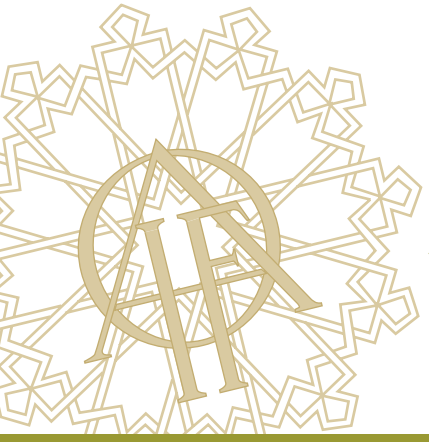
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Hugh N. Kennedy

# Commendation in the Umayyad and Early Abbasid Period as Described in the Futūḥ al-Buldān of al-Balāḏurī

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HUGH N. KENNEDY*

# Commendation in the Umayyad and Early Abbasid Period as Described in the *Futūḥ al-Buldān* of al-Balāḏurī

◆ ABSTRACT

This paper examines ties of dependency in the Umayyad and early Abbasid period though the evidence from al-Balāḏurī's *Futūḥ al-Buldān*. It argues (contra Cahen) that *ilǧā'* arrangements were often based on mutual self-interest rather than the needs of an oppressive elite. The variety of the arrangements explored in this paper gives an interesting insight into the different sorts of triangular relationships between the state (*sulṭān*), the powerful and the farmers.

**Keywords:** Abbasids, agriculture, investment, landownership, taxation, Umayyads

◆ RÉSUMÉ

**La protection à la période omeyyade et au début des Abbassides d'après le *Futūḥ al-Buldān* d'al-Balāḏurī**

Cet article examine les liens de dépendance à l'époque omeyyade et au début de la période abbasside d'après le *Futūḥ al-Buldān* d'al-Balāḏurī. L'article fait valoir (contre Cahen) que les actes de *ilǧā'* étaient souvent basés sur l'intérêt mutuel plutôt que sur les besoins d'une élite oppressive. La variété des contrats examinés dans cet article donne un aperçu intéressant des différentes sortes de relations triangulaires entre l'État (*sulṭān*), les notables et les exploitants agricoles.

**Mots-clés :** Abbassides, agriculture, investissement, propriété foncière, fiscalité, Omeyyades

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**ملخص**

**الحماية في العصر الأموي وبداية العصر العباسي وفقًا لكتاب «فتوح البلدان» للبلاذري**

يبحث هذا المقال روابط التبعية في العصر الأموي وبدايات العصر العباسي حسب ما جاء في كتاب فتوح البلدان للبلاذري. ويخلص المقال (ضد رأي كاهين) إلى أن ترتيبات الإلجاء كانت في الكثير من الأحيان قائمة بالأحرى على مصلحة ذاتية متبادلة وليس على احتياجات نخبة متعسفة. وتنوع الترتيبات والعقود التي بحثها هذا المقال يقدم صورة شيقة للأشكال المختلفة للعلاقات المثلثية القائمة بين الدولة (السلطان) والأعيان والمزارعين في هذا السياق.

**الكلمات المفتاحية**: عباسيون، زراعة، استثمار، ملكية الأراضي، نظام ضرائب، أمويون

* * *

Our understanding of early Islamic administrative systems is hindered by a lack of precision about the use and understanding of terms and terminology. The lexicographical tradition[1] can certainly give us pointers but these are general and seldom concentrate specifically on administrative terms which may well be adapted and changed from the more common meaning of the word. In addition, it is often misleading to collate the way in which different writers use these terms and attempt to work out generally applicable definitions. A classic example of how a generalised approaches can be misleading can be seen in discussions of the use of the word *iqṭāʿ* which develops in the fourth/tenth century to describe the distribution of fiscal rights, especially the right to collect taxes, to important figures in the military as a reward for service. These grants were, at least in theory, time limited and dependent on continuing service. However in the earlier Islamic period we have numerous references to grants of landed property described as *qaṭīʿa* (pl. *qaṭāʾiʿ*). Because the word come from the same *qṭʿ* root as the later *iqṭāʿ* it has been generally assumed by scholars, including the great Claude Cahen that the meanings of the two words were essentially the same. In fact a close reading of the evidence in law books like the *Kitāb al-amwāl* of Abū ʿUbayd al-Qāsim b. Salām and the narrative histories of al-Ṭabarī and especially the *Futūḥ al-buldān* of al-Balāḏurī makes it clear that their meaning were very different. The *qaṭīʿa* was grant of land which was heritable, alienable (it could be sold) and defendable at law, in effective private property in every meaningful sense and in no way comparable with the Western fief.

