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Between umma and dhimma. The Christians of the Middle East under the Umayyads.

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## Between *Umma* and *Dhimma*

### The Christians of the Middle East under the Umayyads

“CROSS AND CRESCENT”, “Church and Mosque”, “Bible and Qur’ān”: students of the Christians and Jews living in Islamic lands have consistently used religious metaphors to describe their object of study<sup>1</sup>—and indeed, this object has been overwhelmingly religious and, more specifically, theological in the broader sense. There has been much recent work on eastern Christians, in particular on the construction of identities among Christian groups of the medieval Middle East, but mostly it has not departed from this approach, focusing in great part on doctrine, theology and philosophy,<sup>2</sup> as if all members of those groups—and not only the elite and learned circles who produced the corresponding texts—had defined themselves according to such criteria alone. The only other element used to define Christian groups is legal, and very closely related to the above. Indeed the *ahl al-dhimma*, alternatively the “*dhimmi* communities”, are seen according to the paradigm of the closed corporate group defined by faith, and the status of the individual is seen as it is defined in Classical Islamic law and in the ninth-century and later redactions of the much-discussed *Ordinances of ‘Umar*, often decried as the centrepiece of Muslim discrimination against Christians and Jews.<sup>3</sup>

This last fact has also spawned some heavily apologetic works, with the coining of a negative-sounding term such as “dhimmitude” and strong but often anachronistic expressions of anti-Muslim wrath based on inaccurate statements and selective choice of sources, at least for

1. Fletcher, *The Cross and the Crescent*; Griffith, *The Church in the Shadow of the Mosque*; Rubin, *Between Bible and Qur’ān*.

2. See for instance Ginkel, Murre-van den Berg and Lint, *Redefining Christian Identity*; Thomas, *Syrian*

*Christians under Islam*; Thomas, *Christians at the Heart of Islamic Rule*; Grypeou, Swanson, Thomas, *The Encounter*.

3. See Levy-Rubin, “*Shurūṭ ‘Umar*”; Noth, “Problems of Differentiation”.

the early period.<sup>4</sup> The large circulation of such works has resulted in the slow accreditation of this vision, with the term *dhimmitude* appearing—quite surprisingly—in a recent scholarly work as if it were entirely neutral.<sup>5</sup> This evidently remains a concern for the student of early medieval East Christian societies, because the image of the origins is being overlaid by that of much more recent periods and events, which took place in dying empires and emerging nation-states, an image sustained both by the post-9/11 *ambiance* and by such otherwise fascinating books as William Dalrymple’s immensely successful *From the Holy Mountain*, which popularises an image of suffering and shrinking communities—but describes a late twentieth-century situation.

In what follows I wish to reconsider the above views in two ways. First I shall attempt to dissociate the early years of the Islamic empire from the classical and modern views that have been projected on it, in order to give a finer chronology of the formation of the classical model of the *ahl al-dhimma*; then I shall briefly give some examples of how those groups, once formed, did function very much as social groups or micro-societies, i.e. they knew internal divisions and tensions, and were not homogeneous faith communities whose only problems in life were Muslim oppression and heretical co-religionists, an image conjured up by much of the literature, even if it is not explicitly described in this way. To treat the subject exhaustively would require a substantial monograph, so what I shall offer here are a series of discussions and suggestions with a view to promoting a new approach to east Christian history, rather than a systematic study of the inevitably numerous and wide-ranging questions I shall be raising.

4. The term was launched polemically by Bat Ye’or (pen name of Gisèle Littman) in 1991, in her *Les chrétientés d’Orient entre jihad et dhimmitude*, whose revised translation into English in 1996 as *The Decline of Eastern Christianity under Islam* has known great circulation and a considerable promotion campaign over various media, including the internet. For a radical critique of her historical method see the review by Sidney Griffith in *IJMES* 30, 1998, p. 619–621, who concludes that the author ‘has written a polemical tract, not responsible historical analysis.’ To contextualise her work it is important to know that Littman (or Bat Ye’or) is also the author of a book titled *Eurabia: The Euro-Arab Axis* (2005) which protests against ‘the transformation of Europe into “Eurabia”, a cultural and political appendage of the Arab/Muslim world [which] is fundamentally anti-Christian, anti-Western, anti-American, and antisemitic’

([http://www.dhimmitude.org/d\\_today\\_eurabia.html](http://www.dhimmitude.org/d_today_eurabia.html), 8 October 2008), and whose cover presents the Middle East and North Africa as the ‘Land of Islam’ and Europe as the ‘Land of Dhimmitude’. Her work is endorsed by such controversial figures as Daniel Pipes, an American historian of the Middle East who is radically anti-Muslim and was appointed by President George W. Bush to the US Institute of Peace in 2003 during the recess of the Senate, which had refused the appointment.

5. Griffith, *The Church in the Shadow of the Mosque*, section p. 17–20 and *passim*. Evidently Griffith uses the term in a purely descriptive way as referring to the specific legal status of *dhimma*—but is it really possible to use such a loaded term descriptively without conveying the extremely negative connotations it has carried from its very inception?

## The Issues

The image usually given of *dhimmī* communities is one of cohesive, undifferentiated religious groups, whose definition is self-evident and unproblematic. This image is based on legislation that was developed from the ninth century onwards by Muslim jurists, and which gave an ever more precise definition of personal status within the empire, for Muslims and non-Muslims alike. This, together with the Islamic principle that law can only be religious law, created the conditions for the gradual reification of the *ahl al-dhimma* and of the various religious groups that were recognised as its members, namely the inscription in law of their definition, contours, rights and duties. Even though this image of well-defined (at least nominally), self-governing groups that had their own institutions and their own designated leaders is probably ideal, it seems to correspond relatively closely to the situation in the ninth century and after. Until then, however, it is quite misleading to speak of “*dhimmī* status” or “*dhimmī* communities” as a given, clear and definable reality, because as very often in the history of Islamic society, this is only a retrojection of a later situation.

“The conquerors did not interfere with the internal civil and religious administration of the conquered peoples, who received the status of *Dhimmī*-s, that is, members of the tolerated religions permitted by the law”.<sup>6</sup> This type of general statement, here taken from Bernard Lewis’s *The Arabs in History*, illustrates the difficulty quite clearly. Lewis covers several centuries in one sentence, and does not differentiate enough chronologically: as he speaks of the conquerors, one might think that it is they who bestowed the defined status on the populations they conquered, which is at best a very radical shortcut. Admittedly this is a very general work, and cannot devote several paragraphs to this question—but such general works are widely read and the image they propose to their readers becomes a received truth. Shortcuts like this one are less common among specialists of medieval eastern Christianity, who generally accept that both the non-Muslim groups and the legislation concerning them did undergo significant historical evolution. However, even though this is often claimed, subsequent analysis concentrates on the classical period, while the first two centuries are given at best a very cursory global treatment.<sup>7</sup> A more narrow focus on the Umayyad period can shed new light on the formation of a social situation that is usually apprehended ready-formed from later sources.

Beyond this question of chronology, or parallel to it, there are a number of other issues to be addressed when studying the history of Christians in the Caliphate. The history of those societies would greatly benefit from the introduction of a number of themes that have remained outside the perimeter of mainstream East Christian studies, in particular the sociological approaches of social groups, analysing the ways in which they are formed and their varying and complex modes of existence.

6. P. 57–58.

7. See for instance Édelby, “The Legislative Autonomy”; Fattal, *Le statut légal*; *id.*, “How Dhimmis

Were Judged”; Tritton, *The Caliphs*; Griffith, *The Church in the Shadow of the Mosque*.

### *Leadership*

There are two different narratives concerning the leadership of Christian communities after the Arab conquest. According to one, they were, from the very beginning of Arab rule, led by their religious leaders, who negotiated conditions with the Muslim administration for them. This is indeed what many later sources tell us about the bishops and patriarchs of the time of the conquest. The other narrative, mostly based on documentary sources, tells us that the Byzantine administration remained in place and even taught the Muslims their craft.<sup>8</sup> A closer look at the earliest evidence can show the degree of evolution and variation that went into the formation of classical Islamic society, something that can only be hinted at in the context of this article.

### *Homogeneity*

At what we could call the micro-level, the groups are usually treated as homogeneous and holistic. Their *internal differentiation* in terms of economic, social and political status has hardly, if ever, been studied, even though as social groups, they were by definition groups where tension and conflict are bound to have existed. This is partly because the texts they produced are overwhelmingly religious, and thus studied in that perspective by scholars who are interested in that subject. It is partly also because the attention of scholars has mostly been captivated by conflict with other groups, especially in Syria and Mesopotamia, about which sources are very garrulous. Yet the texts used in those reconstructions were produced by a small fraction of the population with specific interests and agendas, so that the image that emerges has a *trompe l'œil* quality that needs some adjustment.

