State*, 388–89; on the different greetings for Christians, 223. See also Eva Grob: *Documentary Arabic Private and Business Letters on Papyrus: Form and Function, Content and Context* (Berlin: DeGruyter, 2010), 33ff, on slide-in blessings.

[14] Edited by Petra Sijpesteijn as *P.MuslimState* 22.

[15] *P.MuslimState* 29.

[16] *P.MuslimState* 33.

[17] Sijpesteijn, *Shaping a Muslim State*, 233.

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is tied to piety and to notions of moral goodness which bind personal relationships of patronage and protection as much as state relations.[18]

Threats and Appeals in Tax Demands from Qurra to Basileios

Among the best-known and earliest-published papyri documents are letters from the governor of Egypt Qurra b. Sharīk to Basileios, the Pagarch of Aphroditō. Qurra b. Sharīk was the governor of Egypt from 90/709 to 96/714, under the caliph al-Walīd b. ʿAbd al-Mālik.[19] His letters have been the subject of several studies from the 1930s onward.[20] The significance of these letters has never been doubted, but the import of their content has proven somewhat controversial. As Sijpesteijn has noted, such letters are meant not just to convey information, but to transmit the message of state authority.[21] They have been given as evidence for authoritarian governance of Umayyad rulers; alternatively, Grohmann argued that they show Qurra to have been a fair and clement governor,[22] while Papaconstantinou's view is that the very repetition of threats in these letters indicates Qurra's relative powerlessness. Rather than indicating the absolute power of the state, the correspondence indicates its many weaknesses; thus 'the governor's rhetorical flights should not be taken absolutely literally'.[23]

[18] See the contributions of Petra Sijpesteijn and Oded Zinger in this volume, and Oded Zinger, 'The Use of Social Isolation (*inqitāʿ*) by Jewish Women in Medieval Egypt', *Journal of the Economic and Social History of the Orient* 63 (2020): 820–52.

[19] Clifford E. Bosworth, 'Ḳurra b. Sharīk'. In *Encyclopaedia of Islam, 2nd edition*, ed. Peri Bearman, Thierry Bianquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill). Consulted online on 30 October 2019 <http://dx.doi.org.iij.idm.oclc.org/10.1163/1573–3912_islam_SIM_4548>.

[20] Including Nabia Abbott, *The Qurra Papyri in the Oriental Institute* (Studies in Ancient Oriental Civilization 15) (Chicago: Oriental Institute, 1938); Henri Lammens, 'Un gouverneur omayyade d'Égypt, Qorra ibn Śarīk, d'après les papyrus arabes', in *Études sur le siècle des Omayyades* (Beirut: Imprimerie catholique, 1930), 305–23; Tonio Sebastian Richter, 'Language Choice in the Qurra Dossier', in *The Multilingual Experience in Egypt from the Ptolemies to the ʿAbbāsids,* ed. Arietta Papaconstantinou (Abingdon: Routledge, 2010), 189–220.

[21] Or, as Sijpesteijn puts it, 'Letters issued by government offices, for example, functioned as symbols of sovereignty, transmitting important messages about authority and statehood and projecting images of the state's self-representation' (*Shaping a Muslim State*, 219).

[22] 'The Qorra shown by the papyri is a quite different person. There is no trace at all of any tyrannical or oppressive conduct. Qorra is very anxious to safeguard the people against oppression by his subordinates, tax officials, as well as the headmen of the small villages …. He appears as a zealous servant of the Caliph' according to Grohmann, *From the World of Arabic Papyri* (Cairo: al-Maʿārif Press, 1952), 123–24.

[23] Arietta Papaconstantinou, 'The Rhetoric of Power and the Voice of Reason: Tensions between Central and Local in the Correspondence of Qurra ibn Sharīk', in *Official Epistolography and the Language(s) of Power: Proceedings of the First International Conference of the Research Network*

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Papaconstantinou presents evidence gleaned from the documents that Basileios hid fugitives, that he was dishonest, that he sent adulterated coins in payment, and that he engaged in trafficking.[24] Yet, despite the numerous threats in the Qurra papyri, she shows that there is no sign that any of these were carried out.[25] In the end, she argues that the 'repeated threats that were never put into practice [show] that this exhibition of power was to some extent a compensation for a fundamental impotence'.[26] Either Basileios would not, or could not, comply with these demands, and there is no evidence that he was made to comply. If these letters were ultimately ineffective, then all parties concerned must have known the limited power of the state. In this regard, it is highly significant that the threats here are often tempered with appeals to Basileios' better nature and indeed to some kind of positive opinion on Qurra's part.

A letter from Qurra to Basileios from Shawwāl 91 (August, 710) is a magnificently preserved document which exemplifies such emotive rhetoric. In it, Qurra (through his scribe, ʿUmayr) pressures Basileios to pay the taxes owing. It starts with the promise (1), it moves to an implied threat, which can be averted if the recipient displays the 'trustworthiness, efficiency, and promptness' that the author expects (2), and ends with an admonition to follow the good guidance offered in the letter, which will result in fair treatment (3) (numbering and paragraphing are mine):

[1] Verily if I find with you what I should like to find respecting regular remittance and satisfactory consignment, I shall do good to you, and do you favour, and strengthen for you your business and your administration, and I hope, if God wills, that it may be so.

[2] But if I find your administration otherwise, then as the man is only rewarded according to his work (*yujzā al-marʾu bi-ʿamalihi*)[27] blame only yourself. Do not remain in arrears [after the date] which I have named, and I do not wish to learn of your insufficiency or unpunctuality nor that you come to me leaving any part of the money behind. For indeed, by God, nobody acts that way without learning when he comes to me that what he has done is wrong, and faulty in the discharge of his official duties. I should not wish that anybody should see in your administration anything of which he disapproves: any insufficiency, withholding or annulling. For when I sent you to your post, it was with the expectation that you would show trustworthiness, efficiency and promptness in thy office.

Imperium & Officium, Comparative Studies in Ancient Bureaucracy and Officialdom, University of Vienna, 10–12 November 2010, eds. Stephan Procházka, Lucian Reinfandt, and Sven Tost (Vienna: Österreische Akademie der Wissenschaften, 2015), 267–80, at 268.

[24] Papaconstantinou, 'The Rhetoric of Power', 271.

[25] Ibid. 273.

[26] Ibid. 277.

[27] Compare Q 7:147, 9:121, 24.38, 27.90 *et passim*.

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[3] May you then be near to the good opinion I hold of you (*aḥsan ẓannī bika*). By God, if you act virtuously and are entirely trustworthy (*la-in takūna muḥsinan mujamalan amīnan*), then I would prefer that and it would please me more than if it were otherwise (*aḥabbu ilayya wa-aʿjab ʿindī min an takūna ʿalā ghayr dhālika*). Do not burden yourself with ignominy nor corrupt your administration and ask God's aid, for if anyone really cares for the well-being and shows trustworthiness, God will also help him and further his work. Then present yourself to me with an account-book, about which you think I might question you respecting the administrative sphere of your country and its clerks. And hail to him who follows the guidance.
And ʿUmayr has written it in Shawwāl of the year 91.[28]

The structure of this letter echoes the structure of what I have called an 'emotional plot' in the Qurʾan. In this rhetorical strategy, the audience is faced with a choice: either be humble and obey and be granted ultimate salvation, or arrogantly disobey and face damnation.[29] As in the Qurʾan, the threats and promises in this document are emotively couched in heavily moral language: obedience is associated with virtue (*iḥsān*), goodness, trustworthiness, and piety. Qurra assures Basileios that he has a good opinion of him, and that this good opinion merely needs to be fulfilled. The expression of some type of esteem or affection, and appeals to the better nature of the recipient, are a crucial part of the persuasive rhetoric. Here, as in the greetings studied above, notions of piety and moral goodness are integral to persuasiveness.

According to all evidence, it was common for someone in difficult circumstances to invoke God's help, thereby invoking the mercy of the person receiving the request; in some cases, the connection between God's help and the recipient's help is explicit.[30] In the third part of this letter, Basileios is explicitly warned not to invoke God in order to dodge his own responsibilities; he is told that God will help those who are trustworthy. The implication is clear: for Basileios to invoke God's help in such a scenario would be a calculated act of impiety. This assumes that the sender and recipient, though from different religious communities, are bound by the same moral code under God.

The esteem expressed in this initial letter wanes, and threats are more direct, in subsequent communications. In the letter reproduced below, Qurra threatens Basileios with the severest punishment and the heaviest fine if he does not send the full weight and measure of taxes. Despite the threat in

[28] *P.Cair.Arab.* III 146. Translation Grohmann's, with my amendments.
[29] Bauer, 'Emotion in the Qurʾan', 1–30.
[30] On this, see the contribution of Sijpesteijn in this volume.

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lines 1–3 of the letter, in line 10 Qurra nevertheless assures Basileios of his leniency, should the taxes come to him.

1. this term him I will punish with severest
2. punishment and inflict upon him the heaviest
3. fine. And I do not imagine that this
4. has not come to your knowledge nor
5. that it has come to the knowledge of the people of your district. And
6. upon my life the term is now past by more than
7. two months, and I had written to you before
8. this letter commanding that you send to us with all speed what you
9. have already gathered in,
10. and I would act leniently towards them and treat them with indulgence …[31]

These letters emphasise Qurra's power over Basileios, but equally they show him as a just ruler, who will not punish without cause. Many of Qurra's letters contain such threats and promises.[32]

A different model of coercion is seen in another letter from Qurra to Basileios, concerning arrears in taxes, from year 90 or 91 (708–10): it is impossible to tell if it is before or after the documents just analysed. In this letter, Qurra tells Basileios to remit the taxes that will be used to pay the troops, 'because the people have been concerned for months'.[33] Qurra here shows himself to be the protector of the army, and to be in a delicate balancing act whereby taxes from one community go to finance another. The mention of the people's concern is a way of imparting urgency to the request, as well as showing Qurra as someone who looks after those people. Even if they were ultimately ineffective, the promises and threats in these letters are not only meant to display the coercive violence of the state, but also the justness of the ruler enacting the law, his ultimate clemency, and his trust in the virtue and better nature of the recipient.

[31] *P.Cair.Arab.* III 149, 15–19, dated 90–91 AH (708–10).

[32] For instance: 'They have yet three days. So if they bring the money of this tribute but if not then he will beat 2. each one of them every day ten 3. strokes of the whip and he will inflict on him one dinar out of his own means' (*P.Cair.Arab.* III 170). But also see the numerous examples of threats cited by Papaconstantinou.

[33] 'You know already what I have written to you about gathering in the [tax] money and about that which is pending with respect to allowance to the troops and their families and to the sending off of the men to the campaign. Now when this my letter comes to you, set yourself to collect the money, for indeed the country folk (*ahl al-arḍ*) have been concerned for months (*qad ḥammū mundhu ashhar*). Then hasten to send me what has been gathered in.' (*P.Cair. Arab.* III 148).

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Piety, Affection, and Loyalty between Ruler and Ruled

This section focuses on a document preserved in a historical source, which demonstrates the response of the Abbasid caliph al-Muʿtaḍid bi-llāh to popular pro-Umayyad sentiment; his response centres on what one might call 'coercive piety'. Rather than threatening his subjects with any worldly punishment for their lack of loyalty, al-Muʿtaḍid instead invokes God, with the implication that his subjects will be punished in the Hereafter if they do not obey him. The central argument of the speech is that al-Muʿtaḍid has been entrusted by God with the leadership of the community: loyalty, affection, and obedience to God and the Prophet necessarily entail obedience to the Prophet's family and hence to al-Muʿtaḍid himself. Furthermore, to show any loyalty to, or affection for, Muʿāwiya (r. 41–60/661–80) and to any of the Umayyads would be to disobey God. The speech is highly emotive, using strong language to denigrate the Umayyads and to paint them as enemies of God and the Prophet, and as unjust rulers. This speech portrays al-Muʿtaḍid as enacting a standard of morality and goodness that involves not straight coercion with threats of violence, but rather affection and loyalty, which is merited because the caliph (unlike his enemies) does not merely use violence to subdue his detractors.

Al-Muʿtaḍid's lengthy speech is found in the final volume of al-Ṭabarī's (d. 310/923) *History*, a volume that recounts events from within al-Ṭabarī's own lifetime. The events in question take place in 284/897, when al-Ṭabarī was around 58 years old. At that time, it seems that the Abbasid caliphate was threatened by people who felt loyalty to Muʿāwiya, even though the events in question took place 217 years after the end of Muʿāwiya's reign in 60/680, and 147 years after the end of the Umayyad caliphate. Al-Muʿtaḍid's plan was to stifle this pro-Umayyad sentiment by cursing Muʿāwiya from the pulpit. He had a document written up to this effect, drawing on an earlier document from al-Maʾmūn (r. 198–218/813–33); but his courtiers convinced him not to have it read aloud, pointing out that it might stoke up pro-ʿAlid feeling.[34] The document may well be authentic: Rosenthal points out that al-Ṭabarī went to great pains to collect documents within his lifetime as close to the events as they were happening, and that 'his

[34] Franz Rosenthal comments on this, saying that 'in effect, anti-Umayyad feeling went hand in hand with pro-ʿAlid sentiments and that the ʿAlid movement was more powerful and dangerous than any pro-Umayyad activities'. *The History of al-Ṭabarī* vol. 38 *The Return of the Caliphate to Baghdad*, translated by Franz Rosenthal (Albany: State University of New York Press, 1985), 64 n. 333.

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accounts are as authentic as anyone can expect from any pre-modern age'.[35] It seems, in any case, unlikely that al-Ṭabarī fabricated this document; many of the Qurʾanic interpretations in it go against al-Ṭabarī's own views in his *tafsīr*. Although the speech was written by al-Muʿtaḍid's scribe Abū al-Qāsim ʿUbayd Allāh b. Sulaymān, for the sake of clarity I will refer to it as Muʿtaḍid's speech throughout.

The speech begins with blessings on God and quotes from the Qurʾan. The theme here is God's knowledge of people's interior and exterior, everything hidden and manifest, and everything that people do: they are then admonished to obey Him, and to be wary of Him.[36] There follow blessings on the Prophet, who is described as coming with the clear message, guiding those who followed him and subduing those who oppose him. The blessings on God and the Prophet act as a precursor to the blessing on the Caliph and his ancestors, with the claim that God has made him and his ancestors the heirs to the Prophet, upholder of the religion, and the one who will 'set straight his believing servants' until 'God gives victory to His religion over all others'. This part, then, seeks to establish the Caliph as a legitimate God-given ruler, with God-granted power over the people; the blessings are specifically targeted to convince people that acting in obedience to their caliph is equivalent to obeying God, with the threat of God watching them.

After the introductory remarks, al-Muʿtaḍid says that he has learned of the disloyalty of some of his subjects. Such disloyalty is framed in terms of doubting their religion and being corrupted in their belief by following their desires (a Qurʾanic trope), following false leaders, and 'manifesting patronage (*muwālā*) for one whom God cut off from patronage, severed from divine protection, drove out of the religious community, and made it necessary to curse',[37] which is to say Muʿāwiya. Here, Qurʾanic quotes are used to back up Muʿtaḍid's argument: he claims, for instance, that the 'accursed tree' of Q 17:60 refers to the Umayyads, and that the verse 'the night of power is better than a thousand months' (Q 97:3) refers to a thousand months of Umayyad rule. Hadiths are also called forth throughout this part of the speech.

Al-Muʿtaḍid says that he feels it is his religious duty to set the people straight. This he does by telling the history of the Prophet's relationship with the Umayyad clan, portrayed as his chief opponents; they were led in every battle by Abū Sufyān b. Ḥarb (Muʿāwiya's father) (d. 32/653) 'and his

[35] Rosenthal, *History* vol. 38, xiii. Cf. ibid. 47 nn. 238 and 247.

[36] Abū Jaʿfar al-Ṭabarī, *Tārīkh al-umam wa-l-mulūk* vol. 10, ed. Muhammad Asūl al-Faḍl Ibrāhīm (Beirut: Dar Iḥyāʾ li-Turāth al-ʿArabī, 2008), 261.

[37] al-Ṭabarī, *Tārīkh*, 10:261; translation is modified from Rosenthal, *History* vol. 38, 50.

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Umayyad partisans'.[38] Here, al-Muʿtaḍid claims for a second time that the Umayyads are the cursed tree, cursed by God; many examples are given of Abū Sufyān's iniquities and enmity to the Prophet. The Prophet's early struggles are thus semantically linked to the current caliph's struggles with his disloyal subjects. It is clear that the affection and loyalty that the believers feel for the Prophet, and the indignation that they feel towards his enemies, are meant to be transferred to this current situation. Religious affect is invoked repeatedly not only through references to the Prophet, but also the Qurʾan itself.

After the polemic against Abū Sufyān, al-Muʿtaḍid next targets Abū Sufyān's son Muʿāwiya, who is the object of loyalty among Muʿtaḍid's own subjects. Unsurprisingly, Muʿāwiya is portrayed as an unjust and immoral person at every turn: fighting against ʿAlī b. Abī Ṭālib (r. 35–40/656–60) and hence attempting to 'extinguish the light of God' (Q 9:32), and so forth. The speech dwells at length on Muʿāwiya's most controversial move, which was the appointment of his son Yazīd (r. 60–64/680–83) as caliph after him. The Abbasid sources regard this appointment as the height of injustice: Yazīd was not fit for rulership.[39] Muʿtaḍid argues that the problem with this appointment is not only that Yazīd is an incompetent; it is also that the manner of this appointment shows that Muʿāwiya himself was the wrong kind of ruler: one who used coercive threats, violence, and terrorizing tactics with no accompanying affection or justice:

> Furthermore there is Muʿāwiya's disdainful attitude towards the religion of God, manifested by his calling God's servants to his son Yazīd, that arrogant drunken sot, that owner of cocks, cheetahs, and monkeys. He forced the best of Muslims (*khiyār al-muslimīn*) to give him the oath of allegiance for Yazīd with compulsion (*qahr*), force (*saṭwa*), threats, frightful menace, and terror (*rahba*), while knowing of Yazid's foolishness.[40]

The emotive language is thick here; it centres on an allegation that the 'best of Muslims' did not pledge their allegiance to Yazid willingly, but rather because they were forced, threatened, menaced, and terrorized. This, in a

[38] al-Ṭabarī, *Tārīkh*, 10:262; Rosenthal, *History* vol. 38, 52.

[39] Speaking about the appointment in his history of the Umayyad period, al-Ṭabarī says that even Muʿāwiya himself was worried that the people would not accept his appointment of Yazīd, al-Ṭabarī, *The History of al-Ṭabarī* vol. 18 *Between the Civil Wars: The Caliphate of Muʿāwiya* trans. Michael G. Morony (Albany: SUNY press, 1987), 185. Muʿāwiya enlists support for his cause from his advisors. One of these advisors mentions that Yazīd is 'neglectful, given his devotion to hunting', and another says that he will have a quiet word with Yazīd and tell him to change his ways.

[40] Ṭabarī, *Tārīkh*, 10:265; tr. modified from Rosenthal, *History* vol. 38, 58.

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nutshell, is the difference between good and bad statecraft: whereas al-Muʿtaḍid is encouraging proper loyalty and obedience from his subjects with recourse to religion and, presumably, affection, unjust leaders like Muʿāwiya must use brute force, terror, and duress.

Al-Ṭabarī himself does not record any such event about the 'best of Muslims' being made to give an oath to Yazīd under duress, but it may be possible to fill in this missing detail from elsewhere: such an event is recorded by the earlier Abbasid-era historian Khalīfa b. Khayyāṭ (d. c. 240/855). Ibn Khayyāṭ describes how four prominent Muslims opposed the appointment of Yazīd: al-Ḥusayn b. ʿAlī (d. 61/680), who was the Prophet's grandson; Ibn al-Zubayr (d. 73/692), who was the son of the Prophet's Companion al-Zubayr (d. 36/656); ʿAbd al-Raḥmān b. Abū Bakr (d. 675), who was the son of the caliph Abū Bakr (r. 11–13/632–34); and ʿAbd Allāh ibn ʿUmar (d. 73/693), who was the son of the caliph ʿUmar (r. 13–23/634–44).[41] According to this account, Ibn al-Zubayr suggested that Muʿāwiya could follow the precedent of the Prophet or prior caliphs by letting the community decide the succession, appointing someone only distantly related, or convening a council of Muslims for the task.[42] Muʿāwiya's response was to gather these men together and to threaten them directly with violence if they did not comply:

> 'Any of you who wanted to do so has been able to come up to me and call me a liar in public, and I have tolerated this of him. I am about to speak. If I speak truly, then my veracity is to my credit. If I speak falsely, then my lies will be held against me. I swear to you by God that if any of you utters one word in reply to me during my speech, he will not receive a word in response before I obtain his head'… then he summoned the captain of his guard and said, 'station two men from your guard corps to watch every one of these men. If anyone should utter one word in reply to me while I am delivering my speech, truly or falsely, have the two men strike him with their swords.' Then he went out and they went with him. He mounted the pulpit, praised God, and said, 'these individuals are the leaders of the Muslims, and the best of the Muslims. We cannot act independently of them, and we cannot carry out any plans except after consulting with them. They have pledged allegiance to Yazīd, the son of the Commander of the Faithful, and have recognised him as heir apparent. So pledge allegiance, in the name of God.'[43]

[41] The group is described as riding together to Mecca, Khalīfa b. Khayyāṭ, *Khalifa ibn Khayyat's History on the Umayyad Dynasty (660–750)*, translated and introduced by Carl Wurtzel and prepared by Robert Hoyland (Liverpool: Liverpool University Press, 2015), 69–70. The whole story of this initial opposition to Yazīd's caliphate spans pp. 67–74.

[42] Ibid. 71–72.

[43] Ibid. 72.

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The governance displayed by Muʿāwiya in this account is precisely the opposite of that displayed by al-Muʿtaḍid in his speech. Muʿāwiya does not call on the piety of the subjects or use any other forms of 'soft' emotive persuasion to convince the people that his son Yazīd is actually the rightful leader of the community. Affection and politesse are notably lacking. Rather, Muʿāwiya uses overtly violent coercion and deception: because justice is not on his side, he resorts to brute force and deceit. His misrepresentation of the dissidents' position means that the people pledge their allegiance to Yazīd under the false pretence that these prominent dissidents have done the same. Muʿāwiya is said to have left immediately after the incident, and the people then confronted the dissidents, who said that they had been coerced; but the deed had been done and it seems that all regarded the pledge of allegiance as irreversible.

None of these events transmitted by Khalifa b. Khayyāṭ about the coercion of 'the best of Muslims' are in al-Ṭabarī's own history, which has a much less colourful take on the announcement of the succession. While it is notoriously hard to judge the veracity of Abbasid-era histories of the Umayyads, these particular tales have the air of folklore: it is unclear that a dissident could really have come to the Caliph to tell him how to arrange his succession, without serious reprisal. True or not, al-Muʿtaḍid's brief reference to the 'best of Muslims' being forced to pledge allegiance indicates that this event, or one quite like it, was likely a part of the public memory of Muʿāwiya; this concrete instance of violent coercion and deceit forms a foil against al-Muʿtaḍid's own style of governance.

After his brief reference to this incident, al-Muʿtaḍid goes on to talk about Yazīd's many misdeeds, which are painted in highly emotive language: he speaks about how Yazid directly commanded unjust bloodshed and the violation of women, which shows that he had no regard for society's vulnerable members, how he publicly manifested his unbelief, and how he permitted Medina to be plundered for three days, and 'thereby quenched his raging rancor (*ghalīl*)'.[44] Yazīd is portrayed as someone who is ultimately out of control of his desires and his temper; the opposite of a good Muslim and a good ruler. The speech then cites a poem attributed to Yazīd in which he laments the losses at Badr, the battle which Muḥammad's army won, and praises the Battle of Uḥud, which Muḥammad's army lost. These famous early battles, which are told in highly emotive ways in the Prophet's biographies, were likely to have lived on in popular memory. Such incidents, so deeply ingrained in cultural memory and shared history, become a part of the Caliph's rhetorical arsenal,

[44] Al-Ṭabarī, *Tārīkh*, 10:264; trans. Rosenthal *History* vol. 38, 59.

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here deployed to rile people up against the Umayyads. Unsurprisingly, the speech also describes the way that Yazīd ordered the killing of the Prophet's grandson al-Ḥusayn in very emotive terms, saying that it is the worst and grossest deed, and that it was committed out of Yazīd's disdain for the Prophet and his unbelief in the religion. Such stories are intended to stir the current audience and to move them. Though few emotion words are used, such stories are the height of emotive rhetoric. In comparison with rhetoric in other contexts, it is particularly noteworthy that this emotive rhetoric centres on Islamic history and pious sentiments.

Al-Muʿtaḍid concludes by telling his subjects that God has given them rules so that they may be obeyed: 'So cease, O people, from doing that which makes God angry (*s-kh-ṭ*) at you, and return to doing what makes Him happy with you.'[45] Hence the speech does not rely heavily on invocations of direct affection for the ruler himself, but rather on affection for the Prophet and his family, and on making God happy, rather than angry, by being obedient. The root for the term 'anger' (*s-kh-ṭ*) may be a reference to the Qurʾanic verses that use this term. *Sakhṭ* only occurs four times in the Qurʾan, all in Medinan verses that have as their subject those who disobey God's laws. Q 3:162 occurs amid exhortations to the believers and asks the rhetorical question: *Is the one who follows God's pleasure like the one who earns God's anger, and whose refuge is Hell, an evil destination?* Q 5:80 refers to God's anger at those Jews who take deniers (*kāfirūn*) as allies and protectors (*awliyāʾ*). Q 9:58 warns those in the community of believers who become angry at the Prophet when they do not receive a share in the *ṣadaqa*, the charitable contributions of the community. Finally, Q 47:28 alludes to those who were seduced by Satan, who turned their backs on God's guidance and pursued what made God angry, and who will consequently be punished in the Afterlife. In all cases, the term is included in verses that refer to some kind of betrayal of the community of believers, which is a key theme in Medinan suras, and the overarching context of these verses is to encourage the believers to obey God's guidance and to be loyal to the Prophet and the community. In al-Muʿtaḍid's speech, the people are encouraged to 'be pleased with what God has chosen for you', meaning al-Muʿtaḍid himself. The emotive rhetoric here is less about direct affection between the Caliph and his people than it is about obedience to the Caliph assuming the status of a pious act.

The potential for crossover between personal and political language raises the question of whether the Abbasid caliphs' love lives, recorded so

[45] Al-Ṭabarī, *Tārīkh*, 10:265.

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prominently in the histories and in poetry, assumed a political dimension, encouraging affection and loyalty to them through the stories of the affection of their wives and concubines. The freed concubine Bidʿa, for instance, visited al-Muʿtaḍid after he returned home from a campaign. When she saw that his hair had gone white, she composed some lines to say that this only increased his beauty. The poem is full of well wishes for a long life.[46] Al-Muʿtaḍid rewarded her handsomely for her lines, before sending her home. In this (doubtless carefully constructed) glimpse into his personal life, he is shown to be generous, fair, and affectionate to this clever woman who had shown her affection for him.

The Crossover between the Personal and Political: Marriage Contracts

The speech of al-Muʿtaḍid relies heavily on the language of piety and the emotional bond that is presumably created between ruler and ruled, by sharing the same norms and teleological view of history. Piety is also used as an inducement to be good in one's personal life. Preserved marriage contracts from the Abbasid period include admonishments to the husband to 'be wary of God' with respect to his wife (as one from 264/878 says: '*wa-ʿalayhi an yattaqī Allāh fīhā*'[47]) and to 'make companionship with her pleasant (*yuḥsinu ṣuḥbatahā*)'. Contractually, at least, these documents portray marriage as a hierarchical relationship in which a husband's fair treatment of his wife is an aspect of piety: if he mistreats her, he is being impious. The threat in these cases is not from the ruler of the state but from God Himself. Many contracts have such wording, because it is included in the formula for the contracts;[48] but the wording of these formulations varies slightly from contract to contract. For instance, a contract from 279/892 states:

> He should be wary of God alone, He has no companion, and make companionship with her and living with her pleasant, and not harm her, and do as God has ordered (*an yattiqiya Allāh waḥdahu lā sharīk lahu*

[46] Ibn al-Sāʿī, *Kitāb Jihāt al-aʾima al-khulafāʾ min al-ḥarāʾir wa-l-imāʾ*, translated as *Consorts of the Caliphs: Women and the Court of Baghdad*, ed. Shawkat Toorawa, trans. the editors of the Library of Arabic Literature (New York: New York University Press, 2015), 32–35.

[47] This phrase is from a contract dated 264 (878), found in *P.Cair.Arab.* I 39.

[48] Karen Bauer, 'A Note on the Relationship between *Tafsīr* and Common Understanding, with Reference to Contracts of Marriage', in *Islamic Cultures, Islamic Contexts: Essays in Honor of Professor Patricia Crone*, eds. Asad Ahmed, Robert Hoyland, Behnam Sadeghi, and Adam Silverstein (Leiden: Brill, 2015), 97–111. Similar phrasing is included in documents *P.Cair.Arab.* I 38, 39, 40, 41, 42, 44, and 45.

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> *wa-yuḥsina ṣuḥbatihā wa-ʿishratihā wa-lā yuḍārra bihā wa-yafʿala mā amarahu Allāh*)[49]

In this contract, the husband's wariness of God entails good treatment of his wife and not harming her. Indeed, it seems that such admonishments are meant to encourage the sort of moral comportment on display in the other contemporary documents: morality and goodness do not consist in brute force, but in maintaining ties of loyalty, duty, and affection. The emotion components of these contracts relate both to *ḥadīth* and to *tafsīr*. The admonishment to live companionably with women is from a *ḥadīth* attributed to Ibn ʿAbbās, and the admonishment to 'be wary of God' is from the Prophet's Farewell Pilgrimage Oration:

> Be wary of God with respect to women, for you have only taken them as a trust from God, and coitus with them has become lawful for you by God's word. Your right over them is that they not allow anyone whom you dislike to tread on your beds (*firāsh*), and if they do, then strike them without hurting them severely (*ghayr mubarriḥ*). Their right over you is to their sustenance and clothing according to customary practice (*bi-l-maʿrūf*). I have left you with something that, if you hold fast to it, you will never err thereafter: the book of God Blessed and Exalted! And you will be asked about it.[50]

This version of the Oration is found in al-Wāqidī's *Kitāb al-Maghāzī* and the *Ṣaḥīḥ* of Muslim, *Kitāb al-Ḥajj*. This is the explanation of the command to 'be wary of God with respect to women': it describes and circumscribes men's rights over women and women's rights over men. The entire tone reminds men that having power over their wives is a privilege extended to them by God: the clear implication is that they must not overstep their power over their wives, because this relationship is ultimately ruled by God. Men have the right that women must not let anyone whom they dislike in the house (beds here probably meaning sleeping-mats, unrolled for the night on the floor), and if they do so their husbands may strike them; wives have the right to food and clothing. This *ḥadīth* thus clarifies that the husbands do not have unlimited rights over their wives, nor do the wives have them over their husbands. While from today's perspective this text may seem as though it grants permission to the husband to strike his wife, seen in its late-antique context, it was surely a limitation of his right to beat her;

[49] *P.Cair.Arab.* I 41.

[50] Muḥammad b. ʿUmar al-Wāqidī, *Kitāb al-Maghāzī* ed. Marsden Jones (Oxford University, 1966); translation mine.

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this is particularly the case for the phrase *ghayr mubarriḥ*, which I have translated above as 'without hurting them severely'.[51]

This *ḥadīth* is a brief gloss on Q 4:34, which is the verse that imposes rules for the husband's chastisement of his wife, by saying that if she rises up against him (or, in an alternative translation, if she abandons him), he may admonish her, abandon her in the bed, and strike her.[52] Other versions of the oration do not include the words 'fear God with respect to women'; versions on the authority of al-Nawawī (d. 676/1277), Ibn Mājah (d. 273/887), and al-Tirmidhī (d. 279/892), begin 'treat women well, for they are your captives'; these versions also include a more extensive gloss on Q 4:34. Commentators on the Qurʾan (*mufassirūn*) used some version of this *ḥadīth* to interpret Q 4:34, for, without exception, they all say that the hitting should be *ghayr mubarriḥ*. Several of the major interpreters whose works are extant from the period of these marriage contracts (viz. Muqātil b. Sulaymān (d. 150/767), ʿAlī b. Ibrāhīm al-Qummī (d. circa 307/919), al-Ṭabarī, al-Qushayrī (d. 465/1072)), only cite the phrase *ghayr mubarriḥ*, rather than citing the rest of the *ḥadīth*. Al-Ṭabarī comes closest to the *ḥadīth*, when he gives a warning to men at the end of the verse, the final clause of which reads 'and if they obey you, seek not a way against them':

> So fear God lest you should be unjust towards them and seek a way against them while they are being obedient to you, for your Lord, who is higher than you and higher than everything, and greater than you and greater than everything, will make them triumph over you.[53]

Here al-Ṭabarī tells men that if they have the proper wariness of God, they will not be unjust towards their wives, because God will ultimately protect women, presumably in the next life rather than in this one. This is a clear statement of the men's duties to enact the social hierarchy properly, without going beyond the bounds that circumscribe their command over their wives. Mistreatment of their wives is portrayed as a sin that will be punished in the Hereafter. This helps to nuance the sorts of behaviours that were acceptable in the home and the moral language in which the husband

[51] Edward Lane glosses *mubarriḥ* as 'hurting severely' in his *Arabic-English Lexicon* (London: Williams and Norgate, 1863–93); Albin de Biberstein Kazimirsky has 'très-sensible, très pénible, qui cause une douleur violente' in his *Dictionnaire arabe-français* (Paris: Maissoneuve, 1860).

[52] The literature on this verse is extensive. For further references and primary sources, see Karen Bauer and Feras Hamza, eds., *An Anthology of Qurʾanic Commentaries,* Volume II*: On Women* (Oxford: Oxford University Press in Association with the Institute of Ismaili Studies, 2021), 315–459.

[53] al-Ṭabarī, *Jāmiʿ al-bayān fī taʾwīl āy al-Qurʾān*, at Q 4:34.

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was admonished. All of these early commentators say that the husband may only expect obedience, not love, from his wife, for love is not in the women's control:

> Do not seek out a way to that which is illicit to you of their bodies and their property through pretexts (*ʿilal*), and that is that one of you might say to one of them while she is being obedient to him, 'you do not love me and you hate me', and so he would strike her for that or harm her. So God, Exalted be He, says to men, 'if they obey you' that is to say despite their hatred for you, so do not commit an outrage against them, nor should you charge them with love for you, for that is not in their hands. So do not strike them or harm them because of it.[54]

The relationship between emotional control and worldly hierarchy is clear here. The husband's emotional submission to God, through wariness, enables his correct comportment in his role as head of household. He must not act on his anger. Just as the husband must submit emotionally to God, the wife must submit to the husband through her obedience, despite her hatred of him. She, too, must exercise emotional control by not acting on that hatred, and by submitting to his sexual advances despite it. The threat in these sources is not from husband to wife (as it was likely to have been in the lived household experience of many women) but from scholar (representing God) to the husband. While the husband might punish his disobedient wife, God will punish the disobedient husband. As in politics, however, proper rule is not predicated entirely or even mainly on force: rather, the implication is that brute force should not be used; it is overtly mitigated by appeals to piety, leniency, and kindness, the kindness being most apparent in the marriage contracts themselves. While the boundaries of legal behaviour may include the husband's physical chastisement of his wife, the kindness enjoined by the contracts is clearly preferable.

Conclusion: Emotional Bonds in Hierarchical Relationships

This paper has suggested that there is an emotional connection in medieval Islamic hierarchical relationships that is not merely based on fear of the person lower on the hierarchy for the one in the superior social position. This argument rests partly on the idea that morality and piety are affectively charged: justice is not only an economic matter but involves larger notions

[54] al-Ṭabarī, *Jāmiʿ al-bayān fī taʾwīl āy al-Qurʾān*, at Q 4:34; trans. Bauer and Hamza, *Anthology.*

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of goodness, loyalty, and affection, which creates a rhetorical slippage between personal piety and political obedience, between the interior and exterior realms, and between the individual and the community (*umma*); loyalty to and affection for revered figures such as the Prophet can be transferred onto the caliphs. Hence, what is good and pious for oneself as a person becomes what is good for the household and indeed for the larger polity. Persuasive rhetoric regularly invokes such personal–political elisions precisely to convince people that their own best interests are served through their willing obedience to state structures. This 'affective contract' goes both ways: the ruler also must show his affection and bond to his people; both the ruler and the ruled are best served by the latter's willing compliance and affection, not just their fear of reprisals in case of wrongdoing. The real fear should not be of the caliph or the husband in a spousal bond, but of God Himself: He will punish those who go against the propriety enjoined in these documents.

The arguments presented here hinge on the idea that texts can be emotive, which is to say, they can evoke emotion in the recipient, and that this can be considered central to a text's persuasive power. In this regard, it is important to note that the documents surveyed here are, to us, texts to be read; but their function at the time was primarily as an oral communication: they were dictated to scribes and read out to the recipients. Such documents are perhaps our best examples of persuasive rhetoric from the periods in question. The aim here has not been to discern how the recipient of these communications felt, but rather to highlight the various emotive strategies used to persuade them to comply. Hence a request from someone socially inferior is strengthened by including flattery and extensive affectionate greetings and blessings; a request for taxes from a state official is grounded on threats but is strengthened by pleas to the recipient's better nature and promises of fair treatment, should the recipient comply. In recognition of the extent of the husband's rights over his wife, marriage contracts admonish the husband to fear God with respect to his wife, and often include instructions that he should be kind to her. But perhaps the most telling document is the speech of the caliph, which includes no direct threats to his people at all, but instead seeks to create an affective bond between caliph and subject, ruler and ruled that rests on a construction of piety in which all are obedient to God and the subject's obedience to God entails obedience to the caliph. The caliph's right to God's trust is presumably merited by his own just treatment of his subjects, while the enemies are vilified not only for being unjust and poor rulers but also for going against the emotive bonds to the Prophet and his family.

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As noted above, it is often impossible to judge the effect of such emotive rhetoric: the intended effect may not have been the actual effect of such communications. Threats might not have induced fear, but rather anger, surprise, or insolence. The result of a threat might not be compliance, but disregard, recalcitrance, or retaliation. Indeed, it seems that the threats from Qurra had no effect on Basileios whatsoever. By the same token, the pleading, flattery, or emotive appeals to the recipient's conscience seen in both personal and political correspondence, rather than provoking mercy or kindness, might be met with indifference, disdain, annoyance, or even anger. The scholars' repeated admonishments to husbands not to overstep the bounds of the marital relationship seem to indicate precisely the great leeway that husbands had over their wives (confirmed in the legal sources), and potentially show the de facto propensity for marital violence in these societies.

Emotive appeals can involve a subtle interaction between the parties concerned. They rely on many unspoken elements, such as a shared understanding of facts on the ground, the perception of the sincerity of the person making the appeal, and the merit of the appeal itself and the arguments used to support it. Telling in this regard is the reaction of al-Muʿtaḍid's courtiers to his speech. As mentioned above, although al-Ṭabarī records this lengthy speech, it was never delivered; to explain why, al-Ṭabarī gives us a behind-the-scenes glimpse into court life. After much pleading, the courtiers finally convinced the Caliph not to make the speech for fear that his diatribe would have the opposite of the intended effect: by appealing so strongly to the ties of the Prophet and arguing so vigorously against Yazīd and the Umayyads, this speech was very likely to stir up pro-ʿAlid sentiment, which would in fact have undermined al-Muʿtaḍid's own rule. In seeking to create an affective connection with his people, he was actually invoking a stronger affective connection to someone else; the emotive web of piety that was supposed to bond this caliph and his subjects might actually have had the effect of binding them to someone more deserving.

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PART III

Communities

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12 Local Elites during Two Periods of Civil Strife: Al-Ashʿath b. Qays, Muḥammad b. al-Ashʿath, and the Quarter of Kinda in Seventh-Century Kufa

GEORG LEUBE

This chapter contributes a micro-study of local elites during the two Islamic civil wars (*fitna*) of the seventh century to the overarching research into mechanisms and structures of social dependency in the early Islamic empire. By reconstructing the networks of al-Ashʿath b. Qays (d. after 41/661) and his son Muḥammad b. al-Ashʿath (d. 67/686), the preeminent leaders of the quarter of Kinda in Kufa for much of the seventh century, I will investigate the sources of authority at the disposal of local notables within the tribally formulated milieu of an early Islamic garrison town and the ties they needed to maintain to function as pivotal multipliers in interpersonal networks of patronage and mobilisation. Special attention will be given to the structures shaping the activities of these two Kindī power brokers during the first two civil wars when public authority and administrative control over the town were being contested.

During the reconstruction of these structures, there will be a special focus on the mechanisms deployed by Kindī and non-Kindī actors to establish, maintain, and contest the networks integrating the quarter of Kinda into the political, administrative, and military cityscape of seventh-century Kufa. While the source material for this micro-study will be drawn mainly from early and classical Arabic historiography, the resulting reconstruction of the structures and mechanisms of Kindī power brokers in Kufa will be integrated in an archaeologically and anthropologically informed reconstruction of the material environment of their quarter during the seventh century.

A Critical Assessment of the Centralisation of the Early Islamic Polity

> When they [the Arab-Islamic army after its victory at al-Qādisiyya] decided to begin the foundation of Kufa, [the Arab-Islamic general and paradigmatic first governor of Kufa] Saʿd [b. Abī Waqqāṣ] sent to Abū

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al-Hiyāj and notified him about the written command of [the second caliph] ʿUmar concerning the streets. He ordered the main streets to measure 40 cubits, the streets leading up to them 30 cubits, those between them 20 cubits, and the lanes to measure 7 cubits and no less. The wards (*al-qaṭāʾiʿ*)[1] were to measure 60 cubits with the exception of those of the Banū Ḍabba.

The notables (*ahl al-raʾī*) assembled to draw up a plan, until they determined a pattern according to which Abū al-Hiyāj was to establish the foundation. The first thing that was built in Kufa when they started construction was the mosque. It was situated in the area of the soap-sellers and date-merchants of the market, where it was laid out. Then a man stood in its middle and shot an arrow with all his strength to his right. He [Abū al-Hiyāj] ordered those who wanted to build [private buildings and houses] to construct them behind the spot where this arrow landed. Then [an arrow was shot] to the front and back, where he also ordered those who wanted to build to arrange their houses and buildings behind the spots where these two arrows had landed. Thus, the mosque was surrounded by a free square on all sides, having a shaded porch in front and no permanent structures on the sides or back.[2] This free square was established for the assembly of the people, to avoid them crowding each other. This was similar to the way in which the [other] mosques stood apart from the mosque of Mecca, so that its holiness would be underlined. Its shaded porch measured 200 cubits and was carried by marble columns, which had belonged to the Sassanian kings, while its ceiling was shaped like the ceilings of the Byzantine churches. They surrounded the court with a moat, so nobody could intrude upon it with a building.

Then they built a house for Saʿd in the area, which was connected to the mosque by a passageway of 200 cubits. Within this house, they built treasuries. This is the current keep of Kufa, which Rūzbah built for him with fired bricks that came from buildings of the Sassanian kings at

[1] The interpretation of this term is somewhat controversial in this passage; see the discussion in Georg Leube, *Kinda in der frühislamischen Geschichte* (Würzburg: Ergon, 2017), 197.

[2] I read *laysat la-hā … maʾākhīr*, '[the mosque] had no [permanent structures] on the […] back', interpreting *maʾākhīru* as a plural of the type *faʿālīlu* to the *nomen loci muʾakhkharun* or *muʾakhkharatun*, literally 'the place where something ends'. By contrast, the printed text reads *mawākhīru* as the plural to the (originally Persian) loanword *mākhūr*, 'wine palace, whorehouse', and confirms this reading in a footnote. Due to the context, the reading as *maʾākhīru* is much to be preferred, as confirmed by the regular attestation of *muʾakhkharun* and *muʾakhkharatun* as the term designating the parts of early Islamic mosques facing away from the direction of prayer (*qibla*). See e.g. Ibn ʿAbd al-Ḥakam, *Futūḥ Miṣr*, ed. ʿAlī Muḥammad ʿUmar (Cairo: Maktabat al-Thaqāfa al-Dīniyya, 2004), 159 [*muʾakhkharun*, al-Fusṭāṭ], or al-Bakrī, [*Kitāb*] al-*Masālik wa-l-mamālik*, ed. Jamāl Ṭalaba (Beirut: Dār al-Kutub al-ʿIlmiyya, 2003), 1:312 [*muʾakhkharatun*, Mecca] and 322 [*muʾakhkharun*, Medina], and 2:144 [muʾakhkharun, al-Fusṭāṭ].

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> al-Ḥīra. [The court around the mosque was made the starting point of the main streets, along which the tribally organised components of the army settled according to their tribal affiliation.][3]

This account of the foundation of Kufa, arguably the most important early Islamic garrison town manifesting Arab-Islamic dominance over the areas outside the Arabian Peninsula taken over during the early Islamic conquests, projects a clear notion of centralised hierarchy and state-run administration. Within the chain of command, ʿUmar (r. 13–23/634–44), as the caliph or successor of Muḥammad, gives orders based on his prestige as one of the closest companions of the prophet. He is presented as the embodiment of the normative presence of divinely sanctioned 'Islamic' normativity in the capital of Medina, literally the 'town of the prophet', in Western Arabia, which radiates into the newly conquered regions. In the above account, he represents the source of 'Islamic' authority on which Saʿd b. Abī Waqqāṣ (d. ca. 50/670) draws as governor over central Iraq, as Saʿd owes his preeminent position to his appointment by the Medinese central authority embodied by ʿUmar. This dependence of Saʿd is reflected in his close adherence to ʿUmar's orders.

Due to these orders, Abū al-Hiyāj al-Asadī, who can be identified as a minor character in the deployment of the conquest of Iraq and an equally minor transmitter of Prophetic traditions (*ḥadīth*) from the fourth caliph ʿAlī (r. 35–40/656–61),[4] is entrusted with the practical direction of the town's foundation. The only prior mention of Abū al-Hiyāj in al-Ṭabarī's colossal work is as an envoy whom the people of the conquered fertile land under intensive cultivation (*sawād*) in Iraq sent to ʿUmar to voice some complaints.[5] Therefore, his authority during the foundation of Kufa depends on his appointment by ʿUmar, which drew on his prior selection as a spokesperson of Muslims in Iraq, rather than on an established preeminence of Abū al-Hiyāj as an influential leader of the armies of the conquest. This somewhat 'arbitrary' or possibly 'providential' appointment to high office of lower-ranking individuals by ʿUmar forms a recurring narrative

[3] al-Ṭabarī, Tārīkh, eds. Muṣṭafā al-Sayyid and Ṭāriq Sālim (Cairo: al-Maktaba al-Tawfīqiyya, n.d.), 2:558–59.

[4] See Khalīfa b. Khayyāṭ, *Kitāb al-Ṭabaqāt*, ed. Suhayl Sakkār (Beirut: Dār al-Fikr, 1993), 263, and Ibn Saʿd, *Kitāb al-Ṭabaqāt al-Kubrā*, ed. Muḥammad ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 2012), 6:245. This identification is, however, complicated as the father of Abū al-Hiyāj is called Mālik by al-Ṭabarī, *Tārīkh* 2:558, and Ḥuṣayn in Khalīfa, *Ṭabaqāt*, 263. As Khalīfa frequently gives alternative names in the genealogies of his transmitters, the same Abū al-Hiyāj al-Asadī may nonetheless be intended.

[5] al-Ṭabarī, *Tārīkh*, 2:509–10.

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pattern in early and classical Arabic-Islamic historiography. This is also reflected, for instance, in the appointment of Shurayḥ, a young fatherless lad living with his mother in Medina, as judge (*qāḍī*) in Kufa, which is similarly attributed to ʿUmar.[6]

This recurring pattern of caliphal appointment of 'nobodies' to high office arguably reinforces a vision of early Islamic conquest society as solidly centralised and firmly led from Medina. Loyalty is presented as owed exclusively to the centralised government and its provincial appointees, as other claims to loyalty and preeeminence (most notably those based on noble descent and personal wealth and aptitude) are explicitly delegated to the realm of the 'pagan' pre-Islamic 'time of ignorance' (*jāhiliyya*).[7]

In his role as chief engineer directing the foundation of Kufa, Abū al-Hiyāj works together with a council of notables who unquestioningly accept his direction of the colossal foundation project. They are also presented as following the caliphal order to the letter, and presumably mirror an equally hierarchy-conscious agreement of the essentially homogenous people who were to settle the town. The succession of the 'Islamic' state centred on Medina to the equally stable, centralised, and ordered 'states' of the Sassanians and Byzantines is emblematically represented in the deployment of materials from Sassanian imperial architecture and Byzantine models of the construction of ceilings during the construction of the specifically Islamic mosque at the centre of the new town.[8]

[6] Ibn Saʿd, *Ṭabaqāt*, 6:183, and al-Iṣfahānī, *Kitāb al-Aghānī*, eds. ʿAbd al-Amīr ʿAlī Muhannā, Samīr Yūsuf Jābir, and Yūsuf ʿAlī Ṭawīl (Beirut: Dār al-Kutub al-ʿIlmiyya, 2008), 17:217–18. See also Leube, *Kinda*, 162–64.

[7] See e.g. the statement by Shurayḥ, the judge (*qāḍī*) supposedly appointed by ʿUmar for Kufa, in which he negates the importance of tribal affiliation in Ibn Saʿd, *Ṭabaqāt*, 6:183.

[8] A comprehensive study on the conscious redeployment of architectural elements in seventh-century mosques waits to be written. The multidimensional significance of such a redeployment of visible spolia in (much later) mosques on the Indian subcontinent is explored exemplarily by Finbarr B. Flood, 'Pillars, Palimpsests, and Princely Practices: Translating the Past in Sultanate Delhi', in *RES: Anthropology and Aesthetics* 43 (2003): 95–116. The significance and inherent multiplicity of practices of spoliation has recently been demonstrated within the Islamicate (if the term may be used this early) world for three salient examples of seventh-century Armenian architecture; see Christina Maranci, *Vigilant Powers: Three Churches of Early Medieval Armenia* (Turnhout: Brepols, 2015). For the first century of Islamic history, the redeployment of the former idol of Dhū l-Khalaṣa as the threshold of the mosque of Tabāla may constitute a parallel case that is located on the Arabian Peninsula. See Ibn al-Kalbī, *Kitāb al-Aṣnām*, ms. Cairo Makhṭūṭāt Tawfīqiyya 344, 32. The most prominent instance in which Sassanian remains were integrated in central Iraq immediately after the Muslim conquest is the temporary holding of prayer under the great Īwān of Kisrā in al-Madāʾin/Ktesiphon. See Sarah Bowen Savant, 'Forgetting Ctesiphon: Iran's Pre-Islamic Past, c. 800–1100', in *History and Identity in the Late Antique Near East*, ed. Philip Wood (Oxford: Oxford University Press, 2013), 169–86.

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The command structure that directs the foundation of Kufa is accordingly rooted in the general acceptance of centralised institutions as embodied in provincial governors, task-specific specialists, and detailed directives for the administration of the conquered lands. This paradigm of loyalty to normatively Islamic and centralised institutions and ideas ties in very well with other paradigmatic accounts reflecting early Islamic centralisation. These include the institution of the 'register of stipends' (*dīwān*) of the army that contains every Arab-Islamic fighter within the thereby constituted army,[9] the centralised designation of governors and judges for the newly founded garrison towns,[10] or even the centrally directed establishment of these towns at localities which are not cut off from Medina by any larger body of water.[11]

To illustrate this entangledness of centralised administration with a centralised urban structure established in the newly founded garrison towns, I suggest Figure 12.1. According to this view, the administrative hierarchy of the early Islamic state under ʿUmar can be read as a highly abstract geographical map of the early Islamic domains. It is structured according to a fractal order of hierarchic relations recurring on different levels. Thus, the caliph in the Islamic capital of Medina directs the governors in the subordinate centres of Basra, Kufa, or al-Fusṭāṭ in the same way as, for instance, the governor residing in the centre of Kufa directs the leaders of different tribally organised quarters, who reside in the centre of their quarters, surrounding the residence of the governor in the centre of the town. This administrative and urban framework also has important implications both

[9] See Gerd-Rüdiger Puin, 'Der Dīwān von ʿUmar ibn al-Ḫaṭṭāb: Ein Beitrag zur frühislamischen Verwaltungsgeschichte' (PhD Dissertation, Rheinischen Friedrich Wilhelms Universität Bonn, 1970).

[10] See e.g. the story of Shurayḥ mentioned above; further examples abound.

[11] For instance Ibn ʿAbd al-Ḥakam, *Futūḥ*, 115. The importance of this type of anecdote in the construction of specifically Islamic spaces has been investigated exemplarily for (much later) Anatolia and the Balkans; see Oya Pancaroğlu, 'The Itinerant Dragon-Slayer: Forging Paths of Image and Identity in Medieval Anatolia', *Gesta* 43 (2004): 151–64, as well as Cemal Kafadar, 'Introduction: A Rome of One's Own: Reflections on Cultural Geography and Identity in the Lands of Rum', *Muqarnas* 24 (2007), 7–25. For the first century of Islamic history, a lively debate about the factual extent of central planning has been ongoing since at least the publication of Julius Wellhausen, *Prolegomena zur ältesten Geschichte des Islams* (Berlin: Georg Reimer, 1899). A useful overview of the debate is given by Fred M. Donner (ed.), *The Expansion of the Early Islamic State* (Aldershot: Ashgate Variorum, 2008). I provided a critical revision of some difficulties resulting from Donner's own view on this topic in 'Subversive Philology? Prosopography as a Relational and Corpus-Based Approach to Early Islamic History', in *New Methods in the Study of Islam*, eds. Abbas Aghdassi and Aaron Hughes (Edinburgh: Edinburgh University Press, 2022), 71–107.