In order to get more precision on the meanings of these terms, it is essential to examine how one author in one work at one time uses them. The purpose of this short essay then is not to rewrite the history of commendation in the early Islamic period or to revisit the origins

1. For this tradition see Baʿlabakki, 2014.


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and nature of Islamic feudalism and its relationship with similar institutions in the West but rather to look at the use of a single concept by a single author.

The use of commendation or protection[2] in the early Islamic world has been attested in previous studies. In the article "*ḥimāya*", in the *Encyclopaedia of Islam* (Second Edition)[3], Claude Cahen summed up the general view: "In the practice of the first three or four centuries of Islam, *talḏjiʾa*, literally 'putting under protection' consisted of the 'commending' by an inferior to a superior of a possession of which the former remains the legal owner but for which, by virtue of a tacit agreement, the latter is to be responsible vis-à-vis the administrative authority and more particularly the tax authorities". He goes on to note that: "It can readily be understood how *ḥimāya*, in this instance imposed by force or as a way of repaying debts, was one of the methods used by those in power to build up for themselves vast domains, in which the former owners of the separate estates were now merely sharecroppers". Cahen regarded such arrangements as inherently coercive and oppressive leading to the reduction of the farmer to a semi-servile condition. It fitted in well with the left-leaning Cahen's wider understanding of asymmetrical power relationships in medieval Islam. He concludes that these arrangements disappeared in the course of the tenth century, being superseded by the spread of the military *iqṭāʿ*.

As Cahen also notes, these protection agreements "are almost unrecognised by *fiqh*". In order to understand the extent and variety of these arrangements and the purposes for which both parties entered into them, we have to look to incidental mentions in narrative sources. The richest of these is Aḥmad b. Yaḥyā al-Balāḏurī's *Futūḥ al-buldān*, completed *ca*. 865. The author's keen interested in property law and fiscal practice, one of the most important features of his book, along with his continuation of the evidence base up to his own time, meant that he collected details of these arrangements which are rarely if ever discussed in other sources of the period.

Cahen, as we have seen, essentially saw commendation devices as ways in which the powerful took control of the farms and lands of smaller and weaker proprietors and, in essence, reduced them to the status of sharecroppers. His discussion of the Abbasid period of commendation was also heavily influenced by what he saw as the practice of the Buyid period when *ḥimāya* was indeed a word for a quasi-feudal over lordship. The advantage of studying systems of commendation in the *Futūḥ* is that it is, so to speak, a sealed level, dealing with administrative systems of the caliphate before the crisis of authority and the anarchy of Samarra between 861 and 870 which led to the breakdown of so many of the caliphal systems. Because of this, his accounts of various types of commendation are especially valuable for looking into the origins of the practice.

**2.** This is the practice of people, usually small farmers or tenants entrusting their lands to powerful individuals on the understanding that these individuals would protect them against the depredations of bandits and tax-collectors.

**3.** Cahen's article in the *EI*², III, s.v. "*Ḥimāya*" is largely a summary of his "Notes pour l'histoire de la *Ḥimāya*" in *Mélanges Louis Massignon* I, (1956, pp. 287–303). Cahen uses the term *ḥimāya* as a blanket term for commendation of all sorts. However, *ḥimāya* is not used in this context in the *Futūḥ*.