### *Static Groups?*

At the level above, groups are mostly treated as relatively static within the global social body. Several scholars have shown that there was a high degree of fluidity between those groups in terms of intellectual and cultural borrowing, of conversion or resistance to it, or of linguistic or other assimilation or exchange. However, it is important to see this fluidity also squarely in terms of group affiliation, in other words, to insist on the fact that members of those groups moved from one to another, rather than simply exchanging units of culture with them—which also happened, of course. Although this would certainly be accepted as true by most scholars in the field, it has not to date been a factor in the analysis of social relations within and between groups.

In 1969, in a ground-breaking essay, Fredrik Barth challenged the idea that ethnic groups could be defined unproblematically in an essentialist way, and insisted on the importance of self-ascription and on the interconnectedness of group identities within a given society, which means that any change in the composition of one group will necessarily affect all other groups

8. A discussion of this question and of the recent literature about it is given in Papaconstantinou, “Administering the Early Arab Empire”.

as well as society as a whole.<sup>9</sup> He also showed how boundaries could be permeable, fluid and constantly renegotiated, and yet keep their solidity and clear definition precisely because of that situation, since concessions on this would eventually mean disappearance of a group by merging into or with another. Barth's analysis has been applied with success to many different contexts, and it is today widely accepted.<sup>10</sup>

The groups discussed in this paper are not, in principle at least, ethnic, but religious—that is, a category that is even more evidently self-ascribed than ethnicity. Yet much of the literature speaks of the Christian community or the Jacobite community and the Melkite community without factoring in this important phenomenon. It is important in studying those societies to remember the number of conflicting or non-overlapping affiliations group members could be confronted with, and to take account of the very different choices they were bound to make.<sup>11</sup>

### *Defining Communities*

Community is a term that is used very loosely in common language today, to describe anything from a small local group of people with a common interest in something, to such virtual realities as “the North African community” in present-day France, a phrase that lumps together a huge number of people according to their geographical origin, but does not presuppose any specific interest common to all the community's members. To deal with this difficulty, sociologists have respectively used the categories of primary and secondary groups. In the study of the early Caliphate, expressions such as “the Coptic community in Egypt” or “the Melkite community in the Levant” carry this ambiguity. Those secondary-type groups that included all Christians of that denomination are implicitly understood to have blindly and silently been behind the patriarch of that church and the dozen of learned ecclesiastics around him, who wrote and spoke in their name: they are constructed as if they were primary, closely-knit territorial groups, which they certainly were not. This is a very difficult trap to avoid, since the term is indeed polysemic and has generic value, and this is why it is important to always specify what exactly one is talking about in this context.

As will have become clear from the above remarks, one of the greatest difficulties faced by historians studying those societies are the sources at our disposal, which originate predominantly in ecclesiastical circles, are generally of an abstract nature, and tend to be more normative than descriptive. They convey an image of societies preoccupied almost exclusively with religious matters, an image from which it is very difficult to escape,<sup>12</sup> in great part because the nature of those sources has also determined the nature of the questions asked of them, and has resulted

9. Barth, *Ethnic Groups and Boundaries*.

10. For a general discussion see Poutignat and Streiff-Fenart, *Théories de l'ethnicité*; Vermeulen and Govers, *The Anthropology of Ethnicity*.

11. See the section devoted to ‘Identity and allegiance’ in Hoyland, *Seeing Islam*, p. 17–26.

12. Although scholars like Gerrit Reinink have also taken into account secular politics in their work: see the references in the bibliography.

in a circular situation, maintaining the discipline predominantly if not exclusively in the field of religious and oriental studies.

Identities, in particular, have been seen essentially through this lens, indeed a very important one. However, although the visible definition of the groups was religious, their composition could at least partly be dictated by other factors that also have group-creating power so to speak, in particular status, kinship, ethnicity and territoriality, and these are areas towards which new research should increasingly turn.

## Timelines

In what follows, I shall explore some aspects of the gradual formation of the various communities from the conquest to the mid-eighth century, the context in which this happened and the various factors that seem to have contributed to that process. I shall also make some suggestions about how their leadership changed over time, and how this contributed to the definition of their identities and their codes of practice.

### *Religious Definition*

Faith-defined communities are seen by many as a hallmark of Islamic society. Yet to what extent is this system co-terminous with Muslim rule, as has usually been assumed? When one analyses the first decades of Islam, it is difficult to find a trace of it. This is not simply an *argumentum ex silentio*: there is also positive evidence that points to a different social situation.

### *Precedents and Counter-Evidence*

The perceived relation between corporate communities and Islam is perhaps most clearly stated by Michael Morony, who notes that the social change marked by their appearance “is usually associated with Islam”: “The emergence of a segmented society composed of separate religious communities (...) which amounted to social corporations with their own legal institutions which gave sanction to matters of personal status such as marriage, divorce, and inheritance. The existence of such communities was fundamental to the formation of Islamic society and serves as the single most important distinction between it and Hellenistic society”.<sup>13</sup> Morony famously went on to argue in the opposite direction, namely that a fairly sophisticated form of the community system already existed in the Sasanian empire, and thus that this sort of compartmentalized social structure had pre-Islamic roots and continued quite naturally after the arrival of the Muslims, who were not its inventors, but expanded and perpetuated it. More specifically, Morony was studying Christian communities in Iraq, and thus in a territory that lay outside the Roman empire in a non-Christian state, which is another point this society had in common with the Islamic one.

Morony’s view is generally accepted as reflecting the general process of the creation of the Islamic system of reified communities. However, several of the points he made need to

13. Morony, “Religious Communities”, p. 113.

be nuanced. The main evidence used to construct this model are the East Syrian canonical collections that were the result of several sixth-century synods, notably those of Mar Abha in 544 and of Ishoʿyahb I in 585.<sup>14</sup> Those texts are mines of under-exploited information for a great number of issues, but whatever their qualities, they remain highly normative ecclesiastical texts that will inevitably give a very restrictive definition of the community they are addressing. When one sets the Sasanian situation in a wider context, it becomes clear that many of the elements adduced to argue for strictly defined and differentiated corporate communities were not specific to Iraq, but were present in the neighbouring Byzantine empire where they created no such system, which means that they are not, in themselves, constitutive of a system of corporate communities.

Among the points made by Morony is that the identity of East Syrian Christians “was formalized by the way the Christology and exegesis of Theodore of Mopsuestia was embedded in the liturgy and teaching of the village and monastic schools and imparted to those trained for leadership as well as to laymen”.<sup>15</sup> This will surprise no Byzantinist, as it is well known that during the long period when Christological controversies flourished in the empire the village schools, often in the hands of clerics, and even more so the monastic ones, taught on the basis of biblical extracts and passages from ecclesiastical authors, which they chose according to their Christological convictions.<sup>16</sup> The assertion that “communal discipline was stiffened by the spread of a reformed coenobitic monasticism subjected to rules and by the foundation of new monasteries from the 580s to the 620s” is somewhat puzzling. Strict monastic reforms with coercive rules had been achieved elsewhere in the Christian world by that time, from Egypt to western Europe, and nowhere did they have any specific effect on communal discipline outside the monasteries—and one does not quite see why they should have. The “designation of the priest as religious judge” by 576 was also in line with Byzantine practice, namely the *episcopalis audientia*, which was introduced by Constantine, initially, it seems, to allow the Christian population to be judged by same-faith judges, and which later became a means of avoiding the delays and expenses of taking matters of private law to centralised courts.<sup>17</sup>

The extension among East Syrian Christians “of canon law to cover marriage, property, and inheritance, first for the clergy (...) and then for the laity” is often understood, not only by Morony, as one of the signs that those communities were developing their own legal systems and thus approaching the notion of corporate. Yet again there are qualifications. These areas, as I just mentioned, were precisely the ones usually brought before ecclesiastical courts in Byzantium. There was no need there for canon law to include civil law, since the imperial legislation took account of Christian principles. This was not the case in the Sasanian empire, which created the necessity for specifically Christian legislation on the matter.<sup>18</sup> Besides, the

14. Published in Chabot, *Synodicon orientale*.

15. See Morony, “Religious Communities”, p. 114–115.

16. On early Byzantine education see Kalogeras, *Byzantine Childhood Education*.

17. On the *episcopalis audientia* see Rapp, *Holy*

*Bishops*, p. 242–252; Harries, *Law and Empire*, p. 191–211; on the evolution towards a more localized form of justice under Justinian, Humfress, “Law and Legal Practice”, esp. p. 178–181.