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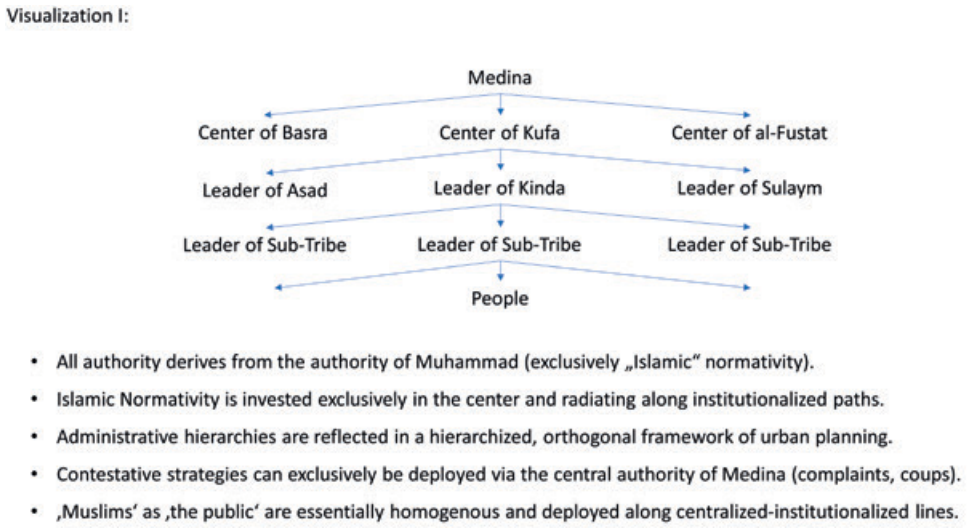

Figure 12.1 The seat of power in the early Islamic garrison towns according to the centralised-hierarchised model.

for operative concepts of authority within the early Islamic community and the homogeneity of Muslims within this community.

While this view of a fundamentally centralised administration of an early Islamic realm is upheld by some of the most influential studies of early Islamic Kufa[12] and has frequently been used in reconstructions of early Islamic history in general, it is difficult to reconcile this clear-cut centralised institutionalism with findings deriving from more specific contexts. Pertaining specifically to the following discussion of the quarter of Kinda, three arguments are particularly difficult to reconcile with the institutionalised view of early Islamic history sketched above.

First, a close-reading of additional reports quoted by early and classical Arabic-Islamic historians such as al-Balādhurī (d. 279/892), Ibn Aʿtham (fl. ca. 285/900), and al-Ṭabarī (d. 310/923) himself, which describe events from the time of the foundation and the first century of Islamic history, allows the detailed reconstruction of an urban topography of the quarter of Kinda. This micro-topography is difficult or even impossible to reconcile with the symmetrical urban structure that al-Ṭabarī's account translated

[12] See Louis Massignon, 'Explication du Plan de Kufa (Irak)', *Mémoires de l'Institut français d'archéologie orientale du Caire* 68 (1935): 338–60, Kāẓim al-Janābī, *Masjid al-Kūfa: Takhṭīṭuhū wa-ʿUmrānuhū* (Baghdad: Dār al-Jumhuriyya, 1966), Michael G. Morony, *Iraq after the Muslim Conquest* (Princeton: Princeton University Press, 1984), and Hichem Djaït, *Al-Kūfa: Naissance de la ville islamique* (Paris: Maisonneuve & Larose, 1986).

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above presents as reflecting the centralised institutions of the early Islamic state.[13]

Second, although the existence of further reports corroborating a 'centralised' view of early Islamic administration has to be noted, recent studies of individual tribally formulated networks within the early Islamic realm have suggested a greater degree of regional autonomy, particularly during the conquest of Iraq, in the first half of the seventh century. These were followed by gradual processes of consolidation centred on Greater Syria rather than the Western Arabian 'capital' of Medina, which reached a first culmination under ʿAbdalmalik after the end of the second civil war.[14] This process of political and administrative consolidation was paralleled and extended beyond the period of Umayyad rule by a greater interest in the 'central' and 'Islamic' aspects of early Islamic history during the *longue durée* of processes of transmission and memory building in Muslim societies.[15] Both trends suggest that the society of the immediate conquest period may have been much less 'centralised' or 'Islamically oriented' than later generations of Muslims living in different social and administrative frameworks might have thought.

Accordingly, the contradiction between 'centralised' and 'autonomous' conceptions of early Islamic society, which are both attested within the vast corpus of early and classical Arabic-Islamic historiography, can be explained as reflecting the interferences between referential and normative functions of historical memory during the process of

[13] These accounts will be discussed and analysed in the following sections of this contribution, cf. Leube, *Kinda*, 197–211.

[14] See Brian Ulrich, *Arabs in the Early Islamic Empire: Exploring al-Azd Tribal Identity* (Edinburgh: Edinburgh University Press, 2019), 68–115, for Azdīs in Basra in particular, and Leube, *Kinda*, 139–76, for an examination of the degree of centralisation in the entire Islamic realm as reflected in the involvement in the early Islamic conquests of individuals affiliated to Kinda.

[15] A current overview of the field of memory studies within the pre-industrial greater Mediterranean is given by Aaltje Hidding, *The Era of the Martyrs: Remembering the Great Persecution in Late Antique Egypt* (Berlin: De Gruyter, 2020). A sustained engagement with paradigmatic shifts in Muslim cultural memory was pioneered by Antoine Borrut, *Entre mémoire et pouvoir: L'espace syrien sous les derniers Omeyyades et les premiers Abbasides (v. 72–193/692–809)* (Leiden: Brill, 2011), cf. Leube, *Kinda*, 135–38 and 143–44, for the theoretical impact of narrative dynamics during a process of transmission that needs to depart from the modelling suggested for textual sources in classical and medieval European philology. In a forthcoming article, I argue that an understanding of the dynamic negotiation of Muslim cultural memory should also include investigations of the unresolved ambivalence of 'recurring but minor' figures like al-Ashʿath b. Qays, see Georg Leube, 'Resolving Ambivalence through (Claimed) Excommunication: The Depiction of al-Ashʿath b. Qays in Early and Classical Arabic-Islamic Historiography', *al-Masāq* 35 (2022): 34–53.

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transmission.[16] This may allow the nuanced application of the philological maxim of the so-called *lectio difficilior*, according to which information that contradicts normative standards may in some cases be more likely to be original. Seen from this perspective, it is precisely due to the uniformity and homogeneity of reports describing clear-cut institutionalised relations centred on Medina that their description as a narrative pattern impressed upon the material during the process of transmission becomes feasible.[17] By contrast, the information transmitted as 'trivial' and somewhat 'messy' detail surrounding multiple individual episodes of Islamic history that happened to take place in Kufa may in fact allow the reconstruction of an urban and administrative framework that is closer to 'historical truth'.

Finally, the 'principle of methodological individualism' states that the agency of institutions should be understood as the combined agency of individuals acting from within these institutions.[18] This principle ties in surprisingly well with the findings of Mottahedeh concerning loyalty and leadership during the early Abbasid period, where he suggests that loyalty is directed predominantly at persons, rather than towards institutions.[19] This has been further elaborated by Paul in his investigation of the importance of intermediaries between 'state' and 'society' in pre-Mongol Eastern Iran and Transoxania.[20] The specific positionality of such locally embedded intermediaries in their interactions with 'would-be-centralised' agents has been further explored by Franz.[21] A contribution by me has suggested a systemic approach to the *Freiheitsgrade* of Kindī leaders embedded in interpersonal

[16] Cf. the groundbreaking work of Albrecht Noth on 'topoi' or (in his view) counterfactual narrative patterns projected into early and classical Arabic-Islamic historiography of early Islamic history, Albrecht Noth, *Quellenkritische Studien zu Themen, Formen und Tendenzen frühislamischer Geschichtsüberlieferung, I: Themen und Formen* (Bonn: Selbstverlag des Orientalischen Seminars der Universität Bonn, 1973). A revised English version was published by Albrecht Noth and Lawrence I. Conrad, *The Early Arabic Historiographical Tradition: A Source-Critical Study*, trans. Michael Bonner (Princeton: Darwin Press, 1994). While Noth implicitly subscribed to the view that these topoi had to be 'discarded' to arrive at 'historic' truth, I have made a sustained argument for the crucial importance of such narrative patterns to understanding the impact of narrative dynamics during the process of transmission of Muslim cultural memory, see Leube, *Kinda*, 51–138.

[17] See Leube, *Kinda*, 174–76.

[18] This principle was developed by Joseph A. Schumpeter, *Das Wesen und der Hauptinhalt der theoretischen Nationalökonomie* (Berlin: Duncker & Humblot, 1970), 88–98.

[19] Roy Parviz Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (Princeton: Princeton University Press, 1980).

[20] Jürgen Paul, *Herrscher, Gemeinwesen, Vermittler* (Stuttgart: Steiner, 1996).

[21] Kurt Franz, *Vom Beutezug zur Territorialherrschaft* (Wiesbaden: Reichert, 2007).

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networks of mobilisation and patronage within the social history of the early Islamic empire during the seventh century.[22] Accordingly, scholarship needs to engage with the 'messy' details of interpersonal relationships as described in early and classical Arabic-Islamic historiographical sources to understand Muslim society in the seventh century. This approach of 'building from the ground' is particularly important due to the well-known fluidity and openness during this time of terms that would subsequently become pivotal and stabilised in Islamic normative traditions.

These three arguments illustrate the problems posed on progressively more overarching levels by the assumption of an institutionalised-centralised administration of the early Islamic realm. In reaction, the present contribution suggests a modified adaptation of the philological criterion of the *lectio difficilior*. Therefore, I leave aside the large-scale narratives particularly susceptible to narrative alteration and embellishment due to the importance of early Islamic history as a pivotal cultural memory anchoring various views of Islam to this day. Instead, I analyse the structures and mechanisms of social dependency as they can be reconstructed from the exemplary micro-level of the quarter of Kinda in Kufa. The results of this exemplary 'topographical' investigation of Kinda certainly need to be checked for other contexts. Nonetheless, the importance of seventh-century Kufa in Arabic-Islamic historiography and cultural memory means that the prosopographically established corpus of information explicitly related to Kinda in Kufa contains around 500–1,000 reports, representing a sizable amount of information not selected according to a predetermined view of social dependency and early Islamic society. This corpus furthermore largely represents a micro-level of cultural memory that may (according to the above-mentioned principle of the *lectio difficilior*) not be as susceptible to post-factum alterations in the course of narrative transmission as the more visible general reports. Furthermore, the implicit character of the information evaluated in this study is for large parts integral to how the course of events is depicted. Thereby, it arguably pertains to a specific register of historiographical narrative that can be differentiated from stereotypical or idealising reports, which are not 'anchored' in the course of events and may have been more susceptible to narrative alteration during the process of transmission.

[22] Georg Leube, 'Insult the Caliph, Marry al-Ḥasan, and Redeem Your Kingdom: *Freiheitsgrade* of Kindī Elites during the 7th to 9th Century', in *Transregional and Regional Elites – Connecting the Early Islamic Empire*, eds. Hannah-Lena Hagemann and Stefan Heidemann (Berlin: De Gruyter, 2020), 47–67.

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Topography I: Establishment and Reconstruction

In this contribution, I argue that the topography of the quarter of Kinda in Kufa can in certain crucial aspects be reconstructed by a careful and archaeologically informed combination of the various specific reports pertaining to this section of the town. In this first part, I will give a brief overview of the foundation of this quarter and its material and spatial set-up. Subsequently, I will deploy this reconstructed townscape in the following part to analyse its implications for structures and mechanisms of social dependency.

The settlement of people affiliated to Kinda during the foundation of Kufa is narrated as being closely tied to the person of al-Ashʿath b. Qays al-Kindī. Before the foundation, he is prominently depicted as commander of Kinda during the decisive Battle of al-Qādisiyya. While the role of al-Ashʿath during the Arab-Islamic conquest of Iraq is somewhat contested due to his prior involvement in the movement of apostasy (*ridda*) after the death of Muḥammad,[23] his influence on the topography of Kufa is well attested. Possibly the most detailed example is given by the historian al-Yaʿqūbī (d. after 292/905) who, immediately after describing the settlement of the 'centrally' legitimated general and governor Saʿd b. Abī Waqqāṣ in the centre of Kufa, writes as follows: 'Then, al-Ashʿath settled the free space (*jabbāna*)[24] of Kinda and Kinda settled around him'.[25] This settlement of al-Ashʿath left a topographical imprint in the form of a house and a mosque (*masjid*) tied to his name, which will be discussed in detail below. The intergenerational inheritance of al-Ashʿath's claim to preeminence within the quarter of Kinda in Kufa, as well as his interpersonal networks, is suggested by the indication that his descendants inherited the house, which will be discussed below as well.

This settlement of 'Kinda' around al-Ashʿath should not be understood in genealogical terms as the settlement of a 'clan' or 'tribe' based exclusively on common patrilineal descent.[26] Instead, the quarter of Kinda should be

[23] See Leube, *Kinda*, 154–62, for a detailed discussion of the leadership of Kinda during the conquest of Iraq.

[24] The precise nature of this 'free space' within or bordering the quarter of Kinda in Kufa is somewhat elusive. It will be discussed in its functionalisation within the structures and mechanisms of social dependency below.

[25] al-Yaʿqūbī, *Tārīkh*, ed. Khalīl al-Manṣūr (Beirut: Dār al-Kutub al-ʿIlmiyya, 2002), 104.

[26] For a general critique of suggestions that genealogical descent was perceived to have been shared by more and less influential individuals within 'tribally' formulated networks, see David Sneath, *The Headless State: Aristocratic Orders, Kinship Society, and Misrepresentations of Nomadic Inner Asia* (New York: Columbia University Press, 2007).

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understood in terms of a neighbourhood inhabited by a network of affiliates to al-Ashʿath and other Kindī mobilisers and multipliers, who are described collectively as 'Kinda' or gathering around the 'flag of Kinda' in times of military mobilisation.[27] The inclusion of individuals of non-Kindī descent within this network localised in the quarter of Kinda is exemplarily shown in the following anecdote. Here, a young man affiliated to Ḥaḍramawt, a genealogical grouping based on the geographical region in the southern Arabian Peninsula,[28] comes to the house of the family of al-Ashʿath to notify them that a fugitive from the governor hiding inside the quarter of Kinda of Kufa is currently in the house of his (the young man's) mother. The affiliation of this woman with the family of al-Ashʿath is narrated in terms of her having been a client (*mawlāt*), or slave (*umm walad*) of al-Ashʿath named Ṭawʿa, who married her to a man from (or affiliated to) Ḥaḍramawt, who is named Asīd al-Ḥaḍramī.[29]

Further inhomogeneity within the quarter of Kinda is indicated by the existence of toponyms and buildings that are related to subtribes of Kinda. I suggest interpreting these as *nuclei* of smaller-scale networks that could be incorporated within overarching networks, such as the one of al-Ashʿath, but also realigned depending on the predominating political or economic configurations within the quarter of Kinda or even within Kufa in its entirety. Such a realignment of networks could, for instance, take place during the neuralgic time of intergenerational succession within the progeny of a formerly established leader. This is attested, for instance, in reports of Ḥujr b. ʿAdī (d. 50/671), another prominent Kindī in Kufa who will be discussed in more detail below, declining the offer of the caliph ʿAlī

[27] Cf. the parallel reconstruction of the integration of Muslim converts of non-Arab origin (*mawālī*) in the interpersonal networks of al-Fusṭāṭ by Sobhi Bouderbala, 'Les Mawālī à Fusṭāṭ aux deux premiers siècles de l'Islam et leur integration sociale', in *Les dynamiques de l'Islamisation en méditerranée centrale et en Sicile: Nouvelles propositions et découvertes récentes*, eds. Annliese Nef and Fabiola Ardizzone (Rome: Edipuglia, 2014), 141–51.

[28] For this phenomenon, see Werner Caskel and Gert Strenziok, *Ǧamharat an-Nasab* (Leiden: Brill, 1966), 2:66.

[29] See Abū Mikhnaf, *Maqtal al-Imām al-Ḥusayn*, ed. Kāmil Salmān al-Jabūrī (Beirut: Dār al-Majalla al-Bayḍā, 2000), 70; al-Iṣfahānī, *Maqātil al-ṭālibiyyīn*, ed. al-Sayyid Aḥmad Ṣaqar (Cairo: Al-Bābī al-Ḥalabī, n.d.), 102; al-Ṭabarī, *Tārīkh*, 3:312. Variants are contained in Ibn Aʿtham, *Kitāb al-Futūḥ*, ed. Muḥammad ʿAbdalmuʿīd Khān (Hyderabad: Majlis Dāʾirat al-Maʿārif al-ʿUthmāniyya, 1968-75), 5:88, and al-Masʿūdī, *Murūj al-dhahab*, ed. Mufīd Muḥammad Qamīḥa (Beirut: Dār al-Kutub al-ʿIlmiyya, 1985), 3:72. The various views concerning the inclusion or exclusion of the genealogical grouping of Ḥaḍramawt within Kinda are reviewed in Leube, *Kinda*, 186–89.

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(r. 35–40/656–60) to take over the leadership of Kinda from al-Ashʿath while the latter was still alive.[30]

In a similar manner, evidence exists of al-Ashʿath consciously strategising to enlarge his network of mobilisation and patronage to include other sizable tribally formulated entities beside Kinda. As well as the discussions of whether al-Ashʿath is entitled to lead the whole body of the army affiliated to Rabīʿa,[31] this phenomenon may also underlie his assumption of the role as speaker and negotiator on behalf of the 'pious readers of the Qurʾan' (*qurrāʾ*) and future Khārijites at the Battle of Ṣiffīn.[32]

The spatial establishment of an interpersonal network described in the sources under a genealogical paradigm as 'Kinda' around al-Ashʿath in Kufa is to some extent paralleled by the settlement of 'Kindīs' or – more precisely – individuals included in al-Ashʿath's interpersonal network of mobilisation and patronage at the town of Sarā in Ādharbayjān, probably identical with the contemporary Iranian town of Sarāb. As the historian al-Balādhurī claimed, some Kindīs from this town told him that they were 'descendants of those who were with al-Ashʿath', presumably referring to settlement during his conquests/raids within or governorship over Ādharbayjān or even over Armīniyya and Ādharbayjān together.[33]

[30] al-Dīnawarī, *Kitāb al-Akhbār al-ṭiwāl*, ed. ʿUmar Fārūq al-Ṭabbāʿ (Beirut: Dār al-Arqam b. Abī al-Arqam, 1995), 207.

[31] For this claim in relation to the Battle of Ṣiffīn, see Ibn Aʿtham, *Futūḥ*, 3:105–107, and Naṣr b. Muzāḥim, *Kitāb Waqʿat Ṣiffīn*, ed. ʿAbd al-Salām Muḥammad Hārūn (Najaf: Maktabat Āyatallāh al-ʿUẓmā al-Marʿashī al-Najafī, 1998), 137–40. A comprehensive discussion of the relationship of Kinda to other Arab networks formulated in a terminology of genealogical descent is given in Leube, *Kinda*, 101–10.

[32] al-Balādhurī, *Kitāb Ansāb al-ashrāf*, ed. Muḥammad Muḥammad Tāmir (Beirut: Dār al-Kutub al-ʿIlmiyya, 2011), 2:108 and 203; al-Dīnawarī, *Kitāb al-Akhbār al-ṭiwāl*, 205; Ibn Aʿtham, *Futūḥ*, 4:1–4; al-Maqdisī, *Kitāb al-Badʾ wa-l-tārīkh* (Cairo: Maktabat al-Thaqāfa al-Dīniyya, s.d), 5:220; al-Masʿūdī, *Murūj*, 2:433; Naṣr b. Muzāḥim, *Waqʿat Ṣiffīn*, 499–500; al-Ṭabarī, *Tārīkh*, 3:118–21, and al-Yaʿqūbī, *Tārīkh*, 2:131. For the 'readers of the Qurʾan' (*qurrāʾ*) in the context of the rebellion of al-Ashʿath's grandson, known as Ibn al-Ashʿath, see Redwan Sayed, *Die Revolte des Ibn al-Aš'aṯ und die Koranleser: Ein Beitrag zur Religions- und Sozialgeschichte der frühen Umayyadenzeit* (Freiburg: Klaus Schwarz, 1977).

[33] See al-Balādhurī, *Kitāb Futūḥ al-buldān*, ed. Ayman Muḥammad ʿArafa (Cairo: al-Maktaba al-Tawfīqiyya, s.d.), 245, 372–74, and 376; al-Balādhurī, *Ansāb*, 2:88, 162, and 227; al-Dīnawarī, *Kitāb al-Akhbār al-ṭiwāl*, 147; Ibn Aʿtham, *Futūḥ*, 2:116, 363 and 367–71; Naṣr b. Muzāḥim, *Waqʿat Ṣiffīn*, 20-24; al-Ṭabarī, *Tārīkh*, 2:734 and 793, and 3:168, and al-Yaʿqūbī, *Tārīkh*, 2:139. The factual stability of early Islamic 'governorship' over Ādharbayjān and Armīniyya that could be understood to be implied by these sources is contested by Alison Vacca, *Non-Muslim Provinces under Early Islam: Islamic Rule and Iranian Legitimacy in Armenia and Caucasian Albania* (Cambridge: Cambridge University Press, 2017). In any case, 'governorship over the province of X' and 'leadership of a raid in the rough vicinity of X' should be seen as the extreme points of a continuum of modes of Muslim presence during the early Islamic conquests.

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The extension of these networks focussed on al-Ashʿath and his progeny beyond the perimeter of the urban cityscape of Kufa becomes tangible in two landed estates at Shumārā[34] and Ṭīzanābād.[35] While the prior history of Shumārā is unclear, Ṭīzanābād is mentioned in pre-Islamic times as a raidable estate in the possession of the Sassanian King or his notables,[36] before coming into the possession of al-Ashʿath during the rule of the third caliph ʿUthmān (r. 23–35/644–56),[37] possibly in exchange for some landed estates which he owned in Ḥaḍramawt.[38] This estate was later inherited by the descendants of al-Ashʿath, as will be discussed below.[39] Although this is not explicitly stated, these and similar estates probably served as a source of economic capital that was used in establishing and maintaining the interpersonal networks of mobilisation and patronage that underpinned the leadership within 'Kinda' in Kufa exercised by al-Ashʿath and his descendants.[40]

Before sketching a possible reconstruction of the material topography of the quarter of Kinda in Kufa, some methodological aspects need to be clarified. The reconstruction of the quarter of Kinda in Kufa and structures and mechanisms of social dependency within it is based on the methodological assumption of fundamentally stable (or at least continuously developing) patterns of settlement and social dependency in Kufa during the first three generations of Islamic history. This assumption is corroborated by the explicit reference to landmarks visible and obviously well-known during the lifetime of the 'authors' of the early and classical Arabic-Islamic accounts some centuries after the events, such as 'the area of the soap-sellers and date-merchants of the market' in the account of the foundation of Kufa translated at the beginning of this article.[41] However, this stability

[34] al-Iṣfahānī, *Kitāb al-Aghānī*, 5:189–90.

[35] A sceptical evaluation of the archaeological record that could be used to corroborate these items of textual information is given by Michael G. Morony, 'Land Use and Settlement Patterns in Late Sasanian and Early Islamic Iraq', in *The Byzantine and Early Islamic Near East II: Land Use and Settlement Patterns*, eds. Geoffrey R. D. King and Averil Cameron (Princeton: Darwin Press, 1994), 221–29.

[36] A pre-Islamic raid of the site by 'Arabs' is mentioned in al-Iṣfahānī, *Kitāb al-Aghānī* 24, 57–58, while al-Balādhurī, *Futūḥ al-buldān*, 317–18, reports that it had been in the possession of the Sassanian King or his notables before being given to al-Ashʿath by the caliph ʿUthmān. See al-Balādhurī, *Futūḥ al-buldān*, 328, for a derivation of the toponym from the names of pre-Islamic Arabs.

[37] al-Balādhurī, *Futūḥ al-buldān*, 317–18.

[38] al-Ṭabarī, *Tārīkh*, 2:704.

[39] al-Ṭabarī, *Tārīkh*, 3:510.

[40] See Leube, *Kinda*, 210.

[41] al-Ṭabarī, *Tārīkh*, 2:558–59. Similar references to landmarks contemporary to the time of narration to anchor early Islamic cityscapes are contained, for instance, in the description of the

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of patterns of settlement in the Islamic garrison towns also means that it is ultimately impossible to decide with absolute certainty whether a particular aspect of the topography mentioned in the context of al-Ashʿath and his children in Kufa indeed belongs to this early Islamic period, or should rather be interpreted as a plausible interpolation that entered the report during the process of transmission (and discussion) of cultural memories in later Muslim communities.

The assumption of a fundamentally homogeneous development of the settlement patterns within the quarter of Kinda in Kufa also means that changes in building materials and techniques are interpreted as processes of technological diffusion that took place over a period of time. This assumption accordingly necessitates interpretation of reports describing a sequence of building materials that were successively found to be disadvantageous, forcing 'central' authority personified in the caliph ʿUmar to allow the inhabitants of Kufa and Basra to use alternative materials,[42] as a narrative *topos* deployed during the process of transmission of Muslim cultural memory. Conversely, the methodological assumption of a continuous development in the settlement patterns within the quarter of Kinda in Kufa privileges a paradigm of autonomous and decentralised evolution and technological diffusion against the normative view of early Islamic settlement outside the Arabian Peninsula as firmly controlled by the agents of central authority situated at the caliphal 'court' of Medina.

This methodological stance is particularly important in light of the inconclusiveness of archaeological investigation in Kufa, as reflected in the major disagreement in secondary literature regarding the interpretation of the findings. On the one hand, Donner cites the archaeological work at Kufa as proving the existence of effective centralised planning,[43] while Kennedy and Wirth both argue that the material remains at Kufa are useless for the early Islamic period.[44] This inconclusiveness of the archaeological report at Kufa can only to a small part be emended on the basis of the somewhat clearer (if

cityscape of al-Fusṭāṭ given by Ibn ʿAbd al-Ḥakam, *Futūḥ*, 115–55, and of Kufa and Basra in al-Balādhurī, *Futūḥ al-buldān*, 319–32 and 392–415.

[42] See e.g. ʿUmar's sequential grant of permission to use reed as a building material within the camps and his subsequent permission to build with unfired bricks to counter the danger of devastating fires, al-Ṭabarī, *Tārīkh*, 2:558.

[43] Fred M. Donner, *The Arab Tribes in the Muslim Conquest of Iraq* (PhD Dissertation, Princeton University, 1975), 140–41, and Fred M. Donner, *The Early Islamic Conquests* (Princeton: Princeton University Press, 1981), 228.

[44] Hugh Kennedy, 'From Polis to Madina: Urban Change in Late Antique and Early Islamic Syria', *Past and Present* 106 (1985): 17, and Eugen Wirth, *Die Orientalische Stadt im islamischen Vorderasien und Nordafrika* (Mainz: Philipp von Zabern, 2000), 1:42.

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certainly not unproblematic) archaeological findings at the contemporary Egyptian early Islamic garrison town of al-Fusṭāṭ.[45] Conversely, the centralised plans of later Umayyad foundations such as ʿAnjar and Qaṣr al-Ḥayr al-Sharqī in Greater Syria were shaped by a markedly different institutional and administrative context.[46] This Umayyad institutional and administrative context does, however, resonate remarkably well with the normative vision of an institutionalised and centralised direction of the foundation of early Islamic towns presented above. From an urbanistic point of view, therefore, the (Marwānid) Umayyad period constitutes a plausible starting point for 'centralising' narrative interferences with memories of the early Islamic conquests and the foundation of the early Islamic garrison towns of Kufa, Basra, and al-Fusṭāṭ.[47]

Notwithstanding these methodological *caveats*, the material topography that can be reconstructed by inference from the numerous reports of events that took place in the quarter of Kinda in Kufa is internally consistent and fits well into the general material environment of the early Islamic garrison towns of the seventh century. According to this 'incidentally inferred' topography, houses (*dār*) were constructed of mud bricks (*labin*) and consisted of multiple rooms (*buyūt*). Apart from the private quarters used by the permanent residents, which are usually not described in detail, references also indicate that additional rooms were used for storage or to shelter guests. These were grouped around an internal court, from which they were accessed, while their external walls formed the external walls of the house.

[45] See Wladyslaw B. Kubiak, *Al-Fustat* (Cairo: The American University in Cairo Press, 1987). See also ʿAbd Allāh Khurshīd al-Barrī, *Al-Qabāʾil al-ʿArabiyya fī Miṣr fī al-qurūn al-thalātha al-ūlā li-l-Hijra* (Cairo: Al-Hayʾa al-Miṣriyya al-ʿAmma li-l-Kitāb, 1992); George T. Scanlon, 'Al-Fusṭāṭ: The Riddle of the Earliest Settlement', in *The Byzantine and Early Islamic Near East II: Land Use and Settlement Patterns*, eds. Geoffrey R. D. King and Averil Cameron (Princeton: Darwin Press, 1994), 171–79; Roland-Pierre Gayraud, 'Fostat: Évolution d'une capitale Arabe du VIIe au XIIe siècle d'après les fouilles d'Istabl ʿAntar', in *Colloque international d'archéologie islamique*, ed. Roland-Pierre Gayraud (Cairo: Institut Français d'Archéologie Orientale, 1998), 435–60.

[46] For an introduction into the complex interpretation of these orthogonal foundations as 'urban centers', 'way stations', 'palaces', or 'places of refuge', see Robert Hillenbrand, 'ʿAnjar and Early Islamic Urbanism', in *The Idea and Ideal of the Town between Late Antiquity and the Early Middle Ages*, eds. Gian Pietro Brogiolo and Bryan Ward-Perkins (Leiden: Brill, 1999), 59–98.

[47] The importance of the Marwānid period for processes of consolidation of Islam and the early Islamic empire has long been recognised in several fields. An exemplary discussion of this question has been undertaken for so-called 'Islamic law', see the authorative and complementary surveys by Noel J. Coulson, *A History of Islamic Law* (Edinburgh: Edinburgh University Press, 1964) and Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1964). For the current state of the debate, see the work of my esteemed teacher Benjamin Jokisch, *Islamic Imperial Law* (Berlin: De Gruyter, 2007).

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This court is separated from the more or less public sphere (see below) of the streets by a gate (*bāb*), which forms the main area of interaction between the house, frequently portrayed as a sphere dominated by women, and the streets, which are commonly dominated by men.[48] The floor plan of the houses appears to have been roughly orthogonal, as suggested by the existence of terraces (*saṭḥ*, plural *suṭūḥ*) on the roof.[49] These terraces appear to have covered the whole area of the rooms surrounding the court, as suggested by their external accessibility by means of ladders or neighbouring buildings.

This external access to the terraces on the roof is explicitly mentioned in the story of the successful and obstinate defence of the gate (and thereby, according to the reconstruction suggested above, also of the internal court) of the house of Ṭawʿa inside the quarter of Kinda by the fugitive Muslim b. ʿAqīl. In his case, the troops of the governor climbed the house's roof terraces and threw stones and burning reed at Muslim, ultimately forcing him to come to the street where he was brought down.[50] The use of burning reed (*qaṣab*) to smoke Muslim out also attests both to the availability of reed within the quarter of Kinda in Kufa and to its construction with fireproof materials, as the throwing of burning bundles of reed in a quarter constructed of reed or other flammable materials would likely have caused a disastrous conflagration.

Goods attested as stored in the rooms of such houses within the quarter of Kinda include water (probably brought from the Euphrates river or collected in cisterns), as well as oil (as inferred from Ṭawʿa bringing Muslim a lamp)[51] and food. In the story of Muslim's hiding in the house of Ṭawʿa, she also covers the ground with mats or straw for him to sleep on (*farashat*

[48] See e.g. the accounts of the fugitive Muslim b. ʿAqīl talking to Ṭawʿa at the gate of her house (Abū Mikhnaf, *Maqtal*, 70, al-Dīnawarī, *Kitāb al-Akhbār al-ṭiwāl*, 253; Ibn Aʿtham, *Futūḥ*, 5:89; al-Iṣfahānī, *Maqātil*, 102, and al-Ṭabarī, *Tārīkh*, 3:312) and of the Kindī poet and judge (*qāḍī*) Shurayḥ, who narrates the story of how he met his future wife sitting under a porch in front of her house (al-Iṣfahānī, *Kitāb al-Aghānī*, 17:221); cf. the discussion in Leube, *Kinda*, 208–10. The second story is, however, situated in the quarter of the Banū Tamīm in Kufa, rather than the quarter of Kinda.

[49] This roughly orthogonal plan of the houses should be envisioned as being connected by irregular and wandering 'streets', cf. Gayraud, 'Fostat', 438 and fig. 2. on page 455, also reproduced in colour on the cover of the edited volume, and the photograph and plans of the excavations published by Roland-Pierre Gayraud and Lucy Vallauri, *Fustat II: Fouilles d'Isṭabl ʿAntar: Céramiques d'ensembles des IXe et Xe siècles* (Cairo: Institut Français d'Archéologie Orientale, 2017), 10–11.

[50] See the discussion of the multiple versions of Muslim's flight in Leube, *Kinda*, 202–203.

[51] Ibn Aʿtham, *Kitāb al-Futūḥ*, 5, 89.

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lahū),[52] which also appear to have been stored in one of the rooms. In the story of Shurayḥ meeting his future wife, wine (*nabīdh*), milk (*laban*), and water are offered as refreshments by the women sitting under the porch in front of their house.[53] Although the choice between these three drinks constitutes a topos of 'evaluative hospitality' that also appears, for instance, in the story of Muḥammad's miraculous journey to heaven,[54] the plausibility of the story hinges on the plausibility of all three drinks being simultaneously present in a well-managed household.[55] The storage of these goods in all likelihood took place in clay jars or skins, as suggested by the archaeologically and textually attested material environment of the pre-modern Islamicate Middle East.

This type of individual house is embedded in a texture of more or less public passages, which combine to form the 'graded' public sphere typical of pre-modern 'Oriental' towns.[56] I interpret the attested gates (*abwāb*) controlling access to some of these passages as marking some of the more prominent points of transition between more 'public' and more 'private' parts of the armature of early Islamic Kufa,[57] even if most transitions between different levels of 'public sphere' were certainly gradual rather than sharply localised by means of gates or other architectural markers. Within the quarter of Kinda, explicit references attest to the existence of the 'gates of Kinda' as markers of urban topography, which appear to delimit the quarter of Kinda as a whole against the 'relatively more public' sphere surrounding the great mosque of Kufa.[58] Other zones of transition between more and less public

[52] See the detailed discussion of the sources in Leube, *Kinda*, 202–203.

[53] al-Iṣfahānī, *Kitāb al-Aghānī*, 17:221.

[54] Ibn Hishām, *al-Sīra al-Nabawiyya*, eds. Muṣṭafā al-Saqqā, Ibrāhīm al-Abyārī, and ʿAbd al-Ḥafīẓ Shalabī (Beirut: Dār al-Kutub al-ʿIlmiyya, 2001), 287.

[55] See Leube, *Kinda*, 209. It would be fascinating to attempt a more general reconstruction of the foodscape of early Islamic Kufa based on a systematic and critical evaluation of incidental details contained in this and similar stories.

[56] See Wirth, *Orientalische Stadt* for this type of urban structure. My understanding of 'graded' public spheres is very much influenced by the haunting sketch by Dževad Karahasan, *Sarajevo: Exodus of a City*, tr. Slobodan Drakulic (Sarajevo: Connectum, 2012), particularly his 'City Portrait' on pages 13–27.

[57] For the stimulating concept of an armature of ancient Roman towns, see William Lloyd MacDonald, *The Architecture of the Roman Empire* (New Haven: Yale University Press, 1988). While his analysis of the highly institutionalised social fabric of Roman provincial towns can certainly not be simply taken over for early Islamic contexts, I argue that his description of the importance of spatial markers in establishing boundaries and ruptures within the urban fabric does constitute a viable starting point for the interpretation of the 'gates' affiliated to particular 'tribes' in the early Islamic garrison towns.

[58] See al-Balādhurī, *Ansāb*, 2:264; Ibn Saʿd, *Kitāb al-Ṭabaqāt*, 2:27, Iṣfahānī, *Maqātil*, 41 and 102, al-Ṭabarī, *Tārīkh*, 3:176.

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spheres within the quarter of Kinda are not explicitly stated to have been marked by gates.

Free spaces (*raḥba*, *jabbāna*) inside and around the quarter of Kinda served as areas for 'public' communal activities, such as burial, military mobilisation, and violent confrontations.[59] In addition, the graded public sphere is represented in a type of meeting place called 'place of seated reception' (*majlis*) or mosque (*masjid*), which are frequently named after individuals or subtribes of Kinda, likely indicating the involvement of specific individuals or subtribes in their establishment and maintenance. These meeting places serve as 'publicly' accessible points with the networks focussed on them, as for instance during the advent of the ʿAlid agitator al-Mukhtār (d. 67/687) in Kufa. His passage through the quarter of Kinda is narrated as follows:

> Al-Mukhtār went on until he came to the water of al-Ḥīra [near Kufa] on Friday, where he descended from his riding animal and performed his ablutions. Afterwards, he anointed himself lightly, got dressed in his garment, put on a turban, and girded his sword. Then he mounted his riding animal and passed by the mosque (*masjid*) of [the Kindī subtribe of] al-Sakūn and the 'free space' (*jabbāna*) of Kinda, greeting the people at every *majlis* he passed, and calling out: 'Rejoice in victory and redemption, what you love has arrived!' Thus, he went on until he passed the mosque (*masjid*) of the [Kindī subtribes of the] Banū Dhuhl and the Banū Ḥujr, where he found nobody, because the people had gone to the Friday prayer [conducted in the Great Mosque at the centre of Kufa]. He went on until he came to [the Kindī subtribe of the] Banū Baddāʾ, where he met ʿUbayda b. ʿAmr al-Baddī of Kinda.[60]

In this story, al-Mukhtār's performative visit to these public nodes of specific tribally formulated networks establishes his aim of taking over Kufa and overthrowing the incumbent administration. The 'place of seated

[59] See the review of the sources in Leube, *Kinda*, 205–207, but cf. for the absence of free spaces in early Islamic al-Fusṭāṭ, Gayraud, 'Fostaṭ', 438. This may, however, also just be due to a coincidental absence of free space inside the excavated area of Isṭabl ʿAntar, possibly reinforced by the selection of an 'archeologically relevant' site of plentiful material remains for excavation. Arguably, dense patterns of settlement could motivate the emergence of consolidated and extensive open spaces inside the residential area to serve the functions attested for the *jabbāna* or *raḥba* inside the quarter of Kinda in Kufa.

[60] Abū Mikhnaf, *Akhbār al-Mukhtār,* ed. Kāmil Salmān al-Jabūrī (Beirut: Dār al-Majalla al-Bayḍā, 2000), 46, and al-Ṭabarī, *Tārīkh*, 3:443. A parallel stands in al-Balādhurī, *Ansāb*, 4:307, cf. Leube, *Kinda*, 207–208.
This account may possibly be compared fruitfully with other cases of agitation, such as those discussed in the contribution of Paul E. Walker in chapter 14 of this volume.

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reception' (*masjid*) or mosque (*majlis*) of a particular network is accordingly deployed by al-Mukhtār as a 'public' point of performative access to and interaction with this network, by means of which he addresses individuals living in houses within the 'more private' parts of the quarter of Kinda.

The houses of established leaders of networks within the quarter of Kinda could also serve a similar function as the localised node of a specific network. This is suggested by al-Mukhtār's meeting with ʿUbayda b. ʿAmr al-Baddī, even though it is not specified that they met at his home. In a similar fashion, the house of al-Ashʿath b. Qays and his descendants is attested as a meeting place, for instance, in the story of how the son of Ṭawʿa notified the family of al-Ashʿath (and subsequently the governor) that the fugitive Muslim was hiding in the house of his mother by coming to the house of al-Ashʿath.[61] On other occasions, the house of al-Ashʿath and his family also served as a public node allowing the integration of non-Kufan Kindīs within networks of mobilisation and patronage formulated in a terminology of common 'tribal' affiliation. This is explicitly indicated when Ibn Muljam, who had come from Egypt with the intention of killing the caliph ʿAlī, is claimed to have found shelter in the house of al-Ashʿath after his arrival in Kufa.[62]

Accordingly, I suggest grouping the different spatial markers of 'place of reception' (*majlis*), 'mosque' (*masjid*), and 'house' (*dār*) of a notable as functionally equivalent 'public' and visible localised markers of specific networks. By contrast, fugitives head to private homes of non-notable individuals while hiding from the forces of the governor. The best example of this phenomenon narrated within the quarter of Kinda concerns the (three different versions of the) flight of Ḥujr b. ʿAdī.[63] The pattern of a fugitive coming to a 'private' home to hide himself also underlies the story of Muslim mentioned above.

Another manifestation of the graded public sphere within the quarter of Kinda is in the form of lanes (*zuqāq*) and private passages (*khawkha*), in which fugitives hide from the governor's soldiers. In one of the versions of Ḥujr's flight, he is explicitly stated to have been helped by boys (*fityān*) living in the area, who led him through passages where the soldiers could not follow. It is not explicitly stated whether troops not affiliated to the tribe inhabiting the quarter were hindered by their ignorance of the lanes and private passages, or by some sort of a normative prohibition against

[61] See Leube, *Kinda*, 118–23.
[62] See Leube, *Kinda*, 123–26.
[63] For the different versions of Ḥujr's flight, see Leube, *Kinda*, 201–202.

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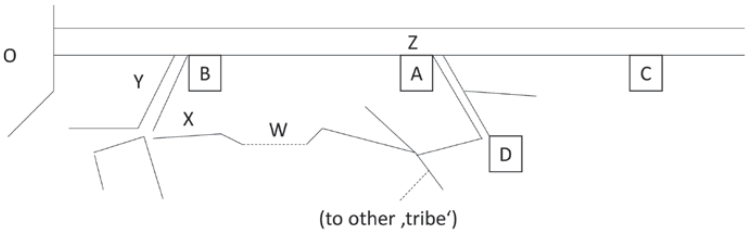
Visualization II:



- A, B, C: Houses / nodes integrated in networks established by performance of subordination or conflict.
- D: ‚Lesser' house with little chance of preeminence on the scale of A, B, and C, instead freedom of affiliation.
- If A is predominant: Designation of B, C, and D as masjid / majlis?
- Grades of public sphere: O > Z > Y > X > W.
- Deployment of various normative frames within contestative strategies of individual actors.

Figure 12.2 Localising negotiations of power in the early Islamic garrison towns.

entering the 'more private' spaces of individual quarters. In either case, this 'less public' character of some of the urban topography of the quarter of Kinda likely contributes to the characteristic pattern of the governor sending troops affiliated to the tribal groupings inhabiting a particular quarter into that quarter to enforce his authority. This will be discussed in more detail below.

In Figure 12.1 I suggested that the centralised administrative framework suggested by the 'centralised' view of the early post-conquest society can to a certain extent be read as a blueprint for the urban structure of early Islamic garrison towns. If we attempt a similar *Engführung* or *Stretto* of administrative and urban structure based on the 'incidentally attested' topography of the quarter of Kinda, we necessarily have to build 'from the ground' rather than from the 'caliphal' centre. Nonetheless, the concept of 'graded' public spheres allows a reading of this urban structure as a spatial reflection of administrative hierarchy. Accordingly, the authority and power of the governor residing outside the quarter of Kinda radiates into this quarter along interpersonal networks focussed on relatively 'public' and 'visible' markers. The possible reshuffling and dynamic development of these networks is reflected in the urban structure, as individual 'places of seated reception' (*majlis*), mosques (*masjid*), or houses (*dār*) may become more or less prominent and 'public' depending on the trajectory of the individuals and lineages they are affiliated with.

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Topography II: Urban Structure and Social Dependency

In the following reconstruction of mechanisms and structures of social dependency, I methodologically build on an understanding of structures as enacted within the urban topography by means of a sustained performance of particular mechanisms. Due to the exceptionalist bias of the sources, the quotidian mechanisms of social dependency and affiliation that in this view make up the substance of networks of patronage and mobilisation can mainly be reconstructed *ex negativo* from instances where they were subverted. Nonetheless, the prominent visibility of structural capital as manifested in the urban topography means that subversions and realignments of social dependency left a visible imprint on the quarter of Kinda, which figures prominently in the sources. This can be contrasted with other quotidian manifestations of social dependency and affiliation, such as the distribution of rents and payments or the transaction of grocery shopping. Although, without doubt, these were also affected by subversions and realignments of social dependency, they did not leave any symbolic traces in the urban structure deemed sufficiently important for inclusion in the historiographical sources. Accordingly, the preceding reconstruction of the material environment of the quarter of Kinda in Kufa can be interpreted as a configuration of symbolic capital that is acted out by means of continuous low-level transactions or mechanisms. This configuration acutely reflects shifts and realignments within the general structures of social dependency inside the quarter of Kinda.

Within the social history of Kufa during the first three generations of Islamic history, it is remarkable that hierarchical interpersonal structures formulated in a (more 'official'?) terminology of tribal affiliation, such as the structures of social dependency deployed to perform mechanisms of mobilisation and patronage, are much more susceptible to political change and realignment than the trans-tribal structures of companionship and socialising between members of similar social backgrounds. Examples of this stability of trans-tribal networks within the quarter of Kinda include the companionship of the judge (*qāḍī*) Shurayḥ with his 'noble brothers among the readers of the Qurʾan (*qurrāʾ*)', whom Shurayḥ mobilises as brokers of his marriage to Zaynab,[64] or the companionable 'hanging out' of al-Ashʿath with other notables of Kufa, which is, for instance, depicted in anecdotes reporting the taunts of a foreign Arab who fails to recognise

[64] al-Iṣfahānī, *Kitāb al-Aghānī*, 17:222.

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the notables he is goading based on hearsay standing before him.[65] In one version, this publicly accessible companionship of al-Ashʿath and other notables is localised at al-Kunāsa in Kufa, a landmark outside the sphere of any particular tribally allocated area which the – much later – scholar Yāqūt explains on philological grounds as a collection point for garbage, which certainly is somewhat puzzling in this context.[66]

According to the topographical reconstruction suggested above, two aspects of networks of mobilisation and patronage as spatially manifested within the quarter of Kinda are particularly noteworthy in times of internal strife (*fitna*). The first concerns the supposed 'treason' by al-Ashʿath and his progeny towards their fellow Kindī Ḥujr b. ʿAdī after his abortive revolt. This 'treason' is materially sanctioned after the subsequent takeover of Kufa by al-Mukhtār, who orders the reconstruction of the house (*dār*) of Ḥujr from the building materials (*labin* and *ṭīn*)[67] of the house of Muḥammad b. al-Ashʿath.[68] Thereby, the house of the wronged Ḥujr is reconstructed, while the 'traitors' are punished by the material eradication of their house from the urban fabric. This is particularly significant in light of the apparent policy of al-Mukhtār to refocus the networks of mobilisation and patronage within and beyond the quarter of Kinda in Kufa around surviving relatives of Ḥujr b. ʿAdī, most notably Ḥujr's nephew Muʿādh b. Hāniʾ b. ʿAdī.[69] Thereby, the redeployment of the building materials of the localised main 'public' point of contact and node of the networks underpinning the supremacy of al-Ashʿath and his descendants within the quarter of Kinda in Kufa manifests the reconfiguration of Kindī networks away from the 'traitors'. Simultaneously, this destruction of their house likely negatively affected the economic situation of the descendants of al-Ashʿath as well.

The second topographical aspect of the quarter of Kinda that is highlighted in times of social unrest is the graded accessibility of different areas within the quarter to different actors. The two most striking examples of this phenomenon are the attempts by Ḥujr b. ʿAdī and Muslim b. ʿAqīl to hide

[65] See al-Balādhurī, *Ansāb*, 8:410–11, and al-Iṣfahānī, *Kitāb al-Aghānī*, 16:98–99.

[66] Yāqūt, *Muʿjam al-buldān*, ed. Muḥammad ʿAbd al-Raḥmān al-Marʿashlī (Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī, 2008), 7/8:153. An explanation that is probably more accurate of this area based on the reports contained in the historiographical works is given by Djaït, *Al-Kūfa*, 277–80.

[67] al-Ṭabarī, *Tārīkh*, 3:510.

[68] Abū Mikhnaf, *al-Mukhtār*, 112, Ibn Aʿtham, *Kitāb al-Futūḥ*, 6:138, and al-Ṭabarī, *Tārīkh*, 3:510.

[69] See Abū Mikhnaf, *Akhbār al-Mukhtār*, 105; al-Balādhurī, *Ansāb*, 3:399 and 405, and al-Ṭabarī, *Tārīkh*, 3:506.

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from the forces of the governor after their abortive revolts.[70] After attempting to stage their revolts at or in the central Great Mosque of Kufa, both are reported to have fled towards their house within the quarter of Kinda (Ḥujr) or the 'gates of Kinda' (Muslim), which I have suggested interpreting as topographical markers of the border between a 'general public sphere' surrounding the mosque and a 'more particular public' sphere within the quarter of Kinda. After being surrounded by numerous followers during their attempted revolts within and around the Great Mosque, both arrive at the house of Ḥujr or within the gates virtually alone. Neither is reported to have been immediately pursued by agents of the respective governors. While Ḥujr is able to draw on networks of supporters within the quarter of Kinda and accordingly continues his flight from one private home to another with the help of multiple individuals and boys showing him passages and lanes, Muslim does not appear to have had any networks of local supporters at his disposal and accordingly is presented as wandering aimlessly through the lanes.

In both cases, al-Ashʿath and his son Muḥammad are localised in the immediate vicinity of the respective governor, who sends them out as brokers to ensure the rendition of the fugitives. In light of the concept of a 'graded' public sphere suggested above, this sending out of Kindī troops to enforce the interests of the governors within the quarter of Kinda may go beyond the testing of loyalties by forcing Kindī power brokers to take a clear stand for or against the governor, as it is not clear to what extent the presence of 'foreign' individuals within the 'more private' areas of the quarter of Kinda was seen as permissible or even practical due to their likely unfamiliarity with the plan of the streets and passages. Independent of the ultimate rationale behind the sending out of Kindī troops into the quarter of Kinda, which in all likelihood was motivated by multiple intersecting rationales, the presence of members of the family of al-Ashʿath in the immediate vicinity of the governor in times of social unrest clearly demonstrates the latter's reliance on the 'public' leaders of influential networks within the individual quarters to implement his policies. This mobilisation of troops for the governor along the personal networks of loyalty and affiliation invested in al-Ashʿath and his family was likely requited by the governor strengthening their position against possible rivals within the quarter of Kinda.[71]

[70] The following systematic evaluation builds on the discussion of the various sources in Leube, *Kinda*, 201–11.

[71] See Franz, *Beutezug*, for this pattern.

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Conclusion

This topographically informed close reading of the sources mentioning the quarter of Kinda in Kufa during the first three generations of Islamic history brings three main approaches and suggestions to the study of structures and mechanisms of social dependency in the early Islamic empire.

First, based on a close reading of individuals affiliated to the 'Kindī' networks of al-Ashʿath b. Qays and his family, I suggest redefining the concept of 'stable tribal affiliation' that pervades much of early and classical Arabic-Islamic historiography. Thereby, I argue that 'Kinda' and other 'tribal' entities should be conceptualised as networks of mobilisation and patronage that are formulated in a terminology of tribal affiliation but in fact include individuals from diverse genealogical backgrounds.

Second, I suggest interpreting the spatial configuration of the quarter of Kinda in Kufa as a topographical manifestation of the networks of multipliers and intermediaries on various levels. These multipliers and intermediaries function as hostages and power brokers for the 'central' agents and institutions located around the Great Mosque in the centre of Kufa or – on a subordinate level – inside the quarter of Kinda in Kufa.

Finally, I argue that the attempts attributed to al-Mukhtār and possibly also to the caliph ʿAlī of replacing al-Ashʿath and his immediate family as a main power broker between 'central' authorities and their localised networks demonstrate that the preeminent role of al-Ashʿath and his family was not rooted in any uncontested 'proof' of nobility. This contrasts sharply with the rhetorics of 'stable' genealogically underpinned claims to status and leadership that pervade the corpus of early and classical Arabic-Islamic historiography. Instead, I suggest that economic capital, such as the ownership of landed estates in the environs of Kufa, attested for the family of al-Ashʿath until the time of Hārūn al-Rashīd, played the most crucial role in stabilising the transgenerational importance of this family in and around Kufa. This 'economically stabilised' symbolic capital of the family was, according to this argument, subsequently expressed in the contested and polemic milieu of the early Islamic garrison towns in the form of 'genealogically' formulated claims and counterclaims to rightful authority.