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The first example I want to explore is set around the town of Bālis on the great bend of the Euphrates. Before discussing the role of the Umayyads in the development of agricultural lands in this area, it is worth looking at an unusual comment in the text, unusual because al-Balāḏurī seldom says anything about the pre-Islamic ownership of land. "Bālis and (nearby) Qāsirin, he writes,[4] belonged to two brothers of the Roman nobility who had been assigned (*uqṭiʿa*) the nearby villages and appointed as protectors (*ḥāfiẓīn*) of the cities of the Romans which they possessed in Syria". The vocabulary here is very interesting. *Uqṭiʿa* means that they were given the lands as a *qaṭīʿa*, that is to say a landed estate given in full hereditary ownership, or at least that is how the Muslims saw it. They were also appointed as "protectors" of the Roman cities in the area. The term *ḥāfiẓ* means guard or protector in a general sense (as well, of course, as someone who knows the Qurʾān by heart). This is however, a rare example of the term being used to describe an administrative role in the whole of the *Futūḥ*, or, as far as I am aware, any other Arabic literature of the period. This may be relevant to our enquiry because it suggests that there was a great lordship in this area before the coming of Muslim rule and that the Arab conquerors knew about this and remembered it. At no point does our author directly suggest it but it may be the case that the Umayyad Maslama b. ʿAbd al-Malik[5] (d. 738), who developed the property around the city, was in some way seen as a successor to the two brothers in his role in the area and that is why the people of the neighbouring villages would look to him to assist them in irrigation prospect.

Be that as it may, when the narrative begins, probably *ca.* 700 CE, we are told that Bālis and the villages attached (*mansūba*) to it were dry farming land[6] which paid the tithe rather than the more onerous *kẖarāḏj* land tax. The people of the area came as a group to Maslama, son of the caliph ʿAbd al-Malik, as he was passing through on his way to launch an attack on the Byzantine frontier and asked him to dig a canal (*nahr*) from the Euphrates to irrigate their lands,[7] presumably at his own expense. In return they would give him a third of the produce (*ġalla*) on top of the tithe they paid to the government (*sulṭān*).[8]

He agreed and dug the canal which was thereafter known as the Nahr Maslama and they paid him the dues they had promised. At his death, the property passed to his heirs. After the Abbasid revolution, Bālis and its lands, like all the landed possessions of the Umayyad family, were confiscated and given to one of the caliph al-Saffāḥ's uncles Sulaymān b. ʿAlī, whose

4. Al-Balāḏurī, *Futūḥ al-buldān*, p. 151.

5. Maslama (d. 738) was the brother of the caliphs al-Walīd, Yazīd and Hisẖām. While he never became caliph he was one of the pillars of the Umayyad regime, distinguishing himself in leadership of the Muslims on the Byzantine frontier and being largest and most entrepreneurial of property developers in northern Syria and Iraq.

6. According to Lane, s.v. "*aʿḍā*ʾ". The term means pleasant land but more specifically land which were at a distance from rivers or swamps, so dry farming lands.

7. This was one of a series of canals dug at the foot of the desert escarpment so that irrigation water could be led from the Euphrates and used to irrigate the riverain plain between the escarpment and the river itself. See Berthier et al., 2001.

8. The word *sulṭān* here is used in the sense of "the state" or "the authorities" not as the title of a ruler, a usage which only becomes in the eleventh century CE.


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power base was in Basra in southern Iraq. On his death it passed to his son Muḥammad. When he in turn died it was effectively confiscated by the caliph Hārūn al-Rashīd. Muḥammad's jealous brother Ǧaʿfar had alleged that he was using the land and the *khawal* on it to build up a power base to challenge the caliph.[9] He in turn passed it as a landed estate (*qaṭīʿa*) to his son al-Maʾmūn and it was subsequently inherited by his son. After that we lose track of it.

We can see from this account that Maslama created a large heritable estate in the area from which he derived substantial revenues paid by the cultivators according to their agreement on top of the tithes they already paid to the state. It would seem at least possible that the inhabitants became in some way the dependants of the estate owner, at least enough to make them a possible threat to the power of the caliph. The use of the term *khawal* is interesting. While it can mean a slave, it can also mean a dependent in a more general sense. Is it possible that these *khawal* were the descendants of those who had originally made the agreement with Maslama and been, so to speak, inherited by the new Abbasid proprietors? At the same time, his estate is never referred to as a *ḥimāya*, the only term used being *qaṭīʿa*. It is also worth noting that, far from being a power grab by a prominent individual, this is presented as a mutually beneficial arrangement which came about at the request of the farmers, keen to obtain financial investment which would increase the productivity of their lands. This should also be seen against the background of growing demand for the grain of al-Ǧazīra in the cities of Iraq, Basra and Kufa in the Umayyad period and later of Baghdad. Maslama's investment may mark the change from subsistence farming to an agriculture orientated towards the markets of the great Iraqi cities. Far from being an oppressive device imposed by the powerful, it could perhaps be seen as a mutually profitable investment by landlord and peasant alike, responding to new market opportunities.