18. A general survey in Ehrhart, “The Development of Syriac Christian Canon Law”.

inclusion of specific laws regulating marriage prohibitions from 544 onwards seems to have been sparked by more specific concerns, namely the Persian practice of sibling marriage, which seems to have been spreading among Christians. This is clearly echoed in Justinian's Novel 154 of 535/536 concerning the inhabitants of the neighbouring Byzantine provinces of Osrhoene and Mesopotamia who contracted "unlawful marriages" (γάμους ἄθεμίτους).<sup>19</sup> This said, it is undeniable that the existence of a body of communal religious legislation would eventually become one of the founding stones of more rigid and self-contained communities.<sup>20</sup>

The elements described above may indeed have created groups that were more cohesive in the Sasanian empire, but this was in great part because they were minority groups in an empire with a different state religion—but there is no reason why they should have made them any more corporate than equivalent groups elsewhere. Only the "official or semi-official recognition by the Sasanian state"<sup>21</sup> could give the system any concrete reality. On the other hand, the entire late antique world as we know it was populated by such communities, which often defined themselves as "the one true community of God"<sup>22</sup> and which were also to a great extent independent since they found their origin in the semi-autonomous, self-sustained and self-governed *polis* which was still a pivotal unit of the late Roman empire in the early sixth century and which formed a basis over which a network of bishoprics and episcopal authority was laid with only few adjustments.<sup>23</sup> This is not to deny that there was much identity-forming activity among those groups, in the form of regulations governing contact with members of other groups. But it must be stressed that the definition of boundaries and of a group identity does not necessarily mean that we have to do with a "corporate" group in the sense that it was recognized by the state as a legal entity, which reflects a much later situation.

### *From the Conquests to Mu'āwiya*

Recently a short and very tentative, if quite compelling, argument was made by Robert Hoyland for a form of "catholicity" in the first seventy years or so of Islam, which is understood not as an ecumenical religion as we might put it today, but as the existence at that time of a "religiously pluralist" *umma* held together by its commitment to fighting the enemies of God.<sup>24</sup> This builds on the *Constitution of Medina*, arguably the oldest text in the Muslim tradition,<sup>25</sup> which was drawn up by Muḥammad to regulate the relations between the various groups present in Medina at the time. It describes itself as a "compact (*kitāb*) from Muḥammad

19. Justinian, *Novels*, no. 154, Kroll and Schoell, p. 729–730; see Lee, "Close Kin Marriage".

20. It is striking however that in the seventh century, this tendency was also found within the Byzantine empire, where the Council of Trullo in 692 included several canons concerning degrees of consanguinity and other matters normally in the domain of private law.

21. Morony, "Religious Communities", p. 116–117. Greatrex, "Khusro II", argues for a more supple

model of relations between the Sasanian state and the Christian churches of his territory.

22. Sizgorich, "Narrative and Community", p. 24–25.

23. See Rapp, *Holy Bishops*, esp. chap. 7 and 9.

24. Hoyland, "New Documentary Texts", p. 409–410.

25. On this fundamental text, titled simply '*kitāb*' in the versions that have come down to us, see now Lecker, *The "Constitution of Medina"*, where previous literature is discussed.

the Prophet between the Mu'minūn and Muslimūn of Quraysh and Yathrib and those who join them as clients, attach themselves to them and fight the holy war with them (*wa-jāhada ma'ahum*). They form one people to the exclusion of others (*umma wāḥida min dūni l-nās*).<sup>26</sup>

The document contains specific clauses concerning the Jews “who will join us as clients”, who were thus also considered members of the *umma*, even though they are not expected to convert, as is made clear further down: “The Jews have their religion (*dīn*) and the Muslimūn have theirs”.<sup>27</sup> Hoyland sees the *Constitution* as essentially a “blueprint for a single politico-religious community uniting different religious denominations under ‘the protection of God’ (*dhimmat Allāh*) to fight on His behalf, and as indicating that the future direction of the *umma* was to include people of different faiths and to focus on combating the enemies of God. This was to lay the basis of a form of *jihād* state whose fighting men were of different religious denominations. This in turn could be the main reason behind the initial religious neutrality of Muslim leaders until ‘Abd al-Malik, when Islam was finally elevated to the rank of official state religion.

As it stands, this hypothesis only applies to the Muslim side of things. However, if we accept it, it has obvious and far-reaching implications for the question treated here, since one can hardly see how a system of clearly differentiated, religiously defined and legally impaired communities could have found place within such a pluralist *umma*.

Hoyland’s argument can be supported by what we know of the use of the term *dhimma*, and the way it evolved. As Mahmoud Ayoub has shown, the term kept for some time the moral rather than legal meaning it had in the *Constitution of Medina*, as in the Qur’ān and the early *hadīth*. The most common expression in the early years was *dhimmat Allāh*, the protection/covenant of God, and not *ahl al-dhimma*, which describes the legally defined communities but does not appear before the tenth century.<sup>28</sup> Evidently if there is a covenant of protection there are parties to it, but it is significant that semantically, the stress is initially put on the principle instead of the group. It is worth testing the evidence on the Christian side so as to get a more complete picture of the situation during that period.

Evidently, if Christian soldiers there were in the conquering armies, they represented only a small part of the Christian population as a whole, and they had probably joined on an individual basis or on that of small groups. They already had the habit of fighting alongside Arabs, since many tribes—albeit not necessarily the ones who first embraced Islam—had occasionally contributed to Byzantine and Sasanian expeditions. The participation of Christians in the conquering armies may also have provided the basis for all the (later) narratives recounting how the Monophysites of the eastern provinces helped or welcomed the Arabs—narratives

26. *Constitution* 1–2, from Lecker, *The “Constitution of Medina”*, p. 7 and 32. Lecker explains his translation of *umma* by ‘people’ at p. 89–91 and comments on the definition of the various groups mentioned p. 40–46.

27. *Constitution* 18 and 28, Lecker, p. 8 and p. 34–35.

28. Ayoub, “Dhimmah in Qur’an and Hadith”.

that have given rise, as everyone knows, to heated debates on the role of the Christological divisions in the loss of those provinces by Byzantium.<sup>29</sup>

The dividing line between Christians who joined the Arabs and the others did not go along confessional lines, however. Several non-Chalcedonian accounts of the conquest reject the Arabs, while Chalcedonians such as Maṣṣūr ibn Sarjūn, grandfather of John of Damascus, participated in the negotiations for the capitulation of Damascus and then became head of Mu'āwiya's tax administration, a position later held by his son and grandson until the death of 'Abd al-Malik, at which point the younger Maṣṣūr joined the ranks of the church and took the name John of Damascus.<sup>30</sup> John bar Penkaye mentions Christians "in no small numbers" who joined Arab "robber bands" in their raids for captives. "Some belonged to the heretics, while others to us", he comments.<sup>31</sup>

Whatever the extent of non-Muslim participation in the conquest armies, most of the population, Christian or other, must have simply continued its life during and immediately after the conquests despite the disruptions, and later tried to accommodate themselves to the new order of things, a process to which inhabitants of the eastern provinces were long accustomed. This is admirably illustrated by a text known as the *Maronite Chronicle*, a work of which only fragments have survived but which was probably written before the 680s by someone who lived through the caliphate of Mu'āwiya, thus offering a contemporary account of events.<sup>32</sup>

"In the year of the Greeks 970 [659 CE], the 17th year of Constans, on a Friday in June, at the second hour, there was a violent earthquake in Palestine, and many places collapsed. In the same month the bishops of the Jacobites, Theodore and Sabūkht, came to Damascus and held an inquiry into the Faith with the Maronites in the presence of Mu'āwiya. When the Jacobites were defeated, Mu'āwiya ordered them to pay 20,000 denari and commanded them to be silent. Thus there arose the custom that the Jacobite bishops should pay that sum of gold every year to Mu'āwiya, so that he would not withdraw his protection and let them be persecuted by the members of the Church. The person called "patriarch" by the Jacobites fixed the financial burden that all the convents of monks and nuns should contribute each year towards the payment in gold and he did the same with all the adherents of his faith. He bequeathed his estate to Mu'āwiya, so that out of fear of that man all the Jacobites would be obedient to him. On the ninth of the same month in which the disputation with the Jacobites took place, on a Sunday at the eighth hour, there was an earthquake. (...) In the year of the

29. See especially Moorhead, "The Monophysite Response"; Kaegi, *Byzantium*; Winkelmann, "Ägypten und Byzanz".

30. The most up-to-date survey of the evidence on John of Damascus is Conticello, "Jean Damascène".

31. John bar Penkaye, 147\*, transl. Brock, "North Mesopotamia", p. 61.

32. Introduced and translated in Palmer, *The Seventh*

*Century*, p. 29–35, who suggests this date on the grounds that since the *Chronicle* is Maronite and yet pro-Byzantine, it must date from before the Sixth Council that marked a rift between the two; the accuracy with which weekdays are given also speaks for a date of composition very close to the events; see the discussion in Hoyland, *Seeing Islam*, p. 135–139, which remains inconclusive on the date.