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13 Rulers, Ḥanābila, and Shiʿis: The Unravelling Social Cohesion of Fourth/Tenth-Century Baghdad

NIMROD HURVITZ

Introduction

Historians of Abbasid history describe the second part of the ninth/third and early tenth/fourth centuries as the period in which the caliphate gradually lost its grip over vast areas of its empire.[1] In the provinces, for example, local dynasties such as the Sāmānids (204–395/819–1005), Ṭūlūnids (254–92/868–905) and the Ṣaffārids (247–393/861–1003) dominated huge regions that fell from the orbit of Abbasid power.[2] According to some of these accounts, the main reason for the breakup of the Abbasid empire was incompetent administration which led to diminishing revenues and the inability to maintain powerful armies.[3] Muḥammad A. Shaban goes so far as to characterize the central government as acting "very much like a colonial power whose only interest was to exploit its domains without regard to the interests of its subjects."[4] The Abbasids' poor administration and myopic policies, that led to the decline of their armies, gradually reduced their capability to counter military threats and defend their subjects from rebel forces. The last and seemingly irreversible stage of this decline occurred during the rule of al-Muqtadir (r. 295–320/908–32),

[1] For a detailed discussion of the Abbasids' military and administrative decline, see Muhammad A. Shaban, *Islamic History, A New Interpretation* (Cambridge: Cambridge University Press, 1988 (1976)), 2:115–58; Marshall G. S. Hodgson, *The Venture of Islam, Conscience and History in a World Civilization* (Chicago: The University of Chicago Press, 1974) 2:12–13; Hugh Kennedy, *The Prophet and the Age of the Caliphates* (London and New York: Longman, 1986), 200. Another historian who mentions the "breakup of the `Abbasid empire" and explains it in similar terms is Ira Lapidus, *A History of Islamic Societies* (Cambridge: Cambridge University Press, 1988), 136. For an overview of this era, see Michael Bonner, "The Waning of Empire, 861–945," in *The New Cambridge History of Islam*, volume 1, *The Formation of the Islamic World, Sixth to Eleventh Centuries*, ed. Chase F. Robinson (Cambridge: Cambridge University Press, 2010), 305–59.

[2] On the Ṭūlūnid effort to redefine their relations with the caliph by instating "new-style loyalties," see Matthew S. Gordon, "Swearing Abū al-Jaysh into Office: The Loyalties of Ṭūlūnid Egypt," chapter 5 in this volume.

[3] Hodgson, *The Venture*, 2:13; Kennedy, *The Prophet*, 199; Lapidus, *A History*, 136.

[4] Shaban, *Islamic History*, 89.

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whose twenty-five-year-long reign is seen as disastrous.[5] His regime was followed by those of al-Qāhir (r. 320–22/932–34) and al-Rāḍī (r. 322–29/934–40), whose attempts to apply caliphal authority in Baghdad by imposing their religious policies were ruinous and led to social upheaval and the intensification of violence in the empire's capital.

As the caliphate disintegrated and a new political framework that was composed of numerous political entities appeared, societies also underwent far-reaching changes. Ira Lapidus observed that in those years "Islamic religious associations became the almost universal basis of Middle Eastern communal organization."[6] More specifically, "[F]rom the tenth to the thirteenth century the Middle Eastern masses came to be identified with the Sunni schools of law, Sufi brotherhoods, Shiʿi sects."[7] The new states and institutions ushered in new types of social interactions and ties. For example, based on ideological affinity and interests, the Sunni schools of law entered local politics in several cities. Similarly, from the twelfth/sixth century, Sufi brotherhoods grew in size and influence, forcing regimes to take their interests and views into consideration. As these mass institutions expanded, they became significant political participants that empowered ordinary believers and transformed them into weighty social and political actors.

The breakdown of the old order in the tenth/fourth century and the evolvement of a novel one that was based on new institutions and communal bonds exemplify the plasticity of social ties. Their adaptability has been noted in the Introduction of this volume, in which it is observed that social ties can unravel or, as is demonstrated in several articles, they can either be openly challenged or tacitly circumvented.[8] This chapter will focus on one aspect of such changes – how social ties endure when the lives and possessions of individuals are in jeopardy. Interestingly, in this specific case in which the Qarāmiṭa struck major cities in southern Iraq and the *ḥajj* caravans, we can discern several different reactions. In some, local ties were strengthened and the residents of different cities fought together but with

[5] Maaike van Berkel *et al.*, "General Conclusion" in *Crisis and Continuity at the Abbasid Court, Formal and Informal Politics in the Caliphate of al-Muqtadir (295–320/908–32)* eds. Maaike van Berkel *et al.* (Leiden: Brill, 2013), 215.

[6] Lapidus, *Islamic Societies*, 232.

[7] Ibid.

[8] On ties that were challenged and unfastened, see Edmund Hayes and Petra M. Sijpesteijn, "Introduction: The Ties that Bound the Societies of the Islamic Empire," in this volume; Gordon, "Loyalties of Ṭūlūnid Egypt," chapter 11 in this volume; Noëmie Lucas, "A State Letter from a Marwanid Caliph to His Governor of Iraq. A Historiographical Investigation into Khālid b. ʿAbd Allāh al-Qasrī's Downfall," chapter 9 in this volume.

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no outside help. In others, ties with the regime were consolidated and the residents collaborated with the Abbasid armies. In others still, the local ties and commitments were ignored and the residents fled their homes. Elsewhere, as in Baghdad, political ties faded, and the inhabitants demonstrated against their political elite whom they perceived as inept or, even worse, treasonous. Furthermore, in Baghdad, some of them confronted their rulers due to religious and intellectual controversies and fought their neighbors who belonged to other sects of Islam.

During the critical dozen years 311/923–323/935, in which the threat to the lives and property of the inhabitants of southern Iraq increased, the regime's incompetence grew painfully clear, and as a consequence its subjects' fury and disrespect became evident. As the Qarāmiṭa's raids exposed the regime's inefficiency, the Ḥanābila took to the streets and aroused the caliphs' wrath. Furthermore, these were the years during which the relations between the Shiʿis and the Ḥanābila deteriorated and were altered profoundly. One of the main points that this chapter emphasizes is that the violence between the Ḥanābila and the Shiʿis broke out before the Buyids entered Baghdad. Thus, the unstitching of Baghdad's social fabric was the outcome of a decades-long dynamic which brought about a new pattern of intercommunal violence that would remain for the next three centuries or so. The disputes and violence between the Ḥanābila and the Shiʿis also indicate that the term *ʿāmma* does not refer to a single, unified social entity but is an expression that describes a large socio-economic group that stands apart primarily from the courtly elite and the functionaries serving the regime, yet concurrently is divided into several ideological and political currents. Therefore, in saying that the general public have become more active politically, we are pointing to the fact that they were fragmented into different ideological currents that on some occasions battled each other and on others confronted the political elite.

However, despite the role that Baghdad's populace played in the political and religious spheres during those years, they have received relatively little attention from modern historians. Whereas scholars of Abbasid history have composed in-depth studies of the caliphs and elites of this era, they mention the general public only in passing.[9] It is, I believe, critical to take account of the religious thought and political involvement of the lower

[9] For in-depth studies of these elites, see Harold Bowen, *The Life and Times of ʿAlī Ibn ʿĪsā `The Good Vizier'* (New York: AMS Press, 1975 [1928]); van Berkel *et al.*, *Crisis and Continuity*. For historical surveys that cover this period and focus on the political elite, see Shaban, *Islamic History*; Kennedy, *The Prophet*.

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classes in Muslim societies in general and Baghdad in particular, since they were active participants in forging religious sensibilities and political dynamics. Following an historiographic turn in the history of early modern European historiography, which was led by Edward P. Thompson and Nathalie Zemon-Davis, historians of Muslim societies, particularly of the Mamluk period and later, have published several studies that examine the social and political involvement of the lower classes.[10] However, the masses in the early Abbasid period have received relatively little attention.[11]

In order to partially address this lacuna, the present study will examine the political and military behavior of the general public in the circumscribed region of south Iraq and Baghdad during the twelve years in which they suffered from numerous Qarāmiṭa raids. The first part of the chapter examines the ways in which the Qarāmiṭa attacks were perceived by inhabitants of Iraq and their various reactions to them.[12] The focus then shifts to one group, the Ḥanābila, who came together on the basis of religious values and fashioned a unique style of socio-religious activism that left a distinct mark on Baghdadi politics. Finally, I discuss the way in which the ruling elite confronted the Ḥanābila. These three perspectives concentrate on the unravelling of the socio-political commitments in Baghdad and the role played by the general populace in the undoing of its social cohesion.

[10] For classic studies on crowd participation in social and religious confrontations, see George Rudé, *The Crowd in History, A Study of Popular Disturbances in France and England, 1730–1848*, (London: Serif, 2005 [1964]); Edward P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Past and Present* 50 (1971), 76–136; Natalie Zemon-Davis, "Rites of Violence. Religious Riot in Sixteenth-Century France," in *Past and Present* 59 (1973): 51–91. For a recent study that focuses on late Antiquity and makes a similar argument, see Julio Cesar Magalhães de Oliveira, "Late Antiquity: The Age of Crowds?" in *Past and Present* 249 (2020): 3–52. For studies that examine the crowds in Middle Eastern societies, see Shoshan Boaz, *Popular Culture in Medieval Cairo* (Cambridge: Cambridge University Press, 1993); James Grehan, "Street Violence and Social Imagination in Late-Mamluk and Ottoman Damascus (c. 1500–1800)," in *Subalterns and Social Protest, History from Below in the Middle East and North Africa*, ed. Stephanie Cronin (London: Routledge, 2008), 25–49; Amina Elbandary, *Crowds and Sultans, Urban Protest in Late Medieval Egypt and Syria* (Cairo: The American University in Cairo Press, 2015).

[11] An important exception to this observation is Simha Sabari, *Mouvements populaires à Bagdad à l'époque 'abbasside, IXe–XIe siècles* (Paris: Adrien Maisonneuve, 1981).

[12] The Qarāmiṭa were a Shiʿi sect that branched off Ismaili Shiʿism. In the second half of the third Hijri century/ninth century AD, they attempted to make inroads into the Sawād. Over time, and despite the failure of the first two waves, they established a base in northeastern Arabia and raided southern Iraq from there. For the Qarāmiṭa attacks, and their ideology, see Kennedy, *The Prophet*, 287–92; Farhad Daftary, *The Ismāʿīlīs, Their History and Doctrines* (Cambridge University Press, 1992), 116–20, 132–33, 160–64; Shaban, *Islamic History,* 128–33.

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The General Public

The background to – and, in some instances, the trigger for – many of the events that will be described in this paper are the Qarāmiṭa raids into south Iraq. The Qarāmiṭa, whose military exploits sapped the strength of the Abbasid empire between 311/923 and 319/931, aroused strong reactions among its populace, ranging from panic to resistance. Therefore, the first step in studying the public's conduct is to discern their patterns of behavior in the face of the Qarāmiṭa threat.

In their description of the events of 313/926, the chronicles note the alarm that spread through Iraq as the Qarāmiṭa forces defeated the Abbasid army in Kūfa and looted the town for six days. Interestingly, although the Qarāmiṭa headed back south after taking whatever they could carry, news of the Abbasids' defeat aroused panic in Baghdad, and we are informed by Miskawayh (d. 421/1030) that "[T]he people of Baghdad were seriously alarmed, and most of those who lived on the Western bank migrated to the Eastern."[13] A similar reaction occurred in 314/927 in Mecca, when there were rumors that the Qarāmiṭa were in the city's vicinity, and again in 315/928 after another Abbasid defeat near Kūfa.[14] Thus, these reports indicate that the inhabitants of the region took an interest in events that could develop into military threats and reacted very strongly to them, to the point of deserting their homes on the basis of rumors.

However, the Qarāmita's forays into Iraq also elicited a very different reaction in other cities.[15] The chronicles report that in Anbār, Hīt, and Raqqa, local inhabitants fought the Qarāmiṭa and repelled their attacks – alone or with the help of the Abbasid armies.[16] The first clash occurred during the Qarāmiṭa campaign of 315/928, which began with their victory over Abbasid forces near Kūfa, mentioned above. After defeating the Abbasids, the Qarāmiṭa continued northwest and approached Anbār. The Abbasids dispatched several units to Anbār and the soldiers arrived a short while before the Qarāmiṭa. Miskawayh describes the events that unfolded: "On the Friday the people of Anbār and the commanders there saw the cavalry

[13] Abū ʿAlī Miskawayh, *Tajārib al-Umam, The Eclipse of the Abbasid Caliphate*, ed. Henry F. Amerdoz, trans. David S. Margoliouth (Oxford: Basel Blackwell, 1920–21), 1:163. Ibn Kathīr, *al-Bidāya wa-l-nihāya* (Beirut: Dār Iḥyaʾ al-Turāth al-ʿArabī) 11:173.

[14] On Mecca, see Miskawayh, *Tajārib*, 164, and Ibn Kathīr, *al-Bidāya* 11:174. On Kūfa, see Miskawayh, *Tajārib*, 198.

[15] These events have been described by Hugh Kennedy, "The Reign of al-Muqtadir (295–320/908–32): A History" in van Berkel *et al.* eds., *Crisis and Continuity*, 38–39.

[16] These events have been described by Kennedy, "The Reign," *Crisis and Continuity,* 38–39.

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of Abū Ṭāhir advancing from the Western side, and they hastened to break down the Anbār bridge."[17] Faced with resistance, the Qarāmiṭa turned to Hīt.[18] In Hīt, the inhabitants were even more tenacious, and over the course of the battle, many Qarāmiṭa soldiers were killed, and they retreated.

Perhaps the most dogged act of resistance occurred a year later, when the Qarāmiṭa attacked Raqqa. This clash is described by al-Qurṭubī (d. ca. 370/980) as follows: "the Qarāmiṭa advanced to al-Raqqa in order to assault its inhabitants. The inhabitants fought a fierce battle against the Qarāmiṭa, hurling at them water, dirt and bricks from the rooftops, and shooting at them poisoned arrows. The Qarāmiṭa lost approximately one hundred men, and they left defeated."[19] As in Hīt, Raqqa's residents were able to organize themselves, assemble weapons, build up the courage to confront a menacing enemy, and force them to retreat.

The Qarāmiṭa's raids and the public's reaction bring into relief two patterns of behavior. The first is that rumors aroused tremendous anxiety and caused the inhabitants of the cities to flee their towns or neighborhoods. The second is that when the public came face to face with the invaders they fought back, and fiercely at times.

Yet, the propensity of ordinary Abbasid subjects to stand up for their interests was not limited solely to fighting and acts of self-defense. The masses were also present in the public sphere via popular demonstrations, through which they expressed their fury over economic, political, or religious events or policies. For example, historians of the fourth/tenth century report an eruption of indignation in Baghdad, when its inhabitants learned of the massacre of the *ḥajj* caravan of 311/924 by the Qarāmiṭa. The mere act of attacking the *ḥajj* was enough to provoke outrage and confusion among Muslim believers. However, in this case the horror was intensified by the rumors that trickled in from the desert. It was told that the courtiers and members of the Caliph's household, as well as numerous other pilgrims, had been taken prisoner by the Qarāmiṭa. Perhaps even more gruesome were the stories about the rest of the pilgrims who had been sent through the desert, without camels, food, or water. Most of them died on their way back to Baghdad.

Miskawayh describes the wrath of the populace in the following words:

[17] Miskawayh, *Tajārib*, 198; al-Hamdānī, *Takmila tāʾrīkh al-Ṭabarī* (Beirut: al-MaṬbaʿa al-Kāthūlīkiyya, 1961), 53.

[18] For references to the Qarāmiṭa changing direction and going to Hīt, see Ibn Kathīr, *al-Bidāya*, 11:177.

[19] al-Qurṭubī, *Ṣilat Tārīkh al-Ṭabarī* (Leiden: Brill, 1897), 134.

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> On both sides of the river Baghdad and its streets were in a ferment. Women came out barefoot, with disheveled hair, beating their faces till they were black, and shrieking in the roads. They were joined by the women of the ruined officials—ruined by Ibn al-Furāt [d. 312/924] … The spectacle was of unexampled hideousness. Ibn al-Furāt ordered Nāzūk [d. 317/929] to ride to the public mosques on both sides of the river on account of the public commotion (*bi-sabab ḥarakat al-ḥāmma*). He did this taking with him all his troops, cavalry, infantry and naphtha-shooters, and succeeded in quieting the mob (*ḥattā sakana al-ʿāmma*).[20]

This description corroborates the point made above about ordinary Abbasid subjects – the *ʿāmma*: they took an interest in military and political events and were keenly aware of the Qarāmiṭa threat to Baghdad. However, in contrast to their reaction in 313/925, when the Qarāmiṭa defeated Abbasid forces in the vicinity of Kūfa and the inhabitants of Baghdad fled their homes, in this case anger governed their reaction and they vented their fear by confronting the authorities, whom they considered inept.

Another important detail that should be noted in the description of the protests is the cooperation between the *ʿāmma* and the higher echelons of society, who are depicted in this paragraph as the relatives of the "ruined officials" (*asbāb al-mankūbīn*). In fact, the ties that bound the *ʿāmma* and the "ruined officials" come up in two separate instances, and in both they clashed with the *wazīr*. The first is the reference above, and the second is a report of how this coalition tried to force their way to the *wazīr*'s son and pelt him with bricks.[21] These accounts of the ad hoc coalition between the elite families and the masses suggest that in certain circumstances Baghdad's lower social strata would join the higher echelons of society in order to confront the rulers and advance their interests.[22]

In both of these instances, the demonstrators accused Ibn al-Furāt and his son al-Muḥassin (d. 312/924) of belonging to the Qarāmiṭa. In the first case, Miskawayh writes: "The mob shouted in the streets that Ibn al-Furāt was the Great Qarmatian, and that nothing would satisfy him but the annihilation of the people of Mohammed."[23] In the second case, after Ibn al-Furāt was arrested and the Caliph's men were searching for his son

[20] Miskawayh, *Tajārib*, 135. See also al-Hamdānī, *Takmila*, 43; Ibn al-Jawzī, *al-Muntaẓam fī Tārīkh al-mulūk wa-l-Umam* (Beirut: Dār al-Kutub al-ʿIlmiyya, 1992), 13:239; Hilāl al-Ṣābī, *Kitāb al-Wuzarāʾ* (Leiden: Brill, 1904), 49.

[21] Miskawayh, *Tajārib*, 140–41.

[22] On cooperation between the elites and the lower social strata in other Middle Eastern and European contexts, see Elbandary, *Crowds and Sultans*, 189–91. For the European context, see George Rude, *The Crowd in History* (London: Serif, 2005 [1964]).

[23] Miskawayh, *Tajārib*, 135–36.

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al-Muḥassin, they shouted, "The great Qarmatian has been arrested, there only remains the little Qarmatian."[24] The "Great Qarmatian," as al-Miskawayh explains, was the elderly Ibn al-Furāt, and the "little Qarmatian" was his son al-Muḥassin.

The accusation that Ibn al-Furāt and his son al-Muḥassin were from the Qarāmiṭa adds a new twist to the plot. The two of them were not only perceived as incompetent officials who could not protect the *ḥajj* caravan and put an end to the Qarāmiṭa's raids, but also the allegations now took on a more severe tenor, as the wide populace accused them of being crypto-Qarāmiṭa. Thus, the Qarāmiṭa were perceived as a fifth column that had entered and corrupted the Sunni caliphate's highest echelons. In the words of Hugh Kennedy: "The [Qarāmiṭa] threat was made more alarming by the rumors, probably untrue, that there were elements in the Abbasid *sulṭān* who were secretly in league with them."[25]

In the year following the downfall of the *wazīr* Ibn al-Furāt and his son, rumors about the Qarāmiṭa's infiltration into Baghdad spread and intensified. As a consequence, the authorities searched for secret adherents of the Qarāmiṭa. In 313/926 they asserted that they had found what they were looking for – clandestine devotees of the Qarāmiṭa. The evidence tying a few dozen denizens of Baghdad with the Qarāmiṭa was found in the Barāthā mosque, located in the Karkh quarter, where many Shiʿis lived.[26] Ibn al-Jawzī (d. 597/1200) describes the events:

> Al-Muqtadir was informed that the *Rāfiḍa* gathered in the Barāthā mosque and cursed the (Prophet's) friends, and he sent Nāzūk to arrest whomever was present. This occurred on the last Friday of the month of Ṣafar. There were thirty persons who prayed the Friday prayer and declared disassociation from anyone who follows al-Muqtadir. They were arrested, the mosque was searched, and they found seals made of white clay, upon which a man called al-Kaʿkā impressed: 'Muḥammad b. Ismāʿīl, the imam, the *mahdī*, the *wālī* of Allāh,' and they seized [the participants] and incarcerated them. Al-Khāqānī applied himself to the destruction of the Barāthā mosque. He brought a paper with a *fatwa* from the jurists, claiming [the Barāthā mosque] to be a Mosque of Dissent (*masjid ḍirār*), disbelief and fragmentation among the believers, stating that if it will not be destroyed it will serve as a refuge for the Qarāmiṭa propagandists.

[24] Miskawayh, *Tajārib,* 140–41.

[25] Kennedy, "The Reign," *Crisis and Continuity*, 36.

[26] On al-Karkh, see Nassima Neggaz, "Al-Karkh: The Development of an Imami-Shiʿi Stronghold in Early Abbasid and Buyid Baghdad (132–447/750–1055)," *Studia Islamica* 114 (2019): 265–315; on the Barāthā mosque, see 285.

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> Al-Muqtadir ordered to destroy it, and Nāzūk destroyed it. And al-Khāqānī ordered to make it into a cemetery, in which he buried some of the dead, and burned the rest.[27]

According to Ibn al-Jawzī, the destruction of the Barāthā mosque was the outcome of a collaboration between al-Muqtadir, Nāzūk, his chief of police, and jurists, who sanctioned the destruction of a mosque. Furthermore, the information leading to al-Kaʿkā and his subversive activities was attained after a period of investigations.[28] Thus, in contrast to the spontaneous outburst of grief that occurred in 311/923, when Baghdadis first learned about the Qarāmiṭa attack on the *ḥajj*, the destruction of the Barāthā mosque two years later in 313/925 was the outcome of a calculated campaign.[29] It was also aimed at the community as a whole, and not against a handful of men suspected of aiding the Qarāmiṭa, such as Ibn al-Furāt and his son. The deliberate and sustained effort on the part of the Sunni community to uncover crypto-Qarāmiṭa seems to have been a reaction to the ongoing attacks by the Qarāmiṭa against Sunni communities and the pilgrims making the *ḥajj*.

In facing the Qarāmiṭa menace, Iraqi communities reacted in a variety of ways. Most of them, when under attack, came together, defended their homes, and in some cases inflicted heavy losses on their attackers. However, when these communities were not attacked directly, they split, often along the lines of existing tensions. One axis of tension was between the subjects and the ruling elite, as is evident in the demonstrations against the *wazīr*s. Another was the campaign against the Shiʿis, which peaked when the caliph and his police destroyed the Barāthā mosque. Yet, the main foci of friction during the first decades of the fourth/tenth century were the Ḥanābila, who stood at the forefront of the anti-Shiʿi campaign.

The Ḥanābila

The masses of Baghdad were not a unified entity but a composite made up of various ethnic, religious, professional, and economic groups. In terms of the inhabitants' ideological leanings, there were two major communities, the Shiʿis and their nemesis the Ḥanābila.[30] When we examine the Ḥanābila's social and political influence during the closing decades of the ninth/

[27] Ibn al-Jawzī, *al-Muntaẓam*, 13:247–48.
[28] Ibid. 13:247.
[29] On the destruction and rebuilding of the Barāthā mosque, see Neggaz, "Al-Karkh," 285, f. 95.
[30] Ibid. 297–305.

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third century, it is evident that they were growing more powerful and less tolerant. They were a *madhhab* with an unbending approach to a variety of religious disciplines: they embraced a conservative legal methodology, refused to ascribe sanctity to tenets of faith that were articulated in theological discussions, and were aggressive and at times violent towards other Muslim movements and individuals who did not abide by their moral outlook.[31] They also considered themselves to be the guardians of morality and pure Sunni theology, and were all too eager to confront every individual or movement that did not accept their interpretation of Islam.

The Ḥanābila's vigilantism has attracted the attention of several historians.[32] One of them, Michael Cook, explains their growing self-confidence and violence by pointing out two changes. The first was the growing number of Ḥanābila. Citing the geographer Muqaddasī (fl. fourth/tenth century), he notes that "Ḥanbalites and Shiʿites predominated in the population of the city."[33] This observation is significant, since it suggests that the clashes between the Ḥanābila and Shiʿis, which would continue in Baghdad for over a century, were between the two biggest communities in the capital. The second was the waning of the caliphs' power.

One of the first recorded indications that the Ḥanābila had become a powerful presence in the streets of Baghdad is an anecdote that appears in *al-Kāmil*, the chronicle of Ibn al-Athīr (d. 606/1210). According to his account of the year 296/908, when Ibn al-Muʿtazz (d. 296/908) challenged al-Muqtadir for the caliphate and realized that he was about to lose the battle, he sent his servant to announce in the streets: "Oh ye people of the community, call unto your Sunni caliph al-Barbahārī (d. 329/941)." Ibn al-Athīr remarks upon this strange appeal to a religious leader that "the common people considered him [al-Barbahārī] to be the leader of the Ḥanābila and the Sunnis, and they held him in great esteem, and [Ibn al-Muʿtazz] wanted to attract them to his cause."[34] If this account is true, it seems that as early as 296/908, the Ḥanābila were perceived as being numerous and organized enough to intervene and make a difference in a struggle over the caliphate.

[31] For a survey of the Ḥanābila's views and activism, see Nimrod Hurvitz, "From Scholarly Circles to Mass Movements: The Formation of Legal Communities in Islamic Societies," *The American Historical Review*, 108 (2003): 985–1008.

[32] Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2000), 121–24; Roy Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (Princeton: Princeton University Press, 1980), 24–25; Shaban, *Islamic History*, 144, 152.

[33] Cook, *Commanding Right*, 121.

[34] Ibn al-Athīr, *al-Kāmil fī al-tārīkh* (Beirut: Dār Ṣādr li-l-Ṭabāʿa wa-l-Nashr, 1966) 8:16.

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The appeal to a leader of a *madhhab*, such as al-Barbahārī, was not an ordinary political move, since few of them were capable or interested in mobilizing the masses, or participating in the power struggle over the caliphate. Yet, al-Barbahārī was not an ordinary leader. Whereas most of the leaders of the *madhāhib* were respected scholars, al-Barbahārī was not. Although he is mentioned in the Ḥanābila's biographical compendium, the *Ṭabaqāt al-Ḥanābila*, as the *shaykh al-Ṭāʾifa* (leader of the faction, i.e. the Ḥanābila) of his age, the authors of the text did not depict him as an outstanding scholar.[35] His biography lists only two teachers, who themselves were second or third-rate scholars, and makes no mention of students. This is in stark contrast to most scholarly entries, that start with lists of teachers and students, hence placing the scholars within their intellectual network. However, although the Ḥanābila's biographical dictionary did not ascribe to him scholarly credentials, it does portray him as a fierce fighter against theological deviants. And as we shall see, much of the hostility towards the Shiʿis and friction with the caliphal court was the outcome of his leadership.

Approximately fifteen years after Ibn al-Muʿtazz's appeal to al-Barbahārī, when the renowned scholar al-Ṭabarī died (310/923), the Ḥanābila were again mentioned as a powerful force in the streets of Baghdad. Not only did they harass and refuse to meet al-Ṭabarī towards the end of his life, but sources inform us that they also denied him a decent burial and went so far as to accuse him of being a Shiʿi.[36] The chronicles report that due to the Ḥanābila's behavior after al-Ṭabarī died, he was buried secretly during the night. According to Rosenthal, the Ḥanābila's aggression towards him may have been a reaction to al-Ṭabarī's condescension regarding them. Rosenthal cites the fact that al-Ṭabarī did not mention Ibn Ḥanbal (d. 241/855) in his *Ikhtilāf*, which meant that he did not consider him to be a jurist, and noted that "he had not seen anyone transmitting legal opinions from Ibn Ḥanbal or any followers of his that were considered authoritative …."[37] Another potential explanation was the competition between the two evolving *madhāhib*, that of the Ḥanābila and al-Ṭabarī's followers, who were vying for recognition and authority.[38] However, from the point of view of

[35] On al-Barbahārī's leadership and authority, see Nimrod Hurvitz, "Authority within the Hanbali *Madhhab*: The Case of al-Barbahari," in *Religious Knowledge, Authority, and Charisma: Islamic and Jewish Perspectives,* eds. Daphna Ephrat and Meir Hatina (Salt Lake City: The University of Utah Press, 2014), 36–49.

[36] Ibn Kathīr, *al-Bidāya*, 11:167. On the relationship between the Ḥanābila and Ṭabarī, see also Bowen, *The Good Vizier*, 187–88.

[37] Franz Rosenthal, "General Introduction" in *The History of al-Ṭabarī* (Albany: State University of New York Press, 1989), 1:70.

[38] Ibid. 71.

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this study, it is not the Ḥanābila's motivation to humiliate al-Ṭabarī and blemish his memory that is significant but their ability to deny a leading Sunni scholar a respectable funeral on the pretense that he was a Shiʿi.[39]

In 323/935, approximately a dozen years after the Qarāmiṭa began their attacks on Sunni communities in major cities and on the *ḥajj*, relations between the Shiʿis and their Sunni neighbors deteriorated to a new low. During that year, chroniclers report that a number of fires erupted in the Shiʿi quarter of Karkh. One of them was linked directly to the Ḥanābila. Al-Hamdānī (d. 334/945) writes: 'Forty-eight rows of market stalls were burned, set on fire by a group from the Ḥanbaliyya ….'"[40] Not only did al-Hamdānī know who the culprits were, he also knew that they set the market ablaze "when Badr al-Kharshanī arrested a companion of al-Barbahārī, who went by the name of Dallā."[41] It seems that the fire set by the Ḥanābila in Karkh was an act of retaliation against the persecution of their leaders.

To the best of my knowledge, this is the first time that the Ḥanābila were associated with arson, and from that point on they would be depicted as serial arsonists who burned down the quarter of Karkh time and again.[42] It is therefore a highly significant moment in Sunni–Shiʿi relations. Up until this point, members of the belligerent communities, the Ḥanābila and the Shiʿis, did not fight each other. In the words of Hugh Kennedy, "During the reign of al-Muqtadir, there is no evidence of Sunni–Shiʿi strife in Baghdad …. It is striking that in the confused violence of al-Muqtadir's reign, no one attempted to raise the Sunnis against the Shiʿis or vice versa …."[43] Thus, before al-Rāḍī's reign, the conflict between Sunnis and Shiʿis was played out between Shiʿi rebels and Sunni authorities. Rebellions of this nature erupted throughout the third/ninth century and, in all of them, rebels clashed with government armies. The fire attributed to the Ḥanābila in 323/935 changed the nature of the conflict, since it was the first time that ordinary members of the Sunni community attacked their Shiʿi neighbors.[44] Therefore,

[39] See Ibn Kathīr, *al-Bidāya*, 11:167; For a similar description, see Miskawayh, *Tajārib*, 93–94.

[40] Al-Hamdānī, *Takmila*, 92.

[41] Ibid.

[42] Neggaz, "Al-Karkh," 298; Kennedy, *The Prophet*, 230.

[43] Kennedy, *The Prophet*, 229.

[44] A similar assessment appears in Kennedy, *The Prophet*, 229, where he writes that in the year 323/935 "… the caliph was obliged to issue a decree to prevent the Ḥanbalis attacking the Shiʿa, the first sign of popular violence."

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it constitutes a transition from clashes between armies and rebel forces to intercommunal violence.[45]

Rulers

The background to the Ḥanābila's propensity to confront ideological and moral adversaries, as Cook noted, included their growing numbers and the decline in the rulers' ability to govern. This seesaw effect, in which the strength of the regime descended while the strength of the Ḥanābila ascended, was also mentioned by Shaban: "Unable to cope with all these disturbances, the authority of the central government began to weaken and the reactionary Ḥanbalites of the capital were quick to take advantage of the situation and to assert their own strength."[46] Yet, whereas the seesaw effect explains what enabled the Ḥanābila to enter the arena of public activism, it does not shed much light on their motives. To understand why they evolved into an unruly vigilante movement, we need to broaden the scope of our discussion and take into account their disappointment with the caliphs' new religious policies.

Whereas throughout al-Muqtadir's reign the Caliph sided with the Sunnis and confronted the Shiʿis when the masses placed pressure on him, as can be seen by the execution of Ibn al-Furāt or the destruction of Barāthā mosque, subsequent caliphs al-Qāhir and al-Rāḍi sided with the Shiʿis and confronted the Ḥanābila. One of the first examples of such a shift occurred under al-Qāhir, in 321/933. Ibn al-Athīr's writes about this moment:

> In that year [321/933], before he was arrested, ʿAlī b. Yalbaq and his secretary al-Ḥasan b. Hārūn, ordered to curse Muʿāwiyya b. Abī Sufyān and his son Yazīd, from the pulpits in Baghdad, which agitated the masses (*al-ʿāmma*). ʿAlī b. Yalbaq wanted to arrest al-Barbahārī, the chief of the Ḥanābila and his companions, who have stirred sedition. [Al-Barbahārī] learned about this ploy and escaped. ʿAlī b. Yalbaq got hold of a group of al-Barbahārī's senior companions, who were arrested, and sent on boats to Oman.[47]

[45] The shift from "large-scale civil wars" to inner-city riots has been noted by David B. Cook, "Fitna in early Islamic History," in *Encyclopedia of Islam, THREE*, ed. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson. (Leiden: Brill). Consulted online on 30/04/22 <http://dx.doi.org.ezproxy.bgu.ac.il/10.1163/1573-3912_ei3_COM_27151>.

[46] Shaban, *Islamic History*, 152.

[47] Ibn al-Athīr, *al-Kāmil*, 8:204. References to this incident are also found in Ibn Kathīr, *al-Bidāya*, 11:195; al-Hamdānī, *Takmila*, 75; Miskawayh, *Tajārib*, 295–96; Ibn al-Jawzī, *al-Muntaẓam*, 13:316–17.

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One of the interesting aspects of this anecdote is the way that Ibn al-Athīr shifts his focus from the masses (*ʿāmma*) to the Ḥanābila. Although the anecdote starts out by referring to ʿAlī b. Yalbaq's agitation of "the masses (*al-ʿāmma*)", in the subsequent sentence it moves to the Ḥanābila and speaks of ʿAlī's effort to arrest "al-Barbahārī, the chief of the Ḥanābila", and his companions, because they agitated the masses and stirred social disorder. This remark suggests that the Ḥanābila were part of Baghdad's general public, and that they and their leaders were deemed to be militant activists who radicalized the rest of the Sunni population. And it is this role that they played in Baghdad that illustrates what Shaban described as their taking advantage of the government's weakness and asserting their own strength.

This description of al-Qāhir and his courtiers' hostility towards the Ḥanābila reflects the profound change that the caliphal court underwent during those years. Whereas al-Muqtadir confronted the Shiʿis, as in the case of Ibn al-Furat and the Barāthā mosque, and chose to avoid clashing with the Ḥanābila when they prevented al-Ṭabarī's pubic burial, al-Qāhir's courtiers chose to humiliate the Sunni masses by cursing Muʿāwiyya and Yazīd and arresting the Ḥanābila's leadership.

However, al-Qāhir's, and later al-Rāḍī's, oppressive policies did not put an end to the Ḥanābila's activism. In fact, judging by the Ḥanābila's behavior over the next few years, the antagonistic caliphal policy caused them to become all the more confrontational. Ibn al-Athīr describes their zealotry in the following words:

> In that year (323/935) the Ḥanābila affair intensified and their harm increased. They entered the homes of the leaders (*quwwād*) and the general populace (*wa-l-ʿāmma*), and if they found wine (*nabīdh*) they spilled it, and if they found a songstress they beat her, and broke the musical instruments. They interfered in the buying and selling and the men who walked with women and youths. When they saw such a couple they asked the man about those who were accompanying him, and the man told them. If he did not answer, they would beat him, and drag him to the police, and testified that he committed an indecent act, causing discord and factionalism in Baghdad.[48]

Ibn al-Athīr's observations, which were made in hindsight, are very similar to the views of the tenth-century caliph al-Rāḍī, who reacted to the Ḥanābila's attacks and their invasion of privacy with an edict that prohibited them from assembling together: "On the 10th of Jumādā al-Ākhira, Badr al-Kharshanī, the chief of police, rode through different parts of Baghdad

[48] Ibn al-Athīr, *al-Kāmil*, 8:229–30.

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and declared that any two Hanbalis, who were followers of Abī Muhammad al-Barbahārī, were not to gather, argue about their doctrine (*fī madhhabihim*), nor lead a prayer ….”[49] With this step, the caliphal struggle against the Ḥanābila ratcheted up, setting limits to their ability to organize and operate as a movement, to disseminate their ideas in society, and hold the respected role of leaders of prayer.

After addressing the Ḥanābila’s riotous conduct and issuing an edict that endeavored to eradicate their influence in society, the Caliph took them to task specifically over their attitude towards the Shiʿis:

> Then [there are] your accusations against the select leaders, and attribution of disbelief and straying from the truth to the followers of Muhammad’s family (*shīʿat āl Muḥammad*). Then [there are] the invitations you extend to the Muslims to join the creed, by performing apparent innovations and debauched ways that are not confirmed by the Qurʾan. Your refusal to permit the visitation of the imams’ graves, condemning such visitations as innovations, whereas you agree regarding the visitation of the grave of a common man (Ibn Ḥanbal) (*rajul min al-ʿawwām*), who does not possess eminence and is not related or connected to the Messenger of Allah. And you enjoin [the populace] to visit his grave and you implore him for miracles of the prophets and saints.[50]

The most surprising point in this statement was that a Sunni caliph sided with the Shiʿis against his fellow Sunnis, the Ḥanābila. Al-Rāḍī’s alliance with the Shiʿis against the Sunnis is a telling example of the gap between the caliphs and mainstream Sunnis, depicted by Mottahedeh: “The *ahl al-sunnah* saw that in the presence of alien and occasionally hostile governments they had to rely largely on themselves to preserve the achievement of earlier consensus-minded Muslims, and to prevent deviant speculation from pulling the community in so many directions that it would be irretrievably rent.”[51] Abandoned by their religio-political leader, the Ḥanābila decided to take the fate of their community into their own violent hands. Their harassment of the Shiʿis, lambasted by al-Rāḍī, was in fact their effort to “prevent deviant speculation.”

The second point that this quotation brings into relief is the caliphal court’s condescension towards the Ḥanābila, whom they took to be simpletons and ignoramuses. From al-Rāḍī’s and his courtiers’ point of view, Ibn Ḥanbal, the eponymous founder of the Hanbali *madhhab*, did not possess

[49] Ibid. 8:230. See also Miskawayh, *Tajārib*, 363.
[50] Ibn al-Athīr, *al-Kāmil*, 8:230.
[51] Mottahedeh, *Loyalty*, 23.

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an esteemed social pedigree; his followers lacked knowledge of the Islamic faith as well as the humility to allow those who did understand the Islamic faith to lead the religious community; and they were bigots who encouraged their followers to do what they prohibited others to do.

After expressing his anger, the Caliph threatened the Ḥanābila:

> God's curse, Satan has seduced you and led you to believe in these reprehensible actions. And the Commander of the Faithful swears by God an oath which he will strive to perform and to impose to the full, that if you do not abandon your reprehensible way and twisted path, he shall beat you soundly, and chase, kill and disperse you. He will place a sword to your necks and set fire to your homes and stores.[52]

The Caliph's threat and the events that took place in Baghdad during the dozen years under consideration reveal the complex relationship between al-Qāhir and al-Rāḍī on the one hand and the Ḥanābila on the other. Their decision to antagonize the Ḥanābila and certain segments of the masses by cursing Muʿāwiyya and prohibiting the gathering of the Ḥanābila was a major change in caliphal religio-political policy. However, the Ḥanābila did not budge from their traditional position and did not confront the caliphs. This reaction, to go into hiding rather than challenge the rulers, was probably due to several reasons. One of them was likely the religio-political tenet that a Muslim must not take up arms and rebel against a ruler, even if the latter imposes misguided policies.

Yet, although the Ḥanābila did not clash with the regime, they did become more fanatic and intolerant towards the Shiʿis in Baghdad. Due to the belligerent positions that all three players took – the Qarāmiṭa's attacks on Sunni communities, the Ḥanābila's incessant pestering of Shiʿis and eventual violence against them, and the caliphs' intervention in favor of the Shiʿis as well as their effort to imprison the Ḥanābila's leaders – Baghdad entered a new era of fragmentation and instability.

Concluding Observations

The Buyid takeover of 334/946 was a major political turning point that finalized the decline of the caliphate and transferred power in Baghdad into the hands of a new group of army leaders. In terms of political and military history, this was a defining moment which sheds much light on the

[52] Ibn al-Athīr, al-Kāmil, 8:230–31.

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jockeying for power between the army leaders and caliphs. However, if we focus on the residents of Baghdad and the violence that erupted between their communities, a different chronology comes into relief. The critical dynamic that occurred among Baghdad's inhabitants was the mounting mutual intolerance between the Sunni and Shiʿi communities. From this perspective, the turning point is approximately a decade earlier in 323/935.[53] It was during that year that the chronicles mention for the first time that the Ḥanābila ignited a fire in al-Karkh. This act reflects a profound transformation because, on the one hand, it was the climax of tensions that accumulated between Sunnis and Shiʿis, and on the other hand, it introduced a new pattern of violence as Baghdad suffered waves of arson and intercommunal violence. The lethal fires that became common practice in Baghdad reflect a new social reality in which the seams that held the fabric of Baghdadi society together were torn apart.

This chapter has suggested that the Qarāmiṭa's attacks were a major factor that contributed to the deteriorating relations between the Shiʿis and the Sunnis, since they had an unsettling effect on the Sunni inhabitants' sense of security. Furthermore, the Qarāmiṭa's attacks on the *ḥajj* pilgrims and the removal of the Black Rock humiliated the Sunni community that for centuries had perceived itself as the military and spiritual leadership of the Muslim world. The fear and dishonor wrought by the Qarāmiṭa were compounded by a change in religious policy during the reigns of al-Qāhir and al-Rāḍī. These two factors aroused the fury of the Sunnis in general and probably led to the radicalization of the Ḥanābila, who torched al-Karkh in 323/935.

The Ḥanābila's attacks on the Shiʿis were therefore an outcome of their mounting concern regarding the Shiʿi threat and their disillusionment with the Sunni caliphs. By the early fourth/tenth century the Sunnis in general, and the Ḥanābila in particular, seem to have felt they had only themselves to rely on. In the words of Roy Mottahedeh, "[W]hen the ʿAbbāsid caliphs lost actual control of vast provinces of the Islamic empire, it became clear that the Muslims could not rely on a central government to preserve a community of belief among Muslims."[54] The government's inability to "preserve a community of belief" moved the Ḥanābila to take matters into their own hands. It seems that, from their perspective, the Qarāmiṭa attacks and caliphal oppression upended the traditional social order, and therefore it

[53] The observation that during 323/935 we witness the "first sign of popular violence" has also been made by Kennedy, The Prophet, 229.

[54] Mottahedeh, *Loyalty*, 23.

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was justified in performing acts of aggression that transformed Baghdad into an arena of low-intensity civil war, which escalated during the Buyid era.

Interestingly, the Ḥanābila's propensity to destabilize Baghdadi society contributed to the forging of their own socio-religious movement. Based on an ethos of "loyal disobedience," that is, loyalty to the caliph against whom they dared not rebel, and concurrently, disobeying the caliph by attacking the Shiʿis in an effort to purify society of what they perceived to be deviants, they were able to attract a large following. Thus, the Ḥanābila introduced a new and unique form of social solidarity into Sunni circles that was based on moral principles and activism and evolved into a *madhhab*.

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14 Resistance to and Acceptance of the Fatimids in North Africa: A Shiʿi Dynasty in Negotiation with Both Adherents and Enemies

PAUL E. WALKER

With the advent of the Fatimid state in Qayrawān beginning with the conquest by Abū ʿAbd Allāh al-Shīʿī (d. 298/911) in the spring of 296/909 and the formal proclamation of the new caliphate in early January of the following year, the Ismaili movement went from a mostly underground and clandestine operation into a government ruling over substantial territory and disparate religious populations, only a tiny portion of which had any devotion to Shiʿism.[1] Previous notable successes of these Ismaili groups were largely confined to conversion of single individuals or tribes. The new situation demanded a new and different form of appeal, more open and public. The *daʿwa* (mission) which had functioned well in the previous decades was not, by its very nature, apt to serve as a governing institution where the majority of citizens were possibly antithetical to it. The challenge of an empire so recently brought into existence demanded a new form of binding agency, or rather agencies, and a policy carefully keyed to the issues arising from the attempt to rule, religiously as well as politically, an incongruent conglomeration of peoples held together by bonds that for the most part had not previously existed. This volume is about the ties of social and

[1] The almost epic story of the successful rise from an underground movement to the beginning of the Fatimid empire was covered by an unusually rich array of primary sources including most importantly: Qāḍī al-Nuʿmān, *Iftitāḥ al-daʿwa wa ibtidāʾ al-dawla*, ed. Farhat Dachraoui (Tunis: al-Sharika al-Tūnisiyya li-l-tawzīʿ, 1975), now trans. by Hamid Haji in *Founding the Fatimid State: The Rise of an Early Islamic Empire* (London: I. B. Tauris, 2006); Jaʿfar al-Ḥājib, *Sīrat Jaʿfar*, ed. Wladimir Ivanow, *Majallat kulliyat al-ādāb* 4 (1936): 89–133; Eng. trans. Wladimir Ivanow, *Ismaili Tradition Concerning the Rise of the Fatimids* (Islamic Research Association Series 10) (London: Oxford University Press, 1942); French trans. Marius Canard, "L'Autobiographie d'un chambellan du Mahdi ʿObeidallah le Fatimide," *Hesperis* 39 (1952), 279–324; and Ibn al-Haytham, *Kitāb al-Munāẓarāt,* ed. and trans. by Wilferd Madelung and Paul E. Walker, *The Advent of the Fatimids: A Contemporary Shīʿī Witness* (London: I. B. Tauris, 2000). Heinz Halm's *Das Reich des Mahdi. Der Aufstieg der Fatimiden (875–973)* (München: C. H. Beck, 1991), Engl. trans. Michael Bonner, *The Empire of the Mahdi. The Rise of the Fatimids* (Leiden: Brill, 1996) is perhaps still the best general account of this event but see also Michael Brett, *The Rise of the Fatimids. The World of the Mediterranean and the Middle East in the Fourth Century of the Hijra, Tenth Century C.E.* (Leiden: Brill, 2001). Halm did not have Ibn al-Haytham's text and so missed some details it supplies.

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political interdependency that hold, or held, Islamic societies together. In this contribution I look at the way in which one set of new rulers attempted to bind their subjects to them despite formidable obstacles caused in part by religious differences or pre-existing loyalties and yet at the same time still favor the minority among them devoted in a particular faith.

Of the general populations of the newly created empire, only the Kutāma Berbers were Ismaili, they having been converted by Abū ʿAbd Allāh over the course of the nearly eighteen years of his mission to them. Many more of its inhabitants were stridently hostile for religious reasons. The majority were Maliki Sunnis with a long history of anti-Shiʿi sentiments. They were aided and abetted in this hostility by the Umayyads of al-Andalus and their ancient hatred of ʿAlī b. Abī Ṭālib (d. 40/661) and the Hashimites. On yet another side, the Abbasids through their local Maghribi representatives harbored no love for either these Umayyads or the newly arrived Fatimids. In addition, the Kharijites, enemies of all three, enjoyed strong support along the edges of what was about to become the Fatimid domain; from the beginning, they lurked ready to pounce should the new state weaken.

But, in contrast to the rise of the Abbasids a century-and-a-half earlier, whose *daʿwa* – its apparatus of appeal and propaganda – ceased once the state came into being, for the Fatimids it became an instrument of government, eventually becoming formally a bureau of the state, operating more or less openly, at least within the confines of the empire. Outside, of course, it remained underground and highly secretive. Still it existed and was tied to the central administration under the control and direction of the imam-caliph. For the state, its supreme leader was the caliph, not unlike the earlier Islamic holders of this office; for the *daʿwa*, he was rather the Imam, the supreme authority both politically *and* religiously. This distinction was and is basic to Shiʿism. Formally, it can be represented by two circles, one inside the other. The larger of the two contains all Muslims. They are the *Muslimūn* in Arabic. The smaller one within denotes the Ismaili Shiʿi. They are the *Muʾminūn*, the Believers. The imam-caliph was the supreme authority governing both, but his charge could be, and often was, radically different for each of his constituencies, although essential and continuous for both parties.

Therefore, understanding exactly how the Fatimids, locally considered as being foreign easterners in addition to heretical Shiʿis, negotiated sufficient acceptance in the Maghrib to withstand fierce opposition from Maliki Sunnis and Ibadi Khārijis, raises key issues concerning the formation of Islamic empires. Despite a plethora of enemies among the local population, they and their rule endured and even prospered. What we know of the details has

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grown substantially with the fairly recent discovery of new sources for the critical earliest phase of this process. A good amount of data existed in older known accounts but, with Ibn al-Haytham's (fl. first half fourth/tenth century) memoir of his role and interactions during and just before the advent of the Fatimids[2] and with Abū al-ʿAbbās (d. 298/911), Abū ʿAbd Allāh al-Shīʿī's brother's *Keys to Grace* (*Mafātīḥ al-niʿma*),[3] we have substantially more information about (a) the interaction of Fatimid authorities with the local *ʿulamāʾ*, and (b) the inner dynamics of the *daʿwa* and its allocation of restricted knowledge to those most proven in their loyalty, as evidenced in part by payment of religious dues (*zakāt* and *ṣadaqa*). The former involved both the conversion of sections of the local elite and the demotion or expulsion of hostile elements in it. It required a mixed policy of co-option and exclusion, and it worked reasonably well as we can tell from a detailed accumulation of biographical data in part supplied by Ibn al-Haytham, who was himself a member of the same elite. His often eye-witness testimony helps balance and correct much in later anti-Fatimid accounts composed by blatantly hostile Maliki authors. The second aspect greatly benefits from having an internal document preserved by the *daʿwa* that explains clearly facets of its structure and what it meant to be a member of it in good standing, how its adherents were expected to prove their loyalty and the reward for doing so. Membership was exclusive as were the duties imposed and the reward accumulated. The Ismailis existed both as one component in the new society formed by the Fatimids and yet also remained quite apart as a community of Believers within the broader society of Muslims.

It may be noted here at the outset that various components of the problem at hand, that of explaining two quite different methods employed by the Fatimids to tie together and hold onto these two classes of supporters – non-Ismaili citizen subjects, on the one side, and loyal Ismailis on the other – have drawn the attention of a number of scholars,[4] myself included. We

[2] *Kitāb al-Munāẓarāt,* ed. and trans. by Wilferd Madelung and Paul E. Walker, in *The Advent of the Fatimids*. The notes to the translation and the general introduction provide a great deal of specific information about the situation in Qayrawān.

[3] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, ed. and trans. by Wilfred Madelung and Paul E. Walker, in *Affirming the Imamate Early Fatimid Teachings in the Islamic West: An Arabic Critical Edition and English Translation of Works Attributed to Abū ʿAbd Allāh al-Shīʿī and His Brother Abu'l-ʿAbbās* (London: I. B. Tauris, 2021).

[4] In addition to some already noted above, Farhad Daftary's masterful *The Ismāʿīlīs: Their History and Doctrines*, 2nd edition (Cambridge: Cambridge University Press, 2007), although covering a vast scope, is often particularly good on key events and their background. Wilferd Madelung's groundbreaking study of the imamate in early Ismaili doctrine, "Das Imamat in der frühen ismailitischen Lehre," *Der Islam* 37 (1961): 43–135, now available in English translation by

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have together expanded considerably the available textual documentation, both historical and theological, that illustrates various facets of the Ismaili appeal during the era of the Fatimid caliphate. My volume of festival sermons (*khutab*) by the imam-caliphs is a case in point.[5] The rhetoric of public discourse, as in these sermons, needed to observe a delicate balance between an appeal to Sunni and Shiʿi supporters mixed together for the occasion. Various editions and some translations of prominent products by major authorities within the *daʿwa* constitute another body of evidence. The methods employed to draw in, convert and hold onto a growing body of members at large are better and more accurately appreciated than they were previously. One issue that remains in part an open question concerns not so much the arguments used on the potential adept in favour of Ismaili Shiʿism but how these Fatimids could form a community large enough to constitute an empire encompassing regions as widely diverse as the Maghrib, Egypt, the Hijaz, Yemen and Syria and retain the allegiance of the majority of its citizens as long as it did. One answer, the one explored here, involves a twofold policy: giving separate attention to a public at large, on the one hand, while cultivating close intimate ties to an inner restricted constituency of believers, on the other.

And in contrast to many of the other studies in this volume, the principal evidence focuses attention not on cases that illustrate a ground–up process but rather top–down matters of broad policy emanating from core governmental institutions such as the imamate (caliphate), the judiciary and military or religious establishments. Presumably the effects of this policy were felt at the lower levels of society as some anecdotal reports suggest, but we know less about the responses of individuals and small groups than we might wish.

The Daʿwa before the Dawla

Many of the issues and details that come up with the advent of the Fatimids concern events and problems surrounding the origins of the *daʿwa* and its spread, most especially just prior to but including the mission of Abū ʿAbd Allāh and the journey of the future al-Mahdī from Syria to the Maghrib. It remains vital to have those in mind when explaining what happened afterwards.

Patricia Crone, "The Imamate in Early Ismaili Doctrine," *Shii Studies Review* 12 (2018): 62–155, remains not only useful but often, for some aspects of the topic, essential.

[5] Paul E. Walker, *Orations of the Fatimid Caliphs: Festival Sermons of the Ismaili Imams* (London: I. B. Tauris, 2009).