My second example comes from Palestine in the early Abbasid period[10] and is on a smaller scale. "In Palestine, he writes, there are separate areas which have *sidjill*s which are not part of the general *kharādj* described as 'reduction' (*taḫfīf*) and restoration (*rudūd*) lands. This is because they were estates (*ḍiyāʿ*) which were left and abandoned by their inhabitants during the caliphate of al-Rashīd." The Commander of the Faithful, al-Rashīd sent Harthama b. Aʿyan to bring them back under cultivation. He invited some of the farmers (*muzāriʿ*) and cultivators (*akira*)[11] to return on condition that their *kharādj* was reduced and their obligations

9. That at least is the implication of the text the word for dependants is *khawal*, a word which also means slaves. While we are given no details, it may be that these *khawal* were the descendants of those people who had made the original agreement with Maslama.

10. Al-Balāḏurī, *Futūḥ al-buldān*, p. 145.

11. The names by which farmers are described present some problems. The term *muzāriʿ* is derived from *zaraʿa* root which is concerned with sowing grain. In some contexts the term refers to sharecroppers, people who are granted the use of land and of seed in exchange for a share of the harvest but etymologically it can just refer to anyone who sows seed. Similarly *akira* (pl. of *akkār*) refers to people who dig. I would argue that al-Balāḏurī uses the words to mean simply sowers and diggers, referring to their labour rather than their fiscal status. The term *fallāḥ*, widely used for peasant farmers in later texts, does not seem to have been generally employed at this time.


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(*muʿāmalāt*) were lightened. They returned and they are those to whom the "reduction" was made. Later some of them were restored to them in a similar way and they are the people of "restoration". To what extent this created a sort of dependency is not clear. What is apparent, however, is that there seems to have been no question of using force to compel the farmers to return: only persuasion and financial inducements could do this. The Abbasid administration was using fiscal measures to encourage settlement and cultivation of derelict agricultural land.

Maslama b. ʿAbd al-Malik features again in my third example, this time he is seen at work in the marshes of southern Iraq.[12] In the times of the Umayyad caliph al-Walīd (r. 705-715) new breaches were made in the dykes which held the water back in these areas. Al-Ḥajjāj b. Yūsuf, the powerful governor of Iraq and the East wrote to the caliph saying that it would cost three million dirhams to repair them to which the caliph replied that this was too much. The large sums of money suggest that this project would require a massive investment of cash, presumably to pay the labourers: as elsewhere in the early Islamic period there is no indication of slave or corvee labour being used in agricultural projects.[13] Maslama hearing of this and always on the lookout for a business opportunity, volunteered to take on the project on condition that he was given any land which was left over after the three million had been expended on repairs and restoration, to be supervised by al-Ḥajjāj. He made good his promise and he acquired lands in the neighbouring districts (*ṭasāsīǧ*) and dug the canal known as al-Sibayn. He invited diggers and sowers and brought that land under cultivation. People entrusted (*alǧjaʾa*) many estates (*diyāʿ*) to him out of respect for him (*li-taʿazzuzihi*). This sentence is extremely interesting. As noted by Cahen, the idea of entrusting one's estate to the protection of a powerful man without losing legal ownership of it was an important form of commendation. The "respect"[14] surely refers to his power to offer them protection, perhaps against tax collectors. The term is used in two of the other examples I am quoting here to indicate the power and prestige which enables a man to offer protection. After the Abbasid revolution the properties passed to Dāwūd b. ʿAlī, the oldest of the Abbasid uncles and was bought from his heirs along with its rights (*ḥuqūq*) a phrase which may refer to the rights granted by the estate owners to Maslama. The property then passed to the estates of the caliphate (*ḍiyāʿ al-ḫilāfa*). Again, we should note the way in which al-Balāḏurī sees these arrangements as mutually beneficial. Cultivators are invited, not forced, to come and work. The chronology also fits in with the accounts in the *Futūḥ* of the development of agricultural estates (*qaṭāʾiʿ*) in and around Basra at the same time. Though probably on a smaller scale than Maslama's development, they were also designed to feed the markets of Basra and its people.