Greeks 971 [660 CE] many Arabs gathered at Jerusalem and made Muʿāwiya king and he went up and sat down on Golgotha; he prayed there and went to Gethsemane and went down to the tomb of the blessed Mary to pray in it. In those days when the Arabs were gathered there with Muʿāwiya, there was an earthquake and a violent tremor and the greater part of Jericho fell, including all its churches, and of the House of Lord John at the site of our Saviour's baptism in the Jordan every stone was overthrown, together with the entire monastery. The monastery of Abba Euthymios, as well as many convents of monks and solitaries and many other places also collapsed in this (earthquake). In July of the same year the emirs and many Arabs gathered and proffered their right hand to Muʿāwiya. Then an order went out that he should be proclaimed king in all the villages and cities of his dominion and that they should make acclamations and invocations to him. He also minted gold and silver, but it was not accepted because it had no cross on it. Furthermore Muʿāwiya did not wear a crown like other kings in the world. He placed his throne in Damascus and refused to go to Muhammad's throne".<sup>33</sup>

There is much of interest in this text for the argument followed here. The first concerns one of the pivotal elements of the definition of *dhimmī* status, namely protection. It appears here as resulting from a deal between the caliph and the Jacobites, who pay a tribute in exchange for protection against persecution by the Melkites. The passage carries several important implications. Firstly, that this protection, and the price that went with it was only afforded on an *ad hoc* basis, after negotiation and well after the conquest; secondly, that the Maronites were neither protected nor had to pay anything; and thirdly, that the Chalcedonians were at that time in a position to persecute the Jacobites, to the point that the latter needed state protection.

The very fact that Muʿāwiya should have sat as referee between the two denominations—or, to be precise, that he held the inquiry on the Jacobites with the Maronites, is quite significant. It can certainly be interpreted as an attempt not only to state his religious neutrality as a leader, but also to define himself as the leader of the entire population, whatever their religion. It also seems clear that there were at least two different options for that population, rather than an automatic and unique *dhimmī* status with payment of the *jizya* for all Christians. One option was indeed to have the status of a protected group against a sum of money. The other, represented by the Maronites, is less obvious to define. They seem closer to Muʿāwiya than the Jacobites in this passage, which may of course be biased since it is their version of the story, but which also fits quite well with the fact that Muʿāwiya's chief tax-collector, Manṣūr ibn Sarjūn, was a Chalcedonian and thus closer to the Maronites than to the Jacobites. The fact that they sat as judges at Muʿāwiya's side could be an indication that they had in a sense "joined" the *umma*, succeeding at the same time in discrediting their primary religious opponents.

We are also told that Muʿāwiya was proclaimed caliph in Jerusalem, a highly symbolic city for the Christians, and that after that he paid visits to some of the highlights of the classic Holy Land pilgrimage and even prayed there. As a statement of neutrality and inclusiveness this

33. Palmer, *The Seventh Century*, p. 29–35.

can hardly be equalled, and it evidently made the expected impression on the chronicler. The choice of Damascus as his capital is likewise approved of—or rather the fact that he “refused to go to Muḥammad’s throne”. This should probably be seen in the light of the rift with the faction of ‘Alī, who were much more deeply centred in Arabia and called for a stronger and more openly proclaimed Islam. Depending on when the chronicler was writing, this may even be an allusion to Ibn al-Zubayr’s attempt to establish a much more clearly Muslim caliphate at Mecca.<sup>34</sup> Religious neutrality could also be at the root of the new coins, with “no cross on them”, and presumably without any Muslim proclamation either. The largely Christian population seems to have been much less inclusive than its new leader, however, and would not have such a reform. That Mu‘āwīya should have dropped the attempt so easily is another sign of his diplomatic approach.<sup>35</sup>

If it was indeed Mu‘āwīya’s wish to come through as “catholic” or, to use less loaded terms, as religiously “inclusive” or “neutral”, his efforts seem to have been quite successful. His time is remembered in many Christian writings as a golden age, and his neutrality in the area of religion is often a salient feature of such accounts. Writing around 687, for instance, the north-Mesopotamian John bar Penkaye remembers how “Justice flourished in his time, and there was great peace in the regions under his control; he allowed everyone to live as they wanted. (...) As a result of this man’s guidance they held to the worship of the One God, in accordance with the customs of ancient law. (...) Once Mu‘āwīya had come to the throne, the peace throughout the world was such that we have never heard, either from our fathers or from our grandparents, or seen that there had ever been any like it. It was as though our Lord had written ‘I will test by this means, as it is written *so that through grace and truth sin may be forgiven*’”.<sup>36</sup>

Others recount how he rebuilt the old church of Edessa that had collapsed during an earthquake.<sup>37</sup> However, this idyllic view of the Arabs predates Mu‘āwīya’s period as caliph. The East Syrian katholikos Isho‘yahb III (d. 659) wrote of the Arabs “to whom God has at this time given rule over the world, you know well how they act towards us. Not only do they not oppose Christianity, but they praise our faith, honour the priests and saints of our Lord, and give aid to the churches and monasteries”.<sup>38</sup> Such statements should of course be read with much care, since they are in great part bids for recognition and legitimacy between rival

34. Robinson, *‘Abd al-Malik*, p. 31–48. As Hoyland points out (*Seeing Islam*, p. 552), it is indeed noteworthy that the earliest Muslim proclamations come from the circles of this opposition movement; they could be understood in this context as a call for greater religious differentiation as against the ‘pluralist *umma*’.

35. This short statement has intrigued numismatists and has been commented upon at some length. See now Foss, “A Syrian Coinage”, with further references.

36. John bar Penkaye, 146\*-147\*, transl. Brock, “North Mesopotamia”, p. 61–62. On John’s general interpretation of the coming of Islam, see Reinink, “East Syrian Historiography”.

37. A passage that was part of the Chronicle of Theophilos of Edessa, reconstructed under the title ‘Syriac Common Source’ in Hoyland, *Seeing Islam*, Exc. C (passage p. 646), and was repeated in several later sources.

38. *Epist.* 14C, transl. Hoyland, *Seeing Islam*, p. 181.

religious groups,<sup>39</sup> but they do convey the impression of a still fluid and undefined religious situation. It was a time when a Christian Arab poet like al-Akḥṭal could not only be employed as court panegyrist, and remain in that position until the time of al-Walīd, which is not very surprising seeing the number of Christians present at the Umayyad court, but could also make the pilgrimage to Mecca at the side of the caliph's son and future successor Yazīd, which raises yet again the question of how strongly religious borders were defined.<sup>40</sup>

All this is not to say that Mu'āwiya and his immediate predecessors and successors were tolerant leaders as we understand the term today. Seeing the high internal tension within early Islam, and the civil wars it brought about, winning over the Christians who were the overwhelming majority of the population was a politically very astute move. The obvious way to do this was to go beyond simply offering them religious freedom and to make them feel included and respected as members of the new state, reassuring them against the more rigorist and purist tendencies of its enemies. It is obviously impossible to know what Mu'āwiya's policy and motives really were, or even to assume that they were entirely consistent throughout. His good reputation among the Christians can however be set against his image in later Muslim tradition, admittedly reworked and adapted under the Abbasids, where he is presented as religiously ambivalent or, in the words of Stephen Humphreys, "a Muslim by expedient rather than sincere acceptance".<sup>41</sup>

### *'Abd al-Malik and the Later Umayyads*

"It has become a truism", writes Sidney Griffith, "to say that it was in the reign of the caliph 'Abd al-Malik (685–705) that Arab rule in the conquered eastern provinces of Byzantium made its first institutional proclamation of Islamic faith".<sup>42</sup> Not only that, but it has recently been claimed that before 'Abd al-Malik there may have been an Islamic polity but no Islamic state.<sup>43</sup> The reasons for this change have been abundantly explored and do not concern us here directly<sup>44</sup>—except perhaps for the fact that the Muslim rebellious factions had proved to be much more dangerous for the new state than the Christian divided majority, and that it was them that the caliph should now try to win over, which inevitably meant distancing himself from his previous allies.

39. See the analysis of Isho'yahb's correspondence in Payne, "Persecuting Heresy"; I am very grateful to the author for providing a copy of his forthcoming article.

40. On al-Akḥṭal see Ouyang, *Literary Criticism*, p. 79–81, citing anecdotes from the tenth-century *Kitāb al-aghānī*. A thorough, albeit dated study is Lammens, *Le chantre des Omiades*.

41. Humphreys, *Mu'awiya ibn Abi Sufyan*, p. 126; on judgements of Mu'āwiya see p. 115–128. This tends to be the general assessment of the Umayyads in most of Abbasid tradition. Several recent studies,

however, have shown that Abbasid histories are less untrustworthy than has been assumed, i.e. that their versions often correspond with what can be found in other sources: see for instance Borrut, "Entre tradition et histoire"; Hoyland, "Arab Kings"; and more systematically, Hoyland, *Seeing Islam*.