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Tracing the movement back as far as solid information goes[6] brings the story to a central directed network operating from a headquarters in the north Syrian town of Salamiyya. From it, agents, the *dāʿīs*, were dispatched, usually in pairs, to various part of the Islamic realm. The goal was to establish as universal a coverage as possible; no territory was off-limits. The agents of the *daʿwa* were sent out to appeal for adherence and support. The earliest records, dating from about 261/875, concern, in the case of Iraq, the activities of the Qarāmiṭa, led by Ḥamdān Qarmaṭ (d. 321/933) and his brother-in-law ʿAbdān (d. 286/899). It is likely, however, that the movement had already been in existence for some time. Somewhat later, we begin to find names of *dāʾī*s, many of whom were converted by a certain al-Ḥusayn al-Ahwāzī (death date unknown), who was apparently acting on instructions from a central headquarters in Salamiyya. One of these new recruits, Abū Saʿīd al-Jannābī (d. 301/914), opened a mission in Fars and then one in al-Baḥrayn. ʿAlī b. al-Faḍl (d. 303/915), himself a Yemeni native, and Abū al-Qāsim b. Ḥawshab (d. 302/914) were sent to Yemen, where they initiated the *daʿwa* in 268/881–82 with great eventual success. Ibn Ḥawshab in turn ordered his nephew al-Haytham (death date unknown) from Yemen to Sind. These are merely some examples. More could be cited from a slightly later period. Eventually, such *dāʿī*s were sent as far as Constantinople.[7]

Abū ʿAbd Allāh al-Shīʿī, along with his brother Abū al-ʿAbbās Muḥammad, began their careers as a *dāʿīs* in a similar fashion. From Iraq the two moved to Egypt and from there Abū ʿAbd Allāh went to Yemen, from which he returned a year later to accompany a party of Kutāma Berbers back to their homeland in eastern Algeria. After patiently tending to a growing flock of adherents and organizing them into an army, it was he who eventual achieved the most spectacular success by overthrowing the Aghlabid governorate (r. 183–296/800–909) and replacing it with the Fatimid caliphate, a task he was commissioned to do from the start. Exactly how he managed to do it is critically important in this context.

[6] The best and most complete accounts of current scholarship on this question can be found in Daftary, *The Ismāʿīlīs* and Halm, *The Empire of the Mahdi*, although based on earlier work done particularly by Wilferd Madelung.

[7] A striking example was the dispatch to Constantinople of Abū ʿAlī, also known as Hamdan Qarmat. See Wilfred Madelung, "Ḥamdān Qarmaṭ and the Dāʿī Abū ʿAlī," *Proceedings of the 17th Congress of the Union européenne des arabisants et islamisants* (St. Petersburg, 1997), 115–24. Another of a slightly different kind was the delegation of *dāʿī*s, one of whom was Ibn al-Haytham, the author of the memoir, to support the Andalusian rebel Ibn Ḥafṣūn (d. 305/918) against the Umayyads, after he declared for the Fatimid caliph al-Mahdī (d. 322/934). See Paul Walker, "The Identity of One of the Ismaili *Dāʿī*s by the Fatimids to Ibn Ḥafṣūn," *al-Qanṭara* 21 (2000): 387–88.

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The main source here is Qāḍī al-Nuʿmān's *Iftitāḥ al-daʿwa wa-ibtidāʾ al-dawla*,[8] which may also be taken as a semi-official history from the Fatimid side. Among other details in it that might not, under closer inspection, be entirely accurate is its portrayal of Abū ʿAbd Allāh's seemingly chance encounter in Mecca with the Kutāma party. More likely the *daʿwa* knew about these Kutāma, some of whom were, in fact, already Shiʿi, and knew as well that he fully intended to insinuate himself with them and travel beyond Egypt on their return all the way to their homeland, where he would propagate Ismaili Shiʿism. That he did so with such overwhelming success, although it entailed a long and arduous effort, is testament to the determination of both himself and the organization behind him. Certainly he was never quite alone but rather in regular contact with his own brother in Fusṭāṭ and with the *dāʿī*s who were occasionally sent to him, either from Yemen or at least from the East, possibly Salamiyya itself.[9] In his local setting in the eastern Algerian mountains, he faced and eventually surmounted serious opposition from portions of the Kutāma and from neighbouring tribal groups, some of whom were Kharijites. The Aghlabid authorities were sufficiently alarmed once they fully perceived the threat he might pose that they soon enough sent troops to suppress his movement, although not necessarily as expeditiously as they should have. Ultimately, they failed and were overtaken, bringing thereby an end to their rule.[10]

The situation inside the Aghlabid state, that is, in Qayrawān and Raqqada, is worth describing because in many ways it constitutes a crucial backdrop to developments in the early years of the Fatimid empire. For the scholars (*ʿulamāʾ*) of the decades leading up to the events of 909, the main concern was never the Shiʿa, about whom they would likely have known little or nothing, even though we now understand from Ibn al-Haytham that some existed among their number. The principle division pitted the Malikis, who were the more numerous and who had the distant backing of Umayyad Spain, against the Hanafis, fewer in number but favored by the Aghlabid governors, who were at least in theory acting for and on behalf of the Abbasids. In local circles the former, whose *madhhab* owed its origins to Madina and Malik, were called the Madinans (al-Madaniyyūn,

[8] Qāḍī al-Nuʿmān, *Iftitāḥ al-daʿwa wa-ibtidāʾ al-dawla*, ed. Farhat Dachraoui (Tunis: al-Sharika al-Tūnisiyya li-l-tawziʿ, 1975); trans. Hamid Haji, *Founding of the Fatimid State: The Rise of an Early Islamic Empire* (London: I. B. Tauris, 2006).

[9] On this matter and others related, see Paul E. Walker "Introduction," in *Advent of the Fatimids: A Contemporary Shiʿī Witness*, eds. Wilfred Madelung and Paul E. Walker (London: I. B. Tauris, 2000).

[10] Walker, "Introduction," 24–26.

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ahl al-Madīna) and the Ḥanafīs were ʿIrāqīs (al-ʿIrāqiyyūn, ahl al-ʿirāq), or sometimes Kufans (al-Kufiyyūn). Similarly, to convert to Shiʿism meant to adopt the manner of the East (*tasharraqa*). Abū ʿAbd Allāh could be called the "Man from Ṣanʿāʾ" (al-Ṣanʿānī) despite having lived in Yaman for less than one year. During the ninth century and into the tenth, opposing factions of the Islamic elite in the west continued to be classified by an origin in the east, however tenuous or out-of-date that connection might have been. For Malikis and Hanafis this practice was becoming inappropriate. For the Ismailis, aside from Berber converts, it was clearly still applicable. Abū ʿAbd Allāh and his brother were most certainly easterners.

This distinctive labelling of the Ismailis likely began among the Kutāma themselves, perhaps as a way of signifying a transfer of allegiance from a purely local tribe or clan to a widespread movement with deep roots in the eastern centre of Islam itself. Qadi al-Nuʿmān (d. 363/974), whose *Ifitităḥ* is the main source for the origins and early activities of Abū ʿAbd Allāh and his brother, reports this name without comment or seeming hesitation. All of the North African writers use it. Al-Khushanī devotes a chapter of his *ṭabaqāt*[11] to "A Record of those scholars of Qayrawān who became Easterners (*man tasharraqa*)" in the period following the Fatimid takeover. For him, of course, it was not a note of approval but of innovation and heresy. The Ismaili Fatimids were foreign outsiders.

In the years leading up to the Fatimid triumph, this rivalry between Malikis and Hanafis, about which much new information comes from Ibn al-Haytham's memoir,[12] carried with it, in addition, implications of differences in theology. The Malikis tended to reject the subject itself, whereas at least some of the Hanafis adopted a Muʿtazili position, often as a reaction to a question about the createdness of the Qurʾan. But, even strictly in law, the opposing positions had hardened and become more intractable after the Maliki Saḥnūn (d. 240/854). Later Ibn ʿAbdūn (d. 299/911), grand *qāḍī* during the reign of Ibrāhīm II (r. 261–89/875–902) and a Hanafi, was well known for his severity against the Malikis. In 280/893 he was replaced by the equally harsh Maliki ʿĪsā b. Miskīn (d. 295/907), who persisted with his anti-Hanafi policy until this Ibrāhīm departed for the *jihād* in Sicily. He in turn was replaced by Ibrāhīm b. Aswad al-Ṣaddīnī (in office 289–90/902–903), who was both Hanafi and Muʿtazili. He was also decidedly

[11] Muḥammad b. al-Ḥārith b. Asad al-Khushanī, *Kitāb Ṭabaqāt ʿulamāʾ Ifrīqiya. Classes des savants de l'Ifrīqiya*, ed. Mohammed Ben Cheneb (Paris: E. Leroux, 1915); trans. Mohammed Ben Cheneb (Alger: Jules Carbonel, 1920).

[12] In addition to the text itself and the notes, see Walker's "Introduction," 18–31.

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antagonistic to traditional Malikis and some of them suffered as a result. Subsequently, when Ziyādat Allāh III (r. 290–96/902–909) came to power, in 290/903 he elected to appoint Ḥimās b. Marwān al-Ḥamadānī, who had been a student of Saḥnūn. A bit later in 293/905, he added a Hanafi as well in a parallel position as *qāḍī* of the administrative suburb of Raqqada where the court itself was located. Ibn al-Haytham had personal encounters with four of these men, who were all alive when the Fatimids arrived. They and others of the local *fuqahāʾ* found themselves confronted by a situation quite different, one they certainly never fully anticipated, which threatened their common Sunni view of Islam, though less so for the Hanafis than for the Malikis, who were not then or ever amenable to Shiʿism. As will become clear, they would soon announce what antipathy and hostility to the Fatimids they deemed appropriate and dared to make public. And, over the ensuing century or more, they made up, full of increasingly virulent propaganda and false claims, historical accounts of what happened to them, written, in part, for self-vindication and thus justifying their own later brutal persecutions of the Ismailis. The evidence from the earliest accounts in no way substantiates their later claims, which were often wildly embellished with stories of martyrdom. The actual harm they suffered, as will be seen below, was from their perspective serious, and Fatimid authorities in key offices were not nearly as accommodating to local Malikis as they eventually became. From the initial period of Shiʿi rule we do in fact find some signs of attempts to impose Shiʿism as might not have been expected given the general policy of tolerance for religious diversity among the later Fatimids.

The Fatimid State and Its Religious Policies

The immediate consequences of the rise of the Fatimids to political dominion required two quite different approaches: on the one side, a way to control a subject population of whom a mere fraction were loyal Ismailis; and on the other, a means to retain their leadership of an Islam-wide network of believers, most of whom could be contacted solely in secret. Because the ultimate aim of the caliphate was universal, all Islam, and even beyond Islam, the *daʿwa* continued to be essential. It would be important that it should function at least as successfully as it had done previously, although its ways and means might have been altered somewhat by the advent of the state. Within its own confines, the restrictions imposed by secrecy were obviously different than those necessary in hostile areas outside. Still, certain elements of secrecy needed to be preserved. About that, more later.

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Here it is perhaps essential to take note of the major schism among the Ismailis at large: the split between Fatimids and Qarmatians[13] which began two decades prior to the state but continued long after, in fact through to the end of the fourth/tenth century. The founding of the Fatimid empire tended to exacerbate the divide. One side conducted a *daʿwa* in favor of an imam, Muḥammad b. Ismāʿīl b. Jaʿfar al-Ṣādiq (d 148/765), then in occultation, and the other a living present imam in the person of the caliph al-Mahdī. No accommodation between them worked. And thus the loyalty instilled by the *daʿwa* acting on behalf of the Fatimids (and against Qarmatian opposition) remained a vital component of state policy. This same *daʿwa* sought to attract as well as many of the Shiʿa as it could reach. Its methods require explanation insofar as they are known to us.

With respect to the non-Ismaili populace the Fatimids inherited, some substantial portion simply accepted them as overlords without much fuss. That they were Shiʿi might not have made as much difference as may be imagined. Allegiance was based more on power than faith. For many of the Hanafis the situation was more complicated. Ibn al-Haytham indicates that he and some others had previously more or less pretended to support Hanafism to hide their true beliefs. They now revealed themselves and joined the Fatimid cause. Ibn al-Haytham quickly became a *dāʿī* himself. The father of his school chum, al-Marwadhī (d. 303/915), also a Shiʿi, was appointed *qāḍī* of Qayrawān. In addition, many if not most of the Hanafis converted. Hanafism in the Maghrib all but disappeared, having been eventually absorbed by the Fatimids. But the Malikis were, for the most part, implacably unable to adjust.

The most serious direct result for them was loss of employment and status. In the new order, there was no role for Malik, the Maliki legal school, neither for its theoretical nor for its practical application. Ibn al-Haytham reports, for example, that "The books of Mālik and Abū Ḥanīfa were sold to physicians, pharmacists, and druggists who, out of disregard and contempt for them and despair of anything in them being of benefit, used them as wrapping paper."[14] Under such difficult conditions, many departed for al-Andalus, hoping for a better reception in the Umayyad domain. Some of

[13] The Qarmatian movement and its split from the Fatimids has been the subject of much fine scholarship, including that of Samuel M. Stern, Heinz Halm and Farhad Daftary, but perhaps the best and most complete account is to be found in Wilferd Madelung's "Fatimiden und Bahrainqarmaten," *Der Islam* 34 (1959): 34–88; republished in a slightly revised translation as "The Fatimids and the Qarmaṭīs of Baḥrayn," in *Mediaeval Ismaʿili History and Thought,* ed. Farhad Daftary (Cambridge: Cambridge University Press, 1996), 21–73.

[14] Ibn al-Haytham, *Kitāb al-Munāzarāt,* 166.

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these books went with them. In a couple of cases, Malikis suffered a worse fate, but the details as revealed by Ibn al-Haytham fail to justify the obviously false or embellished accounts of what happened in much later Maliki *ṭabaqāt* works, as the Malikis were by then hell-bent on making the event into an act of martyrdom in which the evil Fatimids had persecuted their own. The reality was quite different. One of the men, Ibn al-Birdhawn (d. 297/909),[15] had a long history of agitation against the Ḥanafīs. At one point when the Ḥanafīs were in power, he was arrested and officially beaten. Following the Fatimid takeover, he was denounced for pro-Umayyad propaganda and for that he was executed (in 297/909). But his story served as material for Maliki revenge long afterward. A much later version of his end has him forcefully brought before the caliph al-Mahdī, who sits flanked by the brothers Abū ʿAbd Allāh and Abū al-ʿAbbās. When ordered to confess to the divinity of the Fatimid ruler, he responds: "If the man on one side were the sun and the other, the moon, I would still refuse." For that answer he was put to death, an obvious martyr for his faith.

A key development in the process of forming a new government, one in which non-Ismaili sentiments might have played an important factor, was the initial appointment of a *qāḍī* for Qayrawān. Ibn al-Haytham recounts almost matter-of-factly what took place, how the request arose on behalf of the people of the city, and how he himself urged the selection of al-Marwadhī, the senior master among the local Shiʿa. Abū ʿAbd Allāh agreed but warned the new judge to "guard against grudges and, in the case of any blood between you and anyone in the era of ignorance [i.e. before the coming of the Ismaili *daʿwa*], regard it as non-existent." When one of the Kutāma chieftains protested, rejecting the very need for a qāḍī at all, Abū ʿAbd Allāh replied to him almost off-handedly, "What harm is there to us if we appoint a sweeper for every garbage heap."[16]

It is hard to interpret this report although it hints at the ad hoc nature of Fatimid policy. The new caliphate was to govern a diverse populace; it was no longer simply a *daʿwa* binding together a network of believers, all of whom understood and confessed their allegiance and loyalty not only to the ultimate authority of the Imam but to their *dāʿī* as well. This latter point is made quite clear in the letter by Abū al-ʿAbbās to be discussed in greater detail below. For non-Ismailis – in these early days, the vast majority of inhabitants of Qayrawan – some additional forms of governance would be

[15] On him and this event, see Ibn al-Haytham, *Kitāb al-Munāzarāt,* 165–66, with note 175 which has references to the other sources.

[16] Ibn al-Haytham, *Kitāb al-Munāẓarāt*, Eng. 116–17; Ar. 64.

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essential. By the choice of al-Marwadhī, a Shiʿi with local roots, Abū ʿAbd Allāh seems to have, perhaps without much thought, moved decidedly to promote Shiism. And, in fact, that is what occurred. The new *qāḍī* insisted on Shiʿi observance and forbade those practices considered by him to constitute heretical innovations by ʿUmar (r. 13–23/634–44) and hence the Malikis, such as performing the *tarāwīḥ* prayers during Ramaḍān with an imam.[17]

The reign of al-Marwadhī as *qāḍī* evidently found approval with al-Mahdī, who kept him in office for six years despite clear signs that his policies were harsh and intolerant. The Fatimids appeared to have believed that, with the establishment of the state, their religious cause would prevail even to the extent of becoming dominant numerically. Therefore, appointing an Ismaili Shiʿi as judge and adopting a policy of imposing some forms of Shiism would succeed over time. If the *qāḍī* was also a *dāʿī*, both the *daʿwa* and the judiciary would be merged. The next judge, Ibn Abī al-Minhāl (d. ca. 335/948), was an Ismaili converted from Hanafism. However the policy itself was flawed in that the populace did not respond positively and, in the long run, more and more harbored resentments against the Fatimids. These were to erupt finally and dramatically during the sudden onslaught of the Kharijite rebel Abū Yazīd (d. 336/947) some two decades later. Despite obvious incompatibility between Khariji and Maliki doctrine, the Malikis initially welcomed Abū Yazīd. They hated even more the enemy they knew close up.

The lesson eventually learned was that, while the *daʿwa* remained essential as a tool for the propagation of religious loyalty and the adherence of its members, its role in general governance needed limitations. For the rest of the Fatimid dynasty, though occasionally merged in that the chief *qāḍī* was also the chief *dāʿī*, the two offices were basically separate and distinct.[18] Most significantly, in the aftermath of near disaster for the state represented by the Abū Yazīd revolt, the authorities selected for Qayrawān a Maliki judge. And that is the way it was to remain. In fact, upon the Fatimid conquest of Egypt, the previous qāḍī, a Maliki, was kept in office. Exclusion had not worked; co-option, though not always completely successful, was a much better strategy. The administration of justice did not need to be confined doctrinally to Ismaili law. An early eleventh-century chief qāḍī of the empire was Hanafī.

[17] Ibn al-Haytham, *Kitāb al-Munāẓarāt*, Eng. 118–19, with note citing "*tarāwīḥ*" by A. J. Wensinck in *Encyclopaedia of Islam, 2nd edition*.

[18] On this issue and its history and variations throughout the Fatimid caliphate, see Paul E. Walker, "The Relationship between Chief Qadi and Chief *Dāʿī* under the Fatimids," in *Religious Authorities in Muslim Societies,* eds. Gudrun Krämer and Sabine Schmidtke (Leiden: Brill, 2006), 70–94.

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When he held court, several experts in Ismaili law sat with him in case there should be a situation in which it should prevail. In rank order, the chief qāḍī was higher than the chief *dāʿī*, as perhaps befitted his broader range of responsibilities. Still, the *daʿwa* retained and preserved a key function in governance both within and without the physical dominion of empire.[19]

The Ismaili Daʿwa following the Creation of the State

The sources available for the early Fatimids include most importantly information from: ʿArīb, as reported in Ibn ʿIdhārī's *al-Bayān al-mughrib fī akhbār al-Andalus wa l-Maghrib*,[20] which deals primarily with matters not directly related to the *daʿwa*; and Qāḍī al-Nuʿmān's *Iftitāḥ al-daʿwa wa ibtidāʾ al-dawla*, which covers the history of both the *daʿw*a and the beginnings of the state. Ibn al-Haytham adds significant material that is essential for the analysis of either, but particularly for the recruitment of Ibn al-Haytham himself and the process by which he became an Ismaili *dāʿī*, especially his taking of the oath of covenant at the hands of Abū ʿAbd Allāh,[21] or the preaching techniques of some of the Kutāma sheikhs such as the *dāʿī* Aflaḥ b. Hārūn al-ʿIbānī,[22] Now, with the addition of a more recently identified text by Abū al-ʿAbbās that consists of a letter composed to explain an initiate's fiscal responsibilities and how fulfillment of them gave access to the esoteric knowledge imparted to members by the *daʿwa*, the picture of internal, largely secret ways in which it functioned has become clearer.

A fairly recent study by David Hollenberg[23] focuses on the tactics employed by the early *daʿwa* both to exclude outsiders and yet to maintain and sustain the internal cohesion of the Ismaili community. He reaches the conclusion that access to the special knowledge that membership could grant was the key element. Belonging to the *daʿwa* was a privilege, one

[19] It is certainly fair to ask if membership in the *daʿwa* conveyed a material benefit in worldly terms as in appointment to government office. An answer is at this point not obvious. We often are not quite sure of a given person's religious affiliation (Ismaili or non-Ismaili) and, in many cases where we do know it, the individual in question was clearly not Ismaili as is so noted in the historical record.

[20] Ibn ʿIdhārī's text *al-Bayān al-mughrib fī akhbār al-Andalus wa l-Maghrib*, Vol. 1, eds. Georges S. Colin and Évariste Lévi-Provençal (Leiden: Brill, 1948) is, for the period of concern here, almost entirely taken from ʿArib's history. On this and other sources, see the summary review in Walker, "Introduction," 41–45.

[21] Ibn al-Haytham, *Kitāb al-Munāzarāt*, 95–97. On the oath in general, see below.

[22] Ibn al-Haytham, *Kitāb al-Munāzarāt*, Eng. 168–70; Ar. 121–23.

[23] *Beyond the Qurʾān: Early Ismāʿīlī Taʾwīl and the Secrets of the Prophets* (Columbia SC: University of South Carolina Press, 2016).

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denied to outsiders, and something that set apart a kind of elect body of saints. The Ismailis existed as one component in the new society formed by the Fatimids and yet also remained quite separate as a community of Believers within the broader society of Muslims. The key tool of the *dāʿīs* was *taʾwīl* and *taʾwīlī* knowledge (interpretation and interpretive knowledge), available solely through membership. It involved what Hollenberg calls "the acquisition of a new cognitive world commencing with a 'birth' (i.e. conversion) and followed by the gradual dissemination of a special saving knowledge, the acquisition of which leads to radical transformation of the initiate."[24] The Ismailis were famous for their insistence on a distinction between the outward plain meaning of scripture, law and ritual, and its inner hidden or concealed, often esoteric, implications. The former in Arabic is the *ẓāhir*, the latter, the *bāṭin*. Joining the *daʿwa* meant gaining access to religious understanding which it alone could provide. Adherence to the outward without the inner, the literal devoid of its full hidden meanings, was a recipe for doom and a path into hellfire.

Ismailis were frequently condemned for their advocacy of interpretive understanding the charge being that once they could claim to know the inner meaning, the outer forms ceased to be required of them. If they were to learn what prayer means, then actual prayers were no longer necessary. The imposition of legal acts as stipulated in the law did not then apply, the law having been superseded by its inner reality. However, attribution of such antinomianism, though often made by enemies, has little or no basis historically. Still, by sharply segregating themselves in the manner just described, the Ismailis ran a clear risk of being misunderstood. The Fatimid dilemma was how to manage both at the same time, that is, how to keep the loyalty of followers and adherents of two radically different kinds: ordinary citizens of the empire, on the one hand, and faithful members of an Ismaili community, on the other.

Some aspects of the ways the *daʿwa* functioned have been known to modern scholarship and are explained well, particularly in the works of Halm and Daftary.[25] A key feature was the oath that a new member swore upon conversion to the cause and then entry into the realm of the esoteric *taʾwīl*.

The Ismaili oath of allegiance is reasonably well documented. All persons who joined the *daʿwa* swore such an oath and to the covenant it entailed.

[24] The picture Hollenberg is thinking of applies more precisely to North Africa in the first half of the tenth century, although it is not inappropriate for later periods as well. However, conditions did change somewhat and there are alternative theories of *taʾwīl* among a different set of Ismaili authorities. But, for the present purpose, what happened in those early decades prior to the conquest and move to Egypt is especially relevant.

[25] In particular Daftary, *The Ismāʿīlīs,* and Halm, *The Empire of the Mahdi*. Each of them has, however, also contributed a number of smaller studies that remain pertinent for a full review of this topic.

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The basic level was that of the novice, the *mustajīb*, the one seeking answers. The ceremony itself is described as solemn and certainly not lightly undertaken. The *dāʿī* administering the oath had to ascertain carefully and surely the sound and sincere purpose of the new adept. There were ritual steps: citation of Qur'anic precedence, extirpation of previous beliefs, fasting and prayer. Al-Naysābūrī, a leading *dāʿī* in the time of al-Ḥākim (r. 396–421/996–1021), explained the process as follows:[26]

> … when he has been broken down and wants to take the oath, the rule is to take it of him after he has fasted three days. Both the *dāʿī* and the novice should be in a pure state. Each should pray two prostrations so as to be at the most pure. Next he begins with thanking God the highest and praising Him, asking for His blessing on His messengers and on the pure imams. He takes of him the oath of covenant to God, His angels, His messengers, the oath to the legatees and the pure imams, and *an oath to the imam of his own time*.[27] He pledges to him allegiance, as is the rule for that in the book of covenant. He swears that he believes in God, and in His angels, His messengers, the pure imams from the legatee to the imam of the time, and that *he will uphold the external and the internal* and that *he will support the imam of his time and will not forsake him*, that he will not reveal any secret of the faith to a person not worthy of it or to anyone who has not sworn the oath of covenant, that he will not betray any of the brethren of believers who have joined him in swearing the oath, that he will treat as a friend those who have accepted the imams and as an enemy those who are enemies of theirs, that he will stay away from their enemies …

Note in particular the requirement of secrecy. A person given answers – that is, the novice – is not to divulge those answers to anyone "not worthy of them."

Yet another example of the oath follows:[28]

> The *dāʿī* shall say to the person to whom he administers the *ʿahd*: You impose on yourself God's oath (*ʿahd*), compact (*mīthāq*) and obligation

[26] al-Naysābūrī, *Mūjaza al-kāfiya. A Code of Conduct: The* Mūjaza al-kāfiya *of al-Naysābūrī,* ed. and trans. Verena Klemm and Paul E. Walker (London: I. B. Tauris, 2011), Eng. 61; Ar., 46–47.

[27] The italics used here and below are mine for emphasis.

[28] Al-Maqrīzī (*Khiṭaṭ* (*al-maʿruf bi'l-mawāʿiz wa'l-iʿtibār bi'dhikr al-khitat wa'l-āthār*), ed. Ayman Fuad Sayyid, 5 vols. (London: al-Furqān, 2002–04), 2: 318–20 gives us a version of the Ismaili oath that he has taken from the work of Akhū Muḥsin. On this, see Heinz Halm. "The Ismaʿili Oath of Allegiance (*ʿahd*) and The Session of Wisdom (*majālis al-ḥikma*) in Fatimid Times," in *Mediaeval Ismaʿili History and Thought*, ed. Farhad Daftary (Cambridge: Cambridge University Press, 1996), 94–96. Al-Maqrīzī calls this section of his work "A description of the oath that is taken from the one summoned." The following translation is by Halm as it appears in that article.

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(*dhimma*), as well as the obligation of God's envoy, of his prophets, angels, books and envoys, the same pledge, contract and obligation which He entered into with His [earlier] prophets: that *you will keep secret what you will hear and what you have already heard, what you know and what you will learn* what knowledge you have and what knowledge you will yet acquire concerning myself and the one [*dāʿī* or *ḥujja*[29]] who dwells in this city as representative of the Lord of truth, the imam for whom –as you know – I declare myself …. Thus you must reveal nothing of it, neither little or much, nor in allusions, except those things about which I myself or the person responsible (*ṣāḥib al-amr*) dwelling in this city explicitly allow you to speak, so that in this matter you must only act according to our command, which you must not contravene and to which you must add nothing ….

Then the *dāʿī* says to him: The security and warrant for it are that you will not reveal any of the things which you have pledged by this oath, neither in our lifetime nor after our death, neither in anger nor in a contented mood, neither from desire nor from fear, neither in distress nor when at ease, neither out of greed nor out of need … according to the manifest conditions contained in this oath! … So never betray either God or His friend, either us or one of our brothers and friend or anyone of whom you know that he belongs to us, whether for family reasons or for money, or else because of an opinion, an oath or an agreement which you might interpret as invalidating [this oath].

If you do anything of the kind, although you know that in so doing you violate [the oath], which you remember exactly, then you renounce God the Creator of heaven and earth ... but He will soon bring retribution and punishment on you, and you will walk into the fire of *jahannam* [Hell], in which there is no mercy. … so may there be on you the same curse of God with which He cursed Iblīs, which barred paradise to him and assigned him to the fire forever!

If you violate any part of all this, you will some day appear before an angry God. God will demand of you [as atonement] that you carry out the *ḥajj* to His holy shrine thirty times as a necessary vow, and that you do so barefoot … all your wives, including those whom you will marry up to the hour of your death, will be divorced definitively …. Everything you own as regards family, property and the like, is forbidden to you ….

I am the one who has you swear to your imam and your *ḥujja*, and you are the one who swears to them. If you now intend or plan or contemplate anything that runs counter to what I have enjoined on you and what I have

[29] *Ḥujja* in this context is a technical term for one of the highest ranks in the *daʿwa*, not the Imam but at the next lower level in the hierarchy. Normally the sources say that there are twelve *ḥujja*s, each in charge of a different territory.

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> had you swear, this oath lies bindingly established for you from the first to the last word; God will accept nothing but its complete fulfillment and the compliance with what you have covenanted with me. Say: Yes! – And he says: Yes!

From these examples, it is relatively easy to see that the oath served two main purposes. One was to ensure the absolute loyalty of each new member or adherent and the other was to guard and protect and thus control access to the esoteric knowledge imparted in the course of the *daʿwa*'s appeal and its instruction. Note in particular the following language of the first oath. The new adept swears that "he will support the imam of his time and will not forsake him, that he will not reveal any secret of the faith to a person not worthy of it or to anyone who has not sworn the oath of covenant." Or that of the second version: "Thus you must reveal nothing of it, neither little or much, nor in allusions, except those things about which I myself or the person responsible dwelling in this city explicitly allow you to speak, so that in this matter you must only act according to our command, which you must not contravene and to which you must add nothing." … "If you do anything of the kind, although you know that in so doing you violate [the oath], which you remember exactly, then you renounce God the Creator of heaven and earth …." "You leave the party of God and his saints, to God's unconcealed disappointment, but He will soon bring retribution and punishment on you, and you will walk into the fire of *jahannam* [Hell], in which there is no mercy."

A second and perhaps most important benefit of membership thus concerns access to the esoteric knowledge, to the *taʾwīl*. But it did not come automatically with membership or with the oath of covenant. Pledging loyalty to the imam of the time was only a first step. Payment of dues and impositions made by a person's *dāʿī* were also essential. The one was linked and dependent on the other. The exact correlation between payment and access to esoteric knowledge, that is, the interpretive sciences, might have appeared vague and imprecise from the evidence previously available. But new material, most particularly a critically important text from the very beginnings of the Fatimid caliphate, reveals in fairly explicit language how the connection between the two operated within the *daʿwa*. The newly uncovered text of a letter by Abū al-ʿAbbās makes that plain. As he explains to the addressee:

> When my brother, Abū ʿAbdallāh, informed you in regard to what is required of you in respect to God's Guardian [i.e. the Imam], the person who renders that offering out of the goodness of his own self, God will

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cleanse thereby his spirit and purify his money, and thus it will be lawful for his *dāʿī* and mentor to reveal to him the interpretive (*taʾwīlī*) sciences and make known to him the truths hidden from the enemies of God's religion.[30]

I will hereafter explain to you some of what God made obligatory on the believers with respect to turning over their monies to God's Guardian in order that, since God has proscribed alms for him as a means to keep him above the filth of the community, he expends it solely for the amelioration of things in general. So do not let it enter your mind that this is a trick your *dāʿī* perpetrates in order to take your money or the money of anyone else. God forbid that! But the religion of God, both the outward and inward, exist so that His unique oneness, both outwardly and inwardly, lead to three conditions and three benefits. One of them is the worship of God. The second of them is that by means of which the world flourishes, that is, by His commandments and judgments. The third is that it points to the inner meaning of the law, the interpretation of the revelation, and to the spiritual and the physical hierarchy. The surface of the law is that by which it is determined, fixed and set, leading thereby to those [the imams and the *dāʿī*s] who are the causes of salvation and through whom there is the ascent to the abode of the Return.[31]

The *dāʿī* orders paying, for each one of these ranks, a specific amount as a test and does not tolerate any holding back from that. Thus the believer's paying his obligatory due a second and third time is an initiative on his part in accordance with his good will, however little or great it is.[32]

The believer, if he pays out what is required of him one time, he has purified himself since fulfilling that constitutes his purification. If he pays out a second time, God doubles his reward and his *dāʿī* knows the goodness of his intention and firmness of his certainty. … if he pays his obligation three times, his position with God's guardian rises, as does his status with his *dāʿī*, and he achieves a rank among the ranks of religion.[33]

With the payment [one makes] without having been forced or compelled, rendering that offering out of the goodness of one's own self, God will cleanse thereby his spirit and purify his money, and *thus it will be lawful for his agent [dāʿī] and mentor to reveal to him the interpretive (taʾwīlī) sciences* and make known to him the truths hidden from the enemies of God's religion.[34]

[30] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 81.
[31] Abū al-ʿAbbās, *Mafātīḥ al-niʿma,* 81–82.
[32] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 94–95.
[33] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 93.
[34] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 81.

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> The believer pays what he pays on the measure of his sincerity and in accord with what his *dāʿī* determines for him in order to test him. If he pays that once, he has fulfilled the basic requirement of the religion and thus fulfils the necessary obligation, by his fulfilment of which he distinguishes himself from the people of outward meaning [Sunni Muslims and other non-Ismailis] and he departs from their ranks. If he pays a second time, his *dāʿī* knows the goodness of his intention and the firmness of his certainty and then he reveals to him the *secrets of the interpretation*. If he pays out a third time, his status with God's guardian rises and his rank similarly rises among the believers.[35]
>
> When the *dāʿī* puts the novice to the test and the novice bears up patiently through the ordeal, he is allowed *to initiate him in the keys to knowledge*. If he flees and does not bear patiently the ordeal, initiation in knowledge is forbidden.[36]
>
> If he gives what he is ordered to give by his *dāʿī* and guards against that in which there are the people of confusion and discord who do not know the interpretation of the books of God. If he does that, the way is made easy, his knowledge increases and his prestige rises with the believers and with God's guardian. His rank increases and his station rises. "But the one who is miserly, keeps for his own self, and considers the good to be false" [Q 92:8-9], that is, he who is miserly in respect to the obligation he has been commanded to observe and does not produce it, regarding himself as above having to pursue that in which there is his very life, and who declares false the interpretation God set forth to expand the understanding of the believers. "So for him We will ease the way to adversity" [Q 92:10] and poverty, thus cutting off for him the substance of the knowledge by means of which is his salvation.[37]
>
> God orders him [the *dāʿī*] to examine the believers who seek the benefits of the religion to test out their secrets. If they bear the trial with patience, *it is licit for the teacher to initiate them and raise them in the interpretive sciences*.[38]

There are several critically important issues that this text makes clear, but the main one is that basic membership among the Ismaili Shiʿa is earned by payment of various kinds and degrees of dues, such as *zakāt* and *ṣadaqa*. Elsewhere there are citations of dues of a different kind including the *fitra* tax and a fee for presence at a confidential discourse, the *najwa*. This principle is obvious and fairly common for Muslims in general; these fees are Qur'anic. The

[35] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 92.
[36] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 87.
[37] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 83.
[38] Abū al-ʿAbbās, *Mafātīḥ al-niʿma*, 85–86. Emphasis mine.

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main distinction at this level in the context of the Ismaili *daʿwa* is who this money goes to. Abū al-ʿAbbās quotes the specific Qur'anic passage wherein the exact list is given,[39] but in his *taʾwīl* of the verse, each group specified there as a recipient becomes instead some function or rank in the *daʿwa*. These payments thus go to the *daʿwa*. "He [God] ordered the payment of charitable offerings to the people of the *daʿwa* of the interpretation." He then names eight ranks within the *daʿwa* and adds: "These are eight kinds whom God made the pillars of His religion and the treasurers of its science. He made it a duty for the people to know them and obligated them to obey them and ordered that offerings and alms be paid to them and put in their proper place with them, so that those of them who are not an Imam can convey it to the Imam who will expend it for the benefit of religion."

However, although Abū al-ʿAbbās says that these basic payments indicate that the person is no longer an adherent of the *ẓāhir*, more is required for access to the full *taʾwīl*, namely additional payments. "If he pays a second time, his *dāʿī* knows the goodness of his intention and the firmness of his certainty and *then* he reveals to him the *secrets of the interpretation*." Clearly, therefore, even within the *daʿwa*, there are ranks and distinctions, some members above others with differing degrees of access to knowledge of *taʾwīl*.

Thus, one class or kind of esoteric interpretation refers the outward, the *ẓāhir*, to what it symbolizes inwardly in Ismaili terms, that is, the *bātin*, in this instance nearly always elements of the religious hierarchy who govern membership. Another example from his treatise[40] carefully outlines and explains the esoteric meanings of each rite or ritual of the *ḥajj* (pilgrimage). The final event of which is that: "Your returning to Mecca is your returning to your *dāʿī* [at the close] in order to seek to learn from him what remains that you do not know …."

Whereas much of Islamic allegorical interpretation (*taʾwīl*) follows a logical progression from plain text to its meaning, in many examples of Ismaili interpretation, there is nothing of the kind and no evident or obvious connection. An outsider would not and could not know of the relationship and an insider would have to learn about it. That is the key function of the *dāʿī*s; they moderate and dole out, as they judge fit and suitable, this special knowledge. Access to it comes solely by acceptance of and advancement in the *daʿwa*.

[39] The Qur'anic verse is 9:60, which mentions the eight categories of person who may receive these charitable offerings.

[40] Several more examples of *taʾwīl* interpretation from this same source can be found in my article "The Doctrine of Taʾwīl in Fatimid Ismaili Texts," in *Reason, Esotericism and Authority in Early Shiʿism*, eds. Rodrigo Adem and Edmund Hayes (Leiden: Brill, 2021), 137–50.

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Conclusions

The central problem raised here concerns more particularly the advent of the Fatimids and the choices they faced in the very creation of a state in a situation where, until it occurred, they had been a religious movement, itself largely underground and revolutionary in character. The dilemma of having to rule a diverse population not loyal to it on the basis of faith and yet hold onto a special segment that was in fact devoted to it religiously, while not unheard of generally, was until then rare in Islam. As noted earlier, the Abbasids apparently did not see any compelling need for a *daʿwa* in their name once they came to power. But that was not the case with the Fatimids who were not to find a firm resolution of the issue in later periods. However, the tensions so evident at the very beginning eventually subsided with the practical experience of governing and the rulers of this dynasty, with a few notable exceptions, were largely regarded as tolerant and inclusive.

The Fatimid state had successfully confronted a double requirement for creating and maintaining a large diverse empire of factions, creeds, sects, schools, tribes and other loyalties. It would not have existed without some unifying policy, a form of governance capable of tying together, over vast territorially distinct units, a population often reluctant to accept any single common set of principles. Yet it managed reasonably well, although with periods of difficulty, and for the most part prospered. It lasted after all for over 250 years, ending only in 567/1171. Naturally its fortunes waxed and waned, but its origin and the foundation on which it came into being appear to have endured. Elements of the earliest policies, both with respect to the non-Ismaili citizens and the more deeply committed Ismailis, were, in part, still there when it finally died long after it began. And, although the empire would disappear, the *daʿwa* itself continued and exists to this day.

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15 Boundaries That Bind? Pagan and Christian Arabs between Syriac and Islamic Strategies of Distinction (Late First Century AH)

SIMON PIERRE

We are used to studying the many Christian denominations in the Middle East as if they were hermetically separated ethnic and clerical communities. Their laypeople are commonly assumed to be affiliated exclusively with their clergy through unbreakable bonds, or to be pagans. However, Averil Cameron notes the distorting effects of the apologetic and polemic nature of our sources:

> It is precisely because there were still enormous areas of overlap and ambiguity in practice, language and concepts between pagans and Christians that Christians were so insistent on *drawing lines*, *asserting difference*, *establishing discipline* and trying to *keep their flocks in line*. Apologetic is so inherent in Christian writing that this should make us very suspicious of the fact that a high proportion of Christian writing in late antiquity consists of a concerted attempt to claim difference.[1]

This is expressed even more strongly in the case of the apparently impenetrable communal groups of late antiquity, which are actually the result of a progressive, dialectic and dynamic construction process that only stabilised during the seventh century. In fact, the collapse of the Roman and Sasanian empires, and the resulting void left by their political and civic institutions, proved to be a decisive factor in persuading the ecclesiastical elites of the various Christological currents to assert their leadership over their respective flocks.[2]

[1] Averil Cameron. '*Christian Conversion in Late Antiquity*: Some Issues'. In *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, edited by Arietta Papaconstantinou, Neil B. McLynn and Daniel Louis Schwartz (London: Routledge, 2015) 3–22, 10. My emphasis.

[2] The proclamation of a proper 'Nestorian' creed dates back to the period of Babāy the Great (d. 628), see Florence Jullien, 'Aux sources du monachisme oriental, Abraham de Kashkar et le développement de la légende de Mar Awgin', *Revue de l'histoire des religions* 225 (2008): 37–52 and Gerrit Reinink, 'Tradition and the Formation of the "Nestorian" Identity in Sixth- to Seventh-Century Iraq', *Church History and Religious Culture* 89 (2009): 217–50. According to Michael the Great, *Chronique de Michel le Syrien, patriarche jacobite d'Antioche, 1166–1199*, ed. Jean-Baptiste Chabot (Paris: Leroux, 1899), ed. 4:457–61; tr. 2:491–96, the Melkites (pro-Constantinople since 61/681) and the Maronites (pro-Constantinople from 628 to 681) definitively separated in 109/727; see Simon Pierre, 'Genèse des appartenances confessionnelles. De l'Église universelle aux Églises communautaires (VII^e siècle)', in Guillaume De Vaulx d'Arcy and

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First, the Medinese conquests accelerated the erosion of the universalist ideal of the Christian Roman empire and of its united ecumenical *ecclesia*. Consequently, in the Aramaic-speaking Middle East, post-Roman ('Maronite', 'Melkite', and 'Jacobite') and post-Sasanian ('Eastern Jacobite' and 'Nestorian') clerical groups began to perceive themselves as distinct *ecclesiae*. Second, by suppressing any political support for the official religions of the former states (Mazdeism for the Sasanians and Chalcedonian Christianity for the Romans), the early caliphs and emirs encouraged local elites to build their own clerical structures and policies. Finally, by gradually bringing together both ex-Roman and ex-Sasanian provinces of the North (Qinnasrīn, Jazīra, and Mosul), the Umayyad administration prompted Christian elites, especially the Miaphysites, to unite within transregional communities, in this case the Syrian Orthodox church.

Paradoxically, these processes forced each of the clerical groups to recognise the ongoing existence of several competing institutions. This, in turn, contributed to limiting interconfessional proselytising but also led to more communal seclusion. The clerical elites aimed to govern the secular relations of their laypeople through legal decisions: the canon. Their primary goal was to ensure that the latter remained within the community. For this purpose, these clerical elites forbade their flocks from forming any social bonds with 'Outsiders (syr. *barrōyē*)'.

The earliest autonomous institution emerged in the late sixth century in the Sasanian empire when appeared the 'patriarchal see of the Church of the East'.[3] However, after more than 70 years of textual silence, Catholicos George (in office 40–60/661–80) revived this geopolitical and canonical irredentism under the rule of the Banū Ziyād b. Abīhi in the former Persian empire. Indeed, in two councils he convened, he claimed to be the 'Patriarch' of what is for the first time clearly defined as the 'Catholic church of this state (*politeia)* of the East',[4] even though the latter had already disappeared three decades earlier. This formula is not isolated: during the 60s/680s,

Simon Pierre, 'Une Origine de la logique identitaire aux débuts de l'Islam', in *Identités de papiers. Essai documenté sur la logique identitaire*, eds. Wissam Lahham and Guillaume De Vaulx d'Arcy (Beirut: Dergham/presses de l'Institut français du Proche-Orient, 2022), 163–83.

[3] *Synodicon orientale ou recueil de synodes nestoriens*, ed. and tr. Jean-Baptiste Chabot (Paris: Imprimerie Nationale, 1902), ed. 206; tr. 469, in 585, being the second mention of such a separate eastern church in East Syriac canonical literature after Ezechiel's (in office 570–81) identification of the 'church of this superb region of the East (*'idtā d-pnītā hādā m'allītā d-madnḥā*)' (ibid. ed. 111; tr. 369).

[4] Ibid. ed. 244; tr. 514. Michael Morony, *Iraq after the Muslim Conquest* (Princeton: Princeton University Press, 1984), 120 states that the first claim of a patriarchal title was George's (in office 41–61/661–80). *Synodicon Orientale*, ed. 227; tr. 490.

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the Nisibian monk John b. Penkāyē (d. ca. 700) also expressed Catholicos George's authority as a 'Patriarch of the East', using the singular 'church of Persia' to define the only 'church of the Christ' he knew.[5] While claiming the complete independence of its church, the anonymous monk rejoiced in the prosperous, tolerant and peaceful regime of Muʿāwiya (r. 41–60/661–80). However, he also complained about how the resulting peaceful state of mind risked diluting the purity and cohesion of the church. He addressed two main points: first, the expansion of the Jacobites in Syria and Jazīra due to the consistent caliphal policy of Christological neutrality;[6] and second, the idea that, 'there was no difference anymore between a Pagan and a Christian (*bēt ḥanpā la-krisṭyānā*)'.[7] To quote Thomas Sizgorich, 'the social and intellectual lives of individuals and communities on the ground were in fact less segregated, their associations and affinities less determined by confessional identity than contemporary sources were often willing to let on or than most modern authors had been willing to imagine'.[8] In other words, the more the churches became independent institutions, the more they were concerned about controlling their laypeople's intercommunal social bonds.

This chapter explores two major anthropological ties: sharing food and contracting marriage. Two synchronic regulations directed towards the members of, respectively, the Syrian Orthodox church and the early Islamic community intertwine both issues, with the latter indirectly addressed in each case through analogical reasoning. The first regulation, attributed to Patriarch Athanasius of Balad (in office ca. 64–68/684–87), emphasised the boundaries against eating, and thus marrying, with the 'pagans (*ḥanpē*)' who were later reinterpreted as being 'the Muslims (*Mhaggrōyē*)'. The second regulation by several Marwānid-era (80–132/692–750) authorities enforced the same bans, relying mainly on ʿAbd Allāh b. ʿAbbās (d. 68/687–88), but this time against food, and thus women, of the Christian Arabs (*naṣārā al-ʿarab*).

In both cases, the chronological framework concerns the period following the end of the Second *fitna* (60–72/680–92) until the beginning of the second century AH (ca. 720 CE). Moreover, during this late first century AH, it appears that both the non-Christian 'pagans' of the canons of the

[5] John Bar Penkāyē, 'Ktābā d-rēsh mellē', in *Sources syriaques*, ed. and tr. Alphonse Mingana (Leipzig: Otto Harrassowitz, 1907), ed. 144 and 156; tr. 173 and 184.

[6] Ibid. ed. 147; tr. 175–76.

[7] Ibid. ed. 151; tr. 179.

[8] Thomas Sizgorich, *Violence and Belief in Late Antiquity: Militant Devotion in Christianity and Islam* (Philadelphia: University of Pennsylvania Press, 2009), 21.

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Miaphysite church and the non-Muslim 'Christian Arabs' of the Islamic *ḥadīth* mostly resided in the same regions of northern Syria and Mesopotamia. Both Syriac and Arabic regulations reflect the geographical context of the northern parts of the caliphate, shaped by the administrative centralisation and the Islamic ideological and political system of the Marwānid restoration (60s–80s/680s–700s).[9] On the one hand, these regions suddenly became more closely integrated into the heart of the caliphate, with, in the West, the successive *deductio* of the *jund* of Qinnasrīn from Homs, and then of the Jazīra from Qinnasrīn, and in the East the *deductio* of Mosul from both Jazīra and Kūfa. On the other hand, during the last third of the first century AH, the subjects of the Marwānid caliphate were confronted with the contemporary rise of Islam as the official religion and the concomitant and correlated process of separating the communal flock of laymen within the opposite Christian churches.

We suggest that these parallel testimonies on food and marriage segregation are two facets of a symmetrical reaction towards a single confessionally mixed population of northern Syria and Mesopotamia, who were called *ʿammē* by Syriac scholars.[10] It involved some groups of newcomers who settled in the region during the 10s–60s/630s–80s and for the most part had Arabic as a lingua franca. These undecided laypeople were viewed as illiterate and naive 'simple believers (*mhaymnē*)', according to the key idea of Jack Tannous.[11] Thus, this process of regulating boundaries to segregate both the Arab-Islamic *umma* and the Syriac-Orthodox church presents a fascinating case study to examine Fred Donner's theory of early Islam as an ecumenical 'community of Believers (*muʾminūn*)' being gradually transformed into a self-identified religion through the definition of its dogmatical limits and practical social boundaries.[12] Even though several documentary clues reveal that early Medinese and their elites who settled in the city-camps (*amṣār*) were obviously professing a

[9] Chase Robinson, *Empires and Elites after the Muslim Conquest: The Transformation of Northern Mesopotamia* (Cambridge: Cambridge University Press, 2000), especially 1–109.

[10] Simon Pierre, "Les *ʿAmmē* en "Ǧazīra et en Occident": Genèse et fixation d'un ethnonyme standardisé pour les tribus arabes chrétiennes: les *Tanūkōyē, Ṭūʿōyē, ʿAqūlōyē* à l'âge marwānide', *Annales Islamologiques* 52 (2018): 11–44.

[11] Jack Tannous, *The Making of the Medieval Middle East: Religion, Society, and Simple Believers* (Princeton: Princeton University Press, 2018).

[12] Fred M. Donner, *Narratives of Islamic Origins: The Beginnings of Islamic Historical Writing* (Princeton: Princeton University Press, 1998); Fred M. Donner, 'From Believers to Muslims: Confessional Self-Identity in the Early Islamic Community', *Al-Abḥāth* 50–51 (2002–2003): 9–53 and Fred M. Donner, *Muhammad and the Believers: At the Origins of Islam* (Cambridge: The Belknap Press of Harvard University Press, 2010).

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religion separated from other monotheist creeds,[13] it is unlikely that these intellectual conceptions were so clearly disseminated to the common people, especially in the North. On the one hand, some of them were attracted both by Christian clerics and 'holy men'[14] of the Miaphysite church in the region, appearing as 'Christians (*naṣārā*)' to the caliphate elites of the *amṣār*. On the other hand, some of them – and in many cases, the same ones – were bound to the religion of the readers of the Qurʾan (*qurrāʾ*) and the followers of Muḥammad as an Apostle of God, who were living far away south in the *amṣār*. Thus, these *ʿammē* – a polysemic concept that can mean tribes, nations or more indistinctly 'common people' – of pagans/Christians seem to have been a mixed crowd of Arabic speakers hesitating between the local newly organised church and what was starting to be called Islam.

To consolidate their authority over these pagan and Christian Arabs, both early Syrian Orthodox bishops and proto-Muslim *qurrāʾ* had to build religious communities. Miaphysite clerics such as Athanasius and also the younger but most famous Jacob of Edessa (d. ca. 89/708) attempted to separate those who were undoubtedly Christians from those who were uncertain. Banning interfaith social bonds among laypeople through canonical rulings proved to be the most effective legal method to confine them to their specific communal church. It seems that Muslim scholars also sought to define and delimit their own community (*umma*) by prohibiting their followers from engaging in the same social relations around food and marriage, but in this case, not with all Christians, as the Qurʾan permits it, but especially with 'Christian Arabs'. Indeed, since the latter were closely integrated in the conquerors' society, they were at risk of perpetuating and even spreading crypto-Christianity among Arab-Muslims. To prevent the risk of diluting their own *umma*, Muslim scholars, in turn, developed the same argument as Syriac scholars: that (Christian) Arabs were in fact (crypto-)pagans. In summary, both Syriac-Miaphysite and Arab-Muslim legislators expressed parallel views with the same objective of defining communal boundaries during the same period of the late first century AH.

[13] Amikam Elad, 'Community of Believers of "Holy Men" and "Saints" or Community of Muslims? The Rise and Development of Early Muslim Historiography', *Journal of Semitic Studies* 47 (2002): 241–308 and more recently Robert Hoyland, 'Reflections on the Identity of the Arabian Conquerors of the Seventh-Century Middle East', *al-ʿUṣūr al-Wusṭā* 25 (2017): 113–40.

[14] Peter Brown, 'The Rise and Function of the Holy Man in Late Antiquity', *Journal of Roman Studies* 61 (1971): 80–101.

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Do Not Eat with Pagans 'Who Nowadays Dominate'

During this period, the intellectual elites of the new, inclusive and universal civilisation of the caliphate, mostly resided in the specific *amṣār* environment. In contrast, Christian clerics, based on regional and linguistic communities, were much closer to the local countrypeople, especially in the case of Northern Syria and Mesopotamia. They were not only connected to their Aramaic-speaking neighbours, who might be seen as their 'natural' congregations, but also to various kinds of Arabic-speaking Bedouins and settlers. Indeed, Miaphysite literature provides insight into the less elitist cultural systems of the subjugated societies in the Northern provinces of Qinnasrīn, Jazīra and Mosul. Therefore, before analysing *fiqh* and *ḥadīth* literature, we will focus on the Christian side: the Syrian Orthodox canons that were produced at around the same time.