The final examples of commendation I want to examine come from a very different geographical setting in the high mountains and windy upland plains of the Zagros mountains.

12. Al-Balāḏurī, *Futūḥ al-buldān*, p. 295.

13. Of course by the third/ninth century large numbers of Zanj were working in the estates in southern Iraq but this seems to have been a development of the early Abbasid period.

14. De Goeje explains *taʿazzuz* as "protectione alicujus fortis et honoratus est". See al-Balāḏurī, *Futūḥ al-buldān*, glossary, p. 70.


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It is also different in the nature and purposes of the arrangements. Whereas in the previous examples, the purpose of the agreements was to expand agricultural lands, and hence the revenues derived from them, in these cases the purpose was to secure protection of the inhabitants by entrusting their lands to a powerful member of the Abbasid family. In these cases it seems that they were prepared to sacrifice some of their rights and status in exchange for security of life and property. Al-Balāḏurī's narratives make it clear that even at the height of the power of Abbasid caliphate in the reigns of al-Mahdī and al-Rashīd it was very difficult to maintain order or collect taxes in these remote areas. The chaos and disruption caused by the great civil war between al-Amīn and al-Maʾmūn after Hārūn's death in 193/809 worsened an already precarious situation as groups which had previously supported Abbasid rule were obliged to defend themselves against warlords and brigands. When al-Maʾmūn passed through the area during his triumphant but slow progress from Merv in Khurasān to the city of his ancestors, Baghdad, in 203-204/818-819, he passed through local groups sought his aid and protection or the aid and protection of members of his family.

Among these were the inhabitants of the area known as al-Mafāza, the wilderness or desert[15]. Al-Balāḏurī explains: "When al-Ḥarashī[16] had been made governor of al-Jibāl in the time of Hārūn al-Rashīd most of the inhabitants had left the area and abandoned it. Al-Ḥarashī sent one of his commanders, one Hammām b. Hāni al-ʿAbdī,[17] there and most of the inhabitants entrusted their estates (*aldjaʾu diyāʿahum*) to him and he took possession of them (*ghalaba ʿalā mā fīha*)". In exchange he would pay what was due (*ḥaqqa)* to the treasury. After his death his children were unable to maintain their position. When al-Maʾmūn came through, a delegation including some of Hammām's children approached him. They offered to surrender their ownership of their properties and become *muzāriʿūn lahu* in return for supporting them[18] and protecting them from brigands. This he duly agreed to do, he ensured that they could cultivate their lands which became part of the caliphal estates (*diyāʿ al-khilāfa*). The vocabulary here is very interesting. The inhabitants "gave" him the *riqāba* of their lands. As De Goeje notes in his glossary to the *Futūḥ*, *riqāba* means ownership or in his Latin, the *dominio soli* as opposed to the *usufructus*, basing his argument on a passage from the *Kitāb al-kharāj* of Qudāma b. Ǧaʿfar in which the meaning is made explicit. This suggests that *muzāriʿūn* may well mean sharecroppers in this context. This, then, is a classic description of commendation: the people in a weak position and in need of protection, surrender their rights to a powerful figure in exchange for that protection.

Further east a parallel process can be seen in the town of Zanjān, between Rayy and Tabrīz at the foot of the mountains from which the Daylamites continued to raid the settled plains throughout the early Abbasid period.[19] "When al-Qāsim son of the Commander of

**15.** Al-Balāḏurī, *Futūḥ al-buldān*, p. 311.
**16.** Yaḥyā b. Saʿīd al-Ḥarashī was a governor and soldier in the reigns of al-Mahdī and Hārūn. Famous for his severity in collecting taxes and maintaining law and order, he was governor of al-Jibāl in around 780.
**17.** Nothing else seems to be known about him.
**18.** *Yuʿazzu* "they were protected".
**19.** Al-Balāḏurī, *Futūḥ al-buldān*, p. 323.