42. Griffith, "Christians, Muslims, and Neo-martyrs", p. 163.

43. Robinson, *'Abd al-Malik*.

44. See the discussion in Hoyland, "New Documentary Texts", p. 397; Robinson, *'Abd al-Malik*.

The Dome of the Rock is usually seen as the centrepiece of his public proclamation of Islam as the state's official religion, and for some scholars it was the trigger of a series of negative reactions on the side of the Christians.<sup>45</sup> It was built on what was a holy place for both Christians and Jews, and a number of Qur'anic verses among those that mention Jesus were inscribed on it. Following the mainstream interpretation, Griffith sees the dominant statement of the monument as "the reign of Islam in Jerusalem", a triumphalist statement of victory over the previous holders of the city. "There can be no mistaking", he says, "that these and other quotations from the Qur'an which appear in the inscriptions have a definite focus, and it is expressly to state the Islamic *shahādah* as it rebuts standard Christian teaching about Jesus the Messiah".<sup>46</sup> Hoyland insists on another aspect of the inscriptions, which is rarely put forward, namely that 'Abd al-Malik "seems to be speaking to, even trying to win over, Jews and Christians, and particularly the latter. (...) It is as though the Jews and Christians are not yet considered totally separate communities from the Muslims and 'Abd al-Malik has some right as their ruler to address them".<sup>47</sup>

It cannot be denied that the Dome of the Rock was an ambivalent symbol to say the least. The very need to "rebut standard Christian teaching" shows that the latter was taken quite seriously, and indeed, can be read as an appeal to Christians through a lavishly illustrated proclamation of the error of their faith and of the God-favoured alternative, a form of rhetoric of persuasion quite familiar to them from their own internal debates.<sup>48</sup> In the same way, the choice of Jerusalem can be seen less as a triumphalist act of dispossession and more as a choice of unity that was natural to all, a point of contact rather than contest.

Presenting 'Abd al-Malik as a religious *rassembleur* on such evidence alone may strike one as rather odd. Yet there is at least one Christian text that can sustain this view. The Georgian *Life of Michael the Sabaite*, probably translated from an Arabic original written in the ninth century at the Palestinian monastery of Saint Sabas is set in his time. Michael is presented as a victim of 'Abd al-Malik, whom he infuriates by getting the best of him during a theological dispute. This much later account clearly projects ninth-century realities on the late seventh century, but it also contains some very original elements, which could point to the use of older texts.<sup>49</sup> In particular, it presents the caliph in a very positive light: "In the time of 'Abd al-Malik, the son of Marwān, the commander of the faithful, there was great peace and tranquillity; there was neither hostility nor war. In all the family of men, believing and unbelieving, among all the heathen, Jews and Saracens, there was a heart longing to see Jerusalem.

45. Especially Reinink, "Early Christian Reactions", but also his other works, in which this is a central thesis.

46. Griffith, "Christians, Muslims, and Neo-martyrs", p. 164 and 166.

47. Hoyland, "New Documentary Texts", p. 409; for the idea that there was in such proclamations an appeal to Christians, see also Conrad, "Heraclius"; Reinink, "Political Power", esp. p. 153–154.

48. On the way monuments, like miracles, were used as showpieces to convince opponents of God's favour, see Fowden, "Monks, Monasteries and Early Islam", esp. p. 153–156.

49. Griffith, "Christians, Muslims and Neo-martyrs", p. 179.

[The caliph comes with his wife, children and followers from Babylon to Jerusalem...]. ‘Abd al-Malik, the commander of the faithful, brought no harm nor trouble to anyone, but he was making inquiries and had been searching for a Christian man, expert in the law’.<sup>50</sup>

This quite unique text is difficult to interpret, but one possibility would be to see it as a distant memory of this period of inclusiveness, a reminiscence of aspects of ‘Abd al-Malik’s caliphate overwritten by later narratives which credit him with (or accuse him of) islamicising the state. When we turn to actual documents, what evidence we have consistently points to al-Walīd as the caliph under whom the real turn of the screw came in this respect, notably the attempts at arabicisation of the chancellery and the lower echelons of the administration. Only after 705 do we see Arabs as local governors and have evidence of Arab scribes for documents.<sup>51</sup> The introduction of the poll tax for the Egyptian monks is also a measure taken under al-Walīd.<sup>52</sup> Strikingly, it is also with the accession of al-Walīd that John of Damascus left the court to join the church. This is not to deny ‘Abd al-Malik his important place in shaping the Islamic state, but only to suggest that the reforms he initiated probably took some time to mature and were not implemented everywhere with the same speed. Their significance, obvious to us who have centuries of hindsight, was likely not *immediately* recognised in every corner of the empire at the time. Moreover, there is a fair chance that even while introducing far-reaching reforms, he was also perpetuating previous attitudes.

Whatever the case, it is undeniable that the 690s brought a very clear change of mood, both on the Christian and on the Muslim side. In many ways this is not very surprising. At the end of the second civil war, Middle Eastern populations had known war and repeated destruction from various natural disasters for as long as they could remember. They had seen the collapse of two legendary empires, and long disputes over who was to take the credit for the victories. In order to stabilise the situation and reassure the population, any political leader would have taken some important measures in terms of governance and propaganda. Conversely, in order to understand or give meaning to their plight, the populations who lived through that period produced in the 690s and the early eighth century what Michael Morony has called “a cluster of apocalyptic expressions”<sup>53</sup> which all in some way took issue with Islam and with Muslim rule.<sup>54</sup> This shows that those texts were also, perhaps primarily, reactions to the about turn of caliphal policy towards Christianity, as Gerrit Reinink and Han Drijvers have argued, although the specific eschatological form they took reflects the much deeper discomfort brought about by more than seventy years of disruption.<sup>55</sup>

At the same time, the various groups living in the Caliphate started defining their separate identities more distinctly. This increasing need for differentiation was probably the result of

50. Quoted in Griffith, “Christians, Muslims and Neo-martyrs”, p. 175.

51. These are first mentioned in the correspondence of Qurra ibn Sharik in the first two decades of the eighth century; see Richter, “Language Choice”.

52. *History of the Patriarchs* 17 (Alexander II), Evetts p. 51.

53. Morony, “History and Identity”, p. 14.

54. Drijvers, *The Gospel of the Twelve Apostles*.

55. Reinink, “Political Power”, p. 153–154; *id.*, “Ps.-Methodius”; Drijvers, “The Gospel of the Twelve Apostles”. See Hoyland, *Seeing Islam*, p. 26–31, and a survey of texts to the tenth century, p. 257–335.

the internal divisions and definitional difficulties encountered over more than a half-century by both Islam and Christianity, and it was very much a dialectical process. If indeed there was inclusiveness and lack of differentiation during the early years, even on a small scale, they must have been very difficult to hang on to with different religious beliefs, practices, rituals and affiliations once the cement of common causes such as conquest and the eradication of polytheism was no longer present.

On the Muslim side, the *hijra* and conquest generation was dead and gone, and with it any solidarities that may have been struck during those founding events, and this holds true whether we accept the “catholicity” hypothesis or not. From very different sets of evidence, both Albrecht Noth and M. J. Kister have argued that once it had left Arabia and found itself in a Christian-dominated world, Islam had some difficulty in making itself distinctive and was in need of a strong statement of identity, especially to avoid being taken for a Jewish sect or a Judaizing heresy.<sup>56</sup> The risk was real, and still in the mid-eighth century John of Damascus included Islam in his catalogue of heresies. Although this was probably a way of downplaying its growing power and overwhelming importance by his time, it was evidently a notion that had been common and was still acceptable.<sup>57</sup> Kister examined early *hadīth* and commentaries of the Qurʾān, showing how they often go to great pains in order to differentiate “proper” Muslim practice from the ways of the Christians and, especially, the Jews. Since those texts as we know them have come down to us only in later collections, it is difficult to know when they started appearing, and Kister only suggests that they “belong to a very early phase in the emergence of Islam”<sup>58</sup>, quite conceivably at the time when Islam was giving itself a well-defined form. Noth for his part re-examined the set of rules known as the *Ordinances of ‘Umar* in the same light, arguing quite convincingly that their main purpose was to avoid imitation of the Muslims by the non-Muslims, not in order to discriminate against the latter, but in order to protect the distinctiveness of the former. No new practices or clothing are imposed on non-Muslims, but the obligation to stick to what they had always done. According to Noth, this concern could quite plausibly go back to the conquests themselves, in other words to the caliph ‘Umar ibn al-Khaṭṭāb to whom later tradition attributes the *Ordinances*; however, the collection and more formal organisation of such principles as a set of rules could also date to the time after the second civil war and the construction of clearer religious boundaries.