Islam and the Risk of Confusion: Defining Church Boundaries

Strikingly, there is evidence that Christians may have been the first to strictly seclude their communities to avoid interference from heretics, and also from pagans. Thus, to exist and survive within this new 'state of mixture',[15] competing ecclesiastical and religious hierarchies engaged more deeply than ever in 'strategies of distinction',[16] 'drawing lines'[17] to control their flocks. They aimed to ensure that the behaviour and allegiances of their laypeople remained in line and to prevent any drift or dispersion. As a pre-Islamic Catholicos of the Sasanian church said, the 'canons are high walls (*shūrē*) and impregnable fortresses (*ḥesnē*)'.[18] This principle seems to have been central for all the confessional communities throughout the seventh century: the laws and discipline of the church were intended to enforce boundaries. At the beginning of this period, both marriage with anti-Nestorians[19] and religious cooperation with their priests were declared unlawful: at this early stage, these rules clearly played a role in hastening church formation through partition.[20]

[15] I borrow this expression from Richard Payne, *A State of Mixture: Christians, Zoroastrians, and Iranian Political Culture in Late Antiquity* (Oakland: University of California Press, 2015).

[16] *Strategies of Distinction: The Construction of Ethnic Communities, 300–800*, eds. Walter Pohl and Helmut Reimitz (Leiden: Brill, 1998).

[17] Averil Cameron, 'Christian Conversion in Late Antiquity: Some Issues', in *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, eds. Arietta Papaconstantinou, Neil B. McLynn and Daniel Louis Schwartz (London: Routledge, 2015), 10.

[18] *Synodicon Orientale*, ed. 97; tr. 355.

[19] Ibid., ed. 158; tr. 418.

[20] Michael Morony, 'Religious Communities in Late Sasanian and Early Muslim Iraq', *Journal of the Economic and Social History of the Orient* 17 (1974), 116. For the Western Church, the

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According to a mid-first-century AH Syriac chronicle and two Greek papyri, members of the ruling Umayyad elite participated in Christian pilgrimages, in Jerusalem[21] and the Sinai.[22] A little bit later, East Syriac hagiographers claimed that Kufan saints Khūdhāhwī b. Ṭā'ī (death date unknown) and ʿAbdā b. Ḥanīf (d. ca. 60/680) not only converted local inhabitants to Christianity while struggling against the competition of Miaphysites but also healed and even baptised among the greatest *amīr*s of the 40s–60s/660s–80s.[23] Moreover, verses of the Qur'an authorise many social bonds with 'the people who received the Scripture', especially Q 5:5 which allows consumption of their food, as we shall see below. Additionally, several early opinions of educated Umayyad elites show some acceptance of practical, institutional and even dogmatical promiscuity with Christians, and notably their monks and clerics.[24] This evidence strikingly matches with the observations of two

case of Qenneshrē on the Euphrates is explicated in a small notice written by bishop Daniel of Edessa (in office 665–84), who explains how it was used by dyophysites at least since Mauricius (r. 582–602) (his nephew Domitianus, archbishop of Melitena from 580–602) until Muʿāwiya's decision to call them out before ʿAbd Allah b. Darrāj (d. second half of the first/seventh century), governor of Bēt Nahrēn (= Mesopotamia, i.e. the Jazīra), sometime under Severus Sebōkt (d. 666–67) and Theodorus of Antioch (in office 649–67). François Nau, 'N*otice* historique sur le monastère de Qartamin, suivie d'une note sur le monastère de Qennešrē', in *Actes du XIVe Congrès international des orientalistes, Alger 1897* (Paris: Ernest Leroux, 1907), 95–97/83–85 ; see also Philip Wood, 'Christians in Umayyad Iraq: Decentralisation and Expansion (600–750)', in *Patronage and Memory: Perspectives on Umayyad Elites*, eds. Andrew Marsham and Alain George (New York: Oxford University Press, 2018), 262–63; Simon Pierre, 'Avant la controverse islamo-chrétienne, l'arbitrage émiral intra-chrétien: ʿAbd Allāh b. Darrāǧ et l'attribution du monastère de Qenneshrē', *Les Carnets de l'Ifpo. La recherche en train de se faire à l'Institut français du Proche-Orient* (2019), https://ifpo.hypotheses.org/9391.

[21] 'Chronicon maroniticum', ed. Ernest W. Brooks and tr. Jean-Baptiste Chabot, in *Chronica Minora* ed. and tr. Jean-Baptiste Chabot, Ignazo Guidi *et al.* (Leipzig: Otto Harrassowitz, 1903), ed. 71; tr. 55.

[22] *P.Nessana* III 72–73. For papyrus editions, I follow the abbreviations of the *Checklist of Arabic Documents* www.naher-osten.uni-muenchen.de/isap/isap_checklist/index.html.

[23] *Histoire nestorienne inédite* (*Chronique de Séert*), seconde partie (2), ed. Addaï Scher, *Patrologia Orientalis* 13, 589 and 594. On baptism of Muslims, read David Taylor, 'The Syriac Baptism of St John: A Christian Ritual of Protection for Muslim Children', in *The Late Antique World of Early Islam: Muslims among Christians and Jews in the East Mediterranean*, ed. Robert Hoyland (Princeton: Darwin Press, 2015), 437–59 where he discussed a similar practice in use since at least the twelfth century CE.

[24] See Jason Dean, 'Outbidding Catholicity. Early Islamic Attitudes toward Christians and Christianity', *Exchange* 38 (2009): 201–25; Sizgorich, *Violence and Belief*, 161–66; Emran El-Badawi, 'From 'Clergy' to 'Celibacy': The Development of Rahbāniyya between the Qur'ān, Ḥadīth and Church Canon', *Al-Bayān* 11 (2013): 1–14; Christian Sahner, 'Islamic Legends about the *Birth of Monasticism*: A Case Study on the Late Antique Milieu of the Qur'ān and Tafsīr', in *The Late Antique World of Early Islam*: *Muslims among Christians and Jews in the East Mediterranean*, ed. Robert Hoyland (Princeton: Darwin Press, 2015), 393–435; Holger Zellentin, 'Aḥbār and Ruhbān: Religious Leaders in the Qur'ān in Dialogue with Christian and Jewish Literature', in *Qur'anic Studies Today*, *eds.* Angelika *Neuwirth* and Michael Sells (New York: Routledge, 2016),

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contemporary Syriac clerics: Ishōʿ-Yahb III of Adiabena (d. 39/659) and John Bar Penkāyē (fl. seventh century) a generation later. Both highlight the great respect, religious veneration and even financial help by which monks and monasteries benefited from the Arabs.[25] Bar Penkāyē also states that 'not a few' of the Arab (*Ṭayyāyē*) conquerors were Christians, some being 'with the' Jacobites and others 'with the' Nestorians.[26] During the same decade, Arabs (*Ṭayyōyē*) participated in many public and confessional ceremonies and holidays organised by the Syrian Orthodox metropolitan bishop Theodotus of Amid (in office ca. 67–78/687–98).[27] Two generations after the collapse of the Sufyanid caliphate, 'an Arab (*Ṭayyāyā*) from the city of Mosul' could still be considered by an East Syriac monk as 'close in his belief (*haymānūtā*) to ours'. Moreover, his 'offerings (*qūrbānē*) and gifts to congregations of monks were famous'.[28]

However, when Bar Penkāyē states that the prosperity and the non-discrimination policy of the Umayyad caliphate, particularly prior to the administrative tightening of the 70s/690s,[29] led to confusion 'between

258–89; Christian Sahner, "The *Monasticism* of My Community is *Jihad*': A Debate on Asceticism, Sex, and Warfare in Early Islam', *Arabica* 64 (2017): 152–53, see also Simon Pierre, 'Dis 'Amen' à la prière du moine : un cas de recitation interculturelle', *Mélanges de l'Institut dominicain d'études orientales* 37 (2022): 59–85.

[25] Ishōʿ-Yahb, *Ishōʿ-Yahb Patriarcha III Liber Epistularum,* ed. Rubens Duval, *Corpus Scriptorum Christianorum Orientalium, Scriptores Syrii* 11 and 12 (1904–1905)) ed. 251; tr. 181–82 (no. 14 as Catholicos of the Church of the East); John Bar Penkāyē, *Ktābā d-rēsh mellē*, ed. 141 and 145–46; tr. 173–75.

[26] John Bar Penkāyē, *Ktābā d-rēsh mellē*, ed. 147; tr. 175.

[27] *Life of Theodota*, Ms Mardīn 275. For instance, fols. 268/544, 270/548–49, 271/550–51. See the edition and translation of the Garshūnī version of this Life by Robert Hoyland and Andrew Palmer, *The Life of Theodotus of Amida: Syriac Christianity under the Umayyad Caliphate* (Piscataway: Gorgias Press, 2023).

[28] Thomas of Margā, *The Book of Governors: The Historia Monastica of Thomas, Bishop of* Marga *A.D.840*, ed. Ernest A. Wallis Budge (London: Kegan Paul, 1893), ed. 222–23; tr. 422–23.

[29] Bar Penkāyē lived in the region of Sinjār, slightly to the east of the former Roman-Sasanian. Yet, he testifies that after his victory against the 'Easterners', caliph Muʿāwiya of Damascus was indeed in charge of Iraq. Administrative control of the northern parts of Syria and Iraq was probably not very strong. For the north of the *jund* of Homs and the 'land of Mosul', see especially Robinson, *Empire and Elites,* and for Armenia where this was true in a more pronounced way, Alison Vacca, *Non-Muslim Provinces under Early Islam. Islamic Rule and Iranian Legitimacy in Armenia and Caucasian Albania* (Cambridge: Cambridge University Press, 2017). This was probably also the case in 'Afrika' and Khurasan. Nevertheless, it was under the Sufyānids (41–64/661–83), as we know from a contemporary Syriac source, that the caliph sent a *missus*, in the region of Edessa in the 660s (see e.g. Pierre, 'L'arbitrage emiral'), and that he passed through the same city in person a decade later. Cf. Theophanes, *Chronographia*, ed. Carl De Boor (Leipzig: Teubner, 1883), 356; *The Chronicle of Theophanes Confessor,* trs. Cyril Mango and Roger Scott (Oxford: Clarendon Press, 1997), 497; Michael the Great, *Chronique*, ed. 436–37; tr. 457 and in *Chronicon ad A. C. 1234 pertinens*, ed. Jean-Baptiste Chabot and

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a pagan and a Christian',[30] he is advocating for his (Nestorian) church to restore, reinforce and sharpen communal boundaries. The most significant and critical of the transversal social bonds that were undermining his church's authority and exclusivity were intercommunal marriages. Thus, Nestorian Patriarch George had to gather a synod in 56/676[31] where it was decided:

> That it is not right for Christians to unite (*neshtawtfan*) with pagans (*ḥanpē*), foreigners to the fear of God. Women who have once believed in Christ and want to live the Christian life must guard themselves with all their strength from union (*shawtfūtā*) with the pagans (*ʿam ḥanpē*), since union with them creates customs (*ʿēdē*) contrary to the fear of God and drags their will into slackness. Therefore, Christian women shall absolutely avoid cohabiting (*nʿammarīn*) with the pagans (*ʿam ḥanpē*); and that whoever dares to do so be distanced (*rḥīqā*) from the Church and from all Christian honour (*iqārā*), by the word of Our Lord.[32]

In spite of the bans on marrying heretics already mentioned during the early seventh century,[33] this passage demonstrates that matrimonial relations continued, not only with heretics but even with 'pagans'. Again, a decade after George's synod, his successor Ḥnan-Ishōʿ (in office 66–74/686–93) was among the first to conceive a strict legal segregation between orthodox and 'pagans (*ḥanpē*)'.[34] This concept of 'pagan' was probably a new – or revived – one during the late seventh century, and what the clerics meant by it remains unclear. However, the Byzantine council *In Trullo*,

Albert Abouna, *Corpus Scriptorum Christianorum Orientalium Scriptores Syrii* 36–37 (vol. 1), 56–154 (vol. 2) (1920–1916–1937–1974), ed. 288; tr. 224. See also Agapius of Manbij, *Kitāb al-ʿUnwān*, ed. Alexandre Vassiliev, *Patrologia Orientalis* 11, 233; Simon Pierre, 'Building and Destroying 'New Churches' and the Evolution of the Early Islamic Law: the Syriac Case (First–Second Century AH)', in *From the Tigris to the Ebro. Church and Monastery Building under Early Islam,* eds. Simon Pierre and Maria Angeles Utrero Agudo (Madrid: Editorial CSIC, 2024) 187–210. Summing up, we should not confuse weak administrative control with the absence of military presence and control.

30 John Bar Penkāyē, *Ktābā d-rēsh mellē,* ed. 151; tr. 179.

31 Morony, 'Religious Community', 125. See also Tannous, *Simple Believers*, 440–41.

32 *Synodicon Orientale*, 223–24/487–88. Before 676, the only mention of such an illegitimate marriage of Christian women with pagan men is found in Ishōʿ-Yahb, *Liber Epistularum,* ed. 153–54; tr. 114 (no. 12 as metropolitan of Adiabena).

33 Above, in the same section.

34 Morony, *Iraq after*, 19; Michael Penn, *Envisioning Islam. Syriac Christians and the Early Muslim World* (Philadelphia: University of Pennsylvania Press, 2015), 162. Ḥnan-Ishōʿ is also the most ancient author to refute explicitly the Muḥammadan conception of Jesus (BL Or. 9353, cited by Michael Penn, *When Christians First Met Muslims: A Sourcebook of the Earliest Syriac Writings on Islam* [Oakland: University of California Press, 2015], 139–40).

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which was held around the same time (72/691–92), also addressed many prohibited pagan practices and thus condemned social interactions with pagans.[35]

Both the ex-Roman and ex-Sasanian churches had already been strengthening their own 'strategies of distinction', while Miaphysites of Syria were only beginning to address this kind of canonical issue. Indeed, the letter of the Miaphysite Patriarch Athanasius of Balad is the first post-Hijra canonical edict promulgated within the Syrian Orthodox church. Patriarch Athanasius was originally from Balad, a late-Sasanian fluvial port of importance on the mid-upper Tigris, at the junction with the route from (post-Roman) northern Syria and Mesopotamia. Incidentally, he studied in this western country at the monastery of Qenneshrē between Aleppo and Edessa. His letter is believed to have been issued during his short patriarchate, contemporary to the second *fitna*. Indeed, he was elected by a coalition of rebel bishops in Raʾs al-ʿAyn,[36] and he died early, which allowed Julian 'the Roman' (r. 67–89/687–708), a partisan of the formers' enemy, Patriarch Severus Bar Mashqā (in office ca. 47–64/667–83), to succeed him.[37] Thus, his canonical opinion is contemporaneous with both the synod of Catholicos George in 56/676 in Iraq and the Byzantine Chalcedonian *In Trullo* council in 691–92. Strikingly, Athanasius also addresses the issue of relations with pagans (*ḥanpē*) and particularly reaffirms the prohibition of intermarriage with them.

Athanasius' epistle was preserved in a compilation of Miaphysite canonical decisions.[38] The first 89 folios of this codex contain the famous *Didascalia of the Apostles*, an apocryphal council of Christ's companions and a bestseller in the late antique and early Islamic Middle East.[39] The patriarch's

[35] 'The canons of the Council in Trullo, held in the imperial palace in Constantinople at the end of the seventh century, were still preoccupied with forbidding Christians from engaging in pagan practices, and while some of the content may be purely formal or in a sense rhetorical, there is no reason to doubt the concern that was still felt' (Cameron, 'Christian Conversion', 17).

[36] Michael the Great, *Chronique*, ed. 441–42, 444, 447.

[37] Omert Schrier, 'Chronological Problems Concerning the Lives of Severus bar Mashqā, Athanasius of Balad, Julianus Romāyā, Yohannān Sābā, George of the Arabs and Jacob of Edessa', *Oriens Christianus* 75 (1991): 62–90; see also Simon Pierre, 'Le rôle de tribus arabes chrétiennes dans l'intégration de l'Orient à l'Église syro-orthodoxe […]', *Mélanges de l'École française de Rome—Moyen-Âge* 132 (2020): 255–71.

[38] Hermann Zotenberg, *Catalogue des manuscrits syriaques et Sabeens (Mandaites) de la Bibliothèque Nationale* (Paris: Imprimerie Nationale, 1874), 29.

[39] See Holger Zellentin, *The Qurʾān's Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013); Arthur Vööbus, *The Didascalia Apostolorum in Syriac* (Louvain: Secrétariat du *Corpus Scriptorum Christianorum Orientalium*, 1979) 1, 11, and Arthur Vööbus, *Syrische Kanonessammlungen. Ein Beitrag zur Quellenkunde* (Louvain: Secrétariat du *Corpus Scriptorum Christianorum Orientalium*, 1970), 200–202.

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legal opinion was copied on fol. 272r-v, positioned just between the decisions of the Severian Syriac writer John of Tella (d. 538)[40] and the *responsa* sent by Athanasius' junior colleague from Qenneshrē, Jacob of Edessa (d. ca. 89/708), to the (otherwise unknown) priest Adday.[41] The codex ends a few folios later, with the last canons issued at the synod of Bēt Batīn in October 178/794.[42] This *terminus* aligns with Hermann Zotenberg's palaeographic dating and thus points to the patriarchate of Cyriacus of Takrīt (in office 177–201/793–817). Moreover, his successor Patriarch Dionysius of Tell Maḥrē (in office 202–31/818–45) formalised Athanasius' legal warning within the sixth canon of his first council, at Raqqa in 203/818.[43] This provides a second clue to the date of the reception of his predecessor's epistle during the late second/early ninth century. Thus, the canonical collection does not reflect Athanasius' time, nor any early second-/eighth-century context. However, it is as ancient as the early *muṣannaf*-s dealing with comparable topics in the Islamic literature.[44]

Using 'Pagans' to Say 'Muslims' (Late First Century AH)

Did Athanasius implicitly – and maybe exclusively – target the Arab-Muslims? He never says so and gives no specific detail to allow one to infer it. Regarding the Byzantine case mentioned above, Christopher Kelly defines 'pagans' as an 'artificial category' which 'solidifies a wide and diffuse variety of beliefs, practices and habits'; and also 'a delimiting term used to demarcate the difference between Christian communities and outsiders'.[45] Nevertheless, including Muslims in the *ḥanpā* category would also be

[40] Fol. 267–71. See *Dissertatio de Syrorum fide et disciplina in re eucharistica*, ed. and tr. Thomas Joseph Lamy (Louvain: Vanlinthout, 1859), 62–97.

[41] Fol. 273–84: François Nau, *Ancienne littérature canonique syriaque* Fasc. 2 (Paris: P. Lethielleux, 1909), 31–75; and partially in Penn, *When Christians*, 162–67. See especially the comments in Tannous, *Simple Believers*, 69–71, 92–106, 136–55, 187–92, 226–34 et 244–45 and above all 366–74 and 439–59.

[42] Fol. 285: Zotenberg, *Catalogue*, 28–29. Edited and translated in *The Synodicon in the West Syrian Tradition*, ed. and tr. Arthur Vööbus, *Corpus Scriptorum Christianorum Orientalium, Scriptores Syrii* 164–65 (1975–76), vol. 2, ed. 6-17; tr. 7–18.

[43] Quoted by Uriel Simonsohn, 'Seeking Justice among the 'Outsiders': Christian Recourse to Non-Ecclesiastical Judicial Systems Under Early Islam', *Church History and Religious Culture* 89 (2009): 207; Vööbus, *Synodicon in the West*, 2, ed. 30–31; tr. 33.

[44] *Below* in the section ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51.

[45] Christopher Kelly, 'Narratives of Violence: Confronting Pagans', in *Conversion in Late Antiquity: Christianity, Islam, and Beyond*, eds. Arietta Papaconstantinou, Neil McLynn and Daniel L. Schwartz (Dorchester: Ashgate, 2015), 143–62, 149; quoting Alan Cameron, *The Last Pagans of Rome* (New York: Oxford University Press, 2011), 25–32 and Neil McLynn, 'Pagans in a Christian Empire', in *A Companion to Late Antiquity*, ed. Philip Rousseau (Oxford: Wiley-Blackwell, 2009), 573.

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chronologically consistent with the synchronic emergence of the term in the East Syriac canonical literature. Moreover, Athanasius' copyist of the second/eighth century also understood it this way when entitling his epistle: 'That no Christian should eat from slaughtered animals (*men dabḥē*) of the Hagarised (*Mhaggrōyē*), those who nowadays (*hōshō*) dominate (*aḥīdīn*)'.[46] This term unequivocally refers to what we call 'Muslims' since Ishōʿ-Yahb III used it in that sense[47] before it gradually spread into the West Syriac world during the late seventh century.[48]

This additional title has piqued the interest of researchers for over a century, from François Nau to Robert Hoyland and Michael Penn.[49] However, it should be emphasised that (1) Athanasius never refers to the specific term *Mhaggrōyē* in the 60s/680s and (2) the use of 'pagans (*ḥanpē*)' to signify 'Muslims' as a confessional category is never attested in Syriac sources before the eighth century,[50] despite a gradual improvement in their understanding

[46] Zellentin, *Qur'ān's Legal*, 7, n. 9; François Nau, 'Littérature canonique syriaque inédite', *Revue de l'Orient chrétien* 14 (1909): 130.

[47] Ishōʿ-Yahb, *Liber Epistularum*, Letter as bishop of Ninawa no. 48, ed. 97; tr. 73–74. *Mhaggrē* appears as an adjective for a dogmatically specified kind of *Ṭayyāyē* (Arabs) and is repeated, condensed, as *Mhaggrāyē* a few lines later. Cf. Patricia Crone, 'The First-Century Concept of Hiǧra', *Arabica* 41 (1994), 8–11.

[48] The colophon of a Nestorian Gospel on fol. 56 of BL Add 14, 666 is the most ancient Syriac use of the Islamic calendar calling their era *da-Mhaggrāyē Bnay Ishmaʿēl bar Hagar bar Abraham*, in the year 63 (AH) = 993 (AG) = September 682 CE. Cf. William Wright, *Catalogue of Syriac Manuscripts in the British Museum Acquired since the Year 1838* (London: British Library, 1870), 1:92. Mentions of *Mhaggrōyō* are also attested in West Syriac literature. See first Daniel of Edessa's (in office 665–84) report on Muʿāwiya's governor for Mesopotamia (*Bēt Nahrēn*), ʿAbd Allah b. Darrāj (Nau, 'Notice', ed. 95; tr. 84). *Mhaggrōyē* appears in the *responsa* of Jacob of Edessa (see below, same section and next section). It is also attested in an inscription at Kāmid al-Lūz, near ʿAnjar (Buqaʿa) where we can read: '96 of the *Mhaggrōyē*, during the days of al-Walīd [r. 85–96/705–15], *amīr* of the *Mhaggrōyē*'. Cf. Paul Mouterde, 'Inscriptions en syriaque dialectal à Kâmed (Beqʿa)', *Mélanges de l'Université Saint-Joseph* 22 (1939), 81–82, no. 10. It also appears in the so-called and perhaps in part apocryphal 'Un colloque du Patriarche Jean avec l'émir des Agaréens' edited and translated by François Nau in *Journal asiatique* 11 (1915), ed. 248, 251–52; tr. 257, 260–62.

[49] Robert Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton: Darwin Press, 1997), 147–49; Penn, *Envisioning Islam*, 165–66.

[50] Moreover, the only pre-Islamic coincidence between 'paganism' and 'Arabness' might be found in the century before the Hijra when the Miaphysite Iraqi missionary Simeon of Bēt Arsham (d. ca. 540) associated *Ṭayyōyē ḥanpē* with Arabian *Maʿddōyē*, who were potentially regarded as polytheists par excellence. Cf. Ignazio Guidi, 'La lettera di Simeone vescovo di Beth-Arsam sopra I martiri omeriti', *Memorie della Reale Accademia dei Lincei, classe di scienze morali, storiche e filologiche* 3, vol. 7 (1880–81), ed. 502; tr. 481. For a synthesis on *Maʿadd* before Islam, read Michael Zwettler, 'Maʿadd in Late-Ancient Arabian Epigraphy and Other Pre-Islamic Sources', *Wiener Zeitschrift fur die Kunde des Morgenlandes 90* (2000): 117–44. For a complete overview of this central Arabian people, see Christian Robin, 'Les Arabes de Ḥimyar, des " Romains" et des Perses (IIIe–Vie siècles de l'ère chrétienne)', *Semitica et Classica* 1 (2008):173–74 and 188–89.

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of Islamic dogma. The first explicit association between *ḥanpē* and *Mhaggrāyē* as complementary terms is found only in the inquiry posed by John the Stylite of Litarbā (d. ca. 119/737) to Jacob of Edessa at least a decade after Athanasius' death.[51] Indeed, the latter's younger colleague and Miaphysite authority, Jacob of Edessa, had to contend with several non-canonical intrusions of 'pagans', now increasingly defined or referred to as Arabs and/or *Mhaggrōyē* in the social and liturgical life of his Syrian Orthodox church.

The first instance of such synonymy in Syriac imagination may appear in Jacob's 'Refutation', where he lists three types of non-Christian 'reverences'. Along with 'Barbarianism' and 'Judaism', Islam seems to be implicitly placed in the category of 'paganism' (*ḥanp(an)ūtō*).[52] The earliest fully synonymous use we have found occurs in an account about a mid-Marwānid-era bishop of Edessa written by the anonymous chronicler of *Zuqnīn* shortly after 158/775.[53] The same author also describes the mass conversion of Christians to Islam during the 140s/760s as the 'door to *ḥanpūtō*'.[54] The use of '*ḥanpē*' to say '*Mhaggrōyē*' only became generalised during the early third/ninth century, as seen in the discourse on renegades of Catholicos Ishōʿ b. Nūn's (in office 207–13/823–28).[55] Furthermore, his contemporary counterpart Dionysius of Tell Maḥrē alternately describes the Arab-Muslims of Takrīt as *Mhaggrōyē* or *Ḥanpē*.[56] This synchronic emergence is also attested in the *Monastic History* of Thomas of Margā,[57] while in Ishōʿ-Dnaḥ of Baṣra's (d. ca. 235/850) own hagiographical compilation, a circumcised freedman of a '*Ṭayyāyā* from the city of Sinjār' was thus made a '*ḥanpā*'.[58]

"In the first century AH," Maʿadd had become the generic term for (non-Yaman) Arab-speaking people as demonstrated by Peter Webb, *Imagining the Arabs: Arab Identity and the Rise of Islam* (Edinburgh: Edinburgh University Press, 2016), 71–84 and 209–211; but it could be the result or a very recent process.

51 Penn, *When Christians*, 167–68, nos. 5 and 13.

52 Michael Penn, 'Jacob of Edessa's Defining Christianity: Introduction, Edition, and Translation', *Journal of Eastern Christian Studies* 64 (2012): ed. 183; tr. 191–92.

53 *Zuqnīn Chronicle = Chronique de Denys de Tell-Mahré,* quatrième partie, ed. and tr. J.-B. Chabot (Paris: E. Bouillon 1895), ed. 17; tr. 16.

54 *Zuqnīn Chronicle (bis) = Incerti auctoris Chronicon anonymum* Pseudo-*Dionysianum vulgo dictum*, I (Louvain: *Corpus Scriptorum Christianorum Orientalium*, *Scriptores Syrii* 43, 1927), 381–82 et 392. He uses the same ambiguous word to vilify the neo-platonician astrologers of Ḥarrān (ibid., 395 et 397).

55 Ishōʿ b. Nūn, *Canons*, in *Syrische Rechtsbücher*, ed. and tr. Eduard Sachau (Berlin: Verlag von Georg Reimer, 1908), ed. 172; tr. 173 (Letter no. 124).

56 Michael the Great, *Chronique*, ed. 4:506; tr. 3:48.

57 Thomas of Margā, *Governos* (part. 6) ed. 393; tr. 666.

58 Ishōʿ-Dnaḥ of Baṣrā, *Le livre de la chasteté composé par Jésusdenah, Évêque de Baçrah*, ed. and tr. Jean-Baptiste Chabot (Rome: École Française de Rome, 1896), ed. 64; tr. 54 (no. 125).

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To summarise, there is no evidence that, in Athanasius' time, the concept of 'pagan' specifically referred to Qurʾanic Believers (*Mhaggrōyē*) or even to some indecisive 'Arabs (*Ṭayyōyē*)'. However, in his epistle, the patriarch expressed deep concern about an 'expanding (*rōʿē*)' 'evil (*rūshʿō*)' 'in the church', which he had been 'informed of' (§166). This is likely related to the changing political and religious situation of the 60s/680s, which also prompted similar legal decisions regarding pagans in the Nestorian church. Hence, it cannot be discounted that among the various types of non-Christian 'people (*ʿammē*)' in northern Syria and Mesopotamia, the patriarch was especially alluding to the growing number of Arabs and other settlers of the recently established provinces of Qinnasrīn, Jazīra, and Mosul.

Reaffirming Classical Food Bans

After Athanasius, during the last third of the first century AH, all the competing churches sought to find their place as political minorities. To be recognised by the caliphate, abbots and bishops had to maintain control over their flocks. In the environment of northern Syria and Mesopotamia, where various kinds of 'simple believers' prevailed,[59] Miaphysite elites had to prevent them from getting too close to non-Christian 'Outsiders'[60] and 'pagans', among whom the most common were the 'Hagarised (*Mhaggrōyē*)', that is, followers of the Qurʾanic religion. In this context, regardless of whether Athanasius had Arab-Muslims in mind when prohibiting marriage with 'pagans', his epistle was subsequently copied to serve as a legal precedent for keeping orthodox 'believers (*mhaymnē*)' from any ties that were not strictly intracommunal, particularly avoiding contact with Muslims. For instance, Jacob of Edessa rejected any mingling of *Mhaggrōyē* in churches during the Eucharist, which was to be conducted with closed doors 'so that they cannot enter, mingle with the believers, disturb them, and make a fool of the Holy Mysteries'.[61]

In his canonical letter, Athanasius expressed his concern that laymen were at risk of being contaminated by 'paganism' in three critical ways: first, men participating in the 'feasts (*ʿēdē*) of the *ḥanpē*'; second, women 'married (*mezdawwag*)' to *ḥanpē*; and third, men and women 'eating without distinction any slaughtered animals (*dabḥē*) of the *ḥanpē*'. In order to remedy this chaotic situation, Athanasius invited the bishops to admonish sinners and to

[59] Jack Tannous, *Simple Believers*.

[60] Simonsohn, 'Seeking Justice', 191–216. I chose to capitalise it as 'Outsiders', as an ethnic/religious category.

[61] Letters nos. 2 and 9; Penn, *When Christians*, 169.

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deprive them of communion (§166). Sharing the feasts and the sacrifices of the Outsiders, as well as contracting marriages with them, were regarded as taboos that would necessarily corrupt the integrity of the Christian faith. The scholar of Qenneshrē, however, focuses on reaffirming several classical bans: 'fornication (*zanyūtō*)', 'strangled (*ḥnīqō*) [animals]', 'blood (*demō*)' and 'the food of pagan sacrifices (*mākūltō d-dabḥē ḥanpōyē*)'.[62] This late antique wording reminded Holger Zellentin of similar categories in both the *Didascalia*[63] on the one hand, and the Qurʾan on the other. Thus, he proposed comparing them to explore their late antique context.[64] Indeed, in the Qurʾan, the 'lectionary in clear *ʿarabī* tongue',[65] food and other bans seem to be modelled on principles strikingly identical to those of the *Didascalia*, with the exception of pork. Thus, for instance, Q 5:3 states: 'Forbidden to you: dead meat, blood (*dam*), pork and what has been consecrated to one other than God.' It also defends both 'the suffocated' (*munkhaniqat*), the 'beaten to death/dead from illness (*mawqūdh*)' meat, 'and what is sacrificed (*mā dhubiḥa*) on altars (*nuṣub*)'. However, it should be noted that all the *Didascalia*, the Qurʾan and even Athanasius' letter actually rephrase Chapter 15 of the *Acts of the Apostles*: 'Refrain from "the slaughtered" (*dbīḥō*) of idols, the blood (*demō*), and "the suffocated" (*ḥnīqō*); and from fornication (*zanyūtō*)'.[66] Thus, this kind of Qurʾanic and Syriac discussion on illicit food and sexual intercourse arises from an ancient background. Moreover, Athanasius' list of pagan behaviours does not match with the practices of the Arab-Muslims, who theoretically observed the same bans.

In fact, Athanasius' rhetoric is mostly apologetic. In response to the current threats of pagan contamination, clerics under early Islamic rule tended to cite ancient authorities and to imitate their phrasing, while they repurposed their ancient categories and arguments. Although the Hagarised people demonstrated some respect for the rules of the Apostles forbidding the food of, and illicit marriages to, the pagans, the meat of the Arabs/Bedouins (*Ṭayyōyē*) was to become a red line defining the boundaries of the Miaphysite flock. Indeed, Jacob of Edessa considered an altar table (*tablītō*) on which Arabs had eaten to be definitively desecrated.[67]

[62] Nau, 'Littérature syriaque', 129.

[63] François Nau, *La Didascalie, c'est-à-dire l'enseignement catholique des douze apôtres et des saints disciples de Notre Sauveur* (Paris: Canoniste Contemporain, 1902) ed. 104; tr. 137–38 and ed. 236; tr. 237.

[64] Zellentin, *Qurʾān's Legal*, 5–17.

[65] Q 26:195.

[66] *Acts*, 15.20 and 29; also 21.25.

[67] Answer to Adday in MS Harvard Syr. 93, *Paris Syr.* 62; *Mingana* 8; *BL Add.* 14,492; ed. and tr. Nau, *Ancienne littérature*, 49; tr. Penn, 2015, *When Christians*, 162–67, no. 25.

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Athanasius' younger colleague also addresses the issue of sharing the food of Muslims and states that it is forbidden for the clergy, unless the *amīr* 'commands' it, in which case 'necessity allows him'.[68] Oddly, it might seem that the eighth century was full of this kind of 'necessity', allowing ecclesiastics to find a close seat beside the caliphal throne. Athanasius himself also anticipated the risk of apostasy and invited the bishops to 'act with caution towards them, according to the will, knowledge and strength of each person'. In other words, the need for clerics to reaffirm the boundaries that guarded against social and doctrinal confusion between 'believers' and heretics or pagans reveals that, in practice, these lines were frequently ambiguous. However, anathemizing potential Christian laypeople would have been counterproductive, as it would have closed the door to them. If pushed too hard, social exclusion could have become an incentive for them to prefer the advantageous position of the Outsiders, the 'people of submission (*ahl al-islām*)'. This issue was particularly problematic in the case of women married to *ḥanpē*/*Mhaggrōyē*.

… To Talk about Mixed Marriages

In the *Acts of the Apostles,* the ban of 'fornication' was related to the issue of food. This is exactly why Athanasius adds a long discussion about Christian women 'married (*d-mezdawwagn*) to these pagan men'. This second subject reveals a perilous normalisation of 'mixed' marriages between women who had been baptised by Miaphysite clerics and men from this undefined ethnicity of Arab and non-Arab settlers. For instance, Michael the Great (d. 596/1199) relates two cases of military colonists, Armenians and Slavs, 'receiving' or 'taking' Syrian women after their army switched sides to join the Arab-Muslim forces.[69] Thus, by establishing a clear legal boundary to an ongoing social practice, Athanasius asserts that the church regards secular marriages – that is, Islamic contractual marriages – as a 'relationship which is not legal (*ḥūlṭōnō d-lō namūsōytō*)'. Given the rest of his argument, this implies that civil marriage was regarded as a pagan revival that was to be forbidden and equated to no less than fornication (*zanyūtō*). Again, Dionysius of Tell Maḥrē condemns the situation of 'a believing man or a believing woman burning with lascivious desire towards what are called secular marriages (*zuwwōgē ʿōlmōnōyē*): he really commits the abominable impurity of adultery!'[70]

[68] Answer to Adday: tr. Penn, *When Christians*, 164, no. 57.
[69] Michael the Great, *Chronique*, ed. 4:446–47; tr. 2:470 and 475.
[70] Quoted by Simonsohn, 'Seeking Justice', 207; *Synodicon in the West*, 2, ed. 30–31; tr. 33.

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Athanasius hesitates between using this neutral verb *zawweg*, which can indicate a legitimate marriage, and the more informal concept of 'united *(shawtef)* to a pagan (*ḥanpē*)', which suggests that the alliance should be classified as unlawful concubinage. A decade earlier, during the Eastern Syriac council of 56/676, his Nestorian counterpart George also used *shawtef* when prohibiting civil unions (*shawtfūtō*) with 'Outsiders', qualified as *ḥanpē*. However, *shawtef* is also more neutral, which is why Athanasius peculiarly states that if these women failed to obey the social and dietary bans, 'you will not remove them from participating in the divine mysteries solely because they are united with pagans'.[71] Thus, he clearly acknowledges that the clergy was unable to break up these 'unions' and, in practice, gave up prohibiting them. Indeed, Athanasius urges his suffragans to grant these women the Eucharist to avoid pushing them to officially 'Hagarise (*haggar*)', as a reaction to such an exclusion. As a matter of fact, we know that the priest Adday himself asked Jacob of Edessa about the case of an Arab-Muslim who, using coercive force, insisted that his wife receive the consecrated bread. Jacob authorised him to give it, not only because of the constraint, but also because he regarded these powerful laymen as potentially 'favourable to Christians'.[72] Thus, drawing lines also posed a risk of breaking the necessary bonds that tied together Miaphysite clerics and some of the most influential *amīr*s of northern Syria.

Athanasius had an additional reason for encouraging acceptance of these illegitimate unions: 'Let them also try with all their strength to baptise the children they have had from their union with them' (§167).[73] Yet, if these pagans (*ḥanpē*) were – at least in part – actual Arab-Muslims, baptism of their children seems an unlikely goal given the harshness of Islamic penalties for apostasy. Nevertheless, Christian Sahner has mentioned several cases of baptisms of Muslim-like individuals during the mid-first century AH, such as the daughter of Muʿāwiya near Kufa, and an early and elsewhere unknown *wālī* of Mosul named ʿUqba.[74] Likewise, Uriel Simonsohn has identified symmetrical issues in Hanbali *fiqh* concerning mixed couples with Muslim husbands where, consequently, either girls are Christians

[71] Nau, 'Littérature syriaque', 129.

[72] Answer to Adday, tr. Penn, *When Christians*, 164–65, no. 75.

[73] This specific issue in Athanasius letter is quoted by Mathieu Tillier, *L'invention du cadi : La justice des musulmans, des juifs et des chrétiens aux premiers siècles de l'Islam* (Paris: Edition de la Sorbonne, 2017), 550.

[74] Sahner, *Monasticism*, 270; quoting *Chronique de Séert*, 2 (2), 594 and Ernest A. Wallis Budge, *The Histories of Rabbān Hormizd the Persian and Rabban Bar ʿIdtā* (London: Luzac and Co., 1902), ed. 65–71; tr. 97–103.

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and boys Muslims, or where 'one cannot distinguish between the Christian child and the Muslim child'.[75]

The issues of wedding and baptism are logically followed by the problem of the Christian education of these hybrid children. Adday's question to Jacob about a priest refusing to teach the child of a 'Muslim (*Mhaggrōyō*)', who was nonetheless forced to do so, highlights this issue. Once again, not only does the canonist authorise the priest to relent in the face of force but he encourages him to instruct the boy 'because often, from such things, great benefits result'.[76] The bishop of Edessa does not elaborate on this, but perhaps he had in mind the idea that the child would become one of these powerful Arabs who were 'favourable to Christians', or even become a Christian himself.

Athanasius was reminding and setting the communal legal boundaries against uncontrolled dietary and matrimonial social ties that their potential flocks were forging with 'pagans' in northern Syria and Mesopotamia. The fact that Syriac canonists of the late second/early ninth century preserved his epistle so piously proves how the relevance of Athanasius' opinion remained and even increased. It rapidly became a specific legal piece of evidence to limit or break most relations with Muslims. Unfortunately, the necessary milestones between this early Umayyad-era writing and its legal implementation in the canonical compilation under the Abbasids are missing. We suggest a link with Jacob of Edessa's *reponsa*, and with the specific *milieu* of its disciples in the provinces of Qinnasrīn and Jazīra. Among them, an influential scholar, George, was appointed bishop of the *ʿammē* (in office 67–105/687–725).[77] Michael the Great even states that Athanasius was deeply concerned with the episcopal guidance of these 'Christ-loving people (*ʿammē*)' to the extent that, on his deathbed, he insisted on George's appointment by his supervising metropolitan Sergius Zakūnōyō of Marʿash (in office before 63/683– before 107/726).[78] The concept of *ʿammē* seems to have encompassed several Christianised settlers, most of whom were of Iraqi origin and Arabic tongue, and it may also have included other 'people' who adopted this lingua franca. Their headquarters were located near the capital of the military district (*jund*) of Qinnasrīn, especially the Tanūkh (*Tanūkōyē*).[79] A converging indication of this decisive moment is that the

[75] Simonsohn, 'Seeking Justice', 202 quoting Abū Bakr al-Khallāl (d. 311/923), *Aḥkām ahl al-Milal wa-l-ridda min al-jāmiʿ al-masāʾil li-Imām Aḥmad b. Ḥanbal*, ed. Ḥasan Kisrawī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 11, 26 and 33–38; nos. 11, 20 and 75–85.

[76] Penn, *When Christians*, tr. 164; no 58.

[77] Jack Tannous, *Between Christology and Kalam? The Life and Letters of George, Bishop of the Arab Tribes* (Piscataway: Gorgias Press, 2009), 675–76.

[78] Michael the Great, *Chronique*, ed. 4:447; tr. 2:474.

[79] Simon Pierre, 'Les *ʿammē* en ʿǦazīra'. The Ḥāḍir of the Tanūkh is mostly known through the story of their forced conversion to Islam in ca. 162/779. Reported in al-Balādhurī, *Kitāb Futūḥ al-buldān* =

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ecclesiastical unity of the *ʿammē* is mostly attested in Syrian Orthodox texts from the lifetimes of Athanasius and George.

When Athanasius published his canonical letter during the 60s/680s, he was primarily addressing issues of sociability with 'pagans', reaffirming rules against fornication and impure meats which were already settled in the *Acts of the Apostles*. At this stage, the concept of pagans was being updated, in line with the spread of the apocryphal *Didascalia*, to be a generic and theoretical category throughout the late antique Roman world. Indeed, it was useful for designating common people living between Balad in the East and Aleppo in the West, in the northern provinces of the Umayyad empire. Since most of them became actual 'Muslims' when the official religion of the caliphate was imposed on every Arabic speaker of these territories, the interpretation of the letter's copyist, that Athanasius addressed as *Mhaggrōyē*, is not completely untrue, although perhaps anachronistic. Actually, Athanasius was calling on the 'simple believers' of the region, especially Arabic speakers, to choose exclusive (Miaphysite) Christianity and to avoid social bonds that would transform most of them into Muslims during the early Marwānid period, as reflected in the *responsa* of Jacob of Edessa. The food bans, similar to those of the Qurʾan, were only the key to the main argument which consisted in the issue of marriage with non-Christians. Indeed, during the same period, the early Islamic scholars of Medina and the *amṣār* also began to address the issue of food and marriage with non-Muslim Arabs, especially those whom Athanasius was trying to isolate from Islam: 'Christian Arabs'.

Eat with 'Christian Arabs'… or Not

In the three 'lands (*arḍ*)' of Qinnasrīn, the Jazīra, and Mosul, while setting boundaries, the church also intended to keep the door open to marginalised people. These regions were distant from the rising Islamic centres but closer to major monasteries, Christian bishoprics, and Aramaic-speaking

Liber expugnationis regionum Auctore Imāmo Aḥmad ibn Jaḥjā ibn Djābir al-Belādsorī, ed. Michael J. de Goeje (Leiden: Brill, 1866), 145; tr. Philip Khuri Hitti, *The Origins of the Islamic State* (New York: Columbia University Press, 1916), 224 and al-Yaʿqūbī, *Tārīkh Aḥmad ibn Abī Yaʿqūb ibn Jaʿfar ibn Wahāb ibn Waḍīḥ al-Maʿrūf,* ed. Martijn Th. Houtsma (Leiden: Brill, 1883) 2:480, maybe, in Dionysius of Tell Maḥrē's lost work (Michael the Great, *Chronique*, ed. 4:478–79; tr. 3:1) and the epigraphic chronicle from Ehnesh as published by Andrew Palmer, *'The Messiah and the Mahdi:* History Presented as the Writing on the Wall', in *Polyphonia Byzantina: Studies in Honour of Willem J. Aerts*, eds. Hero Hokwerda, Edmé R. Smits and Marinus M. Woesthuis (Groningen: Egbert Forsten, 1993), 45–84, but not in the *Chronicon ad A. C. 1234*.

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'holy men'.[80] The tolerant stance of Athanasius and Jacob towards mixed couples and their encouragement of baptising hybrid children may have been a reason for a bizarre clause in the peace agreement (*ṣulḥ*) with the Christian Arabs of the Banū Taghlib. The caliph ʿUmar b. al-Khaṭṭāb (r. 13–23/634–44) was said to have allowed them to remain Christians and, at the same time, to pay the privileged tax for Arab-Muslims: the *ṣadaqa*. However, he forbade them from 'baptising their children'.[81] Muslim scholars of the Umayyad period cited this clause, which prevented effective and visible Christianisation, to assert that these Arabs had persistently violated the treaty. Indeed, their remaining Christian after so many decades was deemed evidence that they kept on 'baptising' and/or 'Christianising' their children up until their own time.[82] This implies that, until then, young Arabs could have served as auxiliary fighters for the caliphate while also being regularly baptised Christians of the Miaphysite church. It reflects the other side of the Miaphysite policy of boundary making, which specifically targeted Christian Arabs in the very same environment of northern Syria and Mesopotamia.

Boundaries against Christian Arabs (as Crypto-Pagans)

During the late Umayyad and early Abbasid periods, Muslim scholars used the legal opinions of the early companions as an analogous tool to establish their own boundaries. Despite the highly favourable opinions expressed by their predecessors about Christian religious men, at some point, Muslim intellectuals in turn began defining the boundaries of their own 'religion (*dīn*)' and 'community (*umma*)'. Albrecht Noth analyses many of the anti-*dhimmī* regulations written during the second/eighth century as reflecting opposite 'problems of differentiation' dating back to the first/seventh century. Umayyad-era elites as well became concerned about the real danger of

[80] Simon Pierre, 'Le stylite (*esṭūnōrō*) et sa *ṣawmaʿa* face aux milieux cléricaux islamiques et miaphysites (Ier–IIe/VIIe–VIIIe siècles)', *Al-ʿUṣūr al-Wusṭā* 28 (2020): 174–226.

[81] Concerning the *ḥadīth* literature about the Banū Taghlib, especially about their fiscal status, read Claude Gilliot, 'Ṭabarī et les chrétiens taġlibites', in *Annales du département des lettres arabes* 6 (1996), 145–59; Yohanan Friedman, *Tolerance and Coercion in Islam* (Cambridge: Cambridge University Press, 2003): 63–69; and Simon Pierre, 'La *ṣadaqa* des chrétiens des Banū Taġlib: un enjeu tribal et administratif d'époque abbasside (v. 153–193/770–809)?' *Der Islam* 100 (2023): 120–63.

[82] al-Balādhurī, *Futūḥ al-Buldān*, ed. 182; tr. Hitti, *Origins*, 284; Abū ʿUbayd al-Qāsim b. Sallām's, *Kitāb al-Amwāl*, ed. Muḥammad Khalīl Harrās (Cairo: Maktabat al-Kullīyāt al-Azharīya, 1968) 36 and 649 (nos. 70 and 1693). Several other versions of the same tradition speak about 'Christianisation' and not only 'baptism'.

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the assimilation of indigenous behaviours, integration into local structures, and, above all, the veneration of charismatic Christian holy men whose renowned power inspired great competition from Islamic authorities.[83] When churches began to exercise exclusive canonical control over their laymen, they challenged the pietistic and intellectual milieu of the Believers (*muʾminūn*).[84] In turn, Muslims reacted by attempting to halt all the confusing processes of assimilation of their 'simple believers' to the 'People of the Scripture (*ahl al-kitāb*)'. As Noth asserts, they 'draw a very clear distinction between the spheres of both groups, with the aim of protecting Muslim minorities in a new and alien environment'.[85]

During the early caliphal period, both Islam and the subjugated denominational communities engaged in a process of co-construction that involved acts of mutual demarcation and exclusion. 'Simple believers' were asked to choose a communal 'church' and remain firmly and exclusively tied inside its boundaries. The Arabic-speaking 'people (*ʿammē*)'[86] of northern Syria and Mesopotamia, who were living in a Miaphysite environment, became the stumbling block for both Muslim and Christian elites' policies of boundary-making. On the one hand, Syrian Orthodox authorities regimented them into bishopric(s) to properly distinguish them from other local Arabs who were likely to be Hagarised. If the former wished to remain 'Christ-loving (*raḥmay-la-mshīhō*)', they had to renounce any social bonds with the latter. On the other hand, this implied the renunciation of the entirety of the Umayyad-led legal and ideological system called 'Islam', and thus acceptance of subordination through the legal status of 'People of the protection (*ahl al-dhimma*)'.

It was precisely during the same early eighth century that, in turn, Islamic authorities began to address the category of the Christian Arabs (*naṣārā al-ʿarab*) as a legal and social boundary issue. As noted by Peter Webb, being both a Christian and an Arab only became a concern during this later period,[87] slightly after Syriacs addressed the problem of the *ḥanpē* and

[83] Simon Pierre, 'Le stylite et sa ṣawmaʿa'.

[84] Donner, 'From Believers' and *Muḥammad and the Believers*.

[85] Albrecht Noth, 'Between Muslims and Non-Muslims: Re-Reading the "Ordinances of 'Umar' (al-Shuruṭ al-ʿUmariyya)"' in *Muslims and Others in Early Islamic Society*, ed. Robert Hoyland (Burlington: Ashgate Publishing, 2004), especially 122. See also Michael Kister, 'Do Not Assimilate Yourselves … Lā Tashabbahū', JSAI 12 (1989): 321–53 and Milka Levy-Rubin, *Non-Muslims in the Early Islamic Empire: From Surrender to Coexistence* (Cambridge: Cambridge University Press, 2011), 60–87.

[86] Pierre, 'Les *ʿAmmē* en "Ǧazīra"'.

[87] Peter Webb, *Imagining the Arabs,* 141, see also 168–70.

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the *Mhaggrōyē*. The emergence of Christian Arabs reflects a time when the *umma* began to be seen as a manifestation of its primary Arabness. Therefore, their continued existence was one of the most important cognitive dissonances and a major ideological challenge. Furthermore, among the many conflations with non-Muslims, there were actually intense physical, human, and contractual contacts and exchanges inside tribes of mixed confession in northern Syria and Mesopotamia.

Athanasius' legal opinion was probably reframed and retitled in response to Marwānid-era concerns about *Mhaggrōyē*. Subsequently, in a third phase, the letter was included in an early Abbasid compilation. Similarly, the *isnād*s of Muslim traditions regarding the food of the Christian Arabs (*naṣārā al-ʿarab*) reveal three parallel stages of development. It started with an authority from the mid-first/late seventh century; it was then quoted, expanded and rephrased during a Marwānid phase of debates, after which this material was finally compiled, reinterpreted and rationalised in a third stage within the early Abbasid-era legal literature (see Figs 15.1a and 15.1b). We rely in particular on the compilation of ʿAbd al-Razzāq al-Ṣanʿānī (d. 211/827), which consists of two centuries of opinions and *responsa* of legal authorities.[88] Perhaps even more significantly, later we also have al-Ṭabarī's (d. 310/923) exegesis of Q 5:5, which declares *ḥalāl* 'the food of those who received the Scripture'.[89] This later scholar attempted to criticise all his predecessors who had rejected the inclusion of the Christian Arabs into the *kitābī* status, first and foremost al-Shāfiʿī (d. 205/820). Regardless, Abbasid scholars collected a vast number of traditions on the subject, many of which mirrored Athanasius' concerns.

Hāshimī traditions against the Christians of the Banū Taghlib

A particular hostility towards Christian Arabs (in general) appears to have risen in Iraq among pro-Hāshimī scholars of the early Marwānid period in Iraq. Muslim authorities were concerned about the potential confusion that

[88] ʿAbd a-Razzāq al-Ṣanʿānī, *Kitāb al-Muṣannaf*, ed. Ḥabī al-Raḥmān al-Aʿẓamī (Beirut: al-Maktab al-Islamī, 1983). It is the most ancient *ḥadīth* compilation that is complete. Its early dating, and also its form, the *muṣannaf,* preserve many non-Prophetic *ḥadīth* contemporary to the earliest law scholars like Abū Yūsuf (d. 182/798) and al-Shāfiʿī. In the Taghlib case, it contains one of the most diverse collection of traditions. On this book see Harald Motzki, 'The Musannaf of `Abd al-Razzaq al-San`ani as a Source of Authentic Ahadith of the First Century A.H'., *Journal of Near Eastern Studies* 50 (1991): 1–21.

[89] al-Ṭabarī, *Jāmiʿ al-bayān fī tāʾwīl al-Qurʾān* (24 vol.), ed. Aḥmad Muḥammad Shākir (Beirut: Al-Muʾasasat al-Risāla, 2000), 9:573–80.