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the Faithful al-Rashīd[20] was made governor of Jurjān, Ṭabaristan and Qazvīn, the people of Zanjān entrusted (*aldja'a*) their estates (*ḍiyā'*) in order to obtain his protection (*ta'azzuzan bihi*) against the evil of brigands and the oppression of tax collectors. They wrote contracts of sale (*ashriya*) for him and became sharecroppers (*muzāri'ūn*) and today they are part of the Estates". Here again, the weak entrust their lands to the rich to avoid the unwelcome attention of "brigands and tax-collectors". However, the exact nature of the transaction is not clear. The word *aldja'a* carried no notion of payment suggesting that this was a straightforward swap of protection for ownership. However the use of *ashriya* (anomolous plural of *shara*) suggests that the estates were sold (Lane s.v. mot et page) but De Goeje translates simply as a written contract (*contractus scriptus*[21]).

At the same time the people of neighbouring al-Qāqizān did much the same.[22] The area had been tithe (*'ushr*) land because that was one of the conditions under which the inhabitants had become Muslim. They revived it after Islam and entrusted it to al-Qāsim. They paid him a second tithe in addition to the one that they already paid to the treasury and this land also became part of the (caliphal) estates.

The examples discussed here show the wide variety of commendatory practices used in the early Abbasid period. It is typical of al-Balāḏurī's method that he quotes individual examples rather than developing a more general discussion. However, we would probably be right to assume that these practices were used in other areas as well and were part of the fabric of the society of the time.

The nature of these contracts varied considerably. The example of Bālis seems to show a contract for economic development which was drawn up as a cooperative enterprise between the rich man with the capital resources, Maslama, and the villagers, a contract which was voluntarily entered into by both parties and may have been initiated by the villagers. The Palestine example shows a landlord, in this case the *sulṭān* offering favourable conditions, confirmed by a written *sidjill* to induce farmers to return. The third example from the Marshes also looks like an economic development project but we should also note that even in the centre of caliphal power neighbouring landlords sought to entrust their lands to the powerful Maslama, clearly thinking that there was an advantage in such protection. What the contractual basis of this transaction was, however, we are not told.

The examples from the Jibāl, on the other hand, are different in character. In these cases the need for physical protection drives the property owners to surrender their rights in return for this protection. There is no idea of economic development here. The choice of al-Qāsim as a protector was not made on the basis that he would invest in any sort of development.

**20.** Al-Qāsim had been appointed third in line to the succession to the caliphate (after al-Amīn and al-Ma'mūn) in 803. He bore the title of al-Mu'taman. He was made governor of the Jazīra and the Thughūr on the Byzantine frontier. After the accession of al-Amīn, he lost his position and was taken to Baghdad. He disappears from the historical record after 810.

**21.** See al-Balāḏurī, *Futūḥ al-buldān*, glossary p. 57.

**22.** Al-Balāḏurī, *Futūḥ al-buldān*, p. 323.


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Are we then seeing signs of a "proto-feudalism" here whereby the small proprietors lose their independence to the wielders of military and political power and are forced into villeinage? Well, not quite. There are fundamental differences between these arrangements and the banal lordship typical of north-west Europe. The most important of these is that both labour services and the rights of justice, both fundamental to the structures of banal lordship seem to be entirely absent from the Islamic context; if the peasants disliked the conditions under which they were labouring, they could get up and leave. As I suggested elsewhere there is circumstantial evidence that significant numbers did in the Fertile Crescent in the tenth century, abandoning their agriculture and becoming pastoralist Bedouin instead. Private justice and other impositions, like using the lord's mill seem to have been largely unknown, making the land tenure in the Islamic Middle East very unlike the western European pattern Perhaps a closer analogy would be with the Byzantine Empire where imperial legislation of the tenth century constantly tries to protect the peasants against the pressures of the *dunatoi* (powerful).

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