The Christians reacted to this in much the same way. From the 690s onwards a steady flow of texts was produced by all the groups and sub-groups present, the main purpose of which was “a puritan reemphasis on their own boundaries”.<sup>59</sup> Among the first were those of Anastasius of Sinai, who shows much concern for the prisoners taken during raids against Byzantine territory, especially fearing the possibility of apostasy and trying to prevent it. His

56. Kister, “Do Not Assimilate Yourselves...”; Noth, “Problems of Differentiation”.

57. On this text see Sahas, *John of Damascus*.

58. Kister, “Do Not Assimilate Yourselves”, p. 340.

59. Cameron, “Disputations”, p. 107 (quot.); on those texts see especially Reinink, “The Beginnings”; Griffith, “Answering the Call of the Minaret”; more generally, Hoyland, *Seeing Islam* and Griffith, *The Church in the Shadow of the Mosque*.

critical language towards Islam, however, never quite matches the fierceness of his opposition to Monophysitism, and the boundaries he was trying to define only enclosed the Chalcedonians in Islamic territory, not the Christians as a whole.<sup>60</sup> Thus for him, any discussion with the Muslims also implies the drawing of a clear line of demarcation between Christian groups: “When we set out to converse with Arabs we have first to condemn anyone who says, ‘Two gods’, or anyone who says ‘God has carnally begotten a son’, or anyone who makes prostrations to God, to any creature whatever, in heaven or on earth. Likewise, in regard to the rest of the heresies, it is necessary first to condemn however many false opinions about the faith they have. For giving heed to these things, they accept the rest more eagerly”.<sup>61</sup>

Apocalypses take issue with Islam much more bluntly. The *Apocalypse* of Pseudo-Methodius, for instance, predicted the end of Islamic rule—though this is an assertion no longer found in the *Gospel of the Twelve Apostles* which postdates it,<sup>62</sup> even though it also paints a picture of Christian suffering, just like the short apocalyptic passage preserved in the Arabic *Life of Shenoute*.<sup>63</sup> However, such overtly Arabophobic works were not the norm. The early eighth century saw the first disputations between Muslims and Christians, which started setting the limits of their respective practice and belief systems.<sup>64</sup>

All the above aspects of Christian identity-building have been widely studied, and there is little I can add here to the long bibliography,<sup>65</sup> except perhaps to insist that this process of defining and redefining boundaries was also directed towards other Christian groups, even if this can only be fully appreciated through different sources such as historical and homiletic texts. Like Anastasius of Sinai, many non-Chalcedonian texts also take great pains to differentiate between themselves and “the Romans”, who for most of the conquered Christians were still the legitimate political entity, the “centre out there” with which they had not entirely severed their mental bonds.<sup>66</sup> The many narratives produced to insist on the legitimacy of the Muslims and on the odiousness of the Romans betray a fear among religious leaders that their flocks might somehow subordinate their religious identity (as non-Chalcedonians) to the political one (as citizens of the Christian empire), and thus offer their allegiance to Chalcedonian groups within the Caliphate. Contrary to received truth, based on the literary constructions of non-Chalcedonian authors, Chalcedonian groups must have been quite appealing for many

60. Flusin, “Démions et Sarrasins”; Haldon, “The Works of Anastasius of Sinai”, esp. p. 134–137. An edition of Anastasius’ *Narrationes* with translation and commentary is being prepared by André Bingeli in Paris; in the meanwhile see his doctoral thesis, *Anastase le Sinaïte: récits sur le Sinaï et récits utiles à l’âme*, université Paris IV, 2001.

61. Anastasius of Sinai, *Hodēgos*, Uthemann, p. 9; transl. Griffith, *The Church in the Shadow of the Mosque*, p. 29.

62. See the analysis in Drijvers, “The Gospel”.

63. Translated in Hoyland, *Seeing Islam*, p. 280–281; Swanson, “Folly to the *Hunafā*”, p. 239 and n. 12

dates this text to the 690s, which seems much more likely than Hoyland’s suggestion (p. 282) of the years following 638.

64. For some of the earliest such text see Reinink, “Political Power”; Debié, “Muslim-Christian Controversy”; Hoyland, *Seeing Islam*, p. 454–472; Nau, “Un colloque” (for the date and a discussion see Hoyland, *Seeing Islam*, p. 459–465).

65. See now Griffith, *The Church in the Shadow of the Mosque*, and the literature cited therein.

66. See Papaconstantinou, “What Remains Behind”.

an individual, because they both retained links with the lost Christian empire and were well in place in the Caliphate, boasting members of high political prestige such as Sarjūn ibn Manṣūr, and his son the future John of Damascus, who had succeeded his father Manṣūr ibn Sarjūn at ‘Abd al-Malik’s court.

This parallel assertiveness of Islamic, Christian and denominational identities did not happen overnight. Rather, it seems to have taken a great part of the eighth century, and even to have remained an issue for some time, which in turn spawned even more definitional, identity-oriented literature in varying forms and over several centuries.

### *The Early Abbasids*

The number of such texts increased with time, and from the late eighth century Christians also started writing in Arabic. This is at least partly linked to the introduction of formal court debates by the Abbasids in Baghdad.<sup>67</sup> Beyond their official function of discussing differences in doctrine and definition between the Abrahamic religions, these debates had an important consequence, which may even have been one of the reasons behind their introduction. They created a class of educated Christians, usually clerics, who were close to the power circles and promoted a consensual form of co-existence in the Caliphate. Such individuals could be relied upon to work for some form of social and cultural melting pot, and they would be reticent to support—and even more join—any grass roots resistance movements that might appear, especially with the systematic application under the Abbasids of the tougher policies towards non-Muslims which were first introduced under ‘Umar II.

One important literary novelty appeared within the Christian production in the early Abbasid years, namely martyrologies. Stories about neo-martyrs became common in Syria and Palestine in the second half of the eighth century.<sup>68</sup> In Egypt, the number of accounts concerning neo-martyrs in general is strikingly small, and only one seems to go back to that early period. There was, however, during the same period a rise of martyrological writing set in Diocletian’s time, which had in part the same purpose of offering a model of behaviour for Christians tempted by apostasy. Martyrologies were heroic narratives designed to hold the troops through the glorification of *exempla*.<sup>69</sup> These are mainly attempts by Christian leaders to stem conversions to Islam, which had become all but irreversible after Mahdī’s decree punishing reconversion of Muslim converts to their previous faith by death. This was the offence of most of the neo-martyrs in the preserved accounts. Evidently under the Abbasids conversion (or apostasy, depending on the viewpoint) had become a real problem for some Christian groups, and there are accounts of mass conversion such as the 24 000 Christians who are said to have denied their faith in Egypt at the time of the patriarch Michael (743–767).<sup>70</sup> It is impossible here to investigate the complex reasons for this development.<sup>71</sup> What is clear is that

67. On court disputation see Lazarus-Yafeh *et al.*, *The Majlis*.

68. See the references in Hoyland, *Seeing Islam*, p. 346.

69. Papaconstantinou, “Hagiography in Coptic”.

70. *Copto-Arabic Synaxarium*, 16 Barmahāt, Basset, “Le synaxaire”, p. 233.

71. For an overview and some suggestions see Hoyland, *Seeing Islam*, p. 336–347 and the references there.

it contributed heavily in tightening the rhetoric of boundaries and creating an atmosphere of mutual suspicion and latent conflict that comes through in many texts of this period.

### *Religious Leadership?*

A corollary of the organisation of society into religious groups is the impression that the leadership of those groups was primarily if not entirely religious. This is a view forwarded by much of the surviving evidence, especially the sources produced by the ecclesiastical or monastic establishment. Religious dignitaries are presented as the main if not the only intermediaries with the Arab authorities. There are two different questions here. Firstly, whether lay officials were that easily displaced by ecclesiastics after the conquest; and secondly, whether the higher clergy's immersion into lay affairs can be seen solely as a result of the Arab conquest.

### *Archontes and Bishops*

In the late sixth or early seventh century, bishop Abraham of Hermonthis in Upper Egypt complained to a member of his flock, "If I were an *archon* who had written to you to come and meet him, you would have rushed to go. Behold, I have sent you Him who is above the *archon*, who is God of the Universe, and you have not listened to Him".<sup>72</sup> This tension between lay and ecclesiastical authorities was common throughout the Byzantine empire. If one relies on literary and narrative sources alone, one is led to believe that after the conquests the former withered away leaving the latter alone on the stage. When one looks at correspondence and documentary evidence however, it becomes clear that lay magnates did not disappear in the wake of the conquests to give way to the clergy. *Archontes* figure prominently in the eighth-century documents from Jeme near the ancient city of Thebes, but also in much later Egyptian sources.<sup>73</sup>

Scholars who have studied the early Arab administration all agree that it initially relied on the structures found *in situ* in the conquered territories, namely the Byzantine governing elites. What this means is that the really powerful people at the local level were those administrators, who dealt with the Arab authorities and their community's everyday problems. As in the sixth and early seventh century, these were the local economic elites, among whom we do indeed find members of the clergy, especially in tax-collecting capacity, but not *ex officio*, and never as the ones who are in contact with the higher authorities. The very well-furnished correspondence of the governor of Egypt Qurra ibn Sharik (705–715), for instance, contains no mention of clergymen having dealings either with the pagarch or with the village headman.<sup>74</sup> Those administrators from the local lay elite were later gradually replaced by Arabs, but they never seem to have given way to members of the clergy.