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social ties between Christian and Muslim tribespeople might create for the coherence of the *umma*. Indeed, the Egyptian scholar al-Layth b. Saʿd (d. 175/791) quotes Saʿīd b. Jubayr (d. ca. 95/712), an anti-Umayyad Iraqi

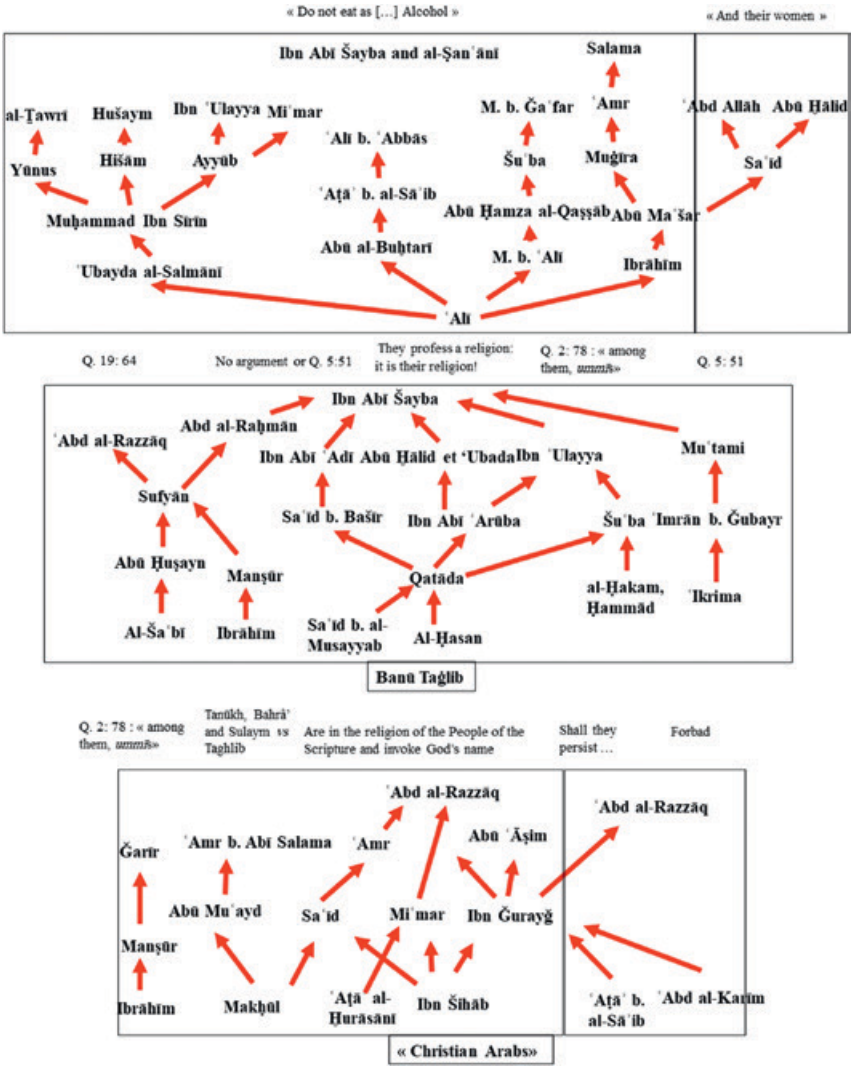

Figure 15.1a *Isnāds* related to the food and women of the *naṣārā al-ʿarab* as found in early to mid-Abbasid (eighth–ninth century) *fiqh* and *ḥadīth* literature.

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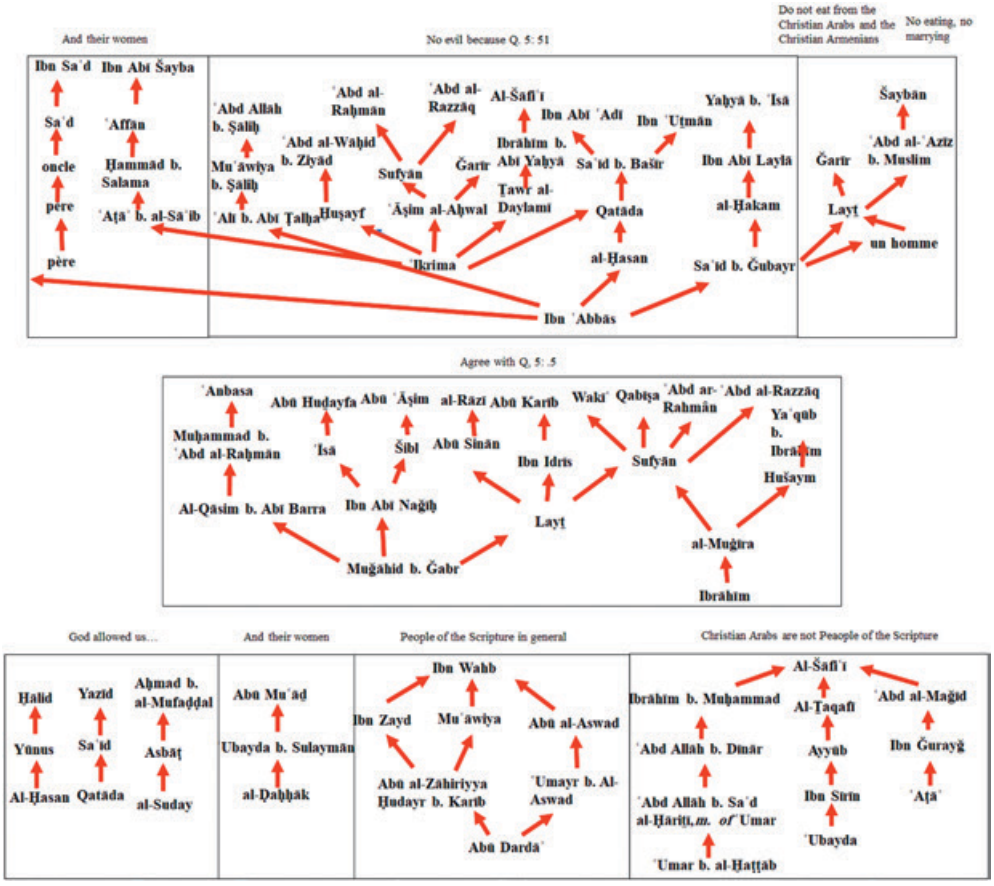

Figure 15.1b *Isnāds* related to the food and women of the *naṣārā al-ʿarab* as found in early to mid-Abbasid (eighth–ninth century) *fiqh* and *ḥadīth* literature.

pietist, and also a fiscal adviser of Ibn al-Ashʿath (d. ca. 82/702),[90] saying: 'Do not eat the slaughtered animals (*dhabīḥa*) of Arab Christians!'[91] Yet, this social ban contradicts Q 5:5 where Believers are explicitly authorised to consume the food of the People of the Scripture. According to al-Balādhurī (d. 892), in his section devoted to the *ṣadaqa* of the Banū Taghlib, the same Saʿīd b. Jubayr says: 'We do not eat the slaughtered animals (*dhabāʾiḥ*) of

[90] See Georg Leube, 'Local Elites during Two *Fitnas*: Al-Ashʿath b. Qays, Muḥammad b. al-Ashʿath, and the Quarter of Kinda in Seventh Century Kufa', chapter 12 in this volume.

[91] al-Ṭabarī, *Tāʾwīl*, 9:576 (no. 11235). The same sentence also includes rejection of 'the slaughtered animals of the Armenian Christians (*naṣārā armīniyya*)', which is, to the best of my knowledge, a hapax in all the legal literature and deserves more research.

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the Christians of the Banū Taghlib, and we do not marry their women, because they are not from us, nor are they from the People of the Scripture'.[92]

In this discussion, I will highlight four main points. First, al-Balādhurī's source realises that al-Layth could never have met Saʿīd b. Jubayr due to chronological reasons. Thus, he inserts 'a man' in the *isnād*, which raises issues about how al-Layth really came to learn of Saʿīd b. Jubayr's tradition. This chronological discrepancy is symmetrical with the temporal gap between, on the one hand, the dealings of the Miaphysites Jacob of Edessa, Adday, and John of Litarbā with Christian and non-Christian Arabs, and, on the other hand, the later period when their opinions were recorded in canonical compilations. Second, this version establishes a clear connection between the permissibility of meat and women of a given people. This legal association is identical to the one Athanasius of Balad makes in his letter, and that seems to derive from the same neo-testamentary legal principle. Third, Christian Arabs are described as Outsiders to both Jewish/Christian non-Arabs and the Arab-Muslims, effectively rendering them equivalent to pagan Arabs.[93] Lastly, in both instances, Saʿīd b. Jubayr is supposed not to have prescribed this rule himself but to have quoted the authority of ʿAbd Allāh b. ʿAbbās who, coincidentally, died in exactly the same year as Athanasius.

The cousin of the Prophet was also one of the most influential leaders of the Hāshimī family and the key ancestor of the Abbasid dynasty. In this way, he shares another similarity with Athanasius of Balad, who was widely remembered as a revered forefather of the early Miaphysite church. Although both parallel legal traditions prohibited the same associated 'consumptions' – slaughtered animals (*dabḥē/dhabāʾiḥ*) and marriage (verb. *ezdawwag/tazawwaja*) – in both cases, we cannot be certain of the authenticity of their opinions as they were passed down, through Marwānid-era scholars, to *qāḍī*s and bishops in an early Abbasid milieu.

At this point, it is important to note that al-Balādhurī's version does not apply the ban to all Christian Arabs, but only to the specific tribe of the Banū Taghlib. Actually, much of the discourse prohibiting the food of Christian Arabs comes from another famous Hāshimī non-Prophetic *ḥadīth*. It was transmitted, inter alia, by a contemporary of Saʿīd b. Jubayr: Ibn Sīrīn (d. 110/728).[94] ʿAlī b. Abī Ṭālib (d. 40/661) was said to have

[92] al-Balādhurī, *Futūḥ al-Buldān*, 18; tr. Hitti, *Origins*, 284.

[93] Below, in the section 'An Issue of Arabness According to al-Shāfiʿī'.

[94] His father is frequently pictured as one of the Christian Arab teenagers from the tribes (of al-Namir) whom Khālid b. al-Walīd (d. 20/639) would have captured in a church in the oasis ʿAyn al-Tamr.

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stated: 'Do not eat the slaughtered animals (*dhabīḥa*) of the Christians of the Banū Taghlib, because they attach themselves (*mā yatammasakūn*) to nothing from Christianity other than drinking alcohol!' Hence, the opinion of many late Marwānid and early Abbasid transmitters is that the Caliph did issue an 'admonishment (*takrīh*)' or even a 'prohibition (*inhāʾ*)', but only against the specific tribe of the Banū Taghlib.[95] Additionally, the Imam was even supposed to have contested the fiscal *ṣulḥ* of ʿUmar b. al-Khaṭṭāb and claimed that 'if I had taken care of them, I would have fought them (*law qad faraghtu la-qātaltuhum*)'.[96]

The two hostile statements from ʿAlī only focus on the Banū Taghlib, which could suggest that it was a consequence of the second *fitna* process that led the tribe to a shift from an Iraqi pro-ʿAlid allegiance to a pro-Marwānid rallying.[97] However, the popularisation of such a pre-classical (non-Prophetic) *ḥadīth* against this tribe certainly occurred more recently, as it was not until the mid-second century AH that the Banū Taghlib became the literary, legal and canonical archetype used to encompass all Arabic-speaking Christians.[98] Eventually, over the long eighth century, these Iraqi anti-Taghlib traditions were used to generalise its legal application to all the Arab Christians (*naṣārā al-ʿarab*). A variant of ʿAli's *ḥadīth*, transmitted through Ibn Sīrīn, begins as follows: 'I asked him about the slaughtered animals (*dhabīḥa*) of Arab Christians; he answered: …'. It shows that the Iraqi pro-Hāshimi milieu of the late Marwānid period expressed a significant concern about this boundary issue. Indeed, Ḥamza al-Qaṣṣāb (d. 160/776), a disciple of the Shiʿi Imam Muḥammad al-Bāqir b. ʿAlī (d. 115/733), transmitted a variant to his contemporary Shuʿba (d. 160/776): ''ʿAlī declared unlawful (*karraha*) the slaughtered animals of Arab Christians *and* of the slaughtered animals of Christians of the Banū Taghlib'.[99] Both groups appear here as separate entities, probably because the Taghlib case was the basis on which to induce a legal principle to extend to all Christian tribesmen. Moreover, a famous Iraqi *qāriʾ*, Abū al-Bakhtarī (d. 192/807), informed the traditionist ʿAṭāʾ b. al-Saʾib of this synthetic

[95] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8570); 7:186 (nos. 12713–12715); al-Ṭabarī, *Tahdhīb al-athār wa-tafṣīl ʿan rasūl allah min al-akhbār*, ed. Aḥmad Muḥammad Shākir (Cairo: Maṭbaʿat-al-Madanī, 1983), 3: 225–26 (= *Musnad ʿAlī*); al-Ṭabarī, *Taʾwīl* (Beirut: Al-Muʾasasat al-Risāla, 2000), 575 (nos. 11230–11233); al-Shāfiʿī, *Kitāb al-Umm*, ed. Muḥammad al-Najjār (Beirut: Dār al-Maʿrifa, 1990) 2:254; 4:299–300 and 5:8; al-Shāfiʿī, *Tafsīr*, Aḥmad al-Farrān (Riyad: Dār al-Tadmurī, 2006), 2:762–63.

[96] al-Ṣanʿānī, *Muṣannaf*, 6:50 (no. 9975) = 10:367 (no. 19393).

[97] About these events, see Pierre, 'Le rôle de tribus arabes chrétiennes'.

[98] I investigate this process in Pierre, 'La *ṣadaqa*'.

[99] My emphasis.

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formula: ‘ʿAlī forbade (*nahā*) us the slaughtered animals (*dhabīḥa*) of Arab Christians!’[100]

Iraqi bans on the consumption of the food of Christian Arabs were also a means of preventing intermarriage with their women, and these authoritative decisions were often accompanied by expressions of hostility and curses directed at the Banū Taghlib. The timeline of these encounters can be reconstructed by comparing it: first, to the exact same case in the Syrian pro-Marwānid environment, and second, to the original sentence attributed to ʿAbd Allāh b. ʿAbbās by most of the scholars.

Syrian Naṣārā al-ʿArab

In the same early Marwānid period, while Miaphysite scholars of the *Bilād al-Shām* addressed the issue of the food of ‘pagans’, rephrased as ‘*Mhaggrōyē*’, their Muslim counterparts of the same region also had to deal with the problem of the ‘Christian Arabs (*naṣārā al-ʿarab*)’. However, they seemingly were un aware of either ʿAbd Allāh b. ʿAbbās’ *responsum* or of ʿAlī’s curses against the Banū Taghlib. No doubt, this resulted from the fact that no group of the Banū Taghlib ever lived in Umayyad Syria and western Jazīra. Ibn Shihāb al-Zuhrī (d. 124/742), for instance, knew nothing about this Iraqi tribe and, when asked about food, marriage, and even taxation of the broader category of ‘Christian Arabs’, he simply said: ‘Let them eat it, because they are in a religion of the People of the Scripture; [but] invoke the name of God!’[101] Ibn Jurayj and Miʿmar b. Rāshid (d. ca. 150/770), who were al-Ṣanʿānī’s teachers, both quote al-Zuhrī’s more complete legal reasoning that ‘anyone from among the Arabs who entered their religion becomes confuse/intricate to it (*maʿwūṣ*)’.[102] In other words, ‘anyone who adheres to a religion is one of its people (*ahl*)’,[103] a view that constitutes a paraphrase of Q 5:51.[104] To summarise, these traditions do not indicate any specific hostility towards Christian Arabs, and they were considered like any other ‘People of the Scripture’ whose food and women were lawful to Muslims. Moreover, al-Zuhrī’s Syrian colleague Makḥūl (d. 113/731) is said to have specified: ‘Eat the slaughtered animals (*dhabīha*) of Tanūkh, Bahrāʾ and Sulaym; but as for the Banū Taghlib, do not eat their slaughtered animals!’[105] This statement highlights how the situation of the first three western tribes

[100] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 226 and al-Ṭabarī, *Taʾwīl*, 9:576.
[101] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 230; al-Ṭabarī, *Taʾwīl*, 9:574.
[102] al-Ṣanʿānī, *Muṣannaf*, 6:74 (no. 10041).
[103] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8571); 6:74 (no. 10040); 7:184 (no. 12711).
[104] Below, in the next section ‘ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51’.
[105] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 227.

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from northern Syria and Jazīra was regarded as different from that of the Mosuli tribe.[106] However, it is uncertain whether the semi-legendary Makḥūl actually said this or if it was a later fabrication based on the same geographical paradigm I also use.

Nevertheless, Makḥūl was known to have been closely associated with the Umayyad court in northern Syria during the reigns of Sulaymān (r. 96–98/715–17) and ʿUmar II (r. 98–101/717–20). He, or the transmitters inventors of the tradition, had knowledge of these local people (*ʿammē*). This suggests, first, that the case of the Banū Taghlib and ʿAlī's specific curse against them became known in Syria during the second/eighth century and, second, that its analogical enforcement on western Christian tribes was also being discussed. However, Muslim scholars of the Marwānid era in Syria were more hesitant than their Miaphysite counterparts in breaking these intercommunal ties with the 'believing tribes/nations (*ʿammē mhaymōnē*)' of the Syriac contemporary literature. In any case, 'Arab Christians (*naṣārā al-ʿarab*)' from Qinnasrīn and Jazīra seem to have escaped from the social exclusion that later befell the Banū Taghlib. Even in mid-eighth-century Iraq, their case was not yet an archetypal one and was still a subject of internal debate.

ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51

Some of the traditions analysed earlier quoted Saʿīd b. Jubayr as being willing to exclude Christian Arabs/Banū Taghlib from the privileges granted to every 'people who received the Scripture' in Q 5:5. However, the legal opinions later collected by the *qāḍī* of Kufa Ibn Abī Laylā (in office 123–48/741–65) include Saʿīd b. Jubayr merely as a transmitter of a *ḥadīth* from ʿAbd Allāh b. ʿAbbās. Paradoxically, the irrefutable ancestor of the new dynasty is said to have held the opposite view: stating that there was 'no harm (*lā baʾs*)' regarding the slaughtered animals (*dhabīḥa*) of the Christian Arabs.

Yet, this permissive *ḥadīth* in favour of Arab Christians is surprisingly derived from an intolerant one, spread across dozens of examples in Islamic normative literature.[107] Indeed, ʿAbd Allāh b. ʿAbbās' opinion and decisive argument were not based on the explicit verse Q 5:5 but on Q 5:51, which begins by forbidding anyone 'who believes to take the Jews and Christians

[106] The Sulaym were the most influential Qaysī tribe of the western part of northern Mesopotamia, and a rival of the Taghlib in the eastern part of northern Mesopotamia. There is no other mention of their Christianity, except a tradition of the flight of one of their leaders, al-Jaḥḥāf, to the Byzantine territory under ʿAbd al-Malik (al-Balādhurī, *Ansāb*, 7:79–81), but he never explicitely converted to Christianity.

[107] al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 228.

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as companions/masters (*walī*)'. Moreover, its second proposition warns that, 'whoever becomes a companion/client of them (*yatawallahum*), then he is one of them!' Thus, this Qurʾanic command establishes an early – surprisingly clear – boundary marker against any social bond of companionship or dependency (*walāʾ*). However, just before the differentiation process that began with the Marwānid era, the divine 'sign' was reused in the opposite way. It became a legal piece of evidence to prove that anyone who shared the religion of Christians, even a Christian Arab, was to be considered a Christian, because of the ties of friendship or companionship (*walāʾ*) that bound him with Christians. Consequently, any Muslim could eat the food and marry the women of every 'one of them', including one of the Christian Arabs.

The traditions collected by Sufyān al-Thawrī (d. 161/778) through a *mawlā* of ʿAbd Allāh b. ʿAbbās, ʿIkrima (d. ca. 105/723) even suggest that his master's exegetic development was not associated with a positive or negative opinion.[108] This aspect is evident in three chapters of ʿAbd al-Razzāq al-Ṣanʿānīʾs *Muṣannaf* dedicated to these issues,[109] and it also dominates al-Ṭabarīʾs exegetical treatise on the matter.[110] The latter leans towards allowing the food of Christian Arabs[111] and, in one case, the marriage of their women.[112] Finally, an overview of these traditions indicates that the ancestor of the Abbasid dynasty was supposed to have had a clear view on who should be regarded as 'one of them', that is, one of the Christians. However, it is entirely uncertain whether he had the specific issue of Christian Arabs in mind. Again, this situation is synchronically symmetrical with Athanasius' opinion about the 'pagans' which was reused to deal with the *Mhaggrōyē*.

One hypothesis that could be proposed is as follows. First, ʿAbd Allāh b. ʿAbbās' disciples 'reported' – disregarding the possible fiction of this transmission –

[108] al-Ṣanʿānī, *Muṣannaf*, 4:486 (no. 8573); 6:71 (no. 10037) and 7:187 (no 12718).

[109] (1) 'the slaughtered animals (*dhabāʾiḥ*) of the *ahl al-kitāb*' (2) 'the *jizya* of the Mazdeans' and (3) 'the *naṣārā al-ʿarab*'.

[110] al-Ṭabarī, *Taʾwīl*, 9:578–79. He also quoted a tradition of the family of Ibn Saʿd (d. 230/845), an indisputable Sunni authority descended from a *mawlā* of the Abbasids, who stated very clearly that his masters' ancestor 'allowed us to eat their food and marry their women', a view no earlier scholar had ever mentioned.

[111] al-Ṭabarī, *Tahdhīb Musnad ʿAlī*, 228; al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11221); another variant, reported by Khuṣayf, bears no clear point of view.

[112] al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11228); in the transmission of ʿAṭāʾ b. al-Sāʾib about the Banū Taghlib. Also in Ibn Abī Shayba, *Kitāb al-Muṣannaf fī al-Aḥādith wa-l-Athār*, ed. Kamal al-Ḥawt (Riyad: Maktabat al-Rushd, 1989), 3:477, even if his editor reads 'Banū Thaʿlaba', probably a scribal mistake; Mālik b. Anas (d. 179/796) was also informed, through another channel (Thawr b. Zayd al-Dīlī, d. mid-first/seventh century) of the Prophet's cousin's statement.

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that he held a general and balanced opinion. On the one hand, he granted the permissibility of food and women of the People of the Scripture, but on the other hand, he also cautioned the Believers that any social dependency (*walāʾ*) with them might result in an involuntary Christianisation. As al-Ṭabarī quotes, 'if you were one of them *only*[113] through *walāʾ*, you would [nevertheless] be one of them'.[114] Secondly, ʿAbd Allāh b. ʿAbbās' view on 'People of the Scripture' was subsequently repurposed for the specific, albeit later, case of the Christian Arabs. In this context, verse Q 5:51 acquired a new, paradoxically inclusive, meaning, serving as a proof that anyone who engages in *walāʾ* with Christians should also be considered a Christian, starting with Arabic-speaking groups, whether their Christianisation is late, superficial, or not.

Furthermore, during the early Marwānid period, Iraqi pro-Hāshimī scholars such as Ibrāhīm al-Nakhaʿī (d. 96/715), al-Ḥakam al-Kindī (d. 115/733), or Qatāda al-Sadusī (d. 117/735) were all questioned about the permissibility of consuming slaughtered animals (*dhabīha*) of Arab Christians; to which they all replied 'no harm (*lā baʾs*)'. In addition to ʿAbd Allāh b. ʿAbbās' exegetical argument, and sometimes independently, they developed exegetical deduction based on other verses such as Q 2:78, which states that 'among them, there are ignorant people (*ummī*) who do not know the Scripture, but only their natural inclinations (*amānī*)'.[115] This idea strikingly corresponds with the notion that Christian Arabs could be perceived as illiterate 'simple believers', not fully integrated into a specific ideological system or a defined 'church'. In other words, they were regarded as *pagani* in the Roman sense of the word. However, the very concept of these ignorant Bedouins could also imply their genuine adherence to Christianity, which is similar to the way Q 5:51 was reused through ʿAbd Allāh b. ʿAbbās' exegesis to demonstrate the same point. Additionally, ʿĀmir al-Shaʿbī (d. ca. 105/723), legal adviser of the last pro-Marwānid governor Ibn Hubayra (d. 132/750), concurred with them, but based on a third Qurʾanic foundation.[116]

An Issue of Arabness According to al-Shāfiʿī

Al-Ṭabarī essentially aimed to refute al-Shāfiʿī's claim that Christian Arabs were no genuine 'People of the Scripture'.[117] The independent scholar argued

[113] My emphasis.

[114] al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11228).

[115] al-Ṣanʿānī, *Muṣannaf*, 4:485 (no. 8572); 6:74 (no. 10042); 7:186–87 (no. 12717) from ʿAṭāʾ al-Khurasānī (d. 135/752), and al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 229–30.

[116] al-Ṣanʿānī, *Muṣannaf*, 4:487 (no. 8575); 6:1 (no. 10031); 7:185 (no. 12720) and al-Ṭabarī, *Taʾwīl*, 9:574 (no. 11224); al-Ṭabarī, *Tahdhīb-Musnad ʿAlī*, 229–30. All these *qawl*s are attached to Q 19:63: 'Your lord is not forgetting!'

[117] al-Shāfiʿī, *al-Umm,* 2:254–55.

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that their payment of the *jizya* did not prove their *kitābī* status, as the non-*kitābī* Mazdeans also paid it.[118] Actually, al-Shāfiʿī was not the first to express hostility towards all Christian Arabs and to exclude them from the monotheistic universality. For instance, al-Ṣanʿānī quotes ʿAṭāʾ b. Abī Rabāḥ al-Fihrī (d. 114/732), an anti-Marwānid Meccan and *mawlā* of Quraysh. He might have been the first to theorise an anathema against the 'Arab Christians *(naṣārā al-ʿarab)*' as a whole:

> Arab Christians are not People of the Scripture, because people of the Scripture are the Israelites to whom the Torah and the Gospel arrived, and [also] these people (*al-nās*) who entered among them. Then these are not from theirs.[119] Muslims should not marry their women nor eat their slaughtered animals (*dhabīḥa*)![120]

This classification would place Christian Arabs on a similar rank to pagan Arabs, as previously demonstrated in one of Saʿīd b. Jubayr's transmissions. They were gradually being relegated to the contemptible status of 'People of the idols (*ahl al-awthān*)', of whom 'we accept nothing except Islam or death'.[121] In other words, while the pagans (*ḥanpē*) of Athanasius were reinterpreted as *Mhaggrōyē* by the Miaphysite scholars of the eighth century, Muslim scholars also classified Christian Arabs as crypto-pagans. This idea formed the foundation of al-Shāfiʿī's argument against the consumption of their slaughtered animals (*dhabīha*), and, by analogy, prohibition of marriage to their women.

Al-Shāfiʿī maintained that any social relations with Christian Arabs ought to be strictly prohibited, and he supported his argument with four pieces of evidence. First, he implicitly challenged the validity of the opposing opinion in the *ḥadīth* from ʿAbd Allāh b. ʿAbbās' *mawlā*,[122] thereby acknowledging its circulation and proving that it was still exclusively used as a proof of legitimate Christianity.[123] Second, he presented a *ḥadīth* that

[118] There is even an opposite version of this interpretation in *al-Khallāl*, Milal, 375: '[Ibn Ḥanbal] heard a saying that "we eat the slaughtered animals of the Mazdeans", he got angry and said something like this: "ʿAlī did not allow us to eat from Christians of the Banū Taghlib, People of the Scripture so how could it be for one of the Mazdeans?"'

[119] al-Ṣanʿānī, *Muṣannaf*, 7:186 (no. 12712), reported by Ibn al-Jurayj.

[120] Ibid., 7:72 (no. 10032). ʿAṭāʾ al-Fihrī is also the author of the following sentence, which is only preserved by al-Ṭabarī in *Taʾwīl*, 9:574 (no. 11226) and *Tahdhīb-Musnad ʿAlī*, 229: 'They do not persist (*inna-mā yaqarrūn/yufarriq/yaqaraʾūn/yadīnūn*) [in the religion/between] of this Scripture!' and which copyists seem to have mixed up with the former.

[121] Abū Yūsuf, *Kitāb al-Kharāj*, ed. Ṭaha ʿAbd al-Raʿūf Saʿd and Saʿd Ḥasan Muḥammad (Cairo: al-Maktaba al-Azhariyya li-l-Turāth, 1999), 79.

[122] See above, in the previous section ''ʿAbd Allāh b. ʿAbbās and Qurʾan 5:51'.

[123] al-Shāfiʿī, *al-Umm*, 4:301.

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he attributed to ʿUmar b. al-Khaṭṭāb in person as irrefutable proof: 'Arab Christians are not People of the Scripture so their slaughtered animals (*dhabīḥa*) are not allowed to us'.[124] However, while this caliphal decree is not found elsewhere, it also seems to have been transmitted vaguely, either by a poorly known *mawlā* of ʿUmar called Saʿd al-Fallaja, or through the former's son ʿAbd Allah b. ʿUmar (d. 73/693), to ʿAmr b. Dīnār (d. 126/744). Third, he observed a little further that ʿUmar's isolated opinion matched ʿAlī's curse against the Banū Taghlib, 'as if both of them were of the opinion that they do not really adopt (or: do not firmly hold the subject [of] = *lā yaḍabṭūn mawḍiʿ*) [their] religion'.[125] Finally, he extended the matter, from food to the issue of marriage, in the same way as Athanasius did: 'If ʿUmar has said [that], then the marriage of their women is not licit for us either, because God has only made licit for us [what is from] the People of the Scripture'.[126]

When it comes to communal and social boundaries, the issues of marrying and meat consumption were closely interrelated. Confirming the interdependence of the two types of social contacts, both aspects of the issue appear to have been applied to the *naṣārā al-ʿarab* through the opinions of ʿAbd Allāh b. ʿAbbās under the Sufyānids, and more certainly to ʿAṭāʾ b. al-Sāʾib and Saʿīd b. Jubayr under the Marwānids. Thus, when the *qāḍī* of al-Raqqa, al-Shaybānī (d. 189/805), faced the question, he chose to rely on the view of al-Ḥasan al-Baṣrī (d. 110/728), who seemingly was also among the first to be asked about the slaughtered animals (*dhabīḥa*). The Iraqi master would have answered: 'Yes, there is no harm in that; and there is no harm in marrying their women.'[127] When the contemporary encyclical letter of Patriarch Athanasius prohibited the marriage of Christian women to pagans (*ḥanpē*), the symmetrical issue of the marriage of Muslims to Christian Arab women was also a concern for Muslim 'clerics'. The large number of traditions on this suggests that ʿAbd Allāh b. ʿAbbās' opinion – whatever its true authority – was widely accepted among scholars of the second/eighth century, and was thus frequently cited to justify binding ties with all Christians, including Christian Arabs.

While al-Shāfiʿī was famously obsessed with Arabness, the great *qāḍī* Abū Yūsuf (d. 182/798) a generation earlier held a more inclusive view,

[124] al-Shāfiʿī, *al-Umm,* 2:254–55; 4:300; 5:8, and al-Shāfiʿī, *Tafsīr,* 2:762 for Q 5:51 where he tried to refute that the *walāʾ* of an Arab with a Christian could be considered like a true conversion.

[125] al-Shāfiʿī, *al-Umm,* 2:254 and al-Shāfiʿī, *Tafsīr,* 2:762–63.

[126] Shāfiʿī, *al-Umm,* vol. 4, 299.

[127] Al-Shaybānī, *Kitāb al-Aṣl* (12 vol.) ed. Muḥammad Bū-Inūkāln (Beirut: Dār Ibn Ḥazm); vol. 5, 404.

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fortunately for the Christian Arabs. He considered them to be truly 'People of the Scripture' in contrast, for instance, to Arabian 'Mazdeans among the People of Hajar [inner Baḥrayn]', of whom he says, 'we do not marry their women and we do not eat their slaughtered animals (*dhabīḥa*)'.[128] Abū Yūsuf was not living on a desert island, and he was aware of the questioning about the singularity of the Christian Arabs. However, he assumes and explains: 'As for the People of the Scripture among the Arabs, they have the status (*hum bi-manzala*) of the non-Arabs (*aʿājim*)'. Thus, the state of affairs at the Abbasid court was unambiguous: Christian Arabs were recognised as legitimate Christians, and any Muslim was thus permitted to marry their women. Al-Shāfiʿī's later statements, however, were based on a reactionary – and somewhat extreme – view about the exceptionality of Arabness.

Conclusions

In this volume, Lajos Berkes examines the circulation of administrative formulations from Arabic to Greek papyri, highlighting significant social ties between Muslim and Christian scribes.[129] Such exchanges are also important, albeit indirectly, for the theoretically opposing intellectual milieus of the Christian and Muslim 'clerical' elites. The manner in which they sought to control the flocks of their respective 'churches' under construction, including the Islamic one, reveals the deep interconfessional social connections that existed between the simple believers, the common people, and those who were considered as threats for intracommunal ties. Thus, similar challenges resulted in similar concerns, at the same time and in identical environments. These parallel elites addressed analogous solutions through a shared legal process of setting boundaries against their respective Outsiders.

Thus, it is not surprising that the strategies of differentiation, legal exclusion and boundary making in both Arabic-Muslim and Syriac-Miaphysite milieus focused at the same time on the same great anthropological issues: eating the Outsiders' 'slaughtered animals' and 'marrying their men/women'. They were, in fact, targeting the same hybrid or mixed population (*ʿammē*) of Arabic-speaking and 'pagan (*ḥanpē*)' settlers in northern Syria and Mesopotamia. Some of them were more closely associated with Muslim social complexes and, therefore, with their ideal conceptions, while others were

[128] Abū Yūsuf, *Kharāj*, 78–79.

[129] Lajos Berkes, '"Peace Be upon You": Arabic Greetings in Greek and Coptic Letters Written by Christians in Early Islamic Egypt', chapter 16 in this volume.

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more clearly involved in Christianised institutions such as monasteries and bishoprics. Both Syriac and Islamic authorities were engaged in setting boundaries to avoid confusion and assimilation. Thus, it is logical to find evidence of symmetrical debates in both kinds of clerical milieus, as they respectively focused on pagan/Muslim Arabs and Christian Arabs (*naṣārā al-ʿarab*). Marriage and food consumption were among the most important boundary markers for both Miaphysite and Arab Islamic contemporary concerns. For Muslim scholars, avoiding sharing the meat and women of the Christian Arabs became as critical as prohibiting sharing the meat and the men of the Pagan and Hagarised Arabs for their Christian counterparts.

The issue of food consumption is not clearly evident in contemporary Byzantine or Nestorian legal literature dealing with the same strategies of distinction from the *ḥanpē*. However, it is a central feature within the anathemas pronounced by Athanasius of Balad in his epistle against sharing the customs of the 'pagans (*ḥanpē*)', just as in the symmetrical opinions of Muslim scholars. Although the Qurʾanic permissibility of all the food of 'the people who received the Scriptures (Q 5:5)' is formally compelling, eating the food of Christian Arabs was a major topic of debate. In both Syriac and Islamic cases, the marriage issue appears as a secondary analogical consequence of earlier bans on the meat of the Outsiders. Moreover, both deductions seem to derive from the same post-evangelical or para-evangelical literature on pagan food and fornication. Meanwhile, as Arab Christians were Christians, Islamic scholars could use the same argument as the Christian clerics: Arab Outsiders were in fact 'crypto-pagans'. Indeed, according to many of their legal opinions and *responsa*, Christian tribespeople were denounced as faking religion only to escape the fate of the 'People of the idols (*ahl al-awthān*)': pagan Arabs whose only options were Islam or death.

Both Syrian Orthodox and pre-Sunni Muslim clerics reused ancient rules and produced new legal statements to consolidate their respective legal boundaries, reduce social ties between their flocks and Outsiders, and exclusively bind their believers with co-religionists within their denominational and communal institutions. On the one hand, Syrian Miaphysites exploited Athanasius' epistle against the consumption of food and marriage to the women of imprecise northern Syrian 'pagans', extending the case to prohibit social bonds with the Muslims (*Mhaggrōyē*) and to set the boundaries of their church. On the other hand, Iraqi Muslims used the statements attributed to ʿAbd Allāh b. ʿAbbās, exact contemporary of Athanasius, on the religious implications of social dependency (*walāʾ*), to prove that the food

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and women of Christian Arabs were as lawful as any other Christians' food and women, even if some deduced the opposite. The chronology in each case is highly comparable. Both references go back to primary legal authorities of the 50s–60s/670s–680s, which were subsequently reused in the early eighth/second century and eventually compiled into legal books at the end of the second/eighth century. The insertion of Athanasius' letter into a codex is concomitant with Dionysius of Tell Maḥrē's council of Raqqa of 203/818, which dealt with the same issues. And both correspond to the time of Abū Yūsuf, al-Shaybānī and al-Shāfiʿī's reflections on the mirroring subject.

Finally, an important point suggested by Fred Donner about a Prophetic sentence – 'Whoever eats our *dhabīḥa* is a Muslim!'[130] – is worth mentioning. While Miaphysite scholars aimed to keep the door open to tricky family issues and maintained a foot in the 'pagan' Arab-Muslim world, they all agreed on the principle of communal closure to ensure that their people (*ʿammē*) remained firmly Christian. Conversely, the consensus of Muslims was not aligned with al-Shāfiʿī's vision as these Arab tribes were generally regarded as genuine Christians. Their Arabness was an unacceptable dissonance that posed the risk of introducing and spreading non-Islamic beliefs and practices into the social body of northern Syrian and Mesopotamian tribes. Therefore, during the late first/early eighth century, there was a constant incentive to have them fully converted to Islam, as a new imperial condition to let them join the 'army/military district (*jund*)'. This pattern likely gave rise to numerous neo-martyr stories during the late Marwānid and early Abbasid period.[131] For those who remained steadfast as non-Muslims, however, it was unlawful to suspect that their Christianity was superficial, and it was entirely unjustified in the *sharīʿa* to decline eating their food and marrying their women, irrespective of the potential risk to the preservation of Islam in these mixed families. In particular, Al-Ṭabarī quotes the perspective of legendary companion Abū al-Dardāʾ (d. 32/652) that favoured eating a sheep slaughtered in the church of Saint George.[132]

Abū Yūsuf rejects the ethnic approach concerning the non-Christian Arabness of Christian Arabs. On the contrary, he states that, in the Baḥrayn,

[130] This tradition is quoted by Donner, 'From Believers to Muslims', 50.

[131] On this topic, see Christian Sahner, 'Old Martyrs, New Martyrs and the Coming of Islam: Writing hagiography after the conquests', in *Cultures in Motion: Studies in the Medieval and Early Modern Periods*, eds. Adam Izdebski and Damian Jasiński (Cracovie: Jagiellonian University Press, 2014), 89–112.

[132] To my knowledge, only in al-Ṭabarī, *Taʾwīl*, 9:579. This kind of practice does continue among modern Armenians and Georgians. About its late antique continuity, read Ekaterina Kovalchuk, 'The Encaenia of St Sophia: Animal Sacrifices in a Christian Context', *Scrinium* 4 (2008): 158–200, I owe this reference to David Taylor.

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'the Mazdeans and the People of Polytheism (*shirk*) … are for us non-Arabs (*ʿajam*)'.[133] On the same matter, he cites Qatāda in al-Ḥasan al-Baṣrī's and ʿAmr b. Dīnār's legal *responsa* claiming that the Prophet ruled that, 'whoever prays our prayer and eats our slaughtered animals (*dhabīḥa*) is a Muslim'.[134] Yet, the *qāḍī* of Fusṭāṭ, Ibn Lahīʿa (in office 155–74/772–90), referenced the same Prophetic *ḥadīth* from both a pro-ʿAlid Iraqi, Abū al-Aswad al-Duʾalī (d. 69/688–89), and the Medinese ʿUrwa b. al-Zubayr (d. 93/711–12).[135] Ibn al-Kalbī (d. ca. 204/819), quoted by al-Ṭabarī and al-Balādhurī, expands the Prophetic epistle to three different kinds of Arabian non-Bedouin people: the people of Baḥrayn, Yaman[136] and/or even al-Ḥīra.[137] Furthermore, in this late tradition also grounded on ʿAbd Allāh b. ʿAbbās' authority, the *dhabīḥa* sometimes appears to be linked again to the marriage issue.[138]

The West Syriac canons did not strictly prohibit marriage with pagans and Muslims until a synod near Sarūj in 168/785, where the council and Patriarch George of Baʿaltān (d. 174/791) decided to excommunicate the Christian wife of a Muslim as well as her parents.[139] This synod therefore constitutes our *terminus post quem* for the association of the *ḥanpē* of Athanasius' letter to the *Mhaggrōyē*. Athanasius' epistle and the title added by later Miaphysites provide the corresponding Syriac version of this refusal from non-Muslims to allow their flock to eat the food, and marry the women, of Muslims. On the basis of the Prophet's epistle to the Arabs from Ḥīra, Baḥrayn (i.e. Christians) and/or Yemen (i.e. Jews) would have instantly been at risk of being regarded as Muslims by Muslims. These boundaries bound the communal society, thereby protecting them against the risk of being included in a much more ecumenical and universal conception of a believing community: Islam. Thus, although the slaughtered animals was indeed an important marker of confessional boundaries, this Islamic tradition and its concomitant canonical closing of the late second century suggest that, while it was not an exclusive boundary for Muslims, non-Muslims eventually became much more hostile towards the idea of eating with Muslims and marrying Muslim women, driven by their survival instincts.

[133] Abū Yūsuf, *Kharāj*, 144 about the *sayyid* of Hajar in ca. 7/628, al-Mundhir b. Sāwā (d. 11/632).
[134] Ibid.
[135] Abū ʿUbayd, *al-Amwāl*, 28 (no. 51); see also in al-Nasāʾi, 7:76 and 8:105; al-Bukhārī, 1:87–88, nos. 391 and 393; Ibn Zanjawayh, *al-Amwāl*, 125 and 136.
[136] Ibn Abī Shayba, *Muṣannaf*, 6:428 (no 32634) also mentions this tradition, according to al-Ḥasan al-Baṣrī, and attributes the prophetic letter not to the Baḥrayn but to *ahl al-Yaman*.
[137] al-Balādhurī, *Futūḥ al-Buldān*, 69 and 80–81; Hitti, *Origins*, 106 and 123; al-Ṭabarī, *Taʾrīkh*, 1:1600 and 2020 (the letter here is from Khālid b. al-Walīd to people of al-Madāʾin).
[138] al-Balādhurī, *Futūḥ al-Buldān*, 80; Hitti, *Origins*, 123.
[139] *Synodicon in the West*, II, 4.

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16 "Peace Be upon You": Arabic Greetings in Greek and Coptic Letters Written by Christians in Early Islamic Egypt

LAJOS BERKES

The overwhelmingly Egyptian papyrological record provides us with a rich sample of both administrative and private letters in Greek and Coptic from late antiquity. At the time of the Arab invasion in 642, Greek was still the dominant language in the public sphere, but Coptic had already started to gain ground in this area as well, while being well on its way of becoming dominant in the private domain.[1] Even though Arab presence was mostly limited to garrisons and traveling officials in the early decades after the conquest, the new rulers' epistolary culture started to influence the conventions of Greek and Coptic letters, as attested by formulaic phrases of Arabic origin which often appear in Greek and Coptic documents issued in the name of Muslim officials.[2]

In this paper, I discuss Arabic epistolary prescripts employed in Greek and Coptic administrative letters written by Christians in the seventh–eighth centuries as attested in papyri from Egypt and, to a lesser extent, from Palestine.

I thank Eugenio Garosi, Nikolaos Gonis, and Petra Sijpesteijn for their helpful comments on a draft of this paper. Eugenio Garosi also shared a relevant chapter of his dissertation "Projecting a New Empire: Formats, Social Meaning, and Mediality of Imperial Arabic in the Umayyad and Early Abbasid Periods" (PhD Dissertation, Universities of Basel and München, 2019), now published as Eugenio Garosi, *Projecting a New Empire: Formats, Social Meaning, and Mediality of Imperial Arabic in the Umayyad and Early Abbasid Periods* (Berlin/Boston: De Gruyter, 2022), esp. 219–28, in which he has reached similar conclusions to those of this article studying the phenomenon across various provinces of the early Islamic empires. References to Greek and Coptic papyri are given according to the *Checklist of Editions of Greek, Latin, Demotic and Coptic Papyri, Ostraca and Tablets* (http://papyri.info/docs/checklist, last accessed on 10 June 2020). Throughout this article, the provenance of a text is given by its Greek name, following the standards of Greek papyrology. An exception is made for the Fayyūm, which is commonly referred to as such.

[1] See Jean-Luc Fournet, *The Rise of Coptic. Egyptian versus Greek in Late Antiquity*. (The Rostovtzeff Lectures.) (Princeton/Oxford: Princeton University Press, 2020).

[2] Even though all the conquerors were not necessarily Arabs and the concept of Arabness developed later on, I will refer in this paper for brevity's sake to "Arab" conquerors, government, officials, etc. In a similar vein, I will assume that most of them were Muslims, even if we know that the conquering troops included Christians and Jews and it was probably not entirely clear either what it meant to be Muslim at that period. However, from the early eighth century on, documents provide more hints about religious differentiation and sensitivities, as is illustrated e.g. by the use of certain graphic symbols such as double slanting-strokes (see below).

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After a general overview, I will focus on an unpublished Greek papyrus letter from the second part of the seventh century, which provides a new and interesting example for the spread of Arabic formulas in the written communication between Egyptians. Furthermore, I will argue that the writer of this letter employed these Arabic greetings to display his connection to the Arab administration and thus draw the attention of his addressee to his status.

Arab-Style Greek Letters Sent in the Name of Muslim Officials

In a recent study on "Cross-Cultural Parameters of Scribal Politesse in the Correspondence of Arab-Muslim Officials from Early Islamic Egypt,"[3] Eugenio Garosi observes that the conquerors adapted in their top–down communication their own Arab epistolary formulas to the conventions of the local languages. Thus, in Egypt, Arab-style Greek (and later Coptic) letters were sent in the name of Muslim officials to Christian administrators. Although we cannot be absolutely sure, it is very likely that the Arab commanders/officials did not write these communications themselves but employed scribes who translated them from Arabic to Greek/Coptic. To understand the structure of these Greek documents we must first have a look at the standard template of Arabic letters issued by authorities in the seventh–eighth centuries:[4]

1. **Invocation**
   bi-sm allāh al-raḥmān al-raḥīm
   "In the name of God, the Merciful, the Compassionate."
2. **Address**
   min fulān ilā fulān
   "from NN to NN"
3. **Salutation** (omitted if addressed to Christians)
   (*al-*)*salām ʿalayka/kum*
   "peace be upon you"

[3] Eugenio Garosi, "Cross-Cultural Parameters of Scribal Politesse in the Correspondence of Arab-Muslim Officials from Early Islamic Egypt," in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt*, eds. Sabine R. Huebner *et al.* (Berlin/Boston: De Gruyter, 2020), 73–94. Cf. now also his discussion of Arab-style Greek and Coptic letters: Garosi, *Projecting a New Empire*, 219–28.

[4] I follow the summary of Garosi, "Cross-Cultural Parameters," esp. 75–78 with slight changes. Cf. also Eva Mira Grob, *Documentary Arabic Private and Business Letters on Papyrus: Form and Function, Content and Context.* (Archiv fur Papyrusforschung und verwandte Gebiete. Beiheft 29) (Berlin/New York: De Gruyter, 2010), 39–42. It is important to note that there are exceptions: some Arabic letters of the eighth century addressed to Christians contain hybrid formulas which do not entirely conform to this pattern, cf. e.g. CPR XVI 4 (Hermopolis, eighth century).

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4. **The ḥamdala and the first segment of the shahāda**
   fa-innī aḥmadu ilayka allāh alladhi lā ilāh illā huwa
   (*ilayka* is omitted if addressed to Christians)
   "I praise God for your sake other than Whom there is no god."
5. **Transition formula** opening the body of the letter
   ammā baʿd
   "as for after"
6. **Final valediction**
   al-salām ʿalayka/ʿalaykum wa-raḥmat allāh (if addressed to Muslims)
   "peace and God's compassion be upon you"
   al-salām ʿalā man ittabaʿa al-hudā (if addressed to Christians)
   "peace be upon who follows the Guidance"

Greek letters issued in the name of Arab officials from seventh- and early eighth-century Egypt and Palestine are written according to templates similar to that of Arabic letters.

(1) **Invocation**
   en onomati tou theou (*pantokratoros*)[5]
   "in the name of God (Almighty)"
(2) **Address**
   para tou deinos pros ton deina or simply *ho deina tō deina*
   "From NN to NN" or "NN to NN"
(3) **Salutation**
   (occasionally) *eirēnē soi/hymin*
   "peace to you"
(4) **Benediction** (only in letters of governors)
   eucharistō/eucharistoumen tō theō
   "I/we give thanks to God"
(5) **Transition element** opening the body of the letter
   kai meta tauta (Egypt) or *epeita* (Palestine)
   "and thereafter"
(6) **Final greeting**
   eirēnē soi/hymin (*apo tou theou*)
   "peace upon you (from God)"

We do not understand the reasons behind all variations of the template because of our limited sample-size. The letters sent by the governor Qurra b. Sharīk (in office 709–715) to Basileios, pagarch of Aphrodito, constitute the majority of the corpus, while in the case of our other examples, the status of the sender and sometimes also the addressee, as well as the date of the

[5] In some cases, especially in eighth-century Coptic letters, we find also *syn theō*, "with God," as an invocation.

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papyri, are less clear.[6] I nevertheless wonder whether we can detect a chronological development. It is interesting that Arab-style Greek letters often contain the salutation "peace to you" (*eirēnē soi/hymin*), while Arabic letters usually omit it if they are addressed to Christians. The early Arab-style Greek letters written immediately after the conquest[7] contain the formula as does a letter in the Papas-archive (PSI XV 1570 from 667 or 682), but the letters of the governor Qurra b. Sharīk omit it. This could lead to the conclusion that the attitude towards the formula changed over the second part of the seventh century. While, in the first decades of the conquest, the greeting might have been less marked religiously, after the Marwānid reforms, the ruling elite could have used it as a distinctive Muslim formula.[8]

Whatever the case may be, this template must clearly have been perceived as something unusual and distinct by Egyptian administrators, since contemporary Greek letters did not contain a standard prescript but normally started directly with the body of the letter. However, the template described above seems to have been intentionally developed to be acceptable for Christians. As Garosi observes:

> [T]he religious tone of Arab-style Greek letters is non-denominational. The anti-Trinitarian shahāda … is omitted and the vocabulary is culturally neutralized. The dichotomy allāh and al-raḥmān … which is only meaningful in an "Arabian" cultural background is eliminated from the Greek invocation and substituted with the biblical/Abrahamic terms theos and pantokratōr.[9]

A connected question is the tone of messages sent in the name of Arab officials to their Christian administrators. The letters written in the very first years of the conquest are rather polite, which could be explained by the assumption that the Arabs did not perceive their rule as absolutely stable and thus made an effort not to provoke the local population.[10] This would

[6] For an overview and list of Qurra's Greek (and also Arabic) letters, see Tonio Sebastian Richter, "Language Choice in the Qurra Dossier," in *The Multilingual Experience in Egypt, from the Ptolemies to the Abbasids*, ed. Arietta Papaconstantinou (Farnham/Burlington: Ashgate, 2010), 189–220, esp. 197–200. For a discussion of all published Arab-style Greek letters, see Garosi, *Projecting a New Empire*, 219–25.

[7] See below, n. 29.

[8] This could imply that the Greek threatening letter, SB XVI 12575, written in the name of a high-ranking Arab official to the bishop and other leaders of Arsinoiton polis, which omits the greeting, would date into the later seventh century, but it may be an exception as well; there might have been generally different attitudes about the usage of the formula.

[9] Garosi, "Cross-Cultural Parameters," 78.

[10] Cf. below n. 29.

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have changed later, when the Byzantine attempts to reconquer the province failed. This is in line with the general impression of the "defensive character of the Arab rule during the first two or three generations."[11] Interestingly, some other messages from Arab officials to their Egyptian subjects from the later seventh century and early eighth century are characterized by a harsh and violent style which, for instance, often includes death threats. This tone is remarkably different from that of Byzantine official communications. I do not intend to discuss it here in detail, but I believe that this has to be taken as a serious reflection of the new realities after the stabilization of the Arab rule and not only as rhetoric displaying the helplessness of the government.[12]

The employment of graphic symbols is a further aspect to be considered when discussing the character of "Arab-style Greek letters". It was customary in Greek and Coptic letters to start and end the text with a cross or a staurogram. It is important to note that crosses are also common in Greek letters written in the name of Arab officials in the seventh century: It seems that their use did not represent a religious or ideological problem for the conquerors in the early decades of their rule. The employment of crosses in Greek and Coptic documents written in the name of or by Muslims is, however, not universal and – especially from the early eighth century on – there is a clear tendency to avoid them, most commonly by replacing them with double slanting strokes (//).[13] Even though Arab-style Greek letters had their own distinctive

[11] See Lucian Reinfandt, "Petosiris the Scribe," in *Living the End of Antiquity: Individual Histories from Byzantine to Islamic Egypt*, eds. Sabine R. Huebner *et al.* (Berlin/Boston: De Gruyter, 2020), 144. Cf. also Petra M. Sijpesteijn, "New Rule over Old Structures: Egypt after the Muslim Conquest," in *Regime Change in the Ancient Near East and Egypt: From Sargon of Agade to the Seljuks*, ed. Harriet Crawford (London: British Academy Publications, 2007), 183–202 and Petra M. Sijpesteijn, *Shaping a Muslim State. The World of a Mid-Eighth-Century Egyptian Official* (Oxford: Oxford University Press, 2013), 58–60.

[12] As suggested recently by Arietta Papaconstantinou, "The Rhetoric of Power and the Voice of Reason: Tensions between Central and Local in the Correspondence of Qurra ibn Sharīk," in *Official Epistolography and the Language(s) of Power. Proceedings of the 1st International Conference of the Research Network Imperium and Officium: Comparative Studies in Ancient Bureaucracy and Officialdom. University of Vienna, 10–12 November 2010*, eds. Stephan Procházka, Lucian Reinfandt, and Sven Tost (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2015), 267–81. On the emotive content of administrative letters sent by Arab officials and especially in the messages of Qurra b. Sharīk, see Karen Bauer's paper which appears as chapter 11 in this volume. Furthermore, we need to consider whether the violent threats at least partially derive from legal language, since corporal punishment was common in this period. Naïm Vanthieghem and I will elaborate on this in a forthcoming study on Qurra's letters.

[13] See the summary of Garosi, "Cross-Cultural Parameters," 79 and the detailed study of Tonio Sebastian Richter, "Spätkoptische Rechtsurkunden neu bearbeitet (III): P. Lond. Copt. I 487. Arabische Pacht in koptischem Gewand," *Journal of Juristic Papyrology* 33 (2003): 213–30, esp. 223–30.

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flavor because of their template, they still very much conformed to the Byzantine epistolographic tradition in their physical format, style, and vocabulary.[14] Thus, they are, for instance, often written in the usual transversa charta format and employ phrases typical of contemporary Greek letters.[15] This implies, of course, that they were most likely not direct translations of Arab originals but their adaptations in Greek.[16]

Arab-Style Greek Letters in Communication between Christians: New Evidence

In what follows, I would like to add a hitherto unpublished papyrus document to the discussion which sheds new light on Arab-style Greek letters. The papyrus of the Berlin papyrus collection, P.Berol. 2791, is written on both sides with two Greek texts, but only one of them has been published. The published one was edited as a "theological text with quotations from the psalms" and was dated to the fourth or fifth century.[17] The text on the other side was only briefly described by the editor, who did not identify its genre. Based on the original, I was able to establish this other document as a letter from the early Islamic period,[18] It seems that the letter was written first: its body was written on the recto against the fibers (transversa charta) with the address on the verso parallel to them. This document was later

[14] A comprehensive study of Byzantine Greek papyrus letters is still a desideratum; see for now Jean-Luc Fournet, "Esquisse d'une anatomie de la lettre antique tardive d'après les papyrus," in *Correspondance. Documents pour l'histoire de l'Antiquité tardive*, ed. Roland Delmaire, Janine Desmulliez, and Pierre-Louis Gatier (Paris: Maison de l'Orient et de la Méditerranée – Jean Pouilloux, 2009), 23–66.

[15] An exception to the transversa charta format are the letters sent in the name of the governor Qurra b. Sharīk. On the one hand, these are in line with the format of the Arabic letters drafted by his chancery; on the other hand, they constitute a genre sui generis, because they were sent from a very high administrative echelon and are thus not very comparable with messages sent by city- or village-level administrators. For typical Byzantine phrases in Arab-style Greek letters, see e.g. below, n. 29.

[16] It needs to be noted, however, that some of these documents contain certain phrases which do not seem to have a clear origin in Byzantine epistolography. A systematic comparison of the phraseology of Greek and Coptic Arab-style Greek letters with that of contemporary Arabic documents could offer interesting results.

[17] Kurt Treu, "Varia Christiana," *Archiv für Papyrusforschung* 24/25 (1976): esp. 117–19 (no. 2).

[18] I thank Marius Gerhardt, the curator of the Greek and Latin Papyri of the Papyrus Collection of the National Museums in Berlin, for permission to present a description of the papyrus here. A full publication will follow in a future volume of the series "Berliner Griechische Urkunden". For the relevant entry of the collection, see http://berlpap.smb.museum/16347/ (last accessed on 10 June 2020).

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reused for the theological text parallel to the fibers, upside down in comparison to the address on the verso.[19]

The Greek letter, although fragmentary, provides us with evidence on the use of formularies typical in Arab-style Greek letters written in the name of Arab officials, but here employed in the communication between Christians. The address on the back – which the addressee would have first seen before opening the letter – informs us about the persons involved: "To be given to the God-protected lady, Mannou – from Sisinnios".[20] After this standard address, the letter proper surprises with its opening: "In the name of God. From me, Sisinnios. I write, I greet[21] my God-protected sister, the lady Mannou. Peace to you and thereafter."[22] Continuing, the sender reminds lady Mannou about a presumably administrative matter, and she is asked to send something (money or goods) – but the details remain obscure due to the fragmentary state of the papyrus.

It is, however, not the content but the formulary that is remarkable in this text. The sender, Sisinnios, employs the typical prescript of letters sent in the name of Muslim officials discussed above.[23] This template together with the characteristic cursive handwriting allows us to date the document confidently to the post-conquest period, that is, the middle or second part of the seventh century. A dating to the early eighth century seems to be less likely, even if it cannot be entirely excluded, since Greek letters are not to be found in the papyrological material after the late seventh century with the notable exception of the Greek letters of the governor Qurra b. Sharīk (in office 709–15) which are in fact our last securely dateable Greek letters from Egypt.

It is nevertheless possible that some of the Greek letters dated at present to the seventh century were in fact written in the eighth century. For instance, the region of Herakleopolis seems to have been a stronghold of Greek documentary culture, as illustrated by the fact that the last dateable Greek legal documents were written there in the late 710s and perhaps even

[19] This obviously implies that the *terminus post quem* for the Christian literary document is the seventh–early eighth century.

[20] † ἀποδ(ο)θ(ήτω) τῇ θεοφυλά(κτῳ) δεσ̣π̣ο̣(ίνῃ) vac. κύρᾳ Μάν̣ν̣ου vac. † πα(ρὰ) Σισι̣[ννίου.

[21] Sisinnios' Greek is faulty at some points. We would expect here, "I write greeting" (γράφω προσκυνῶν instead of γράφω προσκυνῶ).

[22] † ἐν ὀνόματι τοῦ Θεοῦ. παρ' ἐμοῦ Σισιννίου. γράφω προσκυνῶ τὴν θεοφύλακτόν μου ἀδελφὴν τὴν κύραν Μάννου. εἰρήνη σοι | καὶ μετὰ ταῦτα.

[23] It is impossible to stay whether the letter was written by Sisinnios himself or a scribe. However, this question does not seriously affect the interpretation of the document: even if it was written by a scribe, it must have conformed to his expectations and milieu of Sisinnios – the letter might even have been dictated.

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in the 720s.[24] However, these possible exceptions do not seem to drastically alter our general impression that Greek was swiftly losing its role in written culture apart from in the church and as a language of bookkeeping in the early Islamic period.[25] The linguistic situation might have been different in the Delta, for example in Alexandria, but the regions known from the papyrological record show a clear decline in the employment of Greek for domains other than accounting.

The content of the document on its own does not clearly evidence the context of the message. Sisinnios addresses the lady Mannou as his "sister," which points to a more or less similar social standing.[26] The fact that a woman is the addressee of the letter implies that she must have been a landowner, as a member of a wealthy family, who was also involved in administering the landholdings. It is, however, not conceivable that she was an official in the city administration, since women are not known to have held such positions. What remains of the message itself could also corroborate this assumption: sending goods or money is a standard request in contemporary estate correspondence.

The position of Sisinnios is more elusive. He might have been an official connected to the pagarchy, the administrative district of the city, or an employee of the estate of the family of Mannou or another one which had dealings with her. These two positions do not necessarily mutually exclude each other, since "public" and "private" spheres were not clearly separated in Byzantine and post-Byzantine Egypt. Local aristocrats often held important administrative positions such as that of the pagarch, and, thus, the employees of their estates were involved not only in the tax-collection of their own territories but of others as well.

The estate milieu from which this document seems to stem is typical for Byzantine and "post-Byzantine" Egypt and quickly disappears from our documentation in the late seventh–early eighth century, corroborating thus the above proposed dating. The general impression our document provides recalls the letters found in the archive of Papas, the pagarch of Apollonopolis Magna dating from ca. 660–80 (P.Apoll.). Since the document was bought in the Fayyūm around 1877–81, it was likely discovered in

[24] On these documents, see Sophie Kovarik, "Der herakleopolitische Notar Paulos: Ein Kompromiss aus dem umayyadischen Ägypten – der bisher späteste griechische Vertrag." *Tyche* 40 (2020): 55–70.

[25] See Lajos Berkes, "Greek as an Administrative Language in Islamic Egypt and the Caliphate," in *From Oriens Christianus to the Islamic Near East. Theological, Historical and Cultural Cross-Pollination in Late Antiquity*, ed. Manolis Ulbricht and Adam Walker (Gorgias Press: forthcoming).

[26] It seems unlikely that the term would refer to actual kinship in this context.

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this region. Although this find contains sometimes documents from other regions too, the content does not contradict this in our case, since we know of a larger number of estate documents from the early decades of Islamic Fayyūm – even if many of them are still unpublished.[27] In sum, Sisinnios was likely an employee of an estate in the Fayyūm dealing with administrative matters.[28]

But let us return to the formulary of the letter. As already said, Greek letters of this period do not contain a prescript but start in medias res. The prescript of our letter is paralleled by two orders written probably in the early years of the conquest. In those, Arab commanders order local officials to provide money and goods.[29] The only difference between those letters and our fragment is the way the addressee is described. While the letters written in the name of Arab commanders contain the Greek preposition *pros* translating the Arabic *ilā*, Sisinnios employs a more polite Greek epistolary cliché of the period: "I write, I greet my God-protected sister, the lady Mannou."[30] However, he finishes the prescript with the formula modelled on the Arabic: "peace to you and thereafter."

This letter is the first to evidence the typical prescript of Greek letters written in the name of Muslim officials in the communication between Christians.[31] How shall we interpret it? In my view, Sisinnios intends to

[27] Some of these documents provide precious information on the contact of the Arab troops and administration with the local landowners. It is, however, difficult to say from which estate(s) in the Fayyūm these papyri stem. One of them must have been that of Flavius Petterios and his wife Flavia Marous; see Clive Foss, "Egypt under Muʿāwiya Part II: Middle Egypt, Fusṭāṭ and Alexandria," *Bulletin of the School of Oriental and African Studies* 72 (2009): 259–65.

[28] It is worth mentioning that we find another Greek letter from an estate context which stems from early Islamic Fayyūm and was reused for writing a Christian text (an amulet); see Lajos Berkes, "A Christian Amulet and Estate Administrators in Seventh Century Fayum," *Archiv für Papyrusforschung* 64 (2018): 88–97. Whether this is a coincidence or an emerging pattern is unclear at present.

[29] SB VIII 9752 (Fayyūm, ca. 643), 1: † ἐν ὀνόματι τοῦ Θεοῦ. παρ᾽ ἐμοῦ [Ἰε]ζὶτ ἀμιρᾶ πρὸ[ς . . . . . εἰρήνη σοι] καὶ μετὰ ταῦτα; 'In the name of God. From me, Yazīd, amīr to … peace to you and thereafter.' SB VIII 9748 (Fayyūm, mid-seventh century), 1: † ἐν ὀνόματι τ[οῦ] Θεοῦ. παρ᾽ ἐμοῦ Οὐβηεὶτ ἀμιρᾶ πρὸς Καλομηνᾶν· εἰρήνη σο[ι] καὶ μετὰ ταῦ[τ]α; 'In the name of God. From me, Ubayd, *amīr* to Kalomenas. Peace to you and thereafter.' It is worth mentioning that both letters include the same polite phrase for introducing a request as the letter written by Sisinnios: καλῶς ποιεῖς "you do well," after which the actual request is introduced by a participle: "if …." This has been a standard phrase in Greek epistolography for centuries and shows thus that this letter must have been an adaptation from Arabic rather than a translation. Alternatively, these letters could have been composed exclusively in Greek as well.

[30] Cf. e.g. P.Grenf. II 91 (Thebaid, sixth–seventh century), 1 or SB VI 9138 (Arsinoite, late sixth century), 1–2.

[31] The use of crosses in the document leaves no doubt about the religion of Sisinnios. A suggestion made during the conference that Sisinnios might have been a "Muslim at work" and a "Christian at home" appears to me anachronistic. In my view, this would have been unlikely to happen in

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display his status and close contact to the Arab administration by employing their epistolary style. Addressing a letter to a lady at a local estate, he may well have utilized "Byzantine" conventions but he chose instead the new, more prestigious template. As has already been discussed, even though the Arab-style Greek letters show formulas unambiguously connected to the conquerors, they were slightly modified to be acceptable to Christians too. Sisinnios could show his connection to the new masters of the country without having to make a commitment to their faith, however Islam was exactly defined at that time.

Even though there are other examples in fragmentary Greek papyrus letters which may show the same formula in the correspondence between Christians,[32] the case of Sisinnios still remains the only clear evidence and is thus a unique exception. The few indirect clues we find in our sources suggest that many Egyptians still considered themselves to be part of the Byzantine world.[33] A clear example for this is the habit of Coptic legal documents to avoid mentioning the Arab rulers by the formula "those who rule upon us."[34] The letter discussed above shows a different attitude: Sisinnios seems to have associated prestige with employing the conventions of the new elite.[35]

the seventh century, when Muslim presence was limited mainly to garrisons in Egypt, even if the phenomenon might have occurred later, when there was more contact between the two religious groups.

[32] See the greetings of the fragmentary P.Lond. V 1892 (Fayyūm, seventh–eighth century): καὶ εἰρήνη ὑμῖν ἀπὸ τοῦ Θεοῦ; 'and peace to you from God.' The previous line of this letter – as far as it is preserved – contained a greeting referring to kissing (vel sim.) of the feet of the addressee – a cliché of contemporary Byzantine epistolography which is hardly to be expected in a letter written in the name of a Muslim official. The same greeting is to be found in P.Apoll. 5 (Apollonopolis Magna, ca. 660–80) and P.Ross.Georg. V 45 (I read σοι from a digital image at the end of line 4; Fayyūm, the letter dates to the second part of the seventh century or perhaps the early eighth century *pace* the edition), but the fragmentary preservation prevents us in both instances from telling whether the sender was Muslim or Christian. However, only the greeting may not be committing, since it appears in contemporary administrative messages written by Christians without the Arab-style prescript in Nessana (Palestine), cf. e.g. P.Nessana III 70 and 74 (both ca. 685).

[33] Arietta Papaconstantinou, "'What Remains Behind': Hellenism and Romanitas in Christian Egypt after the Arab Conquest," in *From Hellenism to Islam. Cultural and Linguistic Change in the Roman Near East*, ed. Hannah M. Cotton *et al.* (Cambridge: Cambridge University Press, 2009), 447–66.

[34] ⲚⲈⲦⲀⲢⲬⲈⲒ ⲈⲬⲰⲚ, cf. e.g. P.Lond. IV 1518 (Aphrodito, 708/709), 18. See also Jean Gascou, "L'Égypte byzantine," in *Le Monde byzantin I. L'Empire romain d'Orient 330–641*, ed. Cécile Morrisson (Paris: Presses Universitaires de France, 2012), 435–36.

[35] One could also assume that he took the formula over from private letters written in Arabic. It seems to be unlikely, however, that Sisinnios knew Arabic and that there would have been a large number of Arabic letters circulating in the Fayyūm to influence him.

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The Influence of Arab Formulas on Coptic Epistolography

Although this template is rare in the seventh century, it recurs in later Coptic official and private letters.[36] Coptic scripts are notoriously difficult to date, but most of the preserved (or at least published) letters seem to come from the seventh–eighth century. The invocation formula "in the name of God" (ϩⲙ ⲡⲣⲁⲛ ⲙⲡⲛⲟⲩⲧⲉ) might have been used before the Arab conquest, but its increasing frequency is certainly to be connected to the influence of the new rulers of the country.[37] Similarly, it is, I believe, not too far-fetched to claim that the formula "peace be upon you and thereafter" (ⲧⲉⲓⲣⲏⲛⲏ ⲛⲁⲕ ⲙⲙⲛⲥⲁ ⲛⲁⲓ) is also likely a development of the Islamic period, probably the eighth century, even if we may find its two parts – that is, "peace be upon you" and "and thereafter" – separately in earlier documents.

When the Arabs conquered Egypt, they needed to communicate with the local population in Greek, the administrative language of the country. The templates they employed (as they did in other Byzantine provinces)[38] are modified translations of Arabic documentary formulas. The modifications removed those elements that made the templates unambiguously Muslim and rendered them simply monotheistic and thus acceptable for Christians. These templates could not only be received by Christians but could also be incorporated by them into existing Byzantine conventions, as the example of Sisinnios shows.[39] In the first decades of Arab rule, probably only a few beneficiaries of the new regime employed the Arab-style prescript in their letters written to other Christians to display their close connection to the new government and thus their social standing.

[36] See e.g. P.Lond.Copt. 1165 (Hermopolite, seventh–eighth century). For an overview of Arab-style Coptic letters, see Garosi, *Projecting a New Empire*, 225–28.

[37] Tonio Sebastian Richter and Georg Schmelz, "Der spätkoptische Arbeitsvertrag P.Heid. inv. Kopt. 541," *Journal of Juristic Papyrology* 40 (2010): 190.

[38] It is important to note that the Greek documentary formulas which the Arabs employed in the first years of the conquest had almost certainly been developed before, i.e. at latest during the conquest of the Near East.

[39] No Greek letter written by a Christian official to a Muslim superior has been published yet, but we may assume that these official letters would have utilized the Arab-style prescript as evidenced by eighth-century Coptic letters written to Arab officials which do exist. For instance, a certain Zacharias addressed the *amīr* Rāshid (b. Khālid) using the Arab-style prescript but modifying it slightly – similarly to Sisinnios – according to Byzantine conventions: "In the name of God. It is Zacharias who writes to his true friend to the most glorious Rāshid. Peace to you and thereafter." P.Ryl.Copt. 285 (Hermopolite), 1: ϩⲙ ⲡⲣⲁⲛ ⲉⲛ[ⲛⲟⲩⲧⲉ] ⲍⲁⲭⲁⲣⲓⲁⲥ ⲡⲓⲥϩⲁⲓ ⲛⲡⲓⲅⲛⲏⲥⲓⲟⲥ ⲫⲓⲗⲟⲥ ⲣⲁⲱⲓⲇ ⲡⲉⲛⲇ(ⲟⲩⲟⲧⲁⲧⲟⲥ) ⲧⲓⲣ[ⲏⲛ]ⲏ ⲛⲁⲕ ⲙⲉⲛⲉⲛⲥⲁ ⲛⲁⲓ. For a similar inclusion of Arabic elements into Bactrian documents, see Said Reza Huseini's paper which appears as chapter 10 in this volume.

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However, in the eighth century, the Arab-style prescript became commonplace in the communication between Christians too.[40] This was likely reinforced by Arabic private letters, which started to circulate more widely in the eighth century and were more often than before addressed to Christians. Greek letters were barely written at that time anymore, but clerks of Muslim officials employed essentially the same prescript as in Arab-style Greek letters in their Coptic messages too.[41] Thus, the template that was created to facilitate communication between Christians and Muslims in public life became a normal and accepted standard in communication between Christians and Muslims in daily life and also between Christians only in private or even monastic correspondence.[42] The choice of the religiously neutral formula for official top–down communication by the conquerors thus became a mechanism for facilitating not only the smooth working of administrative structures but, in the long term, the social cohesion of Christians and Muslims.[43]

Postscript: More New Evidence for Arab-Style Greek Letters in Communication between Christians

After the manuscript of this article was submitted for publication, two other Greek papyrus fragments were published which support the conclusions presented here. CPR XXXVI 12 is a fragment of a letter written by a certain Ioannakios to the *amīr* ʿAbd ar-Raḥman. The document probably belongs to the so-called Senouthios archive, and thus dates from the early years or decades of the Arab rule. Apart from the address on the back, only a few words of the first lines of the letter have survived. These suggest that Ioannakios, who was certainly a local Christian administrator, used an Arab-style prescript. He styles himself as "your servant" and continues with

[40] See e.g. P.Lond.Copt. 1165 (Hermopolite, seventh–eighth century), 1–2: ϯ ϧⲙ ⲡⲣⲁⲛ ⲡⲛⲟⲩⲧⲉ ⲁⲛⲟⲕ ⲓⲟ[ⲩⲥ]ⲧⲉ ⲛⲁⲙⲓⲅⲇⲟⲗ ⲉⲓⲥϩⲁⲓ ⲡⲁϥⲓⲁⲟⲥ | ⲭⲟⲉⲓⲥ ⲱⲧ [ⲁ]ⲡⲁ ⲥⲉⲩⲏⲣⲟⲥ ⲧⲉⲣⲏⲛⲉ ⲛⲁⲕ ⲉⲃⲟⲗ ϧⲓⲧⲛ ⲡⲛⲟⲩⲧⲉ ⲙⲉⲥⲉ ⲛⲁⲓ. "In the name of God. I Iouste from Migdol write to my dear lord-father Apa Severos. Peace to you from God. Thereafter."

[41] It is possible that the Arab-style Coptic template was taken over from Greek and not directly from Arabic documents; see Garosi, *Projecting a New Empire*, 227–28.

[42] P.Lond.Copt. 1165, cited in n. 36 and 40, seems to stem from a monastic context (perhaps from the monastery of Apa Apollos in Bāwīṭ).

[43] The analysis I have provided above is based on seventh–eighth-century letters. It would be very interesting to compare this with the later developements of Coptic epistolography, but I do not venture to do so here since this is a barely researched and known field of papyrology and would require a detailed study in its own right.

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"peace to you from God."[44] Furthermore, CPR XXXVI 13, a similar scrap from around the same time, is addressed by a Ioannakios, who may be the same person as the sender of CPR XXXVI 12, to an *illustris*, a high-ranking (no doubt Christian) person, whose name is only partially preserved (ending in -on). This letter contains a similar combination of traditional Byzantine letter-opening formulas and the Arab-style prescripts as P.Berol. 2791 discussed above. The fragmentary first line preserves words of a Byzantine formula: "before all I make obeisance." The second contains remnants of the Arab-style prescript: "peace to you and thereafter."[45]

These two documents have been contextualized by their editor Federico Morelli in a similar way to the discussion above. In my opinion, these new findings confirm the conclusions of this article: the Arab-style prescript was used from the early years of the Arab period not only in letters written in the name of Arab officials but also by Christians addressing them. CPR XXXVI 12 is so far the only Greek letter addressed to an Arab official, but considering how consequently the Arab-style prescript was employed in top–down Greek communications by Muslims, we may expect that the same was expected of their subjects. CPR XXXVI 13 shows that, similar to P.Berol. 2791, some local Christian officials used the prescript associated with the new regime even when writing to non-Arabs. However, if we take into account the large number of Greek letters between Christian officials from this period which simply continue to use Byzantine formulas, it remains clear that the use of the Arab-style prescript was in this context the exception rather than the rule.

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[44] Line 2: ὑμέτερος δ[οῦλος εἰρήνη ὑμ]ῖν ἀπὸ τοῦ θεοῦ τ[.

[45] Line 1: πρὸ] μὲν πάντων πρ̣[οσκυνῶ; line 2: εἰρήν]η σοι καὶ μετὰ τα[ῦτα.

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17 Tied to Two Empires: The Material Evidence of the Islamic Conquest of Sicily

JOANITA VROOM

Introduction

Around 700, two dominant political, economic and religious powers were operating in the Mediterranean: the Byzantine Empire along its northern shores and the Muslim Caliphate on its southern coasts. Some scholars tend to draw a clear Byzantine–Islamic frontier between both empires as political and economic entities in the Mediterranean in the period after the Arab expansion in the seventh century, whereas others maintain there were much less clearly defined transition areas between the two economic and cultural worlds. They use the concept of 'frontier societies' or 'borderlands' for these intermediate zones where various groups and cultures met, interacted and sometimes collided.[1] All evidence suggests that during the early Middle Ages larger Mediterranean islands, such as Cyprus, Crete and Sicily, played such intermediate roles as connective hubs between empires.[2]

In this paper I set out to explore the problem of to what extent the interaction networks, economic connections and exchange systems of the two superpowers in these borderlands of the central and eastern parts of the Mediterranean can be documented by archaeology. In a broader sense, this exploration should shed light on the long-debated question of what happened with cultural and economic networks in the Mediterranean after the Arab expansion at the expense of the Byzantine Empire?[3] This will provide important context for the political and communal relations between subjects of these great Mediterranean empires as power dynamics shifted, allowing us to see to what extent communities were in communication with each other, or, by contrast, were economically separated.

[1] Cf. Sarah Davis-Secord, *Where Three Worlds Met. Sicily in the Early Medieval Mediterranean* (Ithaca/London: Cornell University Press, 2017), 7 and notes 13–14 with further literature.

[2] See e.g. Luca Zavagno, '"Islands in the Stream": Toward a New History of the Large Islands of the Byzantine Mediterranean in the Early Middle Ages ca. 600–ca. 800', *Mediterranean Historical Review* 33 (2018), 149–77.

[3] See the essays in David Abulafia and Nora Berend (eds.), *Medieval Frontiers: Concepts and Practices* (Aldershot: Ashgate, 2002); Michael McCormick, *Origins of the European Economy: Communications and Commerce, A.D. 300–900* (Cambridge: Cambridge University Press, 2001); Hugh Kennedy, *The Byzantine and Early Islamic East* (Aldershot: Variorum, 2006).

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Here, I will argue that a more detailed study of the material culture found in borderland regions (such as the large Mediterranean islands) will greatly enhance our understanding of the local/regional, the inter-regional and the long-distance contacts and exchange patterns of commodities in this period. To date, detailed archaeological knowledge of the material culture of these borderlands or 'peripheries' between the Byzantine Empire and Islamic Caliphates has still not been systematically looked at. This holds perhaps especially true for the study of finds from that quintessential large Mediterranean island which functioned as borderland, Sicily, because it is such a large and significant island in the interface between Byzantine and Islamic worlds. Sicily's material culture from before, during and after the Islamic conquest (827–964 CE) remains little known. As is often the case, it is essential to revisit the archaeological basics (which have not yet been well interpreted or researched in detail) and to establish what can be done based on eighth- to eleventh-century material culture which archaeologists have actually found in well-dated but not yet well-investigated contexts on this island, and to determine the character of these finds. In fact, much can be done - based on archaeological assemblages, which have already been recovered in past excavations and are now 'lying around' waiting to be interpreted to provide a more complete and entirely new interpretation of the situation.

Connections and communications could follow from physical contact, realised through human exchange via conquest, which left traces in the material culture (including the circulation of commercial goods in locally made and imported amphorae).[4] Indeed, what can the changing material evidence tell us about local communities that produced, used and transported these objects. Such ties of economic dependency may reflect the military-political competition of two empires in Sicily with the gradual spread of Islamic rule over the island.

Within the central themes of this volume, it is my aim to present here in a responsible way an overview of the distribution of Byzantine and early Islamic ceramics, mainly amphorae, found on Sicily and dating from between the seventh/eighth and eleventh centuries. The study will range from pottery finds recovered at sites on the island which were still part of the Byzantine Empire to wares excavated at settlements under Muslim control. This approach in a geo-political context explains my title 'Tied to Two

[4] See also the contribution of Stefanie Schmidt which appears as chapter 6 in this volume for a similar material-culture approach but via the physical movement of messengers in Islamic Egypt.

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Empires', as I will focus on the shifting economic and commercial ties of Sicily to both realms. I think that amphorae (i.e. ceramic containers for the transport of bulk goods) from various periods found in different parts of the island provide an especially fruitful starting point to shed light on the exchange networks in this borderland before, during and immediately after the Arab takeover.

A Short Historical Overview

Sicily occupied a strategic position as a nodal point in the central Mediterranean at the crossroads of important trade routes. Its location has been described as a 'nexus' of East–West communications and a 'stepping-stone' within North–South lanes.[5] Its most vibrant medieval ports were Trapani (in the West), Palermo (in the North-West), Messina (in the North-East) and Syracuse (in the East).[6] In addition, Mazara del Vallo, Agrigento and Sciacca were active on its southern shores during Muslim rule.

In the sixth century, under Byzantine Emperor Justinian I (r. 527–65), Sicily was again joined to the eastern Roman Empire or Byzantine Empire. Justinian's general Belisarius used the island as a base to conquer the rest of Italy. Syracuse even functioned as the capital of the Byzantine Empire for a short period during the seventh century, when the Emperor Constans II (r. 641–68) decided to move his court in 663 and 668 to the most western territories of his realm.

In 698, however, the Umayyad conquest of North Africa (Ifrīqiya) put the Umayyads in control of the harbour of Carthage, located close to Sicily. This allowed them to build shipyards and a permanent base from which to launch more sustained attacks on the island. Still, it took over a century for the Muslims to conquer Byzantine Sicily. Byzantine Syracuse held out for a long time but fell in 878 as is shown in a miniature in the late twelfth-century Greek manuscript known as the *Madrid Skylitzes*.[7] By this time, the Muslim forces were empowered with a busy and active fleet, which helped them to annex Sicily and its prized agrarian output from the Byzantine Empire. Taormina fell in 902, and the last Byzantine outpost in eastern Sicily was taken in 965.[8]

[5] Davis-Secord, *Where Three Worlds Met*, 17–24.

[6] In this paper I use present-day Italian names for ports and urban settlements in Sicily.

[7] The miniature 'The Arab Conquest of Syracuse (in 878)' is taken from Joannis Scylitzae, *Synopsis Historiarum*, Codex Matritensis Graecus Vitr. 26-2, fol. 100v, National Library, Madrid.

[8] William Granara, *Narrating Muslim Sicily. War and Peace in the Medieval Mediterranean World* (London/New York/Oxford/New Delhi/Sydney: I. B. Tauris, 2019), 14.

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Sicily was ruled successively by the Aghlabid dynasty (831–909) from the city of Qayrawān and the Fatimid Caliphate (909–48) from Raqqāda and al-Maḥdiyya (all in Tunisia). After that, an autonomous and semi-independent dynasty of Muslim governors, the Kalibs, was established on the island between 948 and 1044. Palermo, in north-western Sicily, became the seat of the government of Muslim Sicily around the mid ninth century, when in 831 the city surrendered to the commander of the Aghlabid army after a year-long siege.[9]

In the *Book of Curiosities* (completed in Fatimid Cairo in the eleventh century and copied ca. 1200), one can distinguish an Islamic map of Sicily with the fortified city of Palermo represented as a circular enclosure in red, broken by eleven gates, and located next to a V-shaped indentation depicting its harbour.[10] In addition, a later medieval Islamic map attributed to al-Idrīsī (d. 1165), the Muslim geographer and cartographer living in Palermo at the court of the Norman King Roger II (r. 1095–1154), showed Sicily with its more or less distinctive triangular shape within the Mediterranean, between the toe of Calabria and the island of Sardinia.[11] Around twenty-five coastal towns (including Palermo) can be seen as rosettes on this last map.

This documentary evidence can be further enhanced by recent archaeological contributions, which reflect the nature of the economic connections of the two empires (the Byzantine and Muslim) to different parts of Sicily.[12]

[9] Granara, *Narrating Muslim Sicily*, 10; Fabiola Ardizzone, Elena Pezzini and Viva Sacco, 'Aghlabid Palermo: Written Sources and Archaeological Evidence', in *The Aghlabids and Their Neighbours*, eds. Claire D. Anderson, Corisande Fenwick and Mariam Rosser-Owen (Leiden/Boston: Brill, 2018), 362.

[10] Bodleian Library, University of Oxford, MS Arab. c. 90, fols. 32v–33r., copied ca. twelfth century; see also Yossef Rapoport and Emilie Savage-Smith, *Lost Maps of the Caliphs. Drawing the World in Eleventh-Century Cairo* (Chicago/London: The University of Chicago Press, 2018), 158–59, fig. 6.1; Anneliese Nef, 'Croissance urbaine et modalités d'habitat dans la Palerme islamique: Retour sur les acteurs et les facteurs', in *From Polis to Madina. La trasformazione delle città siciliane tra Tardoantico e Alto Medioevo*, eds. Lucia Arcifa and Mariarita Sgarlata (Bari: Edipuglia, 2020), fig. 1.

[11] Bodleian Library, University of Oxford, MS Pococke 375, fols. 187v–188r., copied 1553; see also Rapoport and Savage-Smith, *Lost Maps of the Caliphs*, 174–75, fig. 6.7.

[12] For my paper, I am relying on the excellent pottery research of some of my Italian colleagues and I would like to thank in particular Lucia Arcifa, Fabiola Ardizzone, Giuseppe Cacciaguerra, Viva Sacco and Emanuele Vaccaro. For a recent summary of their research, see also *From Polis to Madina. La trasformazione delle città siciliane tra Tardoantico e Alto Medioevo*, eds. Lucia Arcifa and Mariarita Sgarlata (Bari: Edipuglia, 2020).

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An Archaeological Model of Sicily

Figure 17.1 shows an interpretative model of the island on the eve of the Islamic conquest, which was published in 2013 by the Italian archaeologist Emanuele Vaccaro in an article with the title 'Sicily in the Eighth and Ninth Centuries AD: A Case of Persisting Economic Complexity?' in *Al-Masaq*.[13] Based on new archaeological data, he suggested that the amphora trade continued on the island with some intensity in the eighth century through two different systems of exchange in two main areas: one in western Sicily, which was clearly related to the circulation of commodities within the southern Tyrrhenian Sea, and another one on the eastern coast, taking advantage of the East–West maritime route linking this part of Sicily directly with the Byzantine Empire in the East.[14]

According to Vaccaro, the amphora finds in western Sicily belong to types common in Calabria or the Bay of Naples, where seventh- and eighth-century workshops have so far been identified, for example at Misenum and at Ischia.[15] As shown on the map in Figure 17.2, the circulation of these amphora types linked a series of sites in the southern Tyrrhenian Sea, where the Church of Rome had substantial landholdings. Vaccaro imagined a privileged southern Tyrrhenian trade circuit for wine transport, connecting some major church institutions.[16]

Although I find it interesting, I am not entirely convinced by Vaccaro's archaeological model. I do like his division of two different exchange systems of Byzantine amphorae (concurrently) existing in eighth- and ninth-century Sicily, but I am afraid that he made a few wrong identifications of amphorae recovered on and around the island leading to a misunderstanding of the underlying commercial activities it was involved in. The amphorae found on the small Aegadian islet of Marettimo (shown in Figure 17.1 at the top-left, marked in blue) were indeed imports from Tyrrhenian workshops,[17] but the amphorae found on the more southern

[13] Emanuele Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD: A Case of Persisting Economic Complexity?' *Al-Masaq* (2013): fig. 11.

[14] Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', 57–58.

[15] Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', 59; Gianfranco De Rossi, 'Indicatori archeologici della produzione e diffusione del vino della Baia di Napoli in età altomedievale', in *Paesaggi e insediamenti rurali in Italia meridionale fra Tardo Antico e Altomedieovo*, eds. Giulano Volpe and Maria Turchiano (Bari: Edipuglia, 2004), 541–50.

[16] Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', 61.

[17] For Tyrrhenian amphora finds on the island of Marettimo, see Fabiola Ardizzone, 'Nuove ipotesi a partire dalla rilettura dei dati archeologici: La Sicilia orientale', in *La Sicile de Byzance à*

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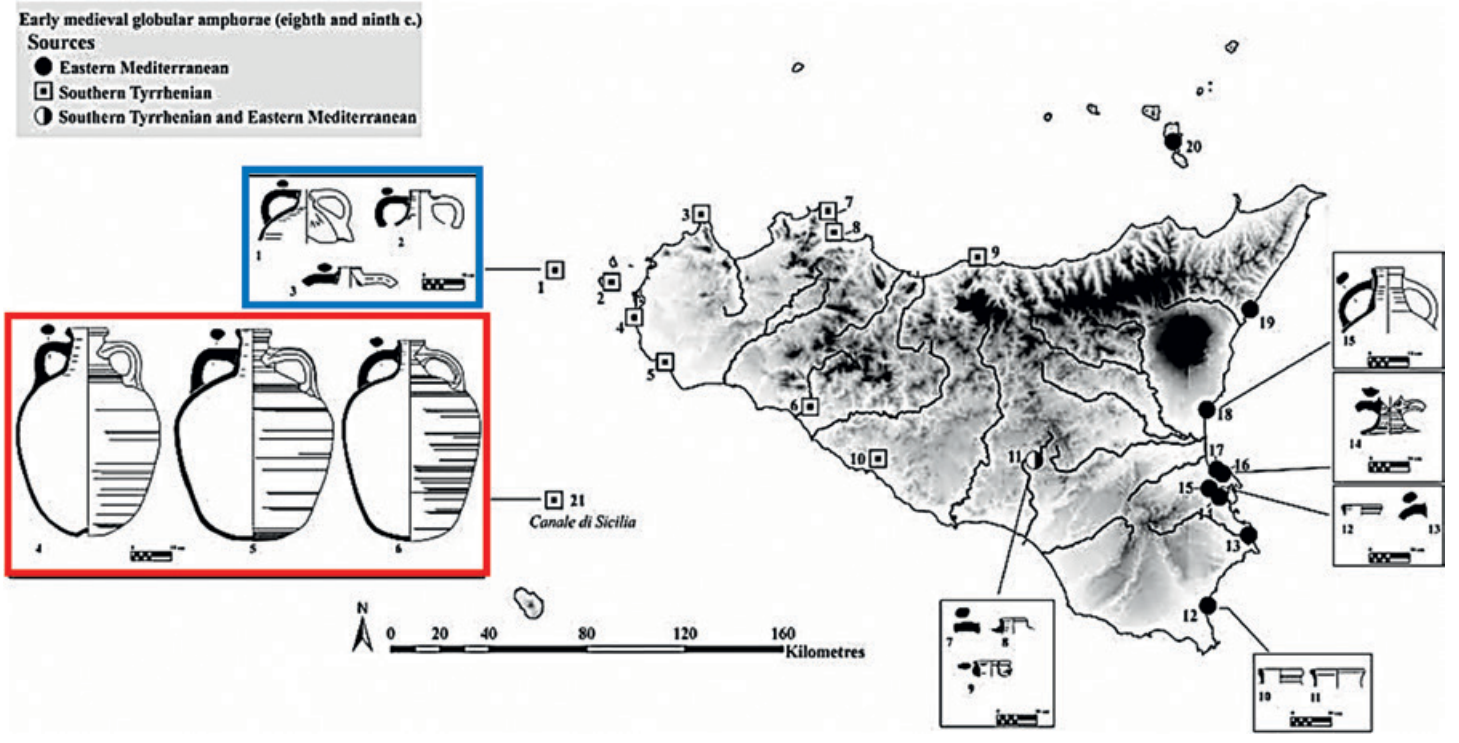

Figure 17.1 Map of Sicily (after Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', fig. 11).

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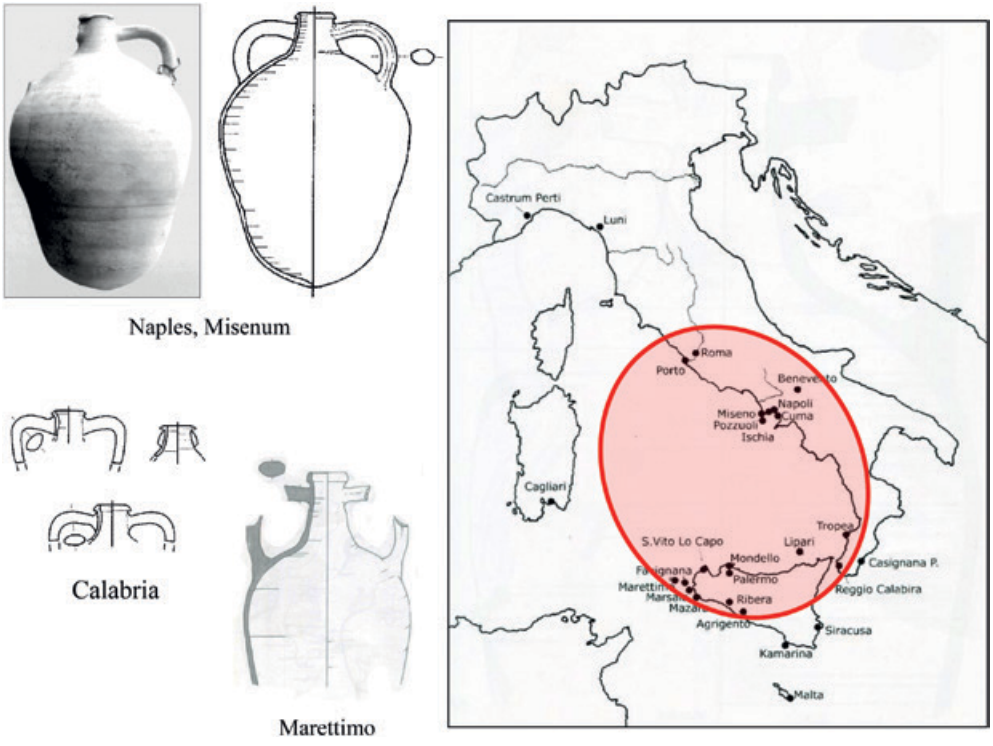

Figure 17.2 Map of Italy with Tyrrhenian amphorae (map after Ardizzone, 'Nuove ipotesi', fig. 8; images after Ardizzone, 'Nuove ipotesi', fig. 9; De Rossi, 'Indicatori archeologici', 541–50).

island of Canale di Sicilia (shown in Figure 17.1 at the bottom-left, marked in red) are not.[18]

In fact, these last containers were not Tyrrhenian at all but rather imports of Byzantine-style amphorae produced at workshops in Umayyad Egypt or Tunisia. These containers are known as 'Late Roman amphorae 2/13' (often shortened to LRA 2/13) when originating from workshops in Cyprus and the Aegean, or (in the case of their Egyptian imitations) as 'Egloff 167' amphorae.[19] These last ones were produced in Umayyad Egypt during the late seventh and eighth centuries, probably at monastic communities in the western Nile Delta, because these vessels have the typical brown Nile fabric

l'Islam, eds. Anneliese Nef and Vivien Prigent (Paris: De Boccard, 2010), fig. 9; Fabiola Ardizzone, *Anfore in Sicilia (VII–XII sec. d. C.)* (Terra di Vento: Torri del Vento, 2012), fig. 7, no. 57.

[18] See also Ardizzone, 'Nuove ipotesi'.

[19] Paul Reynolds, 'From Vandal Africa to Arab Ifrīqıya: Tracing Ceramic and Economic Trends through the Fifth to the Eleventh Centuries', in *North Africa under Byzantium and Early Islam*, eds. Susan T. Stevens and Jonathan P. Conant (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 2016), fig. 8.7d.

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from Kūm Abū Billū (Terenuthis). To date, examples of these Egyptian 'Egloff 167' amphorae have been found at Kellia, St Macarios Monastery, Old Baramus, Marea, Bawit, Naqlūn, the Tantura A shipwreck at Dor, as well as in Umayyad deposits at Fusṭāṭ and Beirut.[20]

We should keep in mind that the island of Pantelleria (near to where these amphorae were found) had already been captured by Umayyad forces around 700, so we may expect to start to notice a North African exchange system in south-western Sicily by then. Indeed, there was a battle not far off Mazara del Vallo in 827. Small islands (such as Pantelleria or Canale di Sicilia) often functioned as gateways to and from the mainland, as well as connective hubs at the crossroads of different regional economies, as is shown by the material evidence which will be discussed next.

Furthermore, in my opinion, it is possible to go one step further than Vaccaro's model. Rather than seeing two exchange systems operating within the Byzantine commercial sphere, the material evidence allows a reconstruction of multiple regional boundaries reflecting trade networks with both empires that follow the Muslim conquest of the island in subsequent centuries.

The Material Culture of the Islamic Conquest

Based on the amphorae finds, it is possible to provide a schematic representation of the various phases of the Islamic conquest of Sicily. In fact, it seems that the material culture followed the waves of Muslim expansion and reflected the Muslim–Byzantine border (shown on the maps in Figures 17.3–17.6 with a red line).[21]

In the eighth and early ninth centuries, at the beginning of the Islamic conquest of the island, the production and circulation of amphorae coincided with the reorganisation of the exchange networks in the Mediterranean. As we have seen, north-western Sicily imported amphorae from

[20] E.g. Roland-Pierre Gayraud and Jean-Christophe Tréglia, 'Amphores, céramiques culinaires et céramiques communes omeyyades d'un niveau d'incendie à Fustat-Istabl ʿAntar (Le Caire, Égype)'; *LRCW 4: Late Roman Coarse Wares, Cooking Wares and Amphorae in the Mediterranean. Archaeology and Archaeometry*, eds. Natalia Poulou-Papadimitriou, Eleni Nodarou and Vassilis Kilikoglou (Oxford: Archaeopress, 2014), fig. 3.1; Paul Reynolds, 'Amphorae in Beirut from the Umayyads to the Crusaders: A Guide to Trends in Local and Imported Products', *Archeologia Medievale* 45 (2018), fig. 4, no 5, fig. 5d–e, fig. 7 (right) and fig. 8a (this example seems even to have been found in an early Abbasid context) and fig. 9a.

[21] See also Lucia Arcifa, 'Contenitori da trasporto nella Sicilia bizantina (VIII–X secolo): Produzioni e circolazione', *Archeologia Medievale* 45 (2018): 123–48.

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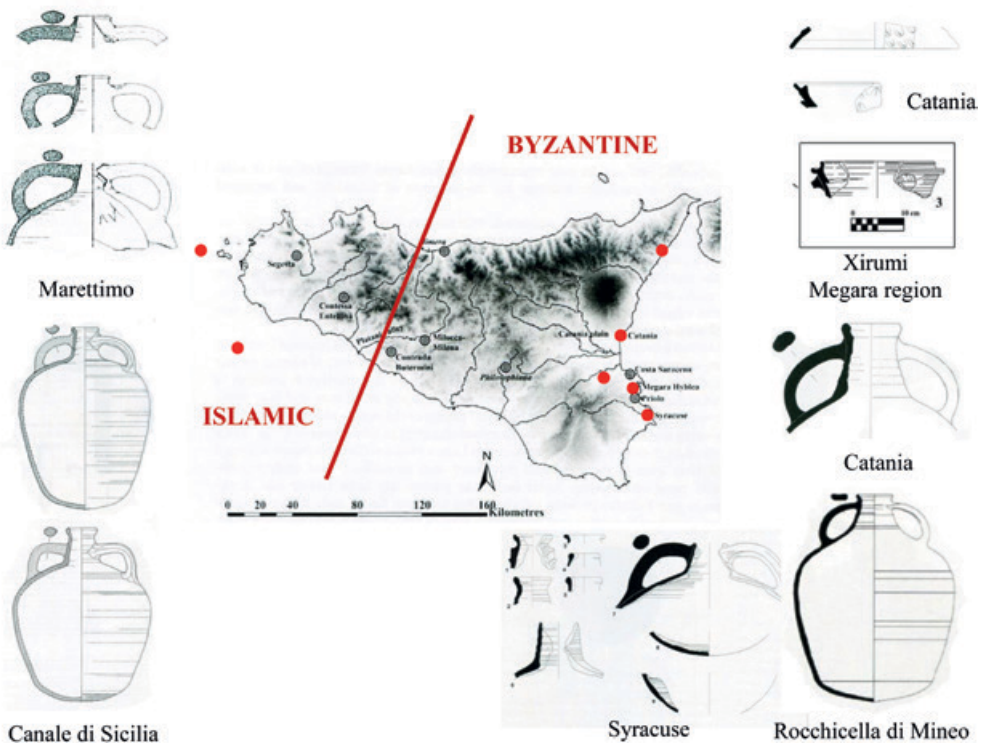

Figure 17.3 Map of Sicily, eighth-early ninth century (map after Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', fig. 3; images after Ardizzone, 'Nuove ipotesi', fig. 7; Arcifa, 'Nuove ipotesi', fig. 10C-E; Cacciaguerra, 'Città mercati', fig. 5).

production sites along the Tyrrhenian coast (Fig. 17.3, top-left amphorae: Marettimo), but the south-western coast also received Byzantine-style imitations from Umayyad Egypt or North Africa (Fig. 17.3, bottom-left amphorae: Canale di Sicilia).[22] Most Byzantine sites in eastern Sicily, however, show in eighth-century contexts a significant presence of lead-glazed chafing dishes and LRA 2/13 amphorae from different workshops in the Aegean and the eastern Mediterranean (Fig. 17.3, right: Catania; Xirumi, Megara region; Syracuse; Rocchicella di Mineo).[23] Syracuse, in particular,

[22] Ardizzone, 'Nuove ipotesi', fig. 7; Ardizzone, *Anfore in Sicilia*, fig. 5 (Marettimo) and figs. 8–10 (Canale di Sicilia).

[23] Lucia Arcifa, 'Nuove ipotesi a partire dalla rilettura dei dati archeologici: La Sicilia orientale', in *La Sicile de Byzance à l'Islam*, eds. Anneliese Nef and Vivien Prigent (Paris: De Boccard, 2010), fig. 10c–e (from Catania); Arcifa, 'Contenitori da trasporto'; Giuseppe Cacciaguerra, 'Città mercati in transizione nel Mediterraneo altomedievale: Contenitori da trasporto, merci e scambia a Siracusa tra l'età bizantina e islamica', *Archeologia Medievale* 45 (2018): 149–73; Rosalba Amato, Concetta Ciurcina and Angela Maria Manenti, 'I dati di età bizantina ed altomedievale

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was still a fundamental crossroad for the eastern Mediterranean/Aegean wine trade, the import of garum (fermented fish sauce) from Spain or North Africa, and the export of wheat to, for instance, Constantinople.[24]

In the next phase of the Islamic conquest of the island, when western and central Sicily became more politically and economically connected to North Africa during the Aghlabid period, amphorae still continued to be imported from Byzantium to eastern Sicily while a new local production of amphorae developed in western Sicily as well. Actually, Byzantine sites on the eastern part of the island continued to show a strong connection with areas of Byzantine culture in the ninth century (Fig. 17.4, right: Taormina; Syracuse). These included not only imports of lead-glazed vessels (such as chafing dishes) and of amphorae from the Byzantine territories (e.g. from the Aegean and western Turkey)[25] but also the manufacture of new local and regional amphorae inspired by Byzantine shapes.[26]

Indeed, petrographic descriptions of the Byzantine finds showed not only imported globular amphorae, with six micaceous fabrics (from the Aegean and Turkey) dated to the second half of the ninth century, but also local/regional products with five fabrics (including lava basalt inclusions) dated to the first half of the ninth century (Fig. 17.4, bottom-right).[27] These last ones were, for instance, made at Rocchicella di Mineo, south-west of Catania, which is

da recherche di archeologia urbana in Ortigia (Siracusa)', in *From Polis to Madina. La trasformazione delle città siciliane tra Tardoantico e Alto Medioevo*, eds. Lucia Arcifa and Mariarita Sgarlata (Bari: Edipuglia, 2020), 92–93, figs. 9–11; for Byzantine glazed chafing dishes, cf. Joanita Vroom, *Byzantine to Modern Pottery in the Aegean. An Introduction and Field Guide*. Second and Revised Edition (Turnhout: Brepols Publishers, 2014), 72–73; and for their use, Joanita Vroom, 'Dishing up History: Early Medieval Ceramic Finds from the Triconch Palace in Butrint', *Mélanges de l'École française de Rome – Moyen Âge* 120 (2008): 293–97.

[24] Cacciaguerra, 'Città mercati'.

[25] Arcifa, 'Contenitori da trasporto'; Cacciaguerra, 'Citta mercati', figs. 2 and 13, nos. 1 and 4;Giuseppe Cacciaguerra, 'Cultura materiale e commerci in Sicilia fra Bizantini e Arabi (VIII–meta X secolo): Nuovi dati sulle ceramiche fini e le anfore dai contesti altomedievali di Siracusa', in VII Congresso nazionale di archeologia medieval, Vol. 2 eds. Paul Arthur and Marco LeoImperiale (Florence: All'Insegna del Giglio, 2015), fig. 3, nos. 6–8; Viva Sacco, 'Produzione ecircolazione delle anfore palermitane tra la fine del IX e il XII secolo', Archeologia Medievale 45(2018), figs. 4–5.

[26] Arcifa, 'Contenitori da trasporto', 123–48; Cacciaguerra, 'Città mercati', fig. 13; Sacco, 'Produzione e circolazione'.

[27] Lucia Arcifa and Laura Maniscalco (eds.), *Dopo l'Antico. Ricerche di archeologia medievale* (Palermo: Regione Siciliana, Assessorato regionale dei beni culturali, Dipartimento regionale dei beni culturali, 2016); Roberta Longo, 'Le produzioni ceramiche di Rocchicella in età bizantina', in *Dopo l'Antico. Ricerche di archeologia medievale*, eds. Lucia Arcifa and Laura Maniscalco; Lucia Arcifa, 'Rocchicella di Mineo: Il sito tra età proto bizantina e età tematica', in *Dopo l'Antico. Ricerche di archeologia medievale*, eds. Lucia Arcifa and Laura Maniscalco (Palermo: Regione Siciliana, Assessorato regionale dei beni culturali, Dipartimento regionale dei beni culturali, 2016), 29–66, plates VI–XI; Arcifa, 'Contenitori da trasporto', figs. 5–6.