72. Crum, *Coptic Ostraca*, no. 282; Krause, *Apa Abraham*, no. 100, p. 330–332. Abraham makes the same complaint in another letter, see Krause, *Apa Abraham*, no. 45, 30–32, p. 187–196: "If I were an archon who had written to you, you would have carried out his order immediately".

73. See the references in MacCoull, "Patronage", p. 501–502.

74. The most recent overview of the Qurra material is Richter, "Language Choice".

The correspondence of the *katholikos* Ishoʿyahb III (d. 659) reflects this tension between prominent laymen and church leaders as to where real authority over the local community lay, and Ishoʿyahb developed several rhetorical arguments to justify his spiritual hold over those who held power.<sup>75</sup> The correspondence of one of his successors, Henanisho (d. 700), makes it clear that during the second civil war villages had a lay administrator, even though the local judge was a priest.<sup>76</sup>

Written in the 690s, the portion of the *History of the Patriarchs of Alexandria* composed by George the Archdeacon covers the period of the conquest and includes one of the most important biographies, that of Benjamin I, who lived through the conquest and is said to have welcomed ʿAmr ibn al-ʿĀṣ and to have been recognised by him as a man of God.<sup>77</sup> Yet even here, the presentation of Benjamin is not that of the leader of a given community. This has already been noted by Detlef Müller, who devoted several studies to Benjamin. After an analysis of his encounter with ʿAmr, he concludes: “Der koptische Patriarch verhält sich in Paränese und Gebet nicht anders als gegenüber jeder christlichen Obrigkeit. Wie dort ermahnt und betet er. Theologische Unterschiede zum Islam scheinen noch keine Rolle zu spielen. Auf der anderen Seite fehlen jegliche politische Aspirationen”.<sup>78</sup> In the context of fluidity and neutrality of the period, this lack of political aspirations on the part of Benjamin, and even to a point of his biographer in the 690s, are quite understandable. But the text, very hagiographical in its references, also construes the image of the patriarch much more as a religious *exemplum*, an unattainable model, than as a communal leader of a political nature.

### *The Rising Importance of the Clergy*

On the whole, the conquest reinforced ecclesiastical power and authority within the Christian communities, although this was also the case in what was left of neighbouring Byzantium, and thus a more general shift from the seventh century onwards. In the Caliphate, two factors combined to facilitate the rise of the clergy to the position of communal leaders with an authority that went beyond the religious, however broadly defined.

In the early eighth century, the powerful Christians were mainly the lay administrators, and of course some strategic clerics such as patriarchs or bishops of important cities—who, it should be stressed, often came from the same social circles. The gradual replacement of provincial officials by Arabs during the course of the century left many of the local Christian worthies jobless and sent them looking for other forms of *notabilité* to retain their status in local society, the most obvious of which were those offered by ecclesiastical institutions. Between themselves, the secular church and the monasteries seem to have slowly sucked up the local elites, which could not but result in a tendency to involve religious institutions in administrative tasks, as well as to define local communities more and more in religious terms.

75. Payne, “Persecuting Heresy”.

76. Sachau, *Syrische Rechtsbücher* 2, p. 2–51.

77. On this work see Den Heijer, *Mawhūb ibn Manṣūr*.

78. Müller, “Stellung und Haltung”, p. 204.

The initial exemption of religious institutions and their members from the poll tax reinforced the monasteries' recruiting power and their numerical importance. The imposition of the poll tax on monks at various moments in the late seventh and early eighth centuries (allegedly 705 in Egypt)<sup>79</sup> reversed this tendency, so that both their financial situation and their recruiting power slowly deteriorated. This had one very important consequence in the long run, as the monasteries resorted more and more to the recruitment of people who could pay. Several scholars have pointed to this development, very visible in the monasteries of Egypt,<sup>80</sup> where documentary sources reveal what monastically-filtered narrative sources there and elsewhere prudishly conceal. A striking example is an agreement contracted in the ninth century between a monastery of Menas at Sbeht, near Assyut, and a man, possibly a layman, named Shenute, who is the monastery's *proestos* (i.e. superior).<sup>81</sup> It begins with a summary of a previous document drawn up by the monks, wherein they state that they are prepared to pay Shenute, if they were brought to depose him, twice the sum of 53 solidi that he had brought in—which means Shenute had bought the charge of superior. Then follows the main part of the document, which contains five stipulations, evidently points of friction that had come up after the drafting of the previous agreement. Shenute is not allowed to bring any individual into the monastery against the will of the monks, the penalty for which is three litres of gold (*ca.* 1 kg); he is responsible for the upkeep and maintenance of the buildings and the workshop of the monastery; he has to pay the taxes; if he runs away, the penalty will be 400 solidi; and he is not allowed to undertake anything that has not been ratified by the monks' council.

It is difficult to know how widespread this practice was, though simony is known to have been quite common in Egypt.<sup>82</sup> The demands on Shenute, evidently a man of some wealth, especially at a provincial level, are very high. This document is an attempt to protect the monks' independence *vis-à-vis* Shenute, whose social and economic position was inevitably a strong asset in his negotiations with the monks. For Shenute to accept such demands, even if he knew he could escape some of them, there must have been an equivalent advantage, and this can be nothing else than the prestige and power such a position offered, probably the best social position to be had in Sbeht. This document illustrates how the local Christian elites were drawn into a *domnant-donnant* system, where they contributed (mainly financially) to boost the prestige of religious institutions, while the institutions reflected this prestige on them, together with what power went with it, which by that time probably meant a strong hold on the surrounding community.

Unfortunately we have no equivalent evidence from areas other than Egypt, so that it is not possible to know how things evolved elsewhere at the same level of detail. A closer scrutiny of the existing sources with such specific questions in mind may prove more fruitful than

79. *History of the Patriarchs 17* (Alexander II), Evetts p. 51.

80. Hengstenberg, "Bemerkungen"; Krause, "Zur Möglichkeit von Besitz"; Krause, "Zur Verfassung koptischer Klöster"; Wipszycka, "Fonctionnement".

81. Berol. 11973, see Schmidt, "Das Kloster des Apa Mena".

82. Wipszycka, "Fonctionnement", p. 195–212.

has been assumed, and there are still many sources produced by east Christian societies still waiting to be (re)discovered and exploited.

One thing is clear from all areas of the Islamic world, namely that whatever the new forms of local notability devised in various communities, the administration did not lose its allure for those elites, who were soon to switch to Arabic and join its ranks. Still in the tenth century, among the most influential Christians were those who made it as *kātib*, and according to the geographer al-Muqaddasī, Christians usually held those positions in Syria and Egypt, in great part because of their mastery of Arabic.<sup>83</sup> To enhance their status many of them joined the Church at some stage, and had the responsibility of a community, usually a city of which they were the bishop. Severus ibn al-Muqaffa' is a typical example of this, even though instead of attending to his flock in provincial al-Ashmūnayn, he seems to have spent most of his time in the capital showing off his disputation skills and glossy Arabic to fellow learned members of the elites at the Fāṭimid court.

### *Religious Law*

The existence of a corpus of religious laws specific to each community and pertaining to matters other than purely ecclesiastical has been central in arguing for the corporate nature of Christian groups. I shall not attempt here a re-evaluation of the long bibliography on the legal status of Christians in Islamic lands, nor even a survey of the sources. My point will be very brief, namely to insist on the fact that such laws only developed under the Abbasids, probably once again in parallel to the development of Muslim laws on personal status.<sup>84</sup>

As noted by Michael Morony, the first time private law was included in canonical collections was in Sasanid Iran, in the canons from the synod of Isho'yahb I in 585. We have little notion of how widely or how systematically canon law was applied, especially in a period when it was not yet centralised but remained in the form of collections of decisions taken by local councils or synods. With the collapse of the Sasanian state and the advent of a new polity, and the religious and social fluidity that ensued, it is difficult to know what the fate of those canons was. From the first decades of Islamic rule, we have collections of letters through which the *katholikos* of the moment dealt with ecclesiastical and other matters, but no synods and no new church legislation.

The earliest surviving evidence of a conscious need for Christian legislation comes from the early eighth century, at the time when self-awareness was rising among the groups that populated the Caliphate. It is found in a discussion set at the time of the conquest and featuring a patriarch named John and an *amīr* named 'Amr.

"The *amīr* then moved on to ask about the laws of the Christians, what and after what fashion were they and if they were written in the Gospel or not. He added, 'If a man dies, leaving behind sons or daughters, and a wife and a mother and a sister and a cousin, how should the

83. Quoted by Holmberg, "Christian Scribes", p. 113, who translates *kātib* by 'scribe', although it was also used to describe secretaries in the administration.