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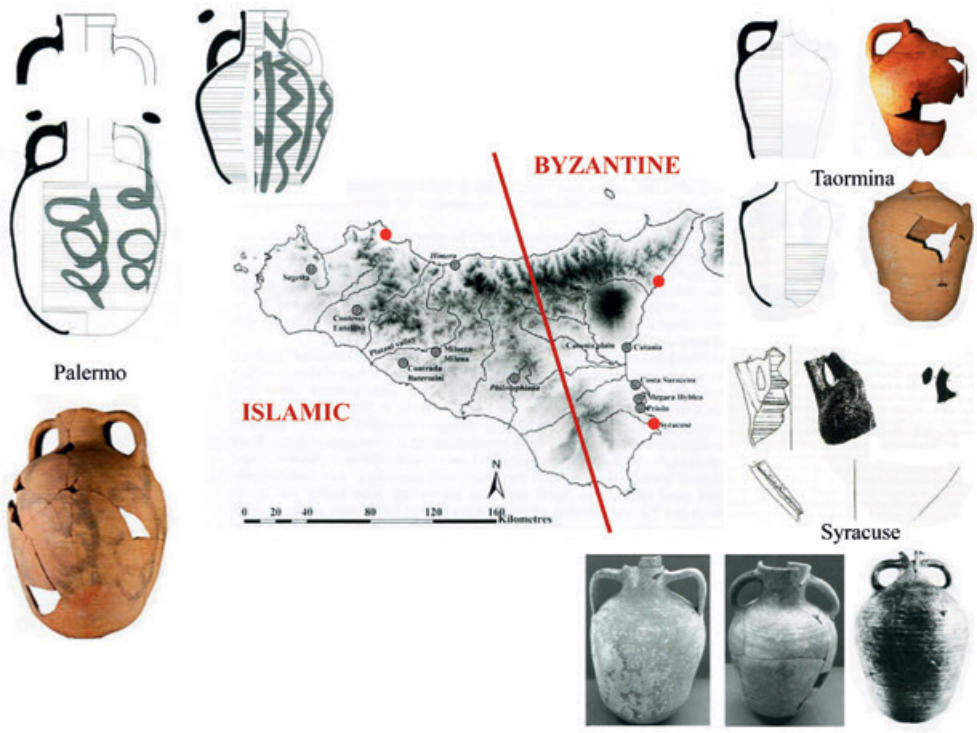

Figure 17.4 Map of Sicily, ninth century (map after Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', fig. 3; images after Arcifa, 'Contenitori da trasporto', fig. 7; Cacciaguerra, 'Città mercati', figs. 2 and 13, nos. 1 and 4; Cacciaguerra, 'Cultura materiale e commerce', fig. 3, nos. 6–8; Sacco, 'Produzione e circolazione', figs. 4–5).

situated on a spur of basalt in the valley of the Margi river. Recently, pit kilns for pottery production were recovered at this place.[28] Fragments of these local/regional amphorae from eastern Sicily (fabric 3),[29] with their characteristic central deeply grooved handles, have so far been found in eastern Sicily (e.g. at Syracuse, Morgantina, Centuripe), in Calabria, Apulia (Otranto), northern Italy (Torcello) and Albania (Butrint),[30] as well as in an early medieval stratigraphic sequence at the town of Mdina on the island of Malta.[31]

[28] Arcifa, 'Rocchicella', figs. 8–9.

[29] Arcifa, 'Nuove ipotesi', fig. 12; Arcifa, 'Contenitori da trasporto', fig. 6, nos. 5–7 (first half of the ninth century).

[30] Lucia Arcifa, 'Nuovi dati riguardanti la ceramica di età islamica nella Sicilia orientale', *Mélanges de l'École française de Rome – Moyen Âge* 116 (2004), fig. 2 and table IIa; Cacciaguerra, 'Città mercati', 168–69 and fig. 20; for an example from Butrint (Joanita Vroom, personal observation).

[31] Brunella Bruno and Nathaniel Cutajar, 'Malta between the Ninth and Tenth Century – Two Early Medieval Contexts', *Archeologia Medievale* 45 (2018), fig. 2, which was found together with chafing dishes and Glazed White Ware II from Constantinople (figs. 3–4 and tav. 3); for Glazed White Ware II, cf. Vroom, *Byzantine to Modern Pottery*, 74–77.

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At Taormina, re-occupied layers at a Hellenistic-Roman *domus* (Villa San Pancrazio) similarly generated both imported smaller-sized amphorae from the eastern Aegean (e.g. from Lipsi, Samos, Kos or the western coast of Turkey) and local products with lava basalt fabrics (from workshops in the Mount Etna region), which can be dated to the second half of the ninth century.[32] Furthermore, various excavations in the ancient city of Syracuse yielded small-sized local/regional products of the same period (maybe from Rocchicella di Mineo) as well as imported Byzantine amphorae from the eastern Aegean or perhaps from Otranto in Apulia.[33]

Conversely, in western Sicily, a new production of amphorae with painted decoration styles started to develop in ninth-century Palermo (Fig. 17.4, left: Palermo). This local production of painted amphorae first seems to be have been fairly standardised but later products became more diverse over time: we may notice vessels with a cylindrical neck and with a band rim or triangular rim (Fig. 17.4, top-left).[34] The amphorae were either painted with vertical straight and wavy lines or with continuous loops (in Italian known as *a cappi*; see Fig. 17.4, left).[35] These containers (measuring ca. 15.0 litres) were in shape and in decoration style related to local/regional painted Byzantine-style amphora produced in southern Italy (Calabria, Apulia), although it has been suggested that their motifs were perhaps inspired by painted Byzantine and early Islamic amphorae from the Near East (Pella, Jordan).[36] They started to circulate in Sicily during the first half of the ninth century, but there is no evidence yet that these containers circulated much outside of Sicily.

[32] Arcifa, 'Contenitori da trasporto', fig. 7, nos. 1–2 (imported amphorae) and nos. 3–4 (local/regional products).

[33] Cacciaguerra, 'Città mercati', fig. 2, no. 6 and figs. 13 and 17; for similar-looking finds in the Adriatic and Mediterranean, see Joanita Vroom, 'The Byzantine Web: Pottery and Connectivity between the Southern Adriatic and the Eastern Mediterranean', in *Adriatico altomedievale (VI–XI secolo): Scambi, porti, produzioni* (Studi e Ricerche 4), eds. Sauro Gelichi and Claudio Negrelli (Venice: Edizioni Ca' Foscari, 2017), 292–96, figs. 4–7; Joanita Vroom, 'From One Coast to Another: Early Medieval Ceramics in the Southern Adriatic Region', in *From One Sea to Another. Trading Places in the European and Mediterranean Early Middle Ages, Proceedings of the International Conference Comacchio, 27th–29th March 2009*, eds. Sauro Gelichi and Richerd Hodges (Turnhout: Brepols Publishers, 2012), fig. 17.

[34] Sacco, 'Produzione e circolazione', figs. 4–5 (her 'gruppo g6'); see also Ardizzone, Pezzini and Sacco, 'Aghlabid Palermo', fig. 18.3, nos. 1–2.

[35] Arcifa, 'Nuove ipotesi', fig. 17 with examples from Taormina, Monte Casesia and Enna; Arcifa, 'Contenitori da trasporto', fig. 9 with examples from Enna, Taormina, Bronte and Palermo (ninth–early tenth century); Ardizzone, Pezzini and Sacco, 'Aghlabid Palermo', fig. 18.3, no. 4; Sacco, 'Produzione e circolazione', figs. 4–5 (her 'tipo 10.1' and 'tipo 6.2a').

[36] See e.g. Arcifa, 'Contenitori da trasporto', figs. 10–11; Lucia Arcifa and Alessandra Bagnera, 'Palermo in the Ninth and Early Tenth Century: Ceramics as Archaeological Markers of Cultural Dynamics', in *The Aghlabids and Their Neighbours*, eds. Claire D. Anderson, Corisande Fenwick and Mariam Rosser-Owen (Leiden: Brill, 2018), 388–92 and fig. 19.4.

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The production of these new kinds of amphorae started around 831, when Palermo surrendered to the commander-in-chief of the Aghlabid forces after a year-long siege. It eventually became the seat of power in Muslim Sicily around the mid ninth century. Palermo was primarily chosen as the new capital for military reasons based on its excellent geographical situation: it was not only located in a relatively safe part of Sicily and easily accessible from Islamic North Africa but was also equipped with a significant port and impressive fortifications around the old city centre (that eventually became known as 'Madīnat Balarm').[37] Most examples of the newly developed local ceramic production series came from excavations in the outskirts of the city, next to the harbour inlet, for example, at Gancia (the Church of Santa Maria degli Angeli) and at Castello San Pietro; both areas with late ninth- to early tenth-century phases, among which are the presence of ninth-century Islamic tombs in cemeteries.[38]

Unlike the previous two phases described, a significant change is observed starting from the late ninth century and in particular from the second quarter of the tenth century. This happened with the foundation of the Fatimid (palatine) city and its dynasty's consolidation of power at Palermo and in western Sicily. Urban growth stimulated a major increase in pottery production, as testified by the large variety in the repertoire of painted amphora types with domed bases (see Fig. 17.5, left: Palermo). It signalled the take-off of new Islamic local and regional amphorae, which ranged in volume capacity between 2.5 and 18.0 litres. They have been recovered in various shipwrecks as well as Palermo and its surroundings, where most of these ceramic containers must have been produced. In fact, wasters of these new Sicilian amphora types were found in Norman buildings at Palermo (e.g. the Zisa Palace, and the Church of S. Maria dell'Ammiraglio or La Martorana), where they were re-used as construction material to lighten the vaults of these structures.[39]

In the late ninth to early tenth century, a few amphorae were still imported to Palermo, but the excavated pottery assemblages seem to be uneven with a mix coming from the Byzantine territories in southern Italy

[37] Ardizzone *et al.*, 'Aghlabid Palermo', 363.

[38] Ardizzone *et al.*, 'Aghlabid Palermo', 366 and map 18.1; Arcifa and Bagnera, 'Palermo', 383 and map 19.1.

[39] Franco D'Angelo, 'Ceramica d'uso domestico della Sicilia medieval proveniente dalla Zisa (Palermo XII secolo)', in *Atti IX convegno della ceramica, Albisola 28–31 maggio 1976* (Albisola: Centro Ligure per la storia della ceramica, 1976), 58–61; Fabiola Ardizzone, 'Le anfore recuperate sopra le volte del palazzo della Zisa e la produzione di ceramica comune a Palermo tra la fine dell'XI ed il XII secolo', *Mélanges de l'École française de Rome. Moyen-Âge* 111 (1999), 7–12, figs. 3–5.

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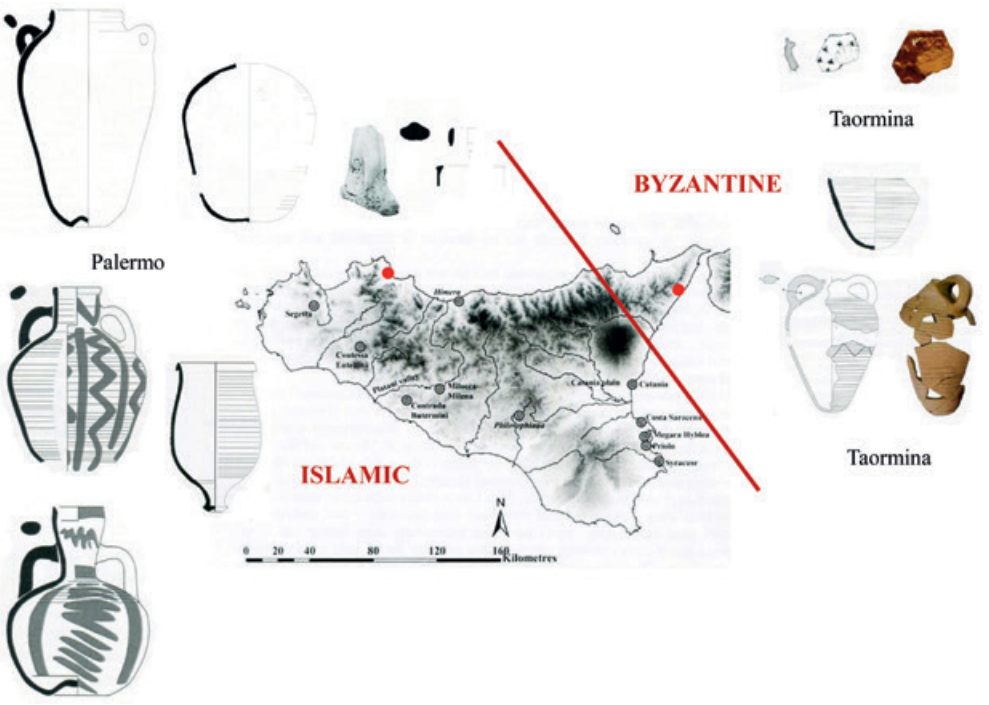

Figure 17.5 Map of Sicily, late ninth–early/mid tenth century (map after Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', fig. 3; images after Arcifa, 'Contenitori da trasporto', fig. 8; Sacco, 'Produzione e circolazione', figs. 4–5).

(among which sherds of 'globular amphorae' and of the so-called 'Otranto amphora 1' from Apulia)[40] and examples coming from Muslim Sicily and North Africa (Ifrīqiya).[41] The city continued to develop its own amphora production with many different shapes and specific Islamic decoration styles painted in red or brown (see Fig. 17.7, top-left).[42] Furthermore, certain pottery shapes started to be produced that were unattested in Sicily prior to the Islamic conquest. These include noria pots for a traditional water-lifting wheel, showing the introduction of new practices in water management on the island.[43] Similar archaeological contexts also yielded

[40] Sacco, 'Produzione e circolazione', fig. 7, nos. 1–2; see for a short description of this 'Otranto amphora 1' type, Vroom, *Byzantine to Modern Pottery*, 102–103.

[41] Sacco, 'Produzione e circolazione', fig. 7, no. 4 and fig. 8.

[42] Sacco, 'Produzione e circolazione', figs. 2, 4–5.

[43] The word 'noria' comes from the Arabic term, *nāʿūra*, an onomatopoeic word which evokes the creaking of the water wheel. See for the archaeological evidence on Sicily, Lucia Arcifa and Elisabeth Lesnes, 'Primi dati sulle produzioni ceramiche Palermitane dal X al XV secolo', in *La céramique médiévale en Méditerranée. Actes du VIe congrès de l'AIECM2, Aix-en-Provence,*

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moulds and containers (molasses pots) for the production of sugar cane at Palermo after the Islamic conquest.[44]

Taormina, by contrast, as one of the last Byzantine strongholds on the eastern part of the island, remained within the Byzantine sphere of economic influence (Fig. 17.5, right: Taormina). In this period, the city still received imports of glazed chafing dishes and amphorae from the Byzantine territories (among them, the 'Otranto 1 amphora' from workshops in Apulia).[45] Taormina was located opposite the 'toe' of the Italian Peninsula and only separated from Calabria by the narrow Strait of Messina. Hence, it makes sense that the city still received imports from the Byzantine territories in southern Italy in the late ninth to early tenth century.

Finally, in the second half of the tenth to early eleventh century, in the last phase of the conquest when the whole island was taken over by the Muslim armies, a new ceramic repertoire was acquired from Palermo to Syracuse, finds of which can be supplemented with those from contemporary shipwrecks off the Sicilian coast (Fig. 17.6).[46] Among these were various amphora types with painted decoration-styles in standardized shapes.[47] Up to that point, these painted vessels were mostly found in western Sicily, on the western (Tyrrhenian) coast of Italy, Sardinia, southern France and North Africa.

13–18 novembre 1995, ed. Gabrielle Démians d'Archimbaud (Aix-en-Provence: Narrations Éditions, 1997), 411, fig. 3.5; Arcifa, 'Nuove ipotesi', fig. 16a (from Castello San Pietro at Palermo); see also: Amedeo Tullio, 'Strumenti per la lavorazione dello zucchero a Maredolce (Palermo)', in *Archeologia e territorio.* (Palermo: G.B. Palumbo Editore, 1997), fig. 4, nos. 9–10; Franco D'Angelo, 'La ceramica islamica in Sicilia', *Mélanges de l'École française de Rome – Moyen Âge* 116 (2004): fig. 1.1; Alessandra Molinari, '"Islamisation" and the Rural World: Sicily and al-Andalus. What Kind of Archaeology?' in *New Directions in Early Medieval European Archaeology: Spain and Italy Compared. Essays for Riccardo Francovich*, eds. Sauro Gelichi and Richard Hodges (Turnhout: Brepols Publishers, 2015), fig.12, nos. 3–4 (from the complex of Maredolce or Favara at Palermo); Adriana De Miranda, 'Alcune considerazioni sulle norie nella tradizione siciliana', *Sicilia Archeologica* 103 (2005): 137–44.

[44] Tullio, 'Strumenti', fig. 4, nos. 2 and 6; D'Angelo, 'La ceramica islamica', fig. 1.2A–B; Molinari, 'Islamisation', fig. 12, nos. 3–4 (from the complex of Maredolce or Favara at Palermo).

[45] Arcifa, 'Nuovi dati', fig. 3 and tables III–IV; Arcifa, 'Nuove ipotesi', figs.7–8; Arcifa, 'Contenitori da trasporto', fig. 8, nos. 1–2 (imported bronze jug and glazed chafing dish from the eastern Mediterranean), nos. 3–4 (imported Otranto amphora 1 from southern Italy) and nos. 5–6 (local/regional painted amphorae); cf. for similar finds of the bronze jug, Joanita Vroom, 'Tea and Ceramics: New Perspectives on Byzantine Pottery from Limyra', in *40 Jahre Grabung Limyra. Akten des Symposions, Wien, 3–5 Dezember 2009*, ed. Martin Seyer (Vienna: Österreichisches Archäologisches Institut, 2012), 346–48 and fig. 9 (from Ephesus in western Turkey).

[46] Cacciaguerra, 'Città mercati', fig. 2 no. 7 (from Villa Maria, Syracuse) and fig. 12 (Piazza Minerva, Syracuse).

[47] Sacco, 'Produzione e circolazione', figs. 4–5.

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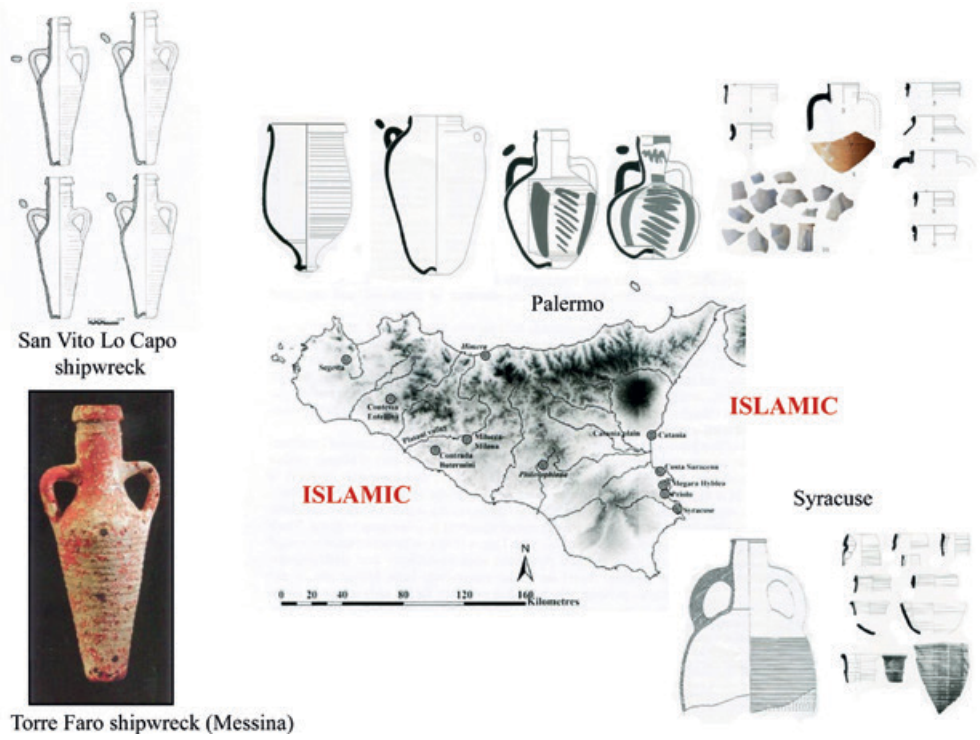

Figure 17.6 Map of Sicily, second half of tenth-early eleventh century (map after Vaccaro, 'Sicily in the Eighth and Ninth Centuries AD', fig. 3; images after Cacciaguerra, 'Città mercati', fig. 2 no. 7 and fig. 12; Sacco, 'Produzione e circolazione', figs. 4–5).

Figure 17.7 (top-left) shows the most common painted motifs on the Palermo amphorae. They functioned, perhaps like modern barcodes, as indicators of contents such as foodstuffs kept in the containers. On the bottom-left, one local amphora type from Palermo ('Type 6.1') with a painted decoration in vertical lines is depicted, which occurred in the tenth-eleventh centuries.[48] This last amphora type was not only recovered at various sites in western Sicily but also found in southern France (Beaulieu-sur-mer), northern Italy (Pisa), on the island of Pantelleria off the Sicilian coast and in southern Tunisia (Qaṣr al-ʿAliyya).[49] Its production started in the first half of the tenth century and reached its peak in the second half of that century.

New in the Sicilian repertoire were amphorae (Fig. 17.6, left; and Fig. 17.8) with a ribbed carrot-shaped body, a long narrow neck and a small

[48] Sacco, 'Produzione e circolazione', fig. 6a (her 'tipo 6.1').

[49] For an example from Pisa, see Antonino Meo, 'Anfore, uomini e reti di scambio sul "mare Pisano" (VIII–XII secolo)', *Archeologia Medievale* 45 (2018): 226, fig. 6, no. 2.

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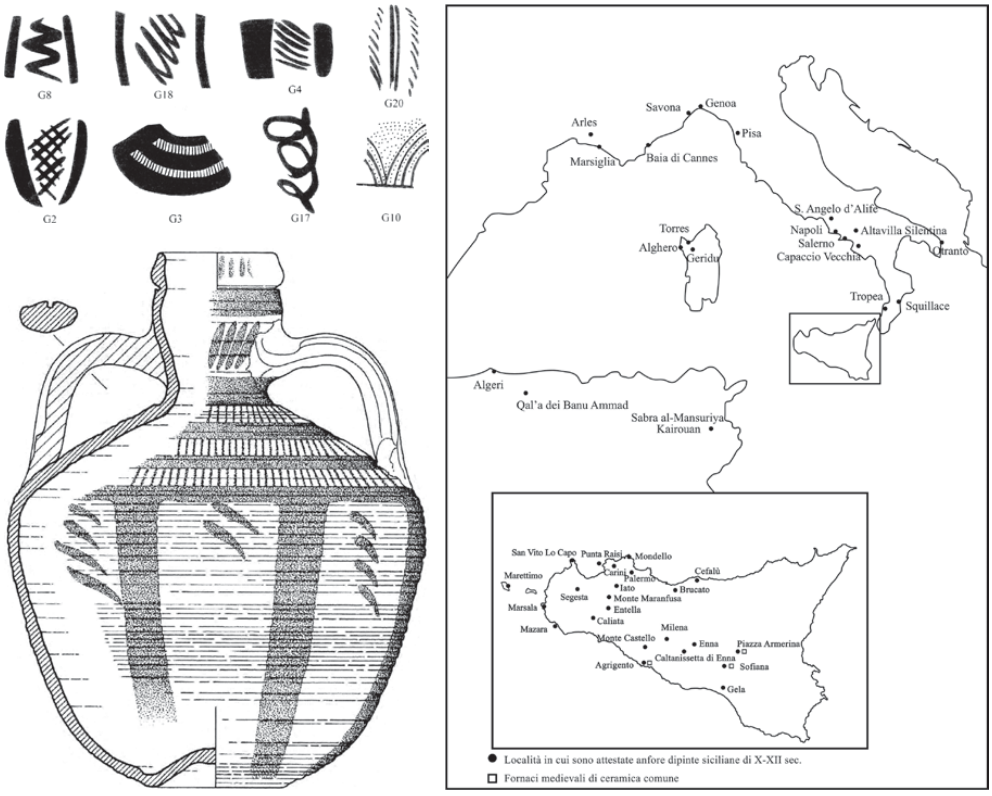

Figure 17.7 Distribution map of painted amphorae from Palermo (map after Ardizzone, *Anfore in Sicilia*, fig. 48; images after Ardizzone, *Anfore in Sicilia*, fig. 37; Sacco, 'Produzione e circolazione', fig. 2). Credit: Map redrawn by Sofia Kane.

domed base, which became known under various names among which are 'Faccenna A', 'Ardizzone E.1/2', 'Siculo-Maghrebine amphorae', 'Arabo-Norman amphorae' or more recently 'Type N' or 'Type 11.1' in the Palermo series.[50] These vessels had no painted decoration, and their volume capacity ranged between 2.5 and 5.0 litres. They started to be produced at Palermo (as is shown by wasters in the Zisa Palace) and its hinterland, at rural sites in western Sicily, in the late tenth and early eleventh century (Fig. 17.8).[51]

[50] E.g. Soundès Gragueb *et al*., 'Jarres et amphores de Ṣabra al-Manṣūriya (Kairouan, Tunisie)', in *La céramique maghrébine du haut Moyen Âge (VIIIe–Xe siècle). État des recherches, problèmes et perspectives,* eds. Patrice Cressier and Elizabeth Fentress (Rome: École française de Rome, 2011), 207–11.

[51] Hellen Patterson, 'Analisi mineralogiche sulle ceramiche medievali di alcuni siti della Sicilia occidentale', in *Actes du Vème colloque sur la céramique en Méditerranée occidentale, Rabat 11–17 novembre 1991* (Rabat: Institut National des Sciences de l'Archéologie et du Patrimoine, 1995), 219–20 (her 'gruppo 1').

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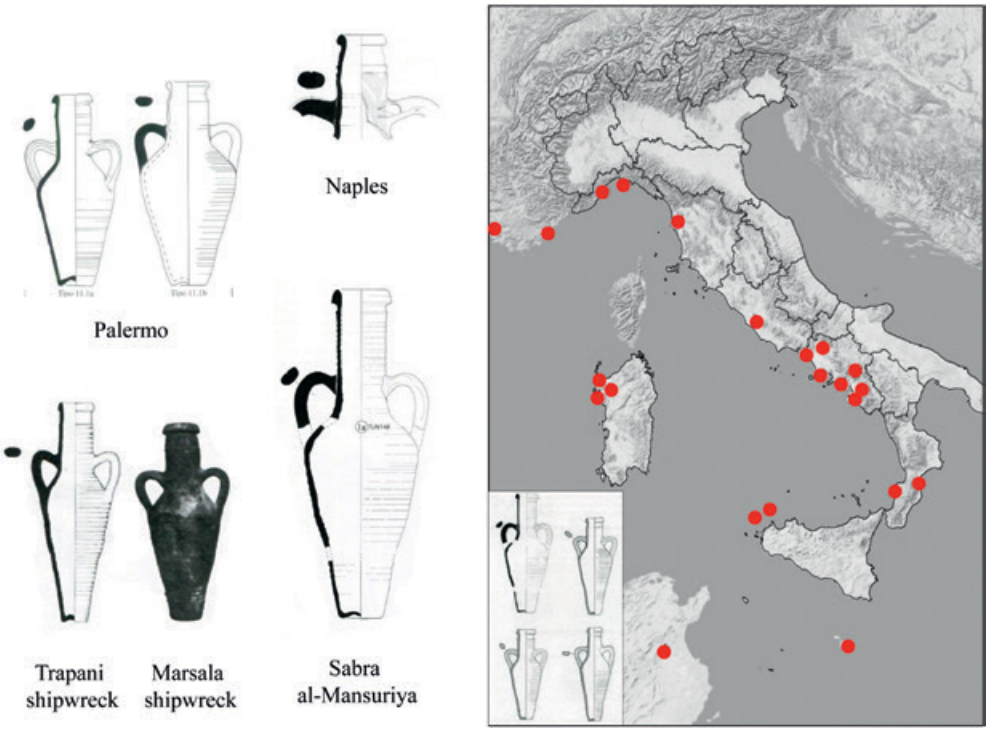

Figure 17.8 Distribution map of carrot-shaped amphorae ('Type N', or 'Type 11.1') from Palermo (map after Molinari, 'Paesaggi rurali', fig. 8; images after Faccenna, *Il relitto*, 39, fig. 30; Ardizzone, *Anfore in Sicilia*, fig. 47; Gragueb *et al.*, 'Jarres et amphores', figs. 8– 9).

The shipwrecks of San Vito Lo Capo (near Trapani), of Marsala, and of Torre Faro (near Messina) and finds along the Palermo coast at Mondello showed that these amphorae were transported by boat from Muslim Sicily to other regions in the Mediterranean.[52] Apart from shipwreck finds near the Sicilian coastline, it is clear that they mostly circulated along the Tyrrhenian coasts until at least the twelfth century.[53] These carrot-shaped containers

[52] E.g. Gianfranco Purpura, 'Un relitto di età normanna a Marsala', *Bolletino d'Arte, Suppl. Archeologia Subacquea* 2 (1985): fig. 9; Angela Maria Ferroni and Costantino Meucci, 'I due relitti arabo-normanni in Marsala', *Bollettino di Archeologia Subacquea* 2–3 (1995–96): figs. 29–30; Philippe Tisseyre, 'De middeleeuwse scheepswrakken bij West-Sicilië', in *Sicilië en de zee*, eds. Diederik Burgersdijk *et al.* (Zwolle/Amsterdam: WBooks and Allard Pierson Museum, 2015), 146 and 148.

[53] For their distribution, see Fabio Faccenna, *Il relitto di San Vito lo Capo* (Bari: Biblioteca archeologica, 2006), 41; Ardizzone, 'Le amfore recuperate', 18–19 and figs 1–2; Alessandra Molinari, 'Paesaggi rurali e formazioni sociali nella Sicilia islamica, normanna e sveva (secoli X–XIII)', *Archeologia Medievale* 37 (2010): fig. 8.

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were recovered in the Bay of Cannes (e.g. Arles, Marseilles, shipwreck of Batéguier), Savona, Genoa, Pisa, Rome, Naples, Altavilla Silentina, Salerno, Capaccio, Tropea, Squillace and on the islands of Sardinia (Geridu, Sassari, shipwreck of Alghero) and Malta (Mdina).[54] Furthermore, they were common finds at Ṣabra al-Manṣūriyya in Tunisia (founded in 947), to which they were undoubtedly transported from the nearby harbour of al-Mahdiyya, thus indicating major contacts between Tunisia and western Sicily at this period.[55] It is therefore worth finding out what these ceramic vessels from Palermo could have contained.

The Cultivation and Distribution of Foodstuffs

South of the city of Palermo is a large fertile plain, known as Conca d'Oro ('Golden Shell'), with orchards of citrus trees, groves of olive trees and vineyards. An old photograph (dated to 1906) shows indeed labourers picking lemons in a grove on the Conca d'Oro.[56] The Abbasid geographer Yāqūt (d. 1229) described Sicily in his *Lexicon geographicum* as a fertile island with abundant water resources and all kinds of fruit (and even saffron). In addition, he noted that Mount Etna was above all covered with large trees (hazelnut, pine, cedar) and various types of fruit trees.[57] It has been assumed that citrus fruits, pistachio and sugar cane were brought to the island by the Muslims, together with improved irrigation systems (including the introduction of the water wheel and the *qanat* system; see Fig. 17.9 below).[58] That sugar cane (*Saccharum officinarum*) was grown around Islamic Palermo is suggested by the discovery of molasses pots and sugar moulds during restoration work at the complex of Maredolce (or Favara) in 1992–93 (Fig. 17.9).[59] These ceramic vessels, which were used during the processing of sugar cane, were found together with noria pots which were

[54] Brunella Bruno, *Roman and Byzantine Malta. Trade and Economy* (Malta: Midsea Books, 2009), fig. 47, nos. 1–3; Bruno and Cutajar, 'Malta', fig. 6 (from an eleventh-century deposit at the Mdina excavations).

[55] Gragueb *et al.*, 'Jarres et amphores', figs. 8–9, who also distinguished a variant with a different rim (known as 'Type Maccari-Poisson') within this group from Sabra al-Mansuriya.

[56] See Broadus R. Littlejohn, Jr. Collection, Special Collections, Wofford College.

[57] See Lemma Ṣiqiliyya in Yāqūt, *Muʿjam al-buldān*, ed. Muḥammad ʿAbd al-Raḥmān al-Marʿashlī (Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī 2008), 5/6:196–99. I would like to thank Georg Leube for sending me a German translation of this text.

[58] Andrew Watson, *Agricultural Innovation in the Early Islamic World: The Diffusion of Crops and Farming Techniques, 700–1100* (Cambridge: Cambridge University Press, 1983), 28–29 and 42–50.

[59] Tullio, 'Strumenti', fig. 4, nos. 2, 6 and fig. 5.

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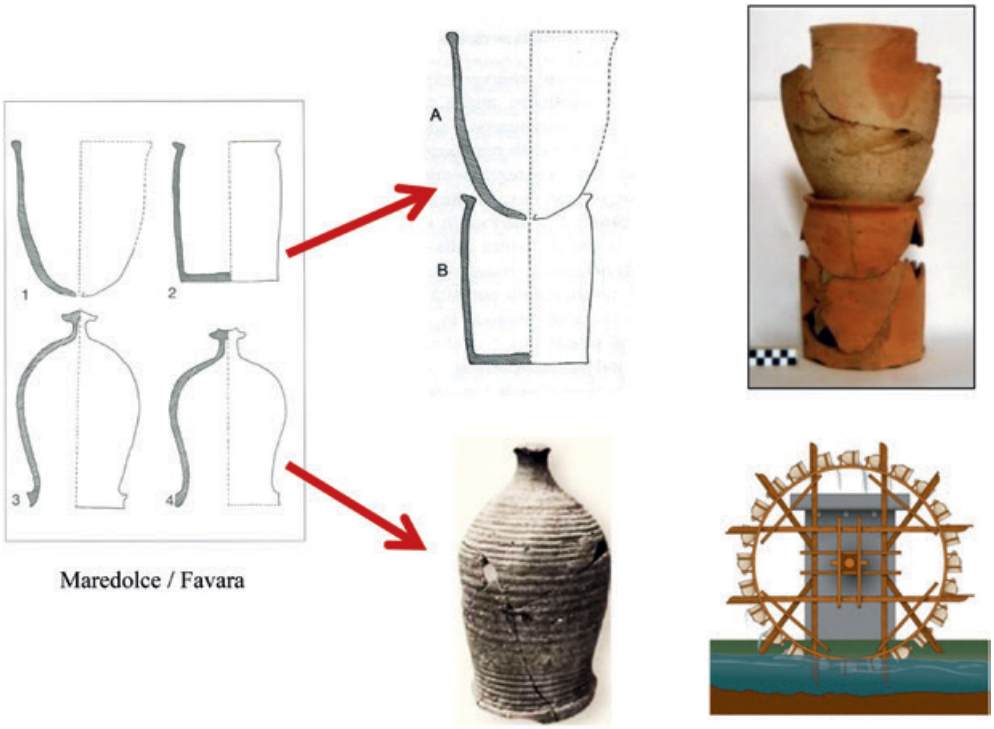

Figure 17.9 Drawings of sugar pots and moulds (above) and of noria pots for a water wheel (below) from the complex of Maredolce/Favara at Palermo (after Tullio, 'Strumenti', fig. 4, nos. 2, 6, 9–10 and figs. 5 and 9).

tied to the outside of an open-framed water-raising device or wheel to improve the irrigation of sugar cane plantations (Fig. 17.9 below).[60]

Recent archaeobotanical research has been carried out on plant macro-remains collected from excavated silos (dated to between the tenth and thirteenth centuries) at Mazara del Vallo, an important port on the southern shore of Muslim Sicily. Apart from wheat (*Triticum aestivum/durum*), that was omnipresent in these silos, the assemblages from eleventh- to twelfth-century Islamic-Norman contexts included citrus (*Citrus* sp.), grape (*Vitis vinifera*), pomegranate (*Punica granatum*), fig (*Ficus carica*), peach (*Prunus persica*), pear (*Pyrus* sp.), sorbo (*Sorbus* sp.) and hazelnut

[60] Tullio, 'Strumenti', fig. 4, nos. 9–10 and fig. 9. For finds of noria pots at Agrigento, see also Fabiola Ardizzone, 'Trasformazione dello spazio pubblico ad Agrigento: La Valle dei Templi tra tardoantico e altomedioevo', in *From Polis to Madina. La trasformazione delle città siciliane tra Tardoantico e Alto Medioevo*, eds. Lucia Arcifa and Mariarita Sgarlata (Bari: Edipuglia, 2020), 266, table VI,2.

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(*Corylus avellane*), as well as aubergine (*Solanum melongena*), cucurbitaceae (*Citrillus* sp., *Cucumis* sp.), linen fibres (*Linum usitatissimum*) and cotton seeds (*Gossypium arboretum/herbaceum*).[61] In addition, later thirteenth-century contexts yielded mostly olive (*Olea europaea*), grape (*Vitis vinifera*), fig (*Ficus carica*), spinach (*Spinacia oleracea*) and water melon (*Citillus lanatus*).[62] These finds showed the first occurrence of some vegetables (such as aubergine) and the oldest archaeobotanical evidence of other plants (such as spinach) in the western Mediterranean in general and on Sicily in particular. Remarkable also is the presence of various fruit types (among citrus) in these silos.

Written documents such as those found in the Cairo Geniza[63] give us further information on how such foodstuffs were purchased, sold and transported between Muslim Sicily and North Africa (Ifrīqiya).[64] Some of these documents provide us with interesting information. An eleventh-century court decision at Fusṭāṭ refers to a shipment of sixty jars of oil purchased by Sicilian merchants in Qayrawān (Tunisia). A contemporary letter from Alexandria (dated to 1056) mentions the shipment of a hundred containers of oil, which were loaded together with textiles onto a ship in the coastal city of al-Mahdiyya (Tunisia). While on its way to southern Sicily, the ship was attacked by enemy forces and its cargo of textiles stolen, but the merchants were able to retain the oil. In fact, the oil jars arrived safely at Mazara del Vallo, from where they were loaded onto two different ships for transport to Egypt.[65] These texts show that oil from Tunisia was distributed in jars (also known as *zir*, *jarra* or *qulla*) through cabotage trade to Sicily and afterwards to Egypt,[66] where the oil was undoubtedly used for food consumption, lamps and the manufacture of cosmetics and soap. Apparently,

[61] Milena Primavera, 'Introduzione di nuove piante e innovazioni agronomiche nella Sicilia medieval: il contributo dell'archeobotanica alla rivoluzione agricola araba di Andrew Watson', *Archeologia Medievale* 45 (2018), 442, pl. I, nos. 1–4, pl. II, no. 7.

[62] Primavera, 'Introduzione', 443, pl. II, nos. 5–6.

[63] A collection of around 400,000 manuscript fragments, letters and administrative documents found in the Ben Ezra Synagogue at Fusṭāṭ, Egypt dating mainly from the Fatimid and Ayyubid periods.

[64] E.g. Shelomo D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza,* Vol. 1 *Economic Foundations* (Berkeley/Los Angeles: The University of California Press, 1967); Jessica L. Goldberg, *Trade and Institutions in the Medieval Mediterranean: The Geniza Merchants and Their Business World* (Cambridge: Cambridge University Press, 2012).

[65] Davis-Secord, *Where Three Worlds Met*, 151–52.

[66] For these names of earthenware containers of oil, soap or vinegar, see Goitein, *A Mediterranean Society,* 1:485 n. 8. Goitein also mentions three *jirār* with kosher oil which were transported from Sicily to Egypt.

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Sicily did not produce much oil during the eleventh century and depended heavily on imports from Tunisia.[67]

More shipments with ceramic containers seem to have been made between Sicily and North Africa. Another Geniza letter (dated to 1030) mentions thirty containers of cheese that had been shipped from Palermo on a ship that took twenty-nine days to make the voyage to Alexandria. Furthermore, a Jewish merchant in Mazara del Vallo wrote about a bale of rice together with twelve bottles of fruit juice, probably for transport to North Africa. According to a list of prices given by a Sicily-based Jewish merchant, fruits and nuts were indeed sold in the island's markets, as well as spices, flax, indigo, perfumes, metals, shelled almonds and prunes.[68] In short, these two texts show the importance of fruits and fruit juices for local use and as export products to Egypt.

Suggestions for Foodstuffs in the Sicilian Amphorae

To date, a considerable number of locally made amphorae have been identified during excavations in Sicily, both in the East (e.g. Rocchicella di Mineo) and in the West (e.g. Palermo). However, there is as yet not much definitive evidence for the contents of these amphorae. The shapes of the local Byzantine-style amphorae (e.g. 'Type 10' of ca. 15.0 litres) suggest they were probably used for wine produced on the island, although they could also have been used for fresh water which was much appreciated in Muslim society and sometimes purified and flavoured with various substances.[69] Their porous fabrics, which allowed evaporation, were convenient for keeping liquids cool because they lowered drinking temperatures by a few degrees. The Geniza documents mentioned the Arabic term *jarra* (ceramic jar) for a container holding liquids, and the word *tamawiya* (deriving from Greek) as a standard term for a wine container.[70]

[67] Ardizzone, 'Le anfore recuperate', 39 n. 121 with further literature.

[68] Davis-Secord, *Where Three Worlds Met*, 153.

[69] Paulina B. Lewicka, *Food and Foodways of Medieval Cairenes. Aspects of Life in an Islamic Metropolis of the Eastern Mediterranean* (Leiden/Boston: Brill, 2011), 457–60 mentions for instance chalk, vinegar, almonds, ground beans, although the most favourite flower aroma added to water was made of rose petals.

[70] Shelomo D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza,* Vol. 4 *Daily Life (*Berkeley/Los Angeles/London: The University of California Press, 1983), 256, who calculated that the average price for ten *tamawiya*s was roughly between 0.8 and 0.88 dinars.

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The smallest vessels with a painted decoration ('Type 4.1'), which started to be manufactured at Muslim Palermo, have only a volume capacity of ca. 3.0 litres (see Fig. 17.10).[71] Apart from the fact that their domed bases show stability, their small forms suggest they were used for the short-term storage and serving of liquids. Their long and narrow necks help minimise spillage during transport and pouring. In addition, their painted surfaces show an investment in appearance, which means that they could also have been used as tableware for domestic use. It is conceivable that they contained special liquids, such as good-quality sweet wines,[72] spiced aromatic wines (Islamic imitations of the ancient *conditum*)[73] or even juices made of lemons, pomegranates, apples, plums and unripe grapes. In fact, there existed a recipe of Muslim Sicily for long-lasting sweet grape must prepared in a ceramic jar.[74]

However, the largest containers within the Palermo series ('Type D2', or 'Type 7') have a different shape (with a wide-rim neck) and more volume capacity of ca. 17.0–18.0 litres (see Fig. 17.10). Their domed bases again suggest stability, but their wider upper parts enabled easy access. Two short triangular handles on squat shoulders give less hold during the transport of these containers. Consequently, they could have been used for medium-term transport or storage of (semi-)solid foodstuffs such as olives, cheese, cereals, dried fruits, legumes, pickles or even salted fish (tuna).[75] This amphora type has two different sizes: one of ca. 35.0 cm high ('Type D1') and another of circa 55.0 cm high ('Type D2'). This last container was even exported beyond Sicily, as shown by finds on the San Vito Lo Capo shipwreck (near Trapani) as well as at Salerno and Pisa.[76]

Some scholars connect the carrot-shaped amphorae ('Type N', or 'Type 11.1' in the Palermo series) to sugar trade (linked to the Sicilian sugar cane plantations), because a shipwreck near Marsala yielded these transport jars together with a ceramic cone-shaped mould that perhaps was used for the

[71] Sacco, 'Produzione e circulazione', 182 and figs. 4–5.

[72] Sicily has mineral-rich soils (because of the presence of Mount Etna on the island) which are an ideal growing environment for the grapevine. Furthermore, due to a warm and dry climate along its shores (with sometimes high temperatures) most Sicilian grape types have high degrees of natural sugar content and, thus, higher alcohol percentages.

[73] See Goitein, *A Mediterranean Society*, 4:260–61 for two recipes in Fatimid Egypt for wine enriched by either bee honey or by pepper, spices and ferments.

[74] For this twelfth-century recipe from Ibn al-Awwan's *Book of Agriculture*, see Michele Amari, *Biblioteca arabo-sicula,* 2 vols. (Turin/Rome: Ermanno Loesher, 1880–81), 307. Perhaps these small vessels from Muslim Palermo contained such a kind of *defrutum* (sweet grape must) to help preserve and sweeten wine.

[75] Purpura, 'Un relitto di etti normanna'; Ardizzone, 'Le anfore recuperate', 38 and note 116.

[76] E.g. Ardizzone, 'Le anfore recuperate', 26–27; Meo, 'Anfore, uomini', 227, fig. 6 (left).

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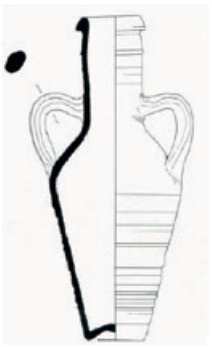
Amphora type	Drawing	Average height	Volume capacity	Potential contents	Date
Type 4.1		?	Circa 3 litres	Liquids: among which sweet wines; spiced aromatic wines; fruit juices/syrups	Late 9th/10th to 1st half 11th c.
Type D2, or Type 7.2-7.3		Circa 50-55 cm	Circa 17-18 litres	Semi-solid food stuffs: among which olives, cheese, cereals, dried fruits, pickles, legumes, salted fish	Late 9th-10th (to 12th c.?)
Type N, or Type 11.1		Circa 16 cm, or 50-67 cm	Circa 2.5-3.5 litres, or circa 4-5 litres	Liquids: among which wine in various qualities	2nd half 10th - 1st half 11th to 12th c.

Figure 17.10 A selection of three amphora types with potential contents from Muslim Palermo, as mentioned in the text (images after Vacco, 'Produzione e circolazione', fig. 5).

refinement of sugar.[77] However, this hypothesis remains dubious since sugar was normally transported on ships in a different manner (e.g. as loaves in wooden containers),[78] unless it circulated perchance as a more liquid substance (like sugar cane molasses). Furthermore, this so-called 'sugar mould'

[77] Purpura, 'Un relitto di età normanna', 134, fig. 14; see also Ardizzone, *Anfore in Sicilia*, 130–31 and fig. 49b for a sugar mould from Palermo.

[78] Mohamed Ouerfelli, *Le sucre: Production, commercialisation et usages dans la Méditerranée médiévale* (Leiden/Boston: Brill, 2007), 141–228 and 360–73.

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from the Marsala shipwreck could also have functioned as a wine funnel for pouring wine into the amphorae which were part of the ship's cargo.

In fact, the shape of the carrot-shaped vessels with domed bases from the same wreck must have given stability for the transport or storage of liquids such as wine on ships (see Fig. 17.10).[79] In addition, these containers were made with long narrow necks to minimise spillage during transport and to facilitate more precise control during the pouring of liquids. Their conspicuous everted rims probably accommodated a stopper or were used for wrapping a piece of cloth with some rope around the top. The smaller examples with a volume capacity of ca. 2.5–3.5 litres could have contained different (perhaps better-quality or sweetened) wine variants than the larger ones with a capacity of ca. 4.0–5.0 litres.

Noteworthy also is the fact that the Italian underwater archaeologist Gianfranco Purpura, who excavated the Marsala shipwreck, mentioned a creamy residue of dark red colour (*rosso ruggine*) in the interior of several amphorae.[80] Later restoration of some of the Marsala pots yielded at least fifteen samples of yellow-golden residues which, after spectrometric analyses, turned out to be natural resins (including pine resin) close to pitch; that is to say, substances that were generally associated with the conservation of wine during transport. In addition, one amphora was still sealed with a cork stopper with a diameter of 5.0 cm and a thickness of 1.5 cm.[81] Apparently, when some sealed Islamic amphorae from the San Lo Vito La Capo shipwreck were opened, they still had the bouquet of wine inside.[82]

These observations coincide well with organic residue analyses that were carried out on Islamic ceramic vessels from late ninth- to tenth-century shipwrecks off the Provence coast (e.g. Agay, Batéguier, Marseille 3). These analyses showed that the foodstuffs detected in the interior walls and bottoms of these ceramic containers included (conifer) pitch, vegetal oil, beeswax, grapes and red wine.[83]

[79] Cf. Filippo Pisciotta and Nicolas Garnier, 'Nuovi dati sulle anfore di Xi secolo del relitto 'A' di Lido Signorino alla luce delle ultime revisioni crono-tipologiche delle anfore medievali', *Quaderni di Archeologia postclassical* 12 (2018): 169–86.

[80] Purpura, 'Un relitto di etti normanna', 134.

[81] Ferroni and Meucci, 'I due relitti', 313.

[82] Ardizzone, 'Le anfore recuperate', 37 n. 104.

[83] Catherine Richarté-Manfredi, 'Navires et marchandises islamiques en Méditerranée occidentale durant le haut Moyen Âge. Des épaves comme témoignages des échanges commerciaux entre domains chrétiens et musulmans (IXe–Xe siècle)', *Mélanges de l'École française de Rome – Moyen Âge* 129 (2017): 14–15; Catherine Richarté-Manfredi, Claudio Capelli and Nicolas Garnier, 'Analyses archéométriques et nouvelles contributions à l'étude des récipients de transport des épaves islamiques de Provence (fin IXe–Xe s.)', *Archeologia Medievale* 45 (2018): 246–48.

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Despite the Qu'ranic prohibition against wine, its production must have continued in several Sicilian sites because its consumers were not only Muslims but also local Christians and Jews. Seemingly, the Islamic conquest did not attempt to interfere in the status quo on the island and allowed the locals to continue with their usual business.

From the Geniza documents and from medieval Arabic texts, we learn that alcohol consumption in Fatimid Egypt not only included wine and beer but also quasi-alcoholic fizzy drinks such as *fuqqa* (a kind of beer, or 'sparkling drink').[84] Good wine was considered a delicacy and could have been stored and sold in smaller vessels; for instance, 'a little jug of wine' was sometimes offered as a gift.[85] Wine cellars stocking large amounts of jars (up to 3,000) were not unusual and were arranged in four rows of jar sizes and categories, ranging from 150–280 *ṭāmawiya*s, 17–29 *lājiyā*s and 5–40 'small ones'.[86] Most wines were described as *muwallad* (cross-bred), which seem to have been mixed with an inferior type of wine,[87] and only a few as *khamr* (real wine).[88]

Apart from good-quality (spiced) wines, the smaller-sized painted amphorae from Islamic Palermo could also have contained more refined non-alcoholic beverages, such as fruit-, vegetable- and grain-based concoctions, known in Arabic-Islamic culinary manuals as *ashriba* (sing. *sharab*).[89] These soft drinks were made of fruit juices (mostly of lemon, citron and quince), which were mixed with sugar or julep. Afterwards, they were cooked to the consistency of syrups, which could have been perfumed with rose water, flower petals, musk, saffron, vinegar or spices.[90] These 'lemonades' or 'orangeades' were not only drunk on a routine basis in Muslim society but were also used as syrups with medicinal and tonic properties.[91]

Concluding Remarks

The archaeological evidence clearly indicates that eastern Sicily, where the Byzantine army and fleet were stationed throughout the period of Muslim expansion, remained economically connected or tied to the eastern

[84] Goitein, *A Mediterranean Society*, 4:253–61; Lewicka, *Food and Foodways*, 465–82.
[85] Goitein, *A Mediterranean Society*, 4:255.
[86] Goitein, *A Mediterranean Society*, 4:258–59.
[87] We must keep in mind that most military forces would not have consumed high-quality wines.
[88] Goitein, *A Mediterranean Society*, 4:259.
[89] Lewicka, *Food and Foodways*, 460–63.
[90] Goitein, *A Mediterranean Society*, 4:254 and 264; Lewicka, *Food and Foodways*, 461.
[91] Lewicka, *Food and Foodways*, 460.

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Mediterranean, and to the Aegean in particular, until the final moment of the Islamic takeover of the island. Amphorae loaded with bulk goods (most probably wine and/or olive oil from church estates in the eastern Aegean) and other ceramic products (including glazed chafing dishes) were imported from the Byzantine territories to this part of the island during the entire two-century demise of the empire's hold over Sicily. This trade system continued functioning until the very end of the Islamic conquest, when the last Byzantine strongholds (such as Taormina) came under Muslim rule in 965.

In western Sicily, however, the situation was quite different. During the eighth and ninth centuries, this part of the island was at first connected via its northern shores to a south-Tyrrhenian exchange system, which was eventually replaced by a North African trade network via its southern coast. The latter exchange system probably provided the Muslim forces in the first conquered areas (including Pantelleria and the south-western coast of Sicily) with bulk goods in Byzantine-style manufactured amphorae from Umayyad Egypt or Tunisia. This southern network gradually changed in character after the establishment of Palermo as capital of Muslim Sicily during the ninth century, not least because the city started to produce its own amphorae. At first these were still influenced by Byzantine decoration styles and shapes, but eventually new ceramic shapes (connected with different daily practices, including novel water-management systems) were introduced, as were new manufacturing techniques and new decoration styles unattested in the pre-Islamic tradition on Sicily.

From the late ninth century onwards, the production and circulation of ceramics clearly show the close relationship and political and economic integration between western Sicily and North Africa (Ifrīqiya). These ties were in particular strengthened during the Aghlabid and early Fatimid periods (although some amphorae were by then still Byzantine influenced), and they became even more solid during the Fatimid and Kalbid periods on the island. The pottery finds underline the function of Palermo and its harbour as a significant bridgehead and commercial hub between Sicily, Tunisia, Egypt and western Italy.

In addition, population growth in Sicily after the Islamic conquest may have given an extra impulse to pottery production in specialized workshops for the new (Islamic) urban markets with new (Muslim) culinary and drinking habits, such as the consumption of sugar cane, sweet syrups and fruit-juice drinks. Archaeobotanical evidence proves that, among the principal food products used in eleventh- and twelfth-century Sicily, wheat and grapes were still important as before, but now there was also substantial consumption of new foodstuffs such as citrus fruit, pomegranate, fig, peach, pear,

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hazelnut and certain vegetables. In addition, written documents tell of Jewish merchants who shipped oil in jars, cheese in containers and fruit juices in bottles through cabotage trade along the Sicilian–Maghreb–Egyptian network.

If the archaeological evidence which we can date between the eighth and the eleventh centuries makes anything clear, it is that Sicily was truly a borderland with permanently shifting complex ties with two empires and cultural powers, one on the rise and the other in decline, which resulted in an ever-changing military, economic and cultural frontier. In this shifting balance of military and cultural dominance, and related fluctuating trade networks, the amphora finds show that the island functioned throughout the entire period of the Islamic conquest as a connective hub at the crossroads of different regional economies and different cultural regional influences. In other words, Sicily was during this historical process a genuine frontier society with a rather clear borderline gradually moving from West to East.

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