84. A general overview in Rose, "Islam"; Édelby, "The Legislative Autonomy".

inheritance be shared among them?’ When our father had answered that the divine Gospel teaches and imposes the celestial doctrine and life-giving prescriptions, that it condemns all sins and all evil, that it teaches excellence and justice (...)—there were gathered there a crowd, not only the nobles of the Muslims, but the heads and governors of the cities and of the believing and Christ-beloved peoples: Tanūkh, Ṭū‘āye and ‘Aqūlaye—the illustrious *amīr* said, (...) ‘I ask you to do one of two things: show me that your laws are written in the Gospel and that you conduct yourselves by them, or submit to the law of the Muslims’. And when our father answered that we Christians have laws which are right and just and accord with the teachings and prescriptions of the Gospel, the canons of the apostles and the laws of the church, upon those words the assembly of the first day was dissolved and until now we have not come before him again”<sup>85</sup>.

Contrary to the Old Testament and the Qur’ān, the Gospel was difficult to use as a code of law, and at a time when it became more and more important for each group to have its own, clearly defined identity the need of such legislation was felt. This text is addressed by Christians to Christians, and the *amīr* is simply used as a literary device to make the point clearer. The passage implies that there were as yet no systematic community laws, and that Christians had the option of following Muslim law, at least concerning questions of family and property.

This does not seem to have happened immediately. The first canonical collection that we know to date from the Islamic period is that of Isho‘bokht of Fars in the 770s, which built on the previous East Syrian collections but significantly expanded the sections on matters of family, property and transactions, so that the collection resembles a code of civil law couched in hyper-Christianised terms.<sup>86</sup> In other regions, such collections came even later. In the eighth century in Upper Egypt, Coptic legal texts were drawn up by professional notaries, mostly laymen, and still cited the “imperial laws” as their legal reference.<sup>87</sup>

## Discord

There is one last point that needs to be made with regard to the the composition and nature of Christian groups in the Caliphate. Most of the surviving evidence tends to iron out intra-communal tensions and to inflate those between rival denominational groups—a distortion that is understandably reflected in modern scholarship. A closer analysis of the sources, however, shows this was far from being the case. There was continued discord within

85. Nau, “Un colloque”, p. 251–252 and 261–262; date, discussion and partial translation in Hoyland, *Seeing Islam*, p. 208–209 and 459–465.

86. Sachau, *Syrische Rechtsbücher*, III, p. 1–201; see Hoyland, *Seeing Islam*, p. 205–209. This, however, may need to be reconsidered once the code of law of Simeon of Revardashir has been more securely

dated, probably in the time of Isho‘yahb III. I am grateful to Richard Payne for this indication, a result of his doctoral research on Christians in the Sasanid empire.

87. For instance Crum and Steindorff, *Koptische Rechtsurkunden*, no. 85, lines 26–27; no. 87, line 3; no. 94, lines 10–11.

those groups on several issues, as well as the usual tensions all social groups experience that are linked to status and hierarchy, economic and production relations, or power politics, to name but a few factors.

One issue that seems to have divided Christian communities throughout the Islamic world was that of the attitude that was to be adopted towards the Muslims. It is reflected in much of the anti-assimilation rhetoric deployed by some religious leaders, who resented the fact that other members of the Christian communities, often even clerics, could have a more down-to-earth, consensual approach of the new status quo. The debate that shook the Cordoban community in the ninth century over this issue has been abundantly studied, in great part because it has left behind a generous cluster of sources.<sup>88</sup> Between those who preferred martyrdom to compromise and those who had to settle day-to-day affairs and to avoid the disappearance of the community, there was little common ground.

For the East, equivalent sources are much more difficult to put together, in great part because they are less accessibly published if published at all, and little known beyond small circles of specialists. The correspondence of the East Syrian *katholikos* Isho'yahb III mentioned above is a case in point. Many of his letters deal with internal problems between opposing parties within his own community, and reveal that the solutions were not always easy to find or implement. The rivalry between clergy and lay elite was but one of those rifts, and it created a situation of competition for legitimacy *vis-à-vis* the Muslim authorities that worked in much the same way as denominational groups vied with each other for the local governor's favours. Among the contested areas was the very profitable activity of tax collection, and this may well have been one of the reasons that prompted 'Abd al-Malik and al-Walid to replace Christians by Muslims in those positions.

Beyond the disputes of local high society, there were also points of tension that involved the rest of the population. The crisis faced by monasteries after their initial tax exemption was suppressed created a situation of latent conflict within the Christian communities. The eighth century was a period of decline for the many small monasteries that dotted the countryside and surrounded the towns during the sixth and seventh centuries. When they could not use a rich patron like the monastery of Apa Mena, they only had one choice left in order to survive, and that was to exploit the local population. The archives of the monastery of Saint Phoibammon near Jeme in Upper Egypt contain important evidence of this.<sup>89</sup> Apart from the donations to the monastery that were included in wills, specific donation contracts were drawn up between the monastery and people from Jeme or the surrounding area. Gifts included plots of land of various sizes, but also fruit trees, cattle or money. The most characteristic acts, however, concerned the donation of children.<sup>90</sup> What is interesting in those documents is the length

88. Colbert, *The martyrs of Córdoba*; Coope, *The Martyrs of Córdoba*; Christys, *Christians in al-Andalus*.

89. Crum and Steindorff, *Koptische Rechtsurkunden*; German translations of most texts in Till, *Die koptischen Rechtsurkunden*.

90. See Papaconstantinou, "Θεία οἰκονομία", with further references.

of the explanations given to justify the donations. The typical story has the parents make a vow to the saint in moment of difficulty, offering to give their offspring to his shrine when he grows up. When the time comes to bring the child to the monastery, they feel unable to bear the separation, and decide to keep the child. The child then falls seriously ill, and only recovers his health when his parents recognize their error and bring him to the saint's altar. They then draw up an act with the authorities of the monastery, by which they give up all their rights to their child and to any wealth he might produce through his labour.

The wording of the contracts is very close to that of contemporary miracle collections, which in the eighth and ninth centuries tended to insist much more than earlier ones on the punishments inflicted by saints to "immoral" Christians, i.e. Christians who did not fulfil their vows of donation. These texts were by that time almost invariably produced in monasteries. An Upper Egyptian collection of miracles attributed to Saint Victor and inserted in a sermon on the sinfulness of riches is essentially concerned with rich Christians who are not generous enough with Saint Victor's shrine, at that time certainly a monastery similar to that of Saint Phoibammon. The structure of the stories is designed to achieve maximum effect. After various severe punishments, the proud and selfish worthies end up "repenting" and giving rich gifts to the saint's monastery. The collection even contains a miracle which offers an exact parallel to the Jeme contracts, since it involves the donation of a child to the holy place.

This is a well-documented example of what must under various guises have been happening everywhere at the same period. It is difficult to assess the effect of such pressure on Christian populations who in the eighth century also had to cope with the more systematic levy of the poll tax. This, combined with the fact that leadership disputes and social or religious tensions were not always resolved within the Christian communities, could in great part account for the movement towards conversion that seems to have started in the second half of the eighth century, and that should not necessarily be put entirely on the count of Muslim subtle economic prompting.

## Conclusion

Even though the existence of autonomous, corporate and faith-based social groups was indeed a fundamental part of *classical* Islamic society, there are two important ways in which Islam is not co-terminous with such a system. Firstly, a loose social organisation of unstable faith-based groups existed before it appeared, and the early Muslim *umma* found its place among them; this fluidity continued for another seventy years at least, until for various reasons borders between groups started being strengthened. Secondly, from that moment, under 'Abd al-Malik and his successors, it took another century for the medieval system as we know it—or as it is usually described—that is with the accompanying legislation, formal definitions and more systematic application of laws of personal status, to actually take form.

Accordingly, the picture in which the clergy performed most of the duties of community leadership is without doubt a creation of a body of narrative evidence produced overwhelmingly if not exclusively in ecclesiastical circles, and aiming to give the church a preponderant

role. It was probably true to a point at the highest level, between patriarch and governor, but only reached provincial areas when the Arabs had displaced the local elites from positions of political authority, however small. Only then did religious authority gain in importance and become the main focal point of local communities. This is probably also the reason why local Christian lay elites started choosing ecclesiastical careers, which were becoming the only way of remaining in the system.

Another biased image offered by most sources is that of homogeneous, closely-bound and strifeless communities. Several examples show that this was far from being the case, and that like all social groups, those of the Christian East knew discord and social tension, of a kind that goes a long way towards explaining their subsequent evolution. To understand this process in more depth it is important to start defining the non-Muslims of the first two Islamic centuries in more social and less religious terms, taking into account such important elements in the definition of communities as territory and locality, role in the economy and the ecosystem, demographic balance and political significance as members of an empire of which they formed, after all, the overwhelming majority of the population.